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The public career of Robert Carter Nicholas

Robert Miller Saunders

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THE PUBLIC CAREER OF
ROBERT CARTER NICHOLAS

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the Faculty of the Department of History
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In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Robert Miller Saunders
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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>I. EARLY CAREER</td>
<td>1</td>
</tr>
<tr>
<td>II. THE ROBINSON AFFAIR</td>
<td>9</td>
</tr>
<tr>
<td>III. ACTIVITIES AS TREASURER</td>
<td>13</td>
</tr>
<tr>
<td>IV. DEFENSE OF PAPER MONEY</td>
<td>19</td>
</tr>
<tr>
<td>V. NICHOLAS VS. RANDOLPH</td>
<td>28</td>
</tr>
<tr>
<td>VI. NICHOLAS'S RELIGIOUS CONTROVERSIES.......</td>
<td>42</td>
</tr>
<tr>
<td>VII. CONCLUSION</td>
<td>53</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>60</td>
</tr>
</tbody>
</table>
INTRODUCTION

Although time has obscured his reputation, Robert Carter Nicholas exercised considerable influence in pre-Revolutionary Virginia. Thomas Jefferson, Patrick Henry, George Washington and other familiar Revolutionary figures knew him well and respected both his ability and integrity. In fact Nicholas had already established himself as a power in Virginia politics when the men mentioned above were just stepping onto the stage of Virginia history.

Nicholas, like many of the leaders in Virginia, came from a wealthy planter family and practiced law. Probably his most famous case was as defense attorney for Virginia in the Parson's Cause against Bishop Camm—an ardent foe to the reduction of preachers' salaries which had brought about the Parson's Cause.

Nicholas became Treasurer of Virginia in 1766 and soon found his duties in this position were too heavy to handle adequately his law practice. At first he turned over his practice to Jefferson, who likewise found the extra business burdensome; therefore, the
practice was assumed by Patrick Henry.

As Treasurer Nicholas was faced with duties that were unusually complicated. His predecessor had mismanaged the state's funds, and the efforts of the legislature to finance the first major war in America had been haphazard at best. Consequently, the finances of Virginia were in chaos. Frequent forgeries of the paper money added to the difficulties. In addition England's ban on the issuance of paper money as legal tender was not designed to make the task of the Colony's Treasurer any easier.

Despite the lack of any formal financial training, Nicholas seems eminently qualified for the position of Treasurer. As a planter and lawyer, he had had much practical experience in the tobacco trade with England, which was the mainspring around which Virginia's finances revolved. Consequently, it is clear that he understood from the beginning of his career the problems that faced Virginia and what needed to be done to correct them. This is demonstrated in that, at the start of his reign as Treasurer, there was no lull while he learned the
"ropes" or formulated a policy. Instead he began to push vigorously the tax collectors to carry out their duties, and he took the lead in having the office of Treasurer and Speaker of the House of Burgesses, which had been united in the past, split into two separate and independent offices.

As both Treasurer and member of the House of Burgesses Nicholas could be described as a modern day Chairman of the Appropriations Committee combined with the separate independent executive power of a Treasurer. In this position it is apparent Nicholas worked in close coordination with the House. The mere fact that he remained Treasurer for ten years shows that the House approved of his policies. For they had the power to vote him out of office at the beginning of each session by a simple majority.

Finally Nicholas possessed a trait absolutely essential for a Treasurer: complete honesty. There is no record of even a mere suspicion of his integrity, and an adjective frequently used by his contemporaries to describe him was 'honest'.
As a leader in Virginia Nicholas was quite naturally deeply involved in the disputes with England that arose after the French and Indian War and led to the Revolution. As early as 1764 Nicholas asserted himself as a leader when he and George Wythe expressed in a communique to Virginia's agent in London opposition to the passage of an act for the purpose of revenue.

It seems clear that the leaders of Virginia and the other colonies realized that the material for the Revolution was evident at the end of the French and Indian War and all that was needed was for England to ignite it. With this in mind Nicholas formulated his policy for opposition to England. Ideally he wished, as did many Americans, for a return to the "good old days" before the French and Indian War. Failing in this he hoped for some reasonable division of power between Parliament and the colonial legislature. Or, in other words, Nicholas would have been abundantly satisfied with Benjamin Franklin's "Plan of Unity" for separation of responsibilities.
between England and America with which Nicholas surely was familiar.

Having formulated his ideas when few if any Americans advocated independence, Nicholas was extremely reluctant to abandon his opposition to independence when hostilities broke out; and, when the Virginia Convention met in May of 1776, he refused to vote for independence. But he did not vote against the Resolutions so that the action would be unanimous. Perhaps a partial explanation for this was imbeded in Nicholas's character. Although it would appear to be unfair to say he had a closed mind, it seems apparent he was set in his ways.

This is not to suggest that he was disloyal to the American cause, before or after the Revolution. Before the war he vigorously defended American rights and actively supported the various boycotts of English goods. And after the vote for independence was complete, he dropped his opposition and sincerely supported the majority in the best democratic fashion.

Due to the scarcity of material on Nicholas, especially his early life, there will be no attempt
to write a complete biography in strict chronological order. Instead after Chapter One, dealing with his life up until 1764, the attention will be focused on various phases of his public career.

Nicholas's most constructive contribution to Virginia was as Treasurer; therefore Chapters Two, Three and Four will deal with some aspects of his ten years in this office. Chapter Two will concern the circumstances of his becoming Treasurer; Chapter Three will deal with his activities as Treasurer; and Chapter Four will present Nicholas's defense of Virginia's monetary policy.

After this the emphasis will shift to Nicholas's religious and political views and activities. A brief sketch of his political activities from 1764 to 1774 composes Chapter Five. It will focus mainly on a pamphlet by John Randolph, ex-Attorney General of the Colony who became a Loyalist, to which Nicholas caustically replied. Chapter Six is an attempt to show that religion was one of the primary factors in determining Nicholas's career.
Chapter Seven, the concluding one, covers aspects of the last few years of Nicholas's life and some opinions as to why he reacted to the events of this time as he did.
In the years preceding the Revolutionary War the chief offices and chairmanships of the standing committees in the House of Burgesses were filled by a small closely-knit group of men who with few exceptions came from the wealthier families of Virginia. And except for Patrick Henry's brash attempt in May, 1765, which caused no internal upheaval, there was no serious challenge to the aristocratic oligarchy which controlled the assembly. One of the most powerful of these men was Robert Carter Nicholas who was Treasurer from 1766 to 1776, chairman of the Committee on Religion, a high ranking member of two of the remaining standing committees, a member of the Committee of Correspondence and a member of many of the various committees created to deal with specific tasks.

Nicholas was born January 28, 1728, the eldest son of Dr. George Nicholas. His mother was the daughter of King Carter. Thus it was from his maternal grandfather that he received his middle name. Nicholas studied law at William and Mary College and married Anne, the daughter of Colonel Wilson Cary. Altogether the Nicholas' had six children—four sons and two daughters. One daughter, Sally, married John Norton who was the son of John Norton the London merchant. The other daughter, Elizabeth, married Edmund Randolph, one of the most powerful figures in Virginia politics.

Nicholas's sons all played prominent roles in post-Revolutionary politics and were leaders in the establishment of the Jeffersonian Republican Party in Virginia. George Nicholas (1754?–1799) was important in both Virginia and Kentucky politics. In Virginia, before he moved to Kentucky in 1790, he served in the House of Delegates and was a strong supporter for ratification of the Federal Constitution in Virginia's


3. Ibid.
Constitutional Convention of 1788. In Kentucky he played a leading role in the passage of Thomas Jefferson's Resolutions against the Alien and Sedition Acts in 1798. John Nicholas (1756?-1810) served in the United States House of Representatives and was a leading Republican in Virginia until he moved to New York in 1803. The most prominent of Nicholas's sons was Wilson Cary (1761-1820) who became United States Senator and Governor of Virginia. Nicholas's youngest son Philip Norborne (1775?-1849) who was named after ex-Governor Botetourt lived most of his life in Richmond and was an active organizer and worker in the Jeffersonian Republican Party.

In the absence of any known picture, the only description of Robert Carter Nicholas was given by Hugh Grigsby in 1855. Grigsby described Nicholas as being of moderate stature, having rather delicate features and inclinations of baldness. In addition


5. Ibid., XIII, 484.

6. Ibid.

Grigsby states he was a good but not eloquent speaker, "a sound lawyer, a good financier and a wise statesman."

As a lawyer Robert Carter Nicholas probably began his career around 1750. The first record of Nicholas as an attorney was published in the Virginia Gazette on April 10, 1751, when he announced that he would be at the next session of the General Court to settle the accounts of Lewis Burwell.

Nicholas was first elected to the House of Burgesses as a delegate from York County and served from 1756 to 1761. In February, 1759, a Committee, called The Committee of Correspondence, was appointed from the Governor's Council and House of Burgesses which included Nicholas, Peyton Randolph, George Wythe and John Robinson. Nicholas served on this committee throughout its existence even though he was not a member of the House from 1761 to 1765. In addition he served on the Revolutionary Committee of Correspondence created in 1773.

8. Ibid.


Due to incomplete records it is not quite clear how Nicholas served on the Committee of Correspondence from 1761 to 1765 when he was not a member of the House of Burgesses. Supposedly, the Committee was made up of members of the Governor's Council and House of Burgesses. Perhaps the only explanation is that since he was a member of the Committee from its conception in 1759 when he was a member of the House of Burgesses the other committee men were reluctant to force him off the Committee on a technicality.

The fact that Nicholas retained his influence with the delegates of the House of Burgesses despite an absence of almost five years was amply demonstrated in 1766 when he was elected Treasurer after having served for only a year since his re-election from James City County.

On June 15, 1764 the Committee ordered a letter written to Edward Montague who had been selected as the agent in England for the colony through whom the Committee was to transact all its business. The purpose of the letter was to give to Montague the

11. Ibid.
Committee's reason for opposing the passage of the Sugar Act. Nicholas and his law partner, George Wythe, were appointed to write the letter which was proposed to the Committee and accepted on July 28th. In the message Nicholas and Wythe expressed the view that it was perhaps "presumptuous" to expect "a restraint upon the controlling Power of Parliament;" but they warned that no Englishman could be made "subservient" to laws without their consent. They noted that in the past Parliament had restrained trade and put duties on exports, but the new concept of a purely internal tax "appears to us to be taking a long and hasty stride and we believe may truly be said to bo of the first importance."

While the draft in opposition to the Sugar Act was being prepared a letter arrived from Montague that informed the Committee of the proposed Stamp Act. Thus a postscript was immediately added, its importance lying in the fact that it was the first

12. Ibid., XII, 8-9.
13. Ibid., pp. 10-11.
14. Ibid.
serious discussion of the Stamp Act in America. The postscript was as follows:

We doubt not that the Wisdom of a British Parliament will lead them to distinguish between a Power and Right to do any Act. No man can but say that they have a power to declare that his Majesty may raise money upon the people of England by Proclamation, but no man surely dare be such an Enemy to his Country as to say that they have a Right to do this. We conceive that no Man or Body of Men, however invested with power, have a Right to do anything that is contrary to Reason and Justice, or that can tend to the Destruction of the Constitution. These things, we write to you with great Freedom and under the greatest Concern, but your Descretion will teach you to make a prudent use of them.16

Thus it is clear that in the ensuing constitutional arguments that preceded the Revolution Nicholas was one of the early leaders against what he considered unconstitutional acts of Parliament. He was, however, not doctrinaire on the beauties of the British Constitution; for he labeled a pamphlet by John Randolph in 1774 on the balance of the English governmental structure as "trite" and a subject which

"the veriest Smatterer in Politicks must long since have had them all by Rote." But he was sincerely alarmed that Parliament and the ministry would abuse their privileges and submit the American people to economic and political regulations that exceeded all reasonable bounds. Shortly after, this Nicholas re-entered the House of Burgesses as a delegate from James City County.

CHAPTER 2

THE ROBINSON AFFAIR

From 1738 to his death on May 11, 1766, John Robinson was both Speaker and Treasurer in the House of Burgesses. Naturally in this period he had built up a considerable amount of personal power. During and after the French and Indian War he took advantage of his position when many planters were in distress to re-issue to them treasury notes which had been turned in to be burned.

Although Robinson had mismanaged the State's funds there was no law on the books against such an offense at this time. The rules merely provided for an expulsion from office. However, Robinson had required securities from the planters for the money and the State was eventually able to collect the funds owed to it.

When Nicholas learned that Governor Fauquier planned to appoint James Cocke, a close friend of Robinson's as temporary Treasurer, he, being suspicious
of some of Robinson's dealings, convinced the Governor to appoint him temporary Treasurer until the Assembly could meet and choose a permanent one. Then in June, after definitely learning that the Treasury had been mismanaged, he published a letter in the *Virginia Gazette* which announced the reasons why he sought the Treasurership and why he had decided to press for a separation of the offices of Treasurer and Speaker.

In the announcement Nicholas stated that when he was formerly a member of the House of Burgesses he and many other members felt the union of the two offices offered many inconveniences. Thus shortly after becoming Treasurer, he wrote to all the members of the House and proposed that the two positions be separated. Nicholas believed this would serve "the real interest of the country"; for "the former union of them has given too much weight and influence to the chair". In addition

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20. Ibid.
the House would best be served by never allowing "any set of men and much more so of any one man" too much power in the Assembly.

Nicholas pointed out that the various powers of the speaker, such as appointing Committee Chairman, was enough authority to be entrusted with any one man. "I cannot but think," said Nicholas, "that every kind of additional power which might prompt men to subscribe implicitly to the will or single opinion of any individual must sooner or later prove destructive to any society." Nicholas concluded with the argument that it was impolitic to have the Speaker and Treasurer united, since his power and influence would place him beyond the reach of public control.

Shortly after the announcement a letter signed "Philautus" appeared in the Gazette which differed with Nicholas on several points. "Philautus" agreed the offices should be separated but questioned the motives

21. Ibid.
22. Ibid.
23. Ibid.
24. Ibid.
Nicholas, "Philautus" contended, advocated the split because this was the only way he could get the job as Treasurer.

The English ban on the emission of paper money coupled with the prohibition on trade with the Spaniards made it necessary for Robinson to re-issue the money to save "many worthy families from ruin and indigence."

In conclusion Philautus expressed the hope the House of Burgesses would reject Nicholas as Treasurer, since he seemed to be a tight money advocate.

Several years later Nicholas concurred with this view and stated Robinson's actions had not been for any personal aggrandizement but from a "mistaken Kind of Humanity and Compassion for Persons in distress."

Nevertheless in the first session of the Assembly after Robinson's death the Burgesses agreed with Nicholas the offices should be split and appointed him as Treasurer and elected Peyton Randolph as Speaker.

25. Ibid., July 22, 1766.
26. Ibid.
27. Ibid.
28. Ibid.
29. Tyler, William and Mary Quarterly, XX, 233-234.
CHAPTER 3

ACTIVITIES AS TREASURER

As Robinson's immediate successor Nicholas faced problems that were considerably more complex than the former Treasurer's. Part of this was due to Robinson's mismanagement; but undoubtedly most of the increased responsibilities were due to a natural growth in the duties of the office. Tremendously complicating the task had been the past policy of financing the French and Indian War.

Nicholas contended, as will be shown in greater detail in the following chapter, that the General Assembly had attempted to borrow money to meet the needs of war and had only used paper money as a last resort. It seems clear, however, that the General Assembly, as subsequent legislatures have discovered, found it exceedingly easier to optimistically hope for a short war and issue paper money in large quantities rather than to tax heavily the populace.

Altogether the House of Burgesses issued more than 500,000 pounds of paper money during the French
and Indian War. But there is evidence to suggest that the money did not depreciate as much as generally thought. Nicholas, in examining the exchange rate, which was an excellent indicator for the value of paper money, shows clearly that the value of the currency did not decline drastically. This will be dealt with in more detail in the next chapter.

Upon assuming office as Treasurer Nicholas found that many tax collectors had been lax in their duties. There were large arrears due the Treasury, some dating back as far as 1755. Thus he began to vigorously push the tax collectors. He published many advertisements in the Virginia Gazette which undoubtedly put much pressure on the tax collectors to perform their duties adequately. Apparently Nicholas was very successful in collecting the taxes. For by 1773 the treasury was on a sound basis and the amount of paper money outstanding had been reduced from over 500,000 pounds to 54,391 pounds.

With the approach of the Revolution Nicholas

31. Tyler, William and Mary Quarterly, XX, 234.
turned to new problems that faced the Treasury. In reply to a letter from the New Kent County Committee of Correspondence, which questioned the wisdom of having the Treasury located in Williamsburg where it was vulnerable to sea attacks, Nicholas said he was in hope of making a large collection of taxes that year (1775) and feared that if he moved it would give some people a fine pretense for not paying their taxes. In addition he pointed out that the credit of paper money rested to a large extent on the ability of the holders to exchange old notes for newer ones when they wished. Finally he felt some would "insinuate that some sinister design was at the Bottom of the Measure."

Then in November, 1775, Nicholas wrote a letter to the Continental Congress which was apparently received by Thomas Jefferson. Nicholas had discussed with Peyton Randolph before he attended the Continental Congress the necessity of obtaining money in small denominations, since large notes were of no use to


33. Ibid.

34. Ibid.
the soldiers. But at the time he wished Congress would do something to make Virginia's money acceptable in all the Thirteen Colonies. He felt this could be done by establishing an Exchange for the Continental Money which was to a certain extent based on the credit of each colony. Consequently he thought the individual colonies should accept the money issued by other colonies. Besides, he said "it is expected, and I think with the greatest Reason that a just proportion of the Expenses incurr'd for the necessary Defense of this country will be made a Continental Charge."

Early in 1776 Nicholas acknowledged receiving the paper for small notes but complained about its poor quality. He felt the people would not honor the money since they were so influenced by appearances. In connection with this Nicholas felt it would be

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36. Ibid.

37. Ibid.

38. Ibid.

39. Ibid., 1, 266-268.

40. Ibid.
wise for Congress to take under its charge as soon as convenient as many Virginia troops as feasible and supply them with Continental Money. Such a move would allow Virginia to use a great part of its money for other purposes.

Shortly after this, Nicholas summed up many of the financial problems of Virginia in a letter to George Washington. He had suggested to the General Assembly that they raise money to help pay the expenses incurred in defense of the country in the northern Colonies, but they had been unable to do so. Indeed, according to Nicholas, the Delegates had been forced to borrow money to pay for arms purchased for Virginia. The remedy, however, was in sight. Congress had agreed to take over part of Virginia's troops on Continental pay which would allow Virginia to exchange its money for Continental money. To Nicholas, it was surprising in light of the union

41. Ibid.


43. Ibid.

44. Ibid.
of the colonies in other respects, that Virginia's currency was not acceptable at par value in other colonies.

Soon after this Nicholas was forced to resign as Treasurer by a provision which forbade members of the House of Burgesses to hold a remunerative state office. It was undoubtedly with a great sense of personal pride to him when the House accepted his resignation with a note that he had "faithfully discharged" the duties of his office.

This praise along with others of a similar nature was certainly justified considering the condition of Virginia's finances after the Robinson debacle. Nicholas was able to re-establish the Treasury on such a firm foundation that Richard Bland commented that the English merchants who formerly opposed paper money were now the chief obstacles to its return to the Treasury.

45. Ibid.
47. Tyler, William and Mary Quarterly, XX, 227-228.
CHAPTER 4

DEFENSE OF PAPER MONEY

Throughout Nicholas's reign as Treasurer the Currency Act prohibited the issuance of money as legal tender. But it was legal to issue paper money for the payment of public and private debts if acceptable to all parties concerned.

Though Nicholas was far from being an ardent advocate of paper money he vigorously defended the emission of it when necessary; provided it was ably managed and backed up by sufficient funds. In answer to an extract of a letter addressed to the attention of the British Merchants in the Virginia Gazette on July 29, 1773 which attacked Virginia's financial policy Nicholas published a history of paper money from its first introduction in Virginia.

The extract stated the Assembly was recklessly emitting almost 37,000 pounds in new paper money when 8,000 pounds was still outstanding, although taxes had been collected for the purpose of redeeming them in 1770. Nicholas's history declared he had

never been an "Advocate for Paper Money" and the great majority of the members of the House of Burgesses was opposed to it except under the most urgent necessity. However, it was the "Opinion of many judicious Persons that a moderate Quantity of Paper established upon competent Funds, if it could be effectually guarded against Forgeries, would be of great Utility to this Country."

At the beginning of the French and Indian War, Virginia preferred borrowing until there were so many requisitions from the Crown there "arose an absolute Necessity of having recourse to a Paper Currency." Then Virginia, long after many other colonies, issued paper money which was backed up by funds valued at less than their actual value. But the demand was so great for several successive years that during the war it was necessary to issue various amounts at close intervals. Since each issue had different Redemption dates, it became

49. Tyler, William and Mary Quarterly, XX, 231-232.
50. Ibid., p. 232.
51. Ibid.
52. Ibid., p. 233.
impossible to levy taxes which would sink an entire emission at one time.

The great variety of money in circulation made it necessary for the Treasurer to accept whatever money was offered for taxes—otherwise the whole system would have collapsed. In addition the Robinson affair had caused a great deal of confusion.

From the end of the war until 1769 no paper money was issued. Then due to a Royal requisition of 2,500 pounds sterling to pay expenses for the drawing of a line between the Colony and Cherokee country, 10,000 pounds of non-legal tender paper money was issued and made redeemable on November 20, 1771.

In 1771 the rivers flooded and destroyed large quantities of tobacco stored in public warehouses. The House of Burgesses was required by law to pay for all tobacco damaged in public warehouses. Thus

53. Ibid.
54. Ibid.
55. Ibid., p. 236.
56. Ibid., p. 237.
57. Ibid.
the Assembly convened in July and issued 30,000 pounds of paper money which was redeemable December 10, 1775.

Nicholas stated both of these emissions were "generally preferred to any other money in the Colony" and merchants and the public supported them by exchanging gold and silver for the notes.

Early in 1773 Nicholas discovered that both emissions had been expertly counterfeited. Governor Dunmore, on the advice of Nicholas, Peyton Randolph and John Randolph who all lived in Williamsburg, called the Assembly to deal with the problem. The House of Burgesses met in March and after considering other possibilities decided the only alternative was to issue more paper money since it was impossible to borrow money at a reasonable rate.

In order to determine how much money should be emitted there was an audit of the funds in circulation. It was found that from the emissions of 1769 and 1771 36,834 pounds were still outstanding. The reasons

58. Ibid.
59. Ibid.
61. Tyler, William and Mary Quarterly, XX, 238.
62. Ibid.
63. Ibid.
for such a large sum still in circulation were as stated above—the great variety of money and the fact that people paid their taxes in whatever money they had.

It was decided to give the Treasurer one month to borrow whatever sums he could to redeem first the notes issued in 1769 and then those of 1771. If he was unable to borrow a sufficient amount of funds, he was empowered to issue new notes which were redeemable June 1, 1774 to be exchanged for the notes of 1771 but not those of 1769. Thus the total amount to be emitted would not exceed 29,000 pounds since this was the total amount of 1771 notes in circulation.

In addition Nicholas was hopeful the short life span of the new notes would allow him "to do with less."

In early September of 1773 another letter signed a "Virginian" from Stafford County appeared in the Gazette that complained about Virginia's fiscal policies. It stated paper money caused "manifold

64. Ibid., p. 241.
66. Ibid., p. 242.
67. Ibid.
68. Purdie and Dixon, op. cit., September 2, 1773.
and supplied and Stafford County "would speedily have become a frontier." To back up the money a tax was levied on such articles as tobacco and Wheel Carriages and would have been redeemed on time except for Robinson's mismanagement.

Nicholas conceded the issuance of more than 500,000 pounds in the war was "perhaps more than this country could have conveniently borne." But in answer to the "Virginian's" charge the main reason for the rise of the Exchange was an excess of paper money, he argued that, although this was a contributing factor, the primary reason for the rise was Virginia's unfavorable balance of trade with England.

While agreeing with the Virginian that prices rose as the amount of money in circulation increased, Nicholas pointed out that other factors also increased prices. The marketable value of traded goods and the fact that as the planters' debts rose there was more competition between merchants for the planters goods
were just as important in determining prices. In addition it was just as true that as prices rose the planter received more for his products.

As further evidence paper money did not absolutely affect the exchange rate, Nicholas reviewed briefly the fluctuations of the Exchange. From April, 1751 to April, 1755 when no paper money was in the colony the Exchange varied from 27½% to 30% above par. While in 1766 when 200,000 pounds of notes were in circulation the Exchange was at 25% and in May, 1771, was at 20% and continued at the same rate in October even though 30,000 pounds of new notes were issued to pay for the tobacco destroyed in public warehouses.

Nicholas contended the fluctuations of the Exchange were not due to paper money but in proportion to the number of Bills of Exchange compared to the quantity of money available to purchase them. For

77. Ibid., p. 249.
78. Ibid.
79. Ibid., p. 255.
80. Ibid.
81. Ibid.
example, after the increase of British imports in 1771 the bills became scarce and the exchange rate rose. Thus Nicholas stated the monetary ills of Virginia were not due to paper money but to the adverse balance of trade. He felt if this were corrected there would be no rise in the exchange rate even if the quantity of money was greatly increased.

In an attempt to correct this adverse balance of trade Nicholas was a member of the Williamsburg Society of Manufacturers. This was probably an organization similar to a modern day Chamber of Commerce. In addition he was on the Committee to Encourage Manufacturing in Virginia in the House of Burgesses.

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82. Ibid.
83. Ibid., p. 256.
CHAPTER 5

NICHOLAS VS. RANDOLPH

Most books that mention Robert Carter Nicholas describe him as a typical conservative of the Tidewater Planters group and a few go so far as to call him a reactionary. It seems apparent that the labels applied to Nicholas and possibly the time at which they are applied depend in the final analysis on one's own definition. Nicholas, as shown in Chapter I was one of the first Virginians to oppose England's levying of internal taxes on the colonies. But it is true that he was conservative to a certain extent in opposition to the Stamp Act. It is known that he opposed Patrick Henry's Stamp Act Resolution. Though a lack of records fail to confirm definitely whether or not he supported the Stamp Act boycott, his future vigorous championing of the boycotts after the Townshend and Coercive Acts makes it almost certain he did support the boycotts after the Stamp Act.

85. Tyler, William and Mary Quarterly, IXX, 258-259.
Nicholas was not one to change his mind. In fact his opposition to England was based on the same basic principles and beliefs throughout his career.

He was convinced that the American cause was just and sacrificed both time and money to the effort; however, he was much more reluctant to sever the ties with England than the vast majority of Americans.

Nicholas himself furnished the best summary of his position in a letter to John Norton shortly after the enactment of the Townshend Acts when he said:

Let but things return to their old Channels, through which mutual and reciprocal Advantages flow to us all, and I shall ever be happy in our Connections. We affect not, we have not the most distant Wish of an Independency. We only want a free enjoyment of our Birth Rights; possibly they may be wrested from us, but the Americans, I hope I am persuaded, will never resign them.

Nicholas was firmly committed to opposing the Townshend Acts. He was not for any precipitate actions but he strongly supported the colonial boycotts.

Although he expressed concern for Britains who were adversely affected by the boycotts, he justified

American's actions on the grounds that Parliament through a single act could rectify the situation.

In November 1769 Governor Botetourt notified the House of Burgesses that the Townshend Acts were to be partially repealed. This paved the way for friendly relations between the Governor and the House of Burgesses and Nicholas expected a rapprochement of American and British differences. This was apparently realized in the spring of 1770 when all the duties except on tea were repealed and the country settled down to three years of peace and quiet.

In the spring of 1773 England passed the Tea Act which brought on a storm of protest in America. Then in an effort to punish and isolate Boston for the Boston Tea Party the Coercive Acts were passed. But instead of isolating the city a wave of sympathy swept through America for the beleaguered city.

Thus on May 24, 1774 Nicholas introduced in the House of Burgesses a resolution conceived by Thomas


88. Ibid., Robert Carter Nicholas to Arthur Lee, December 29, 1769.
Jefferson, to make June 1st a day of Fasting, Humiliation and Prayer, as a show of sympathy for the people of Boston who were bearing the brunt of the Intolerable Acts. Shortly afterward there appeared an anonymous pamphlet that defended England's action and ridiculed the Day of Fasting and Americans in general. It has since been proven that the author was John Randolph, Attorney General of the Colony and brother of Peyton Randolph.

Randolph believed that the so-called Patriots were merely politicians who were "running the Race of Popularity" to gain the fickle acclaim of the crowd. Although the American leaders were the "greatest sticklers for the liberty of others," they were "the most abject Slaves in Politicks" with no opinion of their own.

The actions of the champions for legislative supremacy in America, Randolph believed, were upsetting the balance in the Virginia Constitution which with its tripartite division of Governor,

89. Kennedy, op. cit., XIII, 124.
90. Swem, op. cit., p. 17.
91. Ibid.
Council and House of Burgesses compared favorably to England's Constitution. Thus the true patriot was one who worked to preserve this harmony.

The dispute over taxation between America and Great Britain, according to Randolph, had cut off the interchange of ideas on the subject and had become a moot question. Parliament could enforce but never convince the Colonists of the legality of their actions; while the Americans could "argue till Doomsday" and find Parliament deaf to their pleas. The only sensible alternative was for the Colonists to acquiesce since England was the most powerful country on earth and even "the most stubborn must yield to superior Force."

Then rather strongly Randolph asserts the growing strength of America makes it evident the day will come when she "will acknowledge no Superiority to another" and become independent. Yet if England would govern the Colonies to their satisfaction, the result would

92. Ibid.; p. 20.
93. Ibid., p. 21.
94. Ibid.
95. Ibid.
96. Ibid.
be mutually beneficial; while a continued quarrel would make a split inevitable. England would be ruined and America would fall to the will "of some despotick Prince."

In the recent Gaspee Affair Randolph thought the British had been very moderate even though the Gaspee had been attacked in a violent manner. A court of inquiry had attempted to persuade "the better class of people" to turn the offenders in; but failing to do this they proceeded no further despite the fact they were insulted in all the newspapers.

In Boston the populace had acted so unwarrantably it was impossible to defend their actions. Randolph felt the Bostonians should have refused to buy the tea if they did not want it. Instead they had illegally boarded the ships and thrown the tea into the sea. This to Randolph was an indefensible excess by headstrong people and should have been publicly condemned by all the colonies.

97. Ibid., p. 22.
98. Ibid., p. 24.
99. Ibid., p. 27.
100. Ibid., p. 28.
According to Randolph, the British Ministry passed an act to punish the Bostonians for two reasons. First, the people of Boston attacked the ships on the mistaken belief the Crown was engaged in behind the scenes activities for the East India Company. This was a mistaken assumption since an English Admiral present at the time of the Tea Party refused to intervene, even though he was enjoined to do so. Parliament, therefore, considered the Bostonians acted disrespectful to the Crown and worthy of censure.

Secondly, the Gaspee Affair had shown that without Parliamentary intervention justice would not be carried out. And even if by some chance the offenders were caught "what reason was there to expect on the Trial a dispassionate Judge or a disinterested Jury?"

The Acts had been aimed only at Boston to show there was no intention of harming the other colonies as long as they did not commit the same offense. Randolph admitted the stipulation that the wharf be

101. Ibid., p. 28.
102. Ibid.
103. Ibid.
104. Ibid.
105. Ibid.
106. Ibid., p. 27.
closed was extracting private property from people who were perhaps innocent. But he was convinced that when the East India Company was paid back the entire Act would be repealed.

Randolph believed, as stated above, the colonies should have publicly condemned the Bostonians' actions. Instead, the Virginia House of Burgesses had proposed a Day of Fasting which as carried out was a sham. All the observers had done was to delay their meals until night.

In addition the House of Burgesses, immediately after being dissolved for proposing the Fast Day, had entered into an Association against England which was extreme. If the Association had been leveled only at the future importation of tea, it might have been reasonable enough; but to propose that even the tea already in the country was not to be used was unreasonable. It was possible the sudden stopping of such a habit would endanger

107. Ibid.
108. Ibid.
109. Ibid., p. 29.
110. Ibid.
111. Ibid., p. 30.
112. Ibid., pp. 30-31.
the health of the people.

Nevertheless Randolph was convinced the Association would fail. England was too strong to be seriously affected from the decrease in her trade. Thus the colonists should apply themselves to farming, peace, the encouragement of manufacturing and look to England for protection.

On August 4, 1774 a notice signed "A Member of the late and present House of Burgesses" appeared in the Virginia Gazette which announced a reply to Randolph's pamphlet. This answer to Randolph's pamphlet was written by Nicholas and represented a detailed refutation of his basis contentions.

As stated above, Nicholas contended his adversary's display of the beauties of the English Constitution was "trite." Furthermore Randolph's account of the Gaspee Affair made it appear to someone unacquainted with the facts that all the colonies had actively taken part in the escapade. Nothing was further
118 from the truth.

Although it was true the ministry had been insulted in the newspapers, Nicholas reminded Randolph of a few "trifling Circumstances" he had failed to mention. A Court of Inquiry was set up in a Country where courts were regularly established. And under the law the guilty would have been transported to England where without witnesses, friends, relatives or benefit of trial by their peers, they would have been tried for their lives. It was these un-important details that alarmed the entire Continent.

In commenting on the Boston Tea Party Nicholas advocated a suspension of judgment until all the facts were known on whether or not the actions of the Bostonians were unwarrantable. He agreed the wanton destruction of property was abominable but could easily imagine a situation in which an act of oppression forced the victim to retaliate with whatever means

118. Ibid.
119. Ibid., p. 53.
120. Ibid.
121. Ibid., pp. 53-54.
122. Ibid., p. 54.
possible for his own self defense.

Even if it was conceded the people of Boston had acted unwarrantably, Parliament had exceeded all legislative bounds and Randolph in his "pompous Display of the Beauties of the British Constitution" should have recalled one very essential part of the Constitution was "that, where there is no law, there can be no Transgression." Thus the Port Acts were unconstitutional, ex post facto "in the most odious Sense of the Words" and to the innocent people of Boston were a "Punishment which cannot be justified." Finally, Nicholas pointed out it was better for a thousand guilty people to escape punishment than for one innocent person to suffer.

The East India Company had two views in mind when the Act was passed. First, the Americans could not withstand the temptation to buy the tea. Second, if their scheme was obstructed the British

123. Ibid., p. 43.
124. Ibid., p. 63.
125. Ibid., p. 64.
126. Ibid., p. 63.
127. Ibid., p. 51.
128. Ibid.
Ministry would support and reimburse them. To Nicholas it seemed apparent the East India Company had connived to have the tea thrown into the sea to raise its price while at the same time being paid for having it destroyed.

It was untrue the British Admiral present at Boston had refused to interfere. In a letter to the Secretary of the Admiralty the Admiral stated that neither the Governor, Magistrates nor owners had called for his aid; "if they had, he could easily have prevented the Execution of the Plan, but must have endangered the Lives of many innocent People by firing on the Town."

A perusal of the Boston Port Acts, Nicholas argued, would convince those who had doubts on the subject that every step taken by the Ministry was designed to provoke the people of Boston into their actions.

After this was done Parliament intended to compel

129. Ibid.
130. Ibid., p. 55.
131. Ibid.
132. Ibid.
133. Ibid., p. 56.
not only the Bostonians but the entire Continent into submitting to an act passed solely for the purpose of revenue and in so doing to extend its powers in whatever direction it pleased.

Nicholas summed up his feelings on the Boston Acts and undoubtedly the feelings of many Americans in 1774 when he answered his Adversary’s opinion that despite the harshness of the Port Act the Colonists need not be afraid, by saying:

When my Neighbour’s House is on Fire, it highly behooves me to look to my own. When the rest of America sees a Sister Colony grievously oppressed by the Hand of Power, and this, for making a Stand against the Infringements and Violations of American Rights; they are surely called upon loudly by every Principle of Justice, of public Virtue, and by every motive to Self. Preservation, to pursue such legal and proper Means, as are most likely to save them from ruin. Would not all the Colonies have the greatest Reason to fear, if they Continue supine and indifferent to the Proceedings against Boston, that they might all, in Time, upon a refusal to submit to any act of Parliament, however oppressive, be exposed to the same rigorous Treatment? And have we not too many Proofs that a regular System has been formed to bow down the Neck of American to the Feet of the Ministry? Humiliating, dreadful Thought! 135

134. Ibid.

135. Ibid., p. 60.
Nicholas defended the Association against England as a temporary but necessary expedient which served the best interests of Virginia until it was learned what Parliament and the other Colonies would do. After Parliament reacted with the Intolerable Acts Virginia formulated a more comprehensive general agreement against England in August of 1774.

The Fast Day in Virginia was not a scheme to incite the people, as Randolph insinuated, but an attempt to emphasize the seriousness of the situation and at the same time serve as a means to restrain the people from violence. In conclusion Nicholas stated he hoped the differences between England and America would be solved.

136. Ibid., p. 69.
137. Ibid., p. 81.
CHAPTER 6
NICHOLAS'S RELIGIOUS CONTROVERSIES

Orthodox religious beliefs shaped Nicholas's character much more than it influenced most of his contemporaries. He was a member of Bruton Parish in Williamsburg and a staunch defender of the Anglican Church. His contemporaries frequently expressed the opinion that he was a devout and sincere Christian. Undoubtedly Thomas Jefferson had this in mind when he persuaded Nicholas to introduce in the House of Burgesses in May of 1774 a Resolution for a Fast Day as a show of sympathy to the people of Boston.

Although Nicholas believed firmly in the established church, he was Virginia's main defense attorney in the Parson's Cause against Reverend John Camm. Governor Fauquier, upon receiving the Royal Disallowance of the Two-Penny Acts, which had reduced the preachers' salaries, issued a Proclamation stating the Acts were repealed. In the King's Disallowance there was no mention of the word repeal. Nevertheless,

138. Tyler, William and Mary Quarterly, III, 180.

Nicholas insisted at the trial the Acts were repealed and not retroactive. Thus Camm's claims were invalid since the Disallowance applied only to future violations. The majority of the jury, including John Blair, John Taylor, William Byrd, Presley Thornton and Robert Carter Burwell, agreed with Nicholas and were against Camm's claims for damages.

From May of 1769 until the Revolution, Nicholas, in addition to his other responsibilities in the House of Burgesses, was Chairman of the Committee on Religion. Thus he was in a position to exert a powerful influence on religious matters that came before the Legislature.

In May of 1773 an article in the Virginia Gazette by the Reverend Samuel Henley attacking Nicholas as an intolerant religious bigot initiated a quarrel that lasted for nearly two years. Henley, an Anglican minister, had attempted to secure Bruton Parish in Williamsburg but had failed. He claimed Nicholas had thwarted his efforts for personal reasons.

Nicholas, in answer to Henley's charges, declared in the Gazette his primary reason for opposing Henley.

140. Ibid., pp. 494-495.

was not because he personally disliked him but because he was notoriously unorthodox. Furthermore, Henley had either written or at least fully supported an article in the newspapers which advocated extending complete toleration to all sects and churches. It was justifiable according to Nicholas for a dissenter not to subscribe to the Articles of the Church. But certainly this was not the case for an Anglican Preacher especially since the purpose of the discourse was to "destroy that necessary, that friendly and amiable Alliance between Church and State which the best and ablest Divines have thought essential to the Prosperity of both."

Henley refuted the charge that he was unorthodox. He contended that Nicholas opposed him because he was against an American Episcopate and was for the separation of church and state. This did not make him unorthodox since a long list of men who were considered orthodox could be drawn upon in

143. Ibid.
144. Ibid.
145. Ibid., June 3, 1773.
support of these ideas.

The quarrel then abated for several months until February of 1774 when Nicholas in an attempt to clear up the issue (or so he said) published in the Gazette a full account of the Vestry Meeting at Bruton Parish in which it was decided not to employ Henley as minister. At the meeting Richard Bland stated that Henley, in answer to a question on the divinity of Jesus, retorted in such a manner as to deprive him of his divinity and make him nothing more than a messenger boy.

Mrs. Nicholas testified Henley had denied the divinity of Christ, the existence of a Devil, that there was a Hell and that there would be eternal punishment. Henley, upon questioning by Mrs. Nicholas on how he could subscribe to the Articles of the Church of England, replied the Articles were not binding if they were contrary to the word of God.

Other prominent members of the Church also:

146. Ibid.
147. Ibid., February 24, 1774.
148. Ibid.
149. Ibid.
testified against Henley. In addition an important visitor to the church, John Page, Jr. of Rosewell, stated he had heard Henley speak against the Trinity and express the opinion that all references in the Bible concerning the Devil were allegorical.

Shortly after Nicholas’s summary of the charges against Henley there appeared a seventy-two page pamphlet entitled "A Candid Refutation of the Heresy imputed by Robert Carter Nicholas, Esq. to The Reverend Samuel Henley." This pamphlet, written by Henley, was similar to most of the day in that it attempted to refute the opposing accusations point by point. Henley claimed he expressed his opinions on the divinity of Christ not as a confession of faith but in an argument merely as an objection to Bland’s contentions. Besides, two people present at the conversation denied he had reflected on the divinity of Christ.

Henley pointed out throughout the pamphlet theological arguments that varied on the precise

150. Ibid.


152. Ibid., p. 5.
meaning of the Scriptures. Thus he claimed a perfect right to interpret the Bible as he saw fit. For, although the Church of England had the power to establish certain points of religion, it did not instruct its members as to how to interpret particular texts.

On Mrs. Nicholas's charges Henley stated he was embarrassed to have to deny her contentions on points "concerning the articles of faith which have bewildered in all ages of the church the acutest philosophers and profoundest divines!" On the subject of the existence of the Devil, Henley stated even though the Articles of the Church required a belief in God it did not express the view that a belief in the Devil was necessary. There were many references in the Bible to the Devil where it would be absurd to interpret literally rather than allegorically. As to the location of hell, it was very easy to point out many different references

153. Ibid., p. 9.
154. Ibid., p. 13.
155. Ibid., pp. 41-43.
156. Ibid., pp. 45-48.
as to its exact position. Finally on Mrs. Nicholas's contention he denied the eternity of torment, Henley expressed the belief that punishment would be in accordance with the crime. 157

Henley denied he repudiated the Trinity and claimed he followed the doctrines of the Church of England on this point. However, he reminded his adversaries of the many views on the Trinity which orthodox men had been vigorously defending. 158

In May, 1774 John Page, Jr. publicly supported the validity of Nicholas's statements and of Bland's charges that Henley was unorthodox. In a similar manner the accusations and counter-accusations continued until early 1775 when two articles in the newspapers brought the debates to a halt. The first, by an anonymous author, stated the public was tired of the quarrel and as far as he was concerned if another paper published an article on the subject he would withdraw his subscription. The second was an

157. Ibid., p. 59.
158. Ibid., p. 25.
159. Ibid., p. 23.
announcement by Henley that he was returning to England.

After this 'great debate' which resembled a comic opera at times, Nicholas became involved in a much more serious religious controversy. The first session of the legislature in Virginia after Independence was besieged with a barrage of petitions advocating the disestablishment of the Anglican Church.

Many of the petitions were printed in the newspapers. Nicholas who was firmly opposed to the movement presented as an answer to a petition from Augusta County which advocated equality for all religious sects his reasons for being against the separation of church and state.

Nicholas claimed the object of the movement was the subversion of "an Establishment which has been found, from the experience of near two hundred years, productive of peace and order, of piety and


Furthermore did not the clergy and laity of the Established Church support Independence as much as the dissenters?

The only argument the memorialists had, according to Nicholas, was that unanimity which had made the country strong would be preserved. To Nicholas unanimity was already present and there was no need to make changes to obtain what had already been accomplished. He felt the majority of people believed the Established Church was "the most orthodox in its doctrines" and the "most rational in its precepts."

Under the benevolent guidance of the state qualified men who were "able to comprehend and consequently to Communicate to their hearers, the sense of the Holy Scriptures" would prepare to be preachers. But if the state equally supported all churches, the preachers would be dependent on the

164. Ibid.
165. Ibid., p. 816.
166. Ibid.
167. Ibid.
people for their salaries and there would be no encouragement for men of ability to become ministers.

It was well known that people were more influenced by passion than reason. Thus it seemed likely the discourses of rational men would give way to the "Harangues of fanatics." The inevitable consequence without an Established Church would be that preachers would either be popular orators or starve.

Nicholas conceded it seemed contrary to liberty to impose taxes on men to support a church to which they did not belong. He felt, however, it was for the general good. In such a situation the duty of the dissenters was to capitulate in consideration of the manifold advantages they derived from the State. In doing this they were making only a small sacrifice since they were allowed "their own private opinion and to worship God according to the dictates of their own consciences." To Nicholas this was an exact parallel to the minority which was required to support

168. Ibid.
169. Ibid.
170. Ibid.
171. Ibid.
the form of civil government which had been decided upon by the majority to be the best for all concerned.

Like all of Nicholas's stands in the days immediately following the outbreak of the Revolution his position was opposed to the main stream of events and he was forced to give in. But not before Thomas Jefferson remarked that he and Edmund Pendleton were the great opponents in the "severest contests in which I have been engaged." Though in fairness Jefferson also said that even though Nicholas and Pendleton generally preferred the status quo, "yet whenever the public will had once been decided, none were more faithful or exact in their obedience to it!"

173. Ibid., I, 55.
CONCLUSION

Oscar Barck and Hugh Lefler in their book Colonial America state that in 1774 few Americans openly advocated Independence but "they were unyielding in the belief that their cause was just and that compromise or conciliation would only offer a temporary respite." It is clear Nicholas sincerely believed the American Cause was just but he did not believe in 1774 or as late as May, 1776, that American and British differences were insoluble.

In April, 1776, John Page wrote to Richard Henry Lee that "I think almost every man, except the Treasurer is willing to declare for Independency." On April 24, 1776 the freeholders of James City County passed a resolution that instructed their delegates, Nicholas and William Morvell, to exert their "utmost abilities, in the next convention,


towards dissolving the connection between America and Great Britain, totally, finally and irrevocably." Nevertheless Nicholas persisted in the May Convention to oppose Independence on the grounds that he was unsure of America's ability to carry through such an arduous task. But to insure unanimity he abstained from voting on the Resolution for Independence. After the deed was complete, however, he declared that he "would rise or fall with his country and proposed a plan for drawing forth all its energies in support of that very independence."

More than any other factor, Nicholas's opposition to immediate independence has caused various historians to label him a conservative. Yet Robert Hilldrup in "The Virginia Convention of 1776" states that even though Nicholas had opposed immediate independence he continued to be one of the most active men at the Convention. This fact


together with his future vigorous support of the war effort until his death makes it clear that he was not implacably opposed to the Revolution. It would seem to be an error to label Nicholas a conservative in his views and actions toward England.

Perhaps it would be fairer to say that Nicholas was more opposed to a revolution at home than he was with England. Although there is a lack of records on such important issues as his views towards the abolition of primogeniture and entail, the information that is available points to him being strongly opposed to any popular revolution at home.

In the debates over George Mason's Bill of Rights Nicholas opposed the phrase "men are by nature free and independent," "as being the forerunner or pretext of civil convulsion" in a slave holding society. It is interesting to note that although Nicholas opposed the doctrine of equality for all men, he had been one of the three original founders of a school for negroes in Williamsburg. John Waring apparently the secretary of a philanthropic organization

in London called the "Associates of the Late Dr. Bray" invited Nicholas in 1761 to join with a Reverend Yates and a Mr. Hunter, probably the editor of the Virginia Gazette, in establishing a negro school in Williamsburg. Nicholas consented to help but expressed doubts on the success of the venture; whereupon Waring replied he was sure Nicholas would change his mind because of the success of the negro schools in New York and Philadelphia.

Whether or not Nicholas ever became enthusiastic over the school is unknown but it is apparent that he spent a great deal of his time on the school. In March, 1763, Waring thanked Nicholas for a copy of his most "judicious and excellent Rules drawn up for the good government and direction of the Negro School." A similar letter dated in May, 1766, thanked Nicholas for his minute account of the condition of the school.

Then in 1766 Waring and Nicholas became

181. John Waring to Robert Carter Nicholas, June 1, 1761, The Papers of Thomas Jefferson, (Manuscripts in the University of Virginia Library, Charlottesville, Virginia).

182. Ibid., April 4, 1762.

183. Ibid., March 2, 1763.

184. Ibid., May 30, 1766.
embroiled in a minor controversy over the teacher's salary. It seems Nicholas attempted to pay the teacher more than the Bray Society intended. Thus Waring informed him that the Society originally meant to supply only 20 pounds a year for the support of the teacher and had hoped that if this was not sufficient the difference could be raised through private contributions. But Nicholas reminded Waring that in 1761 he had mentioned a salary of 30 pounds a year for the teacher. A dearth of records makes the outcome of this controversy unknown although it probably followed the age old pattern of the teacher receiving the lower salary.

Apparently shortly after the school was founded Mr. Hunter and Reverend Yates died. In 1773 Waring requested the Reverend Josiah Johnson to assist in superintending the negro school and expressed the opinion that the Society was much

185. Ibid., April 20, 1768.

186. Ibid., May 25, 1769.
indebted to Nicholas for his benevolence in super-
intending the school for many years alone. In another
letter to Nicholas dated the same day Waring in-
formed Nicholas he was sorry to hear that the
planters showed very little interest in educating
Negroes. Presumably the school died out shortly
after this.

It is ironical that the one planter who
took an active part in an attempt to educate the
negroes was the one who was most vocal in opposition
to the phrase "all men are created equal."

In the debates over a Constitution for Virginia
Nicholas was opposed to the trend of establishing
the lower house of the legislature as the most
powerful branch of the government. He championed
a plan of government that called for a powerful
Governor and Upper House of the legislature which
would be appointed for life.

Shortly after this Nicholas was appointed a

187. Ibid., John Waring to Reverend Josiah
Johnson, March 25, 1773.

188. Ibid., John Waring to Robert Carter Nicholas,
March 25, 1773.

Judge of the High Court of Chancery and moved to Hanover County where he died in 1780. Thus his contribution to the Revolutionary War effort was extremely limited. But it is interesting to note that his political philosophy closely paralleled that of the Federalist Party that arose in the 1790's. He, like Alexander Hamilton, advocated a strong central government in the Virginia Convention of May, 1776, as did Hamilton in the Constitutional Convention in 1787. He thought, as the Federalists did, that a strong central government run by the "better sort" of people was the only alternative to social and political anarchy. In advocating these principles Nicholas did not feel he was opposed to liberty since he believed that if the masses were in power they would turn over their responsibilities to demagogues - for it was apparent to him people were more influenced by passions than reason. What he was opposed to was the doctrine of social equality - not liberty which he felt insured his position in society.
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