

the business of forwarding grain and other produce over said canal to the terminus thereof at Georgetown, in the District of Columbia—that for the prosecution of said business, he owns two canal boats, to each of which are attached three hands for the management of the boats, and four mules, and has a warehouse for the storage of grain purchased by him or left with him on commission at Berlin; that on the 22d day of April, instant, he he had a boat loaded with grain on its way to Georgetown, and he left his home and went to Georgetown for the purpose of disposing of the cargo, and inquiring into prices of grain at that market, in order to determine on the time when he should ship the grain then in his warehouse; that being advised by his commission merchant at Georgetown that prices were high and rising, he on the same day of his arrival, (Tuesday, the 23rd inst.,) started for home, and riding all night on horseback, reached his home, at a distance of fifty-five miles from Georgetown, about sunrise on Wednesday morning, the 24th instant; that he immediately caused his boat, then at Berlin, to be loaded with the grain then in his warehouse, using great exertions to have it loaded as quickly as possible, in order to avoid probable detention on account of the water, which was being let out of certain portions of the canal for repairs; and that about 12 o'clock, M., on Wednesday, the 24th day of April, his said boat was loaded, and he was about to dispatch her to Georgetown, when a detachment of military rode up to him and demanded that said boat and cargo should be delivered up to them; that the officer in command of said squad, or detachment, announced that he acted under the order of the commander of the military force of the State of Virginia, then stationed at Harper's Ferry; that the undersigned immediately protested against the act, claimed that he was a citizen of Maryland, and in no way amenable to the authorities of Virginia, and refused to surrender his property, then in Maryland, to any authority of Virginia, but stated that he was always ready to obey the authorities of his own State of Maryland; that the officer in command stated that the commander at Harper's Ferry was in correspondence with your Excellency, and he believed had authority from your Excellency for the seizure then being made; that the undersigned, refusing to surrender his property unless the orders of your Excellency were inspected by him, a soldier was dispatched to Harper's Ferry to procure said orders, and, in the meantime, the boat and cargo were taken possession of; and on the representation of the undersigned, that if said boat and cargo were detained until the arrival of said messenger, that the water would be so much lowered that he would not be able to proceed to Georgetown, in case the order of your Excellency, authorizing said seizure, should not be produced, the officer in command determined that the undersigned should conduct said boat to the Point of Rocks, a distance of six miles, guarded by his detach-