

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, 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 detachment of men, and should there await the return of said messenger. During the evening the messenger returned without any orders of your Excellency, but accompanied and followed during the night by three several additional detachments, numbering in all, over eighty men, and the whole force, under the command of Col. Baylor of the Virginia forces, took forcible possession of the mules, boat and grain, in defiance of the protest of the undersigned and with the repeated threats to shoot him, unloaded the grain, sent part of it over the bridge at Point of Rocks into Virginia, and other portions of it had been transferred to cars on the Balt. and Ohio Railroad and taken to Harper's Ferry. All the grain in the boat was appropriated by the military, and the boat, mules and hands were left in their hands, when the undersigned came to Frederick to seek redress—and on his return, found that the hands with said boat, had been permitted by the military to return with the boat and mules to Berlin.

The cargo of said boat, seized by said military and appropriated to its own use, consisted of two thousand bushels of oats, of which the selling price at Georgetown, on the 26th day of April, the day on which said boat would have arrived and said cargo been ready for sale, was seventy-five cents per