

Case No. 7,162. JACOBS V. LEVERING.
[2 Cranch, C. C. 117.]¹

Circuit Court, District of Columbia.

April Term, 1816.

MILITIA—IMPRESSMENT.

A commanding officer of the militia has no lawful authority to impress the horse of a citizen, even in time of war.

Trespass for impressing the plaintiff's horse.

E. J. Lee, for plaintiff.

J. D. Simms, for defendant, offered a witness to prove an order from General Young, commanding the militia, to impress horses.

THE COURT (THRUSTON, Circuit Judge, absent), decided that such an order would be no justification.

¹ [Reported by Hon. William Cranch, Chief Judge.]