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United States Western District Court of
Arkansas records, 1893-1908

United States Western District Court of
Arkansas records, 1839-1908

1893 May 10: Voucher, to Henry Stafford, of Fort Smith, Arkansas, for assisting Ben F. Ayers, deputy marshal, in U.S. v. Jack Starr, Jeff Effent, resisting process; Stephen Wheeler, commissioner; C.C. Ayers, witness of signatures; J.M. Dodge, deputy clerk; Jacob Yoes, U.S. marshal

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UNITED STATES OF AMERICA,

189³
for 5 days' service as posse comitatus, from May 3rd to May 7th 189³ Dr.,
both days inclusive, at \$3.00 per day \$ 15.⁰⁰

UNITED STATES OF AMERICA,

Western District of Arkansas

I, Henry Stafford of Ft Smith Ark in the County
of and District aforesaid being duly sworn, depose and say, that on the
3 day of May 189³ I was employed under and by virtue of the third section of
the Act of Congress of June 14, 1858, by Ben F Ayers U. S. Deputy Marshal
for said District, at my usual place of residence, as one of his posse comitatus, to assist in executing the following capias writ, to-wit:

U.S. vs Jack Starn et al - Resisting Process
issued by J Wheeler U. S. Commissioner for the Western District of Arkansas, within the
jurisdiction of the said District, returnable to the office of said commissioner Ft Smith Ark
Arkansas May 3 189³ and that as such posse comitatus, I
immediately proceeded in company with said Marshal to

Braggs I.D.
60 miles - where we arrested Jeff
Effert May 5th 189³ - thence returning

Ft Smith Ark May 7/9³ before U. S. Commissioner, that no posse comitatus could have
been employed at a nearer point to the place where the said Deputy informed me where he expected to find the said defendant,
to-wit:

Cherokee Nation I.D.

than my place of residence aforesaid; that I actually traveled from
my said residence to said place of arrest, for the purpose aforesaid, 120 miles, and in the transportation of said de-
fendant was actually and necessarily employed 5 days as set out in the foregoing account, as posse comitatus, solely in
the execution of said processes and transportation of said defendant as aforesaid; that I furnished the means of or actually paid for
my own travel or transportation; that I have never received or been paid, or agreed to receive, or expected to be paid for any other
compensation, remuneration or consideration, whatever, for said expenses and 5 days' services from any other person or
persons, or sources, whatever; so help me God.

Witness
Ben F Ayers

Subscribed and sworn to before me this 10 day of May 189³ by the above-named

Henry Stafford

who personally appeared and was by me known to be the identical person
he represents himself.

Stephens Duler
Clerk U. S. District Court, Western District of Arkansas.

Posse Com.

Deputy

Sub-Voucher Voucher

By J Woodruff

I, Ben F. Ayers do solemnly swear that I am duly and regularly commissioned as a Deputy U. S. Marshal for said district; that the employment of a posse comitatus at A. Smith under the Act of Congress of June 14, 1858, was actually and indispensibly necessary to enable me to serve the warrants in my possession, and that I could not without great peril have attempted to serve the warrants entrusted to me without the assistance of a posse comitatus; that I have examined the within account and certify that the services were performed and actually rendered as therein stated, and that the amount charged therefor is just, and that I have no interest in the same.

Sworn to and subscribed before me this 10 day of May Ben F. Ayers Deputy U. S. Marshal, A. D. 1893 by the above-named Ben F. Ayers who personally appeared and was by me known to be the identical person he represents himself.

Stephens Wheeler
Clerk U. S. District Court, Western District of Arkansas.

I, JACOB YOES, U. S. Marshal for the Western District of Arkansas, do certify that I have carefully inquired into the matters as set forth in the foregoing affidavits, and that the matters and things therein set forth are true, and that the services of the posse comitatus employed by my Deputy were absolutely necessary to the due and proper service and execution of said warrants for the period of 5 days; and that a posse comitatus could not have been obtained any nearer than the place said posse comitatus was employed, and this account is approved for \$ 10.00

Jacob Yoes
U. S. Marshal, Western District Arkansas

Received payment of JACOB YOES, United States Marshal for the Western District of Arkansas, in the sum of Fifteen dollars in full of the within account.

Witness
C. C. Ayers

Henry + Maffard