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

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

1894 February 07: Voucher, to Thomas L. Martin, of Baker, Arkansas, for assisting S.T. Marion, deputy marshal, in U.S. v. Alex McDonald, William Ward; U.S. v. L.J. Wertherspoon, James Wertherspoon, James Holbi; Stephen Wheeler, commissioner; George J. Crump, U.S. marshal

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UNITED STATES OF AMERICA,

189 4

To *Thos L Martin* Dr.,

for 7 days' service as posse comitatus, from *July 30 1894* to *July 7* 189 4
both days inclusive, at \$3.00 per day \$ *27.00*

UNITED STATES OF AMERICA,
Western District of Arkansas.

I, *Thos L Martin* of *Poker* in the County

of *Poker* and District aforesaid being duly sworn, depose and say, that on the

30 day of *July* 1894. I was employed under and by virtue of the third section of

the Act of Congress of June 14, 1858, by *S J Minor* 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 Alex McDonald et al & U.S. vs J. Wetherford et al

issued by *Stephen Wheeler* U. S. Commissioner, for the Western District of Arkansas, within the

jurisdiction of the said District, returnable to the office of said commissioner *Fort Smith*

Arkansas 189 and that as such posse comitatus, I

immediately proceeded in company with said Marshal to *a point in the Cherokee Nation*
20 miles N.E. of Eagletown N. a distance of 8 miles and
150 miles from Fort Smith when we arrested
the defendant *William Ward* on the *30th* day of
July 1894 then proceeding to a point *N miles*
SE of Smithville N. arresting the defendant *James*
Wetherford & J. Wetherford & John Hall on the
2nd day of *July 1894* then returning

to *Fort Smith* *July 7 1894* 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*

than my place of residence aforesaid; that I actually traveled from
my said residence to said place of arrest, for the purpose aforesaid, *27* miles, and in the transportation of said de-

fendant was actually and necessarily employed *7* day 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 *7* days' services from any other person or
persons, or sources, whatever; so help me God.

Subscribed and sworn to before me this *8th* day of *July* 1894 by the above-named

Thomas L. Martin

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

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

Posse Com. _____

Deputy _____

Sub-Voucher _____ Voucher _____

I, L. J. Miel 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 _____ 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 8 day of February A. D. 1894 by the above-named _____ who personally appeared and was by me known to be the identical person he represents himself.

S. L. Minor
Deputy U. S. Marshal.
W. M. Woodruff
Clerk U. S. District Court, Western District of Arkansas.

GEO. J. CRUMP
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 9 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 \$ 27.

G. J. Crump
U. S. Marshal, Western District Arkansas

GEO. J. CRUMP
Received payment of JACOB YOES, United States Marshal for the Western District of Arkansas, in the sum of Twenty Seven dollars in full of the within account.
W. L. Moore