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Arkansas records, 1839-1908

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1874 October 23: Contract for posse comitatus, J.L. Cook, in U.S. v. Bud Wean, committed to jail; Albert C. Savage, U.S. deputy marshal; James O. Churchill, clerk

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The United States of America

To J. L. Cook Dep

1857 For 3 days' services as posse comitatus, from Oct 15th to Oct 20th, 1857, both days inclusive, at \$3.00 per day, \$ 9 00

UNITED STATES OF AMERICA,
Western District of Arkansas,

I J. L. Cook of Abbeville Cherokee Nation
in the county of _____ and district aforesaid, being duly sworn,

depose and say, that on the 15th day of October, 1857, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1857, by A. C. Savage, U. S. Deputy Marshal for said district, at my usual place of residence, as one of his posse comitatus, to assist in executing a ~~process~~ ^{Warrant of Commitment} issued by Floyd C. Babcock U. S. Commissioner for the Western district of Arkansas, dated the 10th day of October, 1857, against Bud Mean ~~under an indictment, charged with~~ ^{Commitment to jail} at Abbeville ~~in the Indian country,~~ within the jurisdiction of the said district, ~~at the office of said Commissioner,~~ ⁱⁿ _____ county, Ark.,

_____ 1857; and that as such posse comitatus I proceeded in company with said Marshal to Abbeville ~~at~~ ^{in the Indian country} aforesaid, and there assisted him in ~~making the arrest of~~ ^{placing the} said

Bud Mean in jail

and immediately thereafter ~~at~~ ^{bringing the said} _____ to _____ ~~U. S. Commissioner;~~ ^{U. S. Commissioner;} that no posse comitatus could have been employed at a nearer point to the place where the said Deputy informed me he ~~expected to find~~ ^{expected to find} said Bud Mean ~~in said custody~~ to-wit: Abbeville, Ark., than my place of residence aforesaid; that I actually traveled from my said residence to _____ for the purpose aforesaid _____ 75 miles, and in the transportation of said Bud Mean, and was actually and necessarily employed _____ 3 days, as set out in the foregoing account as posse comitatus, solely in the execution of said process and transportation of the said

Bud Mean as aforesaid; that I furnished the means of, or actually paid for my own travel or transportation, and that I have received from said Marshal and signed duplicate receipts therefor, the sum of _____

_____ dollars, in lawful currency of the United States, in full satisfaction and payment of my said expenses and services; that I have never received or been paid, or agreed to receive, or expect to be paid, any other compensation, remuneration, or consideration whatever for said expenses and _____ 3 days' services, from any person or persons, or sources whatever: So help me God.

J. L. Cook

Subscribed and Sworn to before me this 23rd day of October 1857 by the above named J. L. Cook who personally appeared and was sworn by Mrs E. Brown a reliable witness, ~~and was by her known~~ to be the identical person he represents himself.

M. G. Churchill
Clerk U. S. Dist. Court West. Dist. of Ark.

I have examined the within account, and certify that the services were performed as therein stated, and that the amount charged therefor is reasonable and just, and that I have no interest in the same.

Albert S. Savage
Dep. U. S. Marshal, West. Dist. of Ark.

Subscribed and sworn to before me this 23^d day of *October* 1874, by the above named *A. S. Savage* U. S. Dep. Marshal, who personally appeared, and was by me known to be the identical person he represents himself,

J. L. Cook
Clerk U. S. Dist. Court West. Dist. of Ark.

I certify that the foregoing account of *J. L. Cook* for services as posse comitatus, is, according to reliable information, correct and just.

U. S. MARSHAL

Received of **J. F. FAGAN**, United States Marshal for the Western District of Arkansas, *Five* Dollars, in full of the within.

J. L. Cook

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Voucher No 40

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Abstract No 6

Savage

Faint bleed-through text from the reverse side of the page, including the words "OFFICE OF THE U.S. MARSHAL" and "WESTERN DISTRICT OF ARKANSAS".