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Arkansas records, 1839-1908

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1875 August 01: Voucher to pay Lewis Robinson for 29 days of service including the arrest of Harrison Thompson, One John (aliases Frank Klippel and Wild Jack), Albert James, Columbus Gentry, and James Fielding (alias James Summers); issued by James Churchill, commissioner; J.T. Cox, Jr., deputy marshal; Stephen Wheeler, clerk

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RECEIVED
JULY 27 1875
CLERK

WESTERN DISTRICT OF ARKANSAS
UNITED STATES OF AMERICA

The United States of America,

To Lewis Robinson Dr.

1875 For 29 days services as posse comitatus, from 4th July to Aug. 1st 1875 both days inclusive, at \$3.00 per day, \$ 87.00

UNITED STATES OF AMERICA,
Western District of Arkansas.

Lewis Robinson of Choctaw Nation in the county of Blue and district aforesaid, being duly sworn, depose and say, that on the 4th of July 1875, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1858, by Jno. T. Cox Jr. U. S. Deputy Marshal for said district, at the place of said office, as one of his posse comitatus, to assist in executing the following capias writs, to-wit:

Harrison Thompson charged with Larceny in the Indian County, and one John and One Van alias "Wild Jack" alias "Sam" D. D. charged with Introducing Spirituous Liquors and assault with intent to kill in the Indian County.

Issued by Jno. O. Churchill, U. S. Commissioner for the Western District of Arkansas,

within the jurisdiction of the said district, returnable to the office of said Commissioner, at Fort Smith in Sebastian county, Ark., forthwith; and that as such posse comitatus, I immediately proceeded in company with said Marshal to Red River Station Chickasaw Nation where I assisted in making the arrest of Harrison Thompson charged with Larceny. And immediately

Thereafter proceeded towards Fort Smith and the next day I assisted in making the arrest of One John "Red" Frank "Wild Jack" charged with Int. Spts. Leg. Assault with intent to kill in the Indian Country. We immediately thereafter proceeded towards Fort Smith and on the 21st 26th day of July I assisted in making the arrest of Albert James charged with assault with intent to kill and Columbus Gentry and James T. Gentry the James Gentry charged with Int. Spts. Leg. in the Indian Country etc. immediately thereafter proceeded by the most direct route to Fort Smith Ark before the 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 the said Harriett Thompson and One John alias "Wild Jack" alias Frank Kleffel

to-wit: Fort Smith Arkansas
 The place of arrest
 Fort Smith Arkansas

Smith Ark to said places of arrest for the purpose aforesaid 700 miles; and in the transportation of said defendants, and was actually and necessarily employed 29 days, as set out in the foregoing account as posse comitatus, solely in the execution of said processes and transportation of the said defendants 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 Eighty Seven 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 29 day's services, from any person or persons, or sources whatever: So help me God.

Subscribed and Sworn to before me this 10th day of August 1870 by the above named Lewis Robinson who personally appeared before me Stephen Wheeler and was by me known to be the identical person he represents himself.

Stephen Wheeler
 Clerk U. S. Dist Court West. Dist. of Ark.

UNITED STATES OF AMERICA, } SS.
 Western District of Arkansas,

I J. F. Fagan 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 Fort Smith Ark under the act of Congress of June 14, 1858, was actually and indispensably 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 reasonable and just, and that I have no interest in the same.

Sworn to and subscribed before me this 19 day of August A. D., 1870, by the above named J. F. Fagan who personally appeared and was by me known to be the identical person he represents himself.

J. F. Fagan
 Deputy U. S. Marshal
 Stephen Wheeler
 Clerk U. S. Dist. Court, West. Dist. Ark.

I, JAMES F. FAGAN, U. S. Marshal for the Western District of Arkansas, do certify that I have carefully inquired into the matters set forth in the foregoing affidavits, and that the matters and things therein set forth are true and the services of the posse comitatus, employed by my Deputy were absolutely necessary to the due and proper service and execution of said warrants; and that a posse comitatus could not have been obtained any nearer than the place said posse comitatus was employed.

U. S. Marshal West. Dist., of Ark.

Received payment of James F. Fagan, U. S. Marshal for the Western District of Arkansas, in the sum of Eighty Seven - x dollars in full of the within account,
 Lewis Robinson