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Arkansas records, 1839-1908

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1875 August 27: Voucher to Wen Bryant of Fort Smith, for services assisting deputy marshal J.C. Williamson in the arrests of Henry Effers and John Wheat; James Churchill, late commissioner; Stephen Wheeler, commissioner

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Number No 9

Abstract

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FILED
AUG 13 1875

Am. Grant
Sept 26 1875

apc no 2
Nov 7 1875
see no 8 also
same date
Item 79 stat
49716

The United States of America,

To Mrs Royant, Dr.

187 \$ 15

For days services as posse comitatus, from Aug 13th to Aug 27th 1875
both days inclusive, at \$3.00 per day, \$

\$25.00

UNITED STATES OF AMERICA,
Western District of Arkansas.

I, Mrs Royant of Fort Smith in the county of

Sebastian and district aforesaid, being duly sworn, depose and say, that on the 19th day of

August 1875, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1858, by

Williamson, 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 writs, to-wit: *Henry Effert, charged with Assault with intent to kill, in the Indian Country. & John Wheat, charged with Larceny in the Indian Country*

issued by J. C. Ansel, late 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

187; and that as such posse comitatus, I immediately proceeded in company with said Marshal to Man, Fort Gibson
O. H. Wokers we were engaged in pursuit of the said
Henry Effert until August 23rd 1875, on which
day I assisted said Marshal in effecting his

arrest, that we remained in the same neighborhood until August 25th on which day I assisted said Marshal in arresting John Wheat, charged as aforesaid & that from thence we returned immediately

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 Henry Effert and John Wheat.

to-wit: New Fort Gibson O. T.

than my place of residence aforesaid; that I actually traveled from my said residence to said places of arrest for the purpose aforesaid 150 miles, and in the transportation of said defendants, and was actually and necessarily employed 15 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 _____ 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 15 day's services, from any person or persons, or sources whatever: So help me God.

Subscribed and sworn to before me this 14th day of October 1875 by the above named New Bryant who personally appeared _____ 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. C. Williamson 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.

J. C. Williamson
Deputy U. S. Marshal

Sworn to and subscribed before me this 14th day of October, A. D., 1875, by the above named J. C. Williamson who personally appeared and was by me known to be the identical person he represents himself.

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 Forty Five dollars in full of the within account,

New Bryant