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United States Western District Court of  
Arkansas records, 1839-1892

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

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**Voucher, to August Yansan, of Vinita, for assisting L.P. Sable,  
deputy U.S. marshal, in U.S. v. Rays Heipple; Stephen Wheeler, U.S.  
commissioner**

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*Yankee / Abstract 6*

**FILLED**

SEP 28 1876

*W. H. ...*

**The United States of America,**

To *August Johnson* Dr.

1876 For 21 days' services as posse comitatus, from April 25 to May 15<sup>th</sup> 1876 both days inclusive, at \$3.00 per day. \$ 63<sup>00</sup>

**UNITED STATES OF AMERICA,**

*Western District of Arkansas,*

I, *August Johnson* of *Vinita Co. Ok.* in the county of \_\_\_\_\_ and district aforesaid, being duly sworn, depose and say, that on the 25 of \_\_\_\_\_

April 1876, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1858, by *L. P. Isable*, 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: *Fays Kipple* -

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, at *Fort Smith* in *Sebastian County*, Ark., April 15<sup>th</sup> 1876; and that as such posse comitatus, I immediately proceeded in company

with said Marshal to *Wabin Creek, Cherokee Nation* where we effected the arrest of said *Kipple* on April 28<sup>th</sup> 1876. We were then detained by high water for five days before being able to cross *Wabin Creek*. After crossing *Wabin Creek*

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we proceeded toward Fort Smith but upon reaching Grand River we were again detained eight days after which we immediately proceeded to Fort Smith -

to \_\_\_\_\_ 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 Days Hooper

to wit: in Erabu Creek

\_\_\_\_\_ than my place of residence aforesaid; that I actually traveled from my said residence to said places of arrest for the purpose aforesaid 98 miles, and in the transportation of said defendants, and was actually and necessarily employed 21 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 Sixty three 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 21 days' services, from any other person or persons, or sources whatever: So help me God.

Subscribed and sworn to before me this 18<sup>th</sup> day of May 1876, by the above named August Jansan who personally appeared before me and was by me known to be the identical person he represents himself.

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

**UNITED STATES OF AMERICA,** }  
Western District of Arkansas, } ss.

I, L. C. Isable 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 Wata Co. 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 18<sup>th</sup> day of May A. D. 1876, by the above named L. P. Sobell, who personally appeared and was by me known to be the identical person he represents himself.

G. P. Phell  
Deputy U. S. Marshal.  
Stephen Wheeler  
Clerk U. S. Dist. Court, West. Dist. of Ark.  
R. Walling

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.

Received payment of James F. Fagan, U. S. Marshal for the Western District of Arkansas, in the sum of \_\_\_\_\_ dollars in full of the within account.

August Jansan

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