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Arkansas records, 1839-1908

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**1876 June 03: Voucher, to George C. King, of Fort Smith,
Arkansas, for assisting W.W. Milor, U.S. deputy marshal, in U.S. v.
John H. Morris, larceny and U.S. v. Edward Johnson, murder;
Stephen Wheeler, clerk**

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Voucher 61
To
Abstract 6

FILED

SEP 23 1876

W. W. ...

The United States of America,

1876 To George C. King Dr.
For 31 days' services as posse comitatus, from April 29 to May 29 1876
both days inclusive, at \$3.00 per day. \$ 93.

UNITED STATES OF AMERICA, }

Western District of Arkansas.

George C. King of Fort Smith in the county of
Sebastian and district aforesaid, being duly sworn, depose and say, that on the 29th of
April 1876, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1858, by
S. S. Wilcox, 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: one against John H. Morris charged with Larceny in the Indian Country, and Ed. Johnson, charged with Murders in the Indian Country.

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. for the writ

187 ; and that as such posse comitatus, I immediately proceeded in company with said Marshal to 12 miles west of Fort Washita, when on the 11th day of May 1876, I accompanied said Deputy Marshal in making the arrest of said John H. Morris. We then proceeded to near the mouth of Mud Creek, C. T. in quest of said

Ed Johnson Not finding said Johnson I proceeded with said Deputy Marshal to *Stonytown*, where I assisted said Marshal in making the arrest of *Lyman Francis* and *Jennie Francis*, and from thence assisted in bringing said *John H. Morris*, *Lyman Francis* and *Jennie Francis*.

to *Fort Smith* 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 *John H. Morris* and *Ed Johnson*

to wit: *Chickasaw Station*

than my place of residence aforesaid; that I actually traveled from my said residence to said places of arrest for the purpose aforesaid *212* miles, and in the transportation of said defendants, and was actually and necessarily employed *31* 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 *Thirty-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 *31* days' services, from any other person or persons, or sources whatever: So help me God.

Subscribed and sworn to before me this *3^d* day of *Jan* 187*6*, by the above named *George C. King* who personally appeared before me and was by me known to be the identical person he represents himself.

George C. King

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

I, *V. V. Milor* 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* 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 *3^d* day of *Jan* A. D. 187*6*, by the above named *V. V. Milor*, who personally appeared and was by me known to be the identical person he represents himself.

V. V. Milor
Deputy U. S. Marshal.

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.

James F. Fagan
U. S. Marshal West. Dist. of Ark.

Received payment of James E. Fagan, U. S. Marshal for the Western District of Arkansas, in the sum of

Thirty-three dollars in full of the within account.

G. C. King