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

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

Voucher, to Richard Hood, of Fort Smith, Arkansas, for assisting T.E. Lacey, deputy U.S. marshal, in U.S. v. J.C. Russell and David Clark, passing counterfeit U.S. currency; John M. Peck, U.S. commissioner; J.F. Fagan, U.S. marshal; Stephen Wheeler, U.S. clerk of court; W.D. Allnutt, witness of signature

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Voucher # 4
To
Abstract 6

FILLED

SEP 29 1876

Abstracts
CLERK

The United States of America,

To Richard Hood Dr.

1876 For 1 days' services as posse comitatus, from July 26 to 26 1876
both days inclusive, at \$3.00 per day. \$ 3.

UNITED STATES OF AMERICA, }
Western District of Arkansas.

I, Richard Hood of Fort Smith in the county of
Sebastian and district aforesaid, being duly sworn, depose and say, that on the 26th of
July 1876, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1858, by
F. E. Lacey, 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: J. C. Russell and David
Clark, charged with passing Counterfeit U. S.
Currency.

issued by J. M. Peck U. S. Commissioner for the Western District of Arkansas, within the jurisdiction
of the said district, returnable to the office of said Commissioner, at Muskogee in Creek Nation County,
Ark. forthwith 1876; and that as such posse comitatus, I immediately proceeded in company
with said Marshal to assist the said J. C. Russell and David
Clark at Muskogee C. N. on same day and assisted
him in bringing them before

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 *Russell and Clark*

to wit: *Muskogee C. N.*

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

Witness *J. Williams*

Richard F. Hood
April 1876

Subscribed and sworn to before me this *22^d* day of _____ 1876 by the above named *Richard Hood* 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.
J. Williams

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

I, *J. E. Lacey* 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 *Muskogee* 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. E. Lacey
Deputy U. S. Marshal.

Sworn to and subscribed before me this *24th* day of *April*, A. D. 1876, by the above named *J. E. Lacey*, 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.

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.

J. F. Fagan
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 *Three* dollars in full of the within account.

Witness
W. D. Allum

Richard F. Hood
his mark