

Arkansas State Archives

Arkansas Digital Archives

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

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

1876 April 21: Voucher, to Charles McCoy, of Choctaw Nation, for assisting Edmond Burgrin, U.S. deputy marshal, in U.S. v. Squire Allen, violating the internal revenue law; Stephen Wheeler, commissioner

Follow this and additional works at: <https://digitalheritage.arkansas.gov/western-district-court>



Part of the [United States History Commons](#)

Recommended Citation

Item 04_01_050, United States Western District Court of Arkansas records, Arkansas State Archives, Little Rock, Arkansas.

Use and reproduction of images held by the Arkansas State Archives without prior written permission is prohibited. For information on reproducing images held by the Arkansas State Archives, please call 501-682-6900 or email at state.archives@arkansas.gov.

Voucher 69

To

Abstract 6

FILED

SEP 29 1876

Abstract 6

The United States of America,

To *Charles McCoy*

Dr.

1876

For *3* days' services as posse comitatus, from *Mch 5* to *Mch 7* 1876

both days inclusive, at \$3.00 per day.

\$ *9.00*

UNITED STATES OF AMERICA,

Western District of Arkansas.

I, *Charles McCoy* of *Choctaw Station* in the county of _____ and district aforesaid, being duly sworn, depose and say, that on the *5th* day of

March 1876, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1858, by

E. Burgen, U. S Deputy Marshal for said district, at my usual place of residence, *near Fort Smith*, as one of his

posse comitatus, to assist in executing the following capias writs, to wit: *The United States*

U.S. Squire Allen charged with violating the Internal Revenue Law

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., *forthwith* 1876 ; and that as such posse comitatus, I immediately proceeded in company

with said Marshal to *6 miles west of Scudysville Choctaw Station* and then assisted him to arrest said *Squire Allen* and from there we returned direct to *Fort Smith Ark.*

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

Squire Allen

to wit: *near Sulphur Springs Ark.*

_____, than my place of residence aforesaid; that I actually traveled from my said residence to said places of arrest for the purpose aforesaid *50* miles, and in the transportation of said defendants, and was actually and necessarily employed *3* 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 *Nine* 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 *3* days' services, from any other person or persons, or sources whatever: So help me God.

Subscribed and sworn to before me this *6* day of *May* 187*6*, by the above

named _____ who personally appeared

before me and was by me known to be the identical person he represents himself.

Charles McCoy
Clerk U. S. Dist. Court West. Dist. of Ark.

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

I, *E. Burgein* 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 *Christaw Nation* 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.

Edmund Burgein
Deputy U. S. Marshal.

Sworn to and subscribed before me this *21* day of *April*, A. D. 187*6*, by the

above named *E. Burgein*, 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.

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 *Nine* dollars in full of the within account.

Charles McCoy