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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 Lewis Carnett, of Fort Smith, Arkansas, for assisting J.S. Vandergriff, deputy U.S. marshal, in U.S. v. Sam Keys, violating internal revenue laws; Stephen Wheeler, U.S. clerk of court; James F. Fagan, U.S. marshal

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Recommended Citation

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SEP 29 1876

Abstract

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The United States of America,

To *Lewis Carnett* Dr.

1876 For *48* days' services as posse comitatus, from *July 9* to *Nov 27* 1876
both days inclusive, at \$3.00 per day. § *1441*

UNITED STATES OF AMERICA,
Western District of Arkansas.

I *Lewis Carnett* of *Box Smiths* in the county of
Sebastian and district aforesaid, being duly sworn, depose and say, that on the *9th* of
July 1876, I was employed under and by virtue of the third section of Act of Congress, of June 14, 1858, by

J. Vaudegriff, 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: *Shau. Keys charged*
with violating Anternal Revenue Laws

issued by *Alphus Shuler* U. S. Commissioner for the Western District of Arkansas, within the jurisdiction
of the said district, returnable to the office of said Commissioner, at *Wynith* in *Sebastian* County,
Ark., *May Term* 1876; and that as such posse comitatus, I immediately proceeded in company

with said Marshal to *Childers Ferry C.M.* where we were informed the said *Shau. Keys* was to be found
Learning that she had gone from there to the mouth of *Red Fork* on the *Ark. River* we
immediately proceeded there and finding that she had gone from there to *Chitopa Kansas*
we immediately started for that place on arriving at *Vaudegriff Creek* we found it
impossible and were delayed there four (4) days after crossing *Vaudegriff*

Creek me more again delayed at Cotin Creek for the period of four (4) days
after crossing Cotin Creek, we immediately proceeded to near Chitopa
Kansas and there arrested the said Nau Keys on the 1st day of March
on the Sunday the Deputy received a warrant by mail for Liberty Cott
and learning he was at Williams Ranch, Cheyenne Reservation, we immediately
proceeded there and arrested him on the 16th day of March from thence we proceeded
to the Cheyenne Agency and while there received a warrant for John Plantz and
arrested him on the same day, after the arrest of Plantz we returned to near
Hogue by the most direct route arriving there on the 24th day of March

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 Nau Keys

to wit: Creek Nation

Muskogee Co. Ar.
than my place of residence aforesaid; that I actually traveled from my said
residence to said places of arrest for the purpose aforesaid 850 miles, and in the transportation of said defendants,
and was actually and necessarily employed 48 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
One Hundred and Forty four 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 48 days' services, from any other person or
persons, or sources whatever: So help me God.

Subscribed and sworn to before me this 8th day of May 1876, by the above
named Louis Barnett who personally appeared
and was by me
known to be the identical person he represents himself.

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

I, J. J. Naudgriff 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 Cr. 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 8th day of May, A. D. 1876, by the
above named J. J. Naudgriff, who personally appeared and was by me known to be the identical person
he represents himself.

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
One Hundred and Forty four dollars in full of the within account.

Louis Barnett