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United States Western District Court of  
Arkansas records, 1893-1908

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

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**1896 August 06: Voucher, U.S. v. Ed Gaines, assault with intent to kill; includes cost per diem and mileage; James Brizzolara, commissioner; Grant Johnson, deputy marshal; Stephen Wheeler, clerk; W.M. Gardenlin, Moe Carlis, witnesses**

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UNITED STATES

VS.

In the Western District of Arkansas, before United States District Court

Commissioner, *Amos Mizgolew* Esq.

Complaint made by *Grant Johnson, Dpty. U.S. Marshal*

Warrant Issued by *J. White, U.S. Dist. Court*

Warrant Received by Deputy at *Fort Smith Aug 5, 1896*

*Ed Gains*  
Docket no *62473*

CHARGE *Assault with intent to Kill* In the Indian Country.

DATES, 1896

*Aug 4* 1 Warrant dated *Aug 3* 1896 and served by Deputy *Grant Johnson*  
on *Ed Gains* at *2 mi. S of Engala, Ia.* 2 00  
on \_\_\_\_\_ at \_\_\_\_\_  
on \_\_\_\_\_ at \_\_\_\_\_

2 For \_\_\_\_\_ miles traveled to Serve Writ, at 6 cents per mile from \_\_\_\_\_  
to place of arrest, via \_\_\_\_\_

3 Expenses Actually Incurred While Employed Endeavoring to Arrest.

STATE NATURE OF EXPENSE INCURRED.		AMOUNT.
Maximum allowance for above at \$2 per day _____ days _____		
4	Actual expenses _____ days feeding _____ prisoners from _____ to <i>Aug 5</i> 1896	
	Arriving at Fort Smith, Ark., _____ 1896	
<i>Aug 5</i>	5 Mileage returning _____ prisoners _____ guards and deputy <i>13 1/2</i> miles each <i>268</i> miles at	<i>26 80</i>
	10 cents per mile from PLACE OF ARREST to Fort Smith, Ark. _____	<i>50</i>
<i>" 5</i>	6 Committing _____ defendant _____ temporary _____	<i>50</i>
<i>" 6</i>	7 Committing _____ defendant _____ final _____	
	8 Releasing _____ defendant _____ on temporary bond _____	
	9 Discharging _____ defendant _____ on bond _____	
<i>" 6</i>	10 Discharging _____ defendant _____	
	11 Attendance of Deputy <i>Amos</i> _____ before Commissioner. _____	<i>2 00</i>
	12 Name of Posse Com. _____ Guard _____	

13 Subpoena for Plaintiff's Witnesses by Above-Named Deputy.

MILES TO.	PLACE OF SERVICE.	DATE OF SUBPCENA.	ON WHOM SERVED.
<i>Aug 3</i>	<i>Engala Ia.</i>	<i>8/3/96</i>	<i>Wm. Gartin</i>
			<i>Mac Carl</i>
Total _____ extra miles to serve the same, at 6 cents per mile _____			

TOTAL 37 80

Brought Forward \_\_\_\_\_

Total Carried Forward \_\_\_\_\_

I do solemnly swear that the above account is correct in each and every particular; that the services and travel therein charged were rendered on the dates as given by me and therein stated; that all meals for prisoners therein charged for were furnished by me and actually cost the sums charged in each case; that the guards named were necessary and performed the service as stated in their several certificates; that all expenses to arrest were actually necessary in serving the process, and that it was impracticable to obtain receipts other than those attached.

I further certify that the defendant was taken before the Circuit Court Commissioner, or the judicial officer having jurisdiction under existing laws, nearest the place of arrest; and that the travel was not free, but was made with cost to the affiant.

Sworn to and subscribed before me this *6* day of *Aug* 1896. *Grant Johnson* Deputy U. S. Marshal.

*J. White* U. S. District Clerk.

By *M. D. D. B.* D. C.