

Arkansas State Archives

## Arkansas Digital Archives

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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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**1894 October 8: Mittimus to await trial, U.S. v. Cary Avants, retail liquor dealer; Stephen Wheeler, clerk; G.J. Crump, U.S. Marshal; B.F. Gipson, deputy**

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

The President of the United States of America,

To the Marshal of the Western District of Arkansas, and to the Keeper of the U. S. Jail at Fort Smith, Arkansas—Greeting :

WHEREAS, at the District Court of the United States of America, for the Western District of Arkansas, at the Feb'y Term thereof, begun and holden in Fort Smith, within and for the District aforesaid, on the 24 day of Feb'y, A. D. 1894, the Grand Jurors, in and for said District empaneled, brought into the said Court a true bill of indictment against

Cary Awants  
for Ret. Sign. Dcr.

in the Indian Country, against the peace and dignity of the United States. As by the said indictment, now remaining on file and of record in said Court, will more fully appear; and,

WHEREAS, the said Cary Awants having subsequently been arrested and required to enter into a recognizance with good and lawful surities for his personal appearance in the United States District Court, at the United States Court-room at Fort Smith, in said District, from day to day and from term to term thereafter, until discharged by order of said Court, then and there to answer what might be objected against him; and abide the orders of the Court, and not depart the said Court without leave thereof; and,

WHEREAS, the said Cary Awants having failed to enter into said recognizance, it was ordered that the said defendant be committed to jail to await trial.

WE, THEREFORE, COMMAND YOU, the said Marshal, forthwith to convey the said Cary Awants to the United States Jail at Fort Smith, Arkansas, and him deliver to the keeper thereof; and you, the said keeper, are hereby required to receive the said Cary Awants into your custody in the said jail, and him there safely keep until he shall be discharged by due course of law.

IN TESTIMONY WHEREOF, the Honorable ISAAC C. PARKER, Judge of the District Court of the United States for the Western District of Arkansas, has caused the seal of said Court to be hereunto affixed, this 8 day of Oct. A. D. 1894, and in the \_\_\_\_\_ year of our Independence.

ATTEST:  
[Signature] Clerk.

By \_\_\_\_\_ D. C.

UNITED STATES

VERSUS

*Cary Wants*

MITTIMUS TO AWAIT TRIAL.

RETURN.

Received this MITTIMUS with the  
within named prisoner, on the *8*  
day of *Oct* 189*4*,  
and on the same day I committed the said  
prisoner to the custody of the within  
named jail keeper, with whom I left at the  
same time a certified copy of this mittimus.

Dated *Oct 8* 189*4*

*J J Crump*

U. S. Marshal Western District Arkansas.

By *B H Johnson* Deputy.