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

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

1894 March 4: Voucher, to Harry Marshall, posse comitatus; J.L. Merriman, deputy; William Fouler and John Fouler, defendants; Stephen Wheeler, commissioner; I.M. Dodge, district court clerk; George J. Crump, U.S. marshal

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UNITED STATES OF AMERICA,

1894 To Harry Marshall Dr.,
for 1 days' service as posse comitatus, from July 28 1894 to Aug 7
both days inclusive, at \$3.00 per day \$ 15.00

UNITED STATES OF AMERICA,

Western District of Arkansas.

I, Harry Marshall of Fort Smith in the County

of and District aforesaid being duly sworn, depose and say, that on the 28 day of July 1894 was employed under and by virtue of the third section of the Act of Congress of June 14, 1858, by J. B. Merriam 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 writ, to-wit:

As vs Wm Fowler and John Fowler

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

Arkansas for the 1894 and that as such posse comitatus, I

immediately proceeded in company with said Marshal to 4 mi S of San Bois

Choctaw Nation Ind Terr a distance of 69 mi from Ft Smith Ark arrested the defendants Wm Fowler and John Fowler on 3rd day of Aug 1894 then returned

to Fort Smith 3/4 94 before U. S. Commissioner, that no posse comitatus could have been employed at a nearer point to the place where the said Deputy informed me where he expected to find the said defendant,

to-wit: Choctaw Nation

than my place of residence aforesaid; that I actually traveled from my said residence to said place of arrest, for the purpose aforesaid, 69 miles, and in the transportation of said defendant was actually and necessarily employed 1 day as set out in the foregoing account, as posse comitatus, solely in the execution of said processes and transportation of said defendant as aforesaid; that I furnished the means of or actually paid for my own travel or transportation; that I have never received or been paid, or agreed to receive, or expected to be paid for any other compensation, remuneration or consideration, whatever, for said expenses and 1 days' services from any other person or persons, or sources, whatever; so help me God.

Subscribed and sworn to before me this 1 day of Aug 1894 by the above-named Harry Marshall

who personally appeared and was by me known to be the identical person he represents himself.

Stephen Wheeler Clerk U. S. District Court, Western District of Arkansas.

Posse Com. By J. M. Dodge
Deputy
Sub-Voucher Voucher

I, J. K. Mcmin 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 Whitby under the Act of Congress of June 14, 1858, was actually and indispensibly 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 just, and that I have no interest in the same.

Sworn to and subscribed before me this 5. J. S. Mcmin day of March 1894 Deputy U. S. Marshal. A. D. 1894 by the above-named Whitby who personally appeared and was by me known to be the identical person he represents himself.

J. White
Clerk U. S. District Court, Western District of Arkansas.

GEO. J. CRUMP

I, JACOB YOE, U. S. Marshal for the Western District of Arkansas, do certify that I have carefully inquired into the matters as set forth in the foregoing affidavits, and that the matters and things therein set forth are true, and that the services of the posse comitatus employed by my Deputy were absolutely necessary to the due and proper service and execution of said warrants for the period of 5 days; and that a posse comitatus could not have been obtained any nearer than the place said posse comitatus was employed, and this account is approved for \$ 15⁰⁰

G. J. Crump
U. S. Marshal, Western District Arkansas

GEO. J. CRUMP
U. S. Marshal, Western District of Arkansas.

Received payment of JACOB YOE, United States Marshal for the Western District of Arkansas, in the sum of _____ dollars in full of the within account.

Fifteen

X M. Marshall