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

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

1879 May 05: Voucher, to Thomas Hughes, of Fayetteville, Arkansas, for assisting H.C. Martin, U.S. deputy marshal, in U.S. Baid Craig; Stephen Wheeler, commissioner; D.P. Upham, U.S. marshal

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The United States of America,

1879

To Thomas Hughes Dr.

For 7 days' services as posse comitatus, from March 24 to 30th 1879, both days inclusive, at \$3.00 per day.

As allowed by Expense 1 Day \$21.00 5.00 \$18.00

UNITED STATES OF AMERICA, }
Western District of Arkansas.

I, Thomas Hughes, of Fayetteville, in the County of Washington and District aforesaid, being duly sworn, depose and say, that on the 24th of March, 1879, I was employed under and by virtue of the third section of the Act of Congress of June 14, 1858, by H. Martin, 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:

Ud vs Paul Craig

issued by Stephen Wheeler Esq, 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, Arkansas, forthwith, 1879; and that as such posse

comitatus, I immediately proceeded in company with said Marshal to the Cherokee taken 7 miles north west of Cummins, Ark. where I arrested Paul Craig on the 24th day of March. We then returned

to *Fort Smith* 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

Paul Craig

to wit: *Chambers*

, than my place of residence aforesaid; that I actually traveled from my said residence to said place of arrest for the purpose aforesaid, 72 miles, and in the transportation of said defendants, and was actually and necessarily employed 72 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 _____ 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 7 days' services, from any other person or persons or sources whatever: So help me God.

Subscribed and sworn to before me this 5th day of May 1879, by the above named Thomas Hughes who personally appeared _____ and was by me known to be the identical person he represents himself.

Thomas Hughes

Stephen Wheeler
Clerk U. S. Dist. Court West, Dist. Ark.

I, Henry C. Martin 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 Opoluth 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 5th day of May, A. D. 1879, by the above named Henry C. Martin, who personally appeared and was by me known to be the identical person he represents himself.

Henry C. Martin
Deputy U. S. Marshal.
Stephen Wheeler
Clerk U. S. Dist. Court West. Dist. Ark.

I, D. P. UPHAM, 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. *for this aff. is approved for 1879*

D. P. Upham
U. S. Marshal Western District of Arkansas.

Received payment of D. P. UPHAM, U. S. Marshal for the Western District of Arkansas, in the sum of Eighteen dollars, in full of the within account.

Thomas Hughes

VOUCHER NO. 11

—TO—
ABSTRACT NO. 6.

February Term, 1879
Account Current No 26

Refer to Voucher No. 17 Abstract 4.

FILED
MAY 10 1879
Stephen Wheeler
CLERK

D. P. UPHAM,
U. S. Marshal Western Dist. Arkansas.

Receipt