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

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1879 October 24: Voucher, to Thomas P. Hughes, of Fayetteville, Arkansas, for assisting Henry C. Martin, U.S. deputy marshal, in U.S. v. Jack Reed and others (John M. Buckey, Prior Lee, and Britton Finker); E.B. Harrison, commissioner; Stephen Wheeler, clerk; D.P. Upham, U.S. marshal

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VOUCHER NO. 2

—TO—

ABSTRACT NO. 6.

Number Term, 1879

Account Amount \$ 270 2

Refer to Voucher No. 23 Abstract 4.

90000002

FILED

JAN 12 1880

Attachees CLERK

D. F. UFFLAND, U. S. Marshal Western Dist. Arkansas.

Supplies

The United States of America,

1879

To Thomas P. Hughes

Dr.

For 2 days' services as posse comitatus, from Sept 15 to 17th 1879, both days inclusive, at \$3.00 per day, \$ 9 00

UNITED STATES OF AMERICA, }

Western District of Arkansas. }

I, Thomas P. Hughes, of Fayetteville, in the County of Washington and District aforesaid, being duly sworn, depose and say, that on the 15th of Sept 1879, I was employed under and by virtue of the third section of the Act of Congress, of June 14, 1858, by Quincy 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:

U S v Jacob Reed & others

issued by E. B. Harrison Esqr, U. S. Commissioner for the Western District of Arkansas, within the jurisdiction of the said District, returnable to the office of said Commissioner, at Fayetteville in _____ County, Arkansas, _____, 1879; and that as such posse

comitatus, I immediately proceeded in company with said Marshal to the Cherokee Nation 30 miles South West of Fayetteville Ark. where I arrested said Deputy in arresting Jacob Reed on the night of the 15th of September Thence up the line to a point in Benton Co Arkansas

45 Miles N West of Fayetteville where I arrested in executing
John M. Busby, Oliver Lee Bretton Finley, on the morning
of the 17th of Sept, we then returned

to Fayetteville 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
Reed & others

to wit: Quarther Station
....., than my place of residence aforesaid; that I actually traveled from my
said residence to said place of arrest for the purpose aforesaid 70 miles, and in the transportation of
said defendants, and was actually and necessarily employed 3 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 what-
ever for said expenses and 3 days' services, from any other person or persons, or sources whatever: So help me God.

Subscribed and sworn to before me this 24th day of October 1879, by
the above named Thomas P. Hughes who personally
appeared before me Stephen Whelan Clerk and was by me
known to be the identical person he represents himself.

Stephen Whelan
Clerk U. S. Dist. Court West. Dist. of Ark.

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

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 Fayetteville
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 24 day of October, 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 Whelan
Clerk U. S. Dist. Court West. Dist. of 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 the place said posse comitatus was
employed.

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 None
dollars, in full of the within account. Thomas P. Hughes