

Arkansas State Archives

## Arkansas Digital Archives

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

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

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Voucher, U.S. v. Tammy Larnar; U.S. v. Jenker (alias) Pieche, Junior Cheekey, Cho-he-lochi, Waterback, and Joseph Perkins; paid to Jack Moody for 33 days service as posse comitatus; Addison Beck, deputy U.S. marshal; Stephen Wheeler, U.S. commissioner; Harry Talmade and Ben Allen; Stephen Wheeler, G.S. Williams, U.S. clerk of courts; Thomas Bole, U.S. marshal

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The United States of America,

1882

To, Zack Moody Dr.

For 33 days' services as posse comitatus, from March 27 to April 28 1882

both days inclusive, at \$3.00 per day, Disallowed as excessive 9 days \$99.00  
57.00  
\$42.00

UNITED STATES OF AMERICA,

WESTERN DISTRICT OF ARKANSAS.

I, Zack Moody, of Hort Smith, in the County of Sebastian and District aforesaid, being duly sworn, depose and say, that on the 27<sup>th</sup> of March 1882, I was employed under and by virtue of the third section of the Act of Congress of June 14th, 1858, by Addison Beck, 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. vs Jimmy Ramey  
U.S. vs one Jenkin alias Piche  
and others

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 Hort Smith, Arkansas, Fort Smith 1882; and that as such posse comitatus, I immediately proceeded in company with said Marshal to 15 miles west of Little River Seminole Nation where we arrested Jimmy Ramey April 6<sup>th</sup>; thence south 30 miles to Mar Sarsak wa arrested one Jenkin April 8<sup>th</sup>; thence north east 35 miles and arrested Simon Chockley April 10<sup>th</sup>; thence north west 15 miles and arrested Cho-he-Loke April 11<sup>th</sup>; thence north east 100 miles where we arrested Waterback April 15<sup>th</sup>; thence south 40 miles and arrested Joseph Perkins April 19<sup>th</sup>, serving subpoenas as we travelled, thence to Pygona Creek 64 miles out of my course to Hort Smith, where I expected to find Harry Galmar & Ben Allen for whom writs were issued and order to arrest received by me at Muscogee, thence at once returned.

*(we were detained by reason of high wind & water one day on the Arkansas river near Old St Sebours April 24<sup>th</sup>)*

to Hort 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 where he expected to find the said Ramey, Jenkin and others

to-wit: Seminole, Cherokee & Creek Nations

, than my place of residence aforesaid; that I actually traveled from my said residence to said place of arrest for the purpose aforesaid about 780 miles, and in the transportation of said defendants, was actually and necessarily employed 33 day, 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; 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 33 days' services, from any other person or persons, or sources whatever: so help me God.

Subscribed and sworn to before me this 9<sup>th</sup> day of May 1882, by the above-named Zack Moody who personally appeared before me Stephen Wheeler Clerk and was by me known to be the identical person he represents himself.

Zack Moody  
Stephen Wheeler  
Clerk U. S. Dist. Court, West. Dist. Ark.  
J. P. Williams

I, Addison Beck, 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 Fort Smith 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.

Addison Beck  
Deputy U. S. Marshal.

Sworn to and subscribed before me this 9<sup>th</sup> day of May, A. D. 1882, by the above-named Addison Beck, who personally appeared and was by me known to be the identical person he represents himself.

Stephen Wheeler  
Clerk U. S. Dist. Court, West. Dist. Ark.  
W. S. Williams & Co

I, THOMAS BOLES, 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.

*24 days*  
*and this is approved for \$72.00*

Thomas Boles  
United States Marshal Western District Arkansas.

Received payment of THOMAS BOLES, United States Marshal for the Western District of Arkansas, in the sum of Seventy two dollars, in full of the within account.

Jack Moody

Voucher No. 22  
Abstract No. 1  
Account Current ID No. 1  
May Term, 1882

Refer to Voucher No. 22, Abstract No. 1, Account Current E No. 1

**FILED**  
MAY 19 1882  
Wheeler  
CLERK

THOMAS BOLES,  
U. S. Marshal W. D. Ark.

*Duplicate*

Zack Moody