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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. Henry Chalk, One Peter, John Boustead and others; paid to Bruce McKee for 78 days service as posse comitatus; employed by Benton Turner, deputy U.S. marshal; issued by Stephen Wheeler, U.S. commissioner and clerk; includes names of arrested Billy Shucky, Bob Burress, Elias Springs, King Whitehill, Sam Russell; G.S. Williams, U.S. clerk of court; Thomas Boles, U.S. marshal**

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The United States of America,

188

To, Bruce McKee

Dr.

For 78 days' services as posse comitatus, from April 18th to July 4

1883

both days inclusive, at \$3.00 per day

Disallowed as excessive 34 days

\$ 234.00

102

\$ 132.00

UNITED STATES OF AMERICA,

WESTERN DISTRICT OF ARKANSAS.

I, Bruce McKee, of York Smith, in the County of Sebastian and District aforesaid, being duly sworn, depose and say, that on the 18th of April, 1883, I was employed under and by virtue of the third section of the Act of Congress of June 14th, 1858, by Newton Surran, 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:

US vs Henry Chalk  
One Peter  
John Broustead  
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

York Smith, Arkansas, 1883; and that as such

posse comitatus, I immediately proceeded in company with said Marshal to Stringtown Ark and from there to immerge where we heard Henry Chalk was and arrested him April 26th; thence to Fish Springs and arrested One Peter May 4th; thence to 35 mile north of Fish Springs Ark and arrested Billy Chalkin & Bob Surran May 5th; thence to Elm Springs where I expected to find Jim Mitchell; thence to Mouth Mud Creek and arrested Jim Huggott April 19th; thence to Burginville and arrested John Broustead June 18th; thence to 35 mile north of Fish Springs and arrested Sam Russell June 26th; thence direct;

to York 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

Henry Chalk  
One Peter and others

to-wit:

Chickasaw & Creek Natives

than my place of residence aforesaid; that I actually traveled from my said residence to said place of arrest for the purpose aforesaid

miles, and in the transportation of said defendants, was actually and necessarily employed 78 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; 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 78 days' services, from any other person or persons, or sources whatever: so

help me God.

Bruce McKee

Subscribed and sworn to before me this 11th day of July 1883, by

the above-named Bruce McKee who personally

appeared before me Stephen Wheeler Clerk and was by me

known to be the identical person he represents himself.

Stephen Wheeler

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

by J. Williams

JK



I, Benton Turner, 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 Hot 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.

Benton Turner  
Deputy U. S. Marshal.

Sworn to and subscribed before me this 11 day of July, A. D. 1883, by the above-named Benton Turner, 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.

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. <sup>44 days</sup>

*this is approved for \$102.00*

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 One hundred twenty two dollars, in full of the within account.

Bruce McKee

Voucher No. 5  
Abstract No. 2  
Account Current D No. 12  
May Term, 1883

Refer to Voucher No. 5 Abstract No. 2  
Account Current E No. 12

FILED  
SEP 27 1883  
Stephen Wheeler  
CLERK.

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

*Duplicate*

BOLES