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

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

Voucher, U.S. v. George Mitchell, Dunma (alias H. Finley), Alonzo Petty and others; to William Perry for 24 days service as posse comitatus; employed by W.F. Jones, deputy U.S. marshal; issued by E.B. Harrison, U.S. commissioner; includes names of arrested, Israel Crittenden, Jobe Parrish, Walker Bishop, Samuel Garrett, and E.J. Sim; Stephen Wheeler and G.S. Williams, U.S. clerk of courts; Thomas Boles, U.S. marshal

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Recommended Citation

Item 10_06_062, United States Western District Court of Arkansas records, Arkansas State Archives, Little Rock, Arkansas.

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The United States of America,

1883

To, *William Perry* Dr.
For *24* days' services as posse comitatus, from *June 14th* to *July 7th* 1883

both days inclusive, at \$3.00 per day,

Disallowed as excessive & wrong \$ *72.00*
24
\$ *48.00*

UNITED STATES OF AMERICA,

WESTERN DISTRICT OF ARKANSAS.

William Perry, of *Fayetteville*, in the County of *Washington* and District aforesaid, being duly sworn, depose and say, that on the *11th* of *June* 1883, I was employed under and by virtue of the third section of the Act of Congress of June 14th, 1858, by *W. A. Jones*, 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 George Mitchel
Rayman alix
H Finley
Alonzo Petty
and others

issued by *C. B. Harrison 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 *Fayetteville*, Arkansas, 1883; and that as such posse comitatus, I immediately proceeded in company with said Marshal to *Dale Post Office Cherokee Nation* and assisted in arrest of *George Mitchell* *June 19th*; thence to 5 miles west of *Silvian Springs* and arrested *Dummarialis* *June 27th*; thence to *Silvian Springs* & arrested *H Finley* *June 27th*; and at the same place arrested *Alonzo Petty* *July 3rd*; thence to 15 miles south west of *Silvian Springs* and arrested *Small Scotland* and *Jobe Parrie* *July 4th*; thence back again to *Silvian Springs* and arrested *Wesley Bishop* *Samuel Garrett* & *C. S. Sims* *July 5th*; then returned *Direct*

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 where he expected to find the said *Mitchell. Finley. & Petty*

to-wit: *Cherokee Nation & Benton County Arkansas*, than my place of residence aforesaid; that I actually traveled from my said residence to said place of arrest for the purpose aforesaid *200* miles, and in the transportation of said defendants, was actually and necessarily employed *24* 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 whatever for said expenses and *24* days' services, from any other person or persons, or sources whatever: so help me God.

Subscribed and sworn to before me this *27th* day of *July* 1883, by the above-named *William Perry*, who personally appeared before me *Stephens Wheeler* Clerk and was by me known to be the identical person he represents himself.

Stephens Wheeler
Clerk U. S. Dist. Court, West. Dist. Ark.
W. Williams

I, W. F. Jones, 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 Daytonville 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.

W. F. Jones
Deputy U. S. Marshal.

Sworn to and subscribed before me this 28 day of July, A. D. 1888, by the above-named W. F. Jones, who personally appeared and was by me known to be the identical person he represents himself.

Stephen Wheeler
Clerk U. S. Dis. 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.

16 days
this is approved for \$48.00

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 Forty Eight dollars, in full of the within account.

William Perry

Voucher No. 2
Abstract No. 2
Account Current D No. 12
May Term, 1888

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

FILED
SEP 27 1883
Stephen Wheeler
CLERK.

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

Dupercat

UNITED STATES OF AMERICA

The United States of America