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

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1887 August 8: Voucher, to Samuel Frazier, of Fort Smith, Arkansas, for assisting B. Connelley, deputy marshal, in U.S. v. Elish Ball, U.S. v. John Ball, U.S. v. Taf Landers; Stephen Wheeler, clerk; Ed Haglin, deputy clerk; John Carroll, U.S. marshal

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The United States of America,

1887 To Samuel Frazier Dr.,
for 1 day's services as posse comitatus, from July 13 to 1887
both days inclusive, at \$3.00 per day, \$3.00

UNITED STATES OF AMERICA,

WESTERN DISTRICT OF ARKANSAS.

I, Samuel Frazier, of Fort Smith, in the County of
Sebastian and District aforesaid, being duly sworn, depose and say, that on the 13 day of
July, 1887, I was employed under and by virtue of the third section of the Act of Congress
of June 14th, 1858, by B. Cannelly, U. S. Deputy Marshal for said District, at my usual
place of residence, as one his posse comitatus, to assist in executing the following capias writ, to-wit:

United States vs Elish Bull
John Bull
Tef Rauders

issued by Stephen Wheeler, 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,
Arkansas, Forebush, 1887, and that as such posse comitatus, I immediately proceeded in company
with said Marshal to Cattaraugus Lodge in the Cherokee
Nation where we arrested Elish Bull
John Bull & Tef Rauders on July 13 1887
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 where he expected to find the said

Elish Bull et al
to-wit: Cherokee Nation

, 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,
was actually and necessarily employed 1 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 1 day's services, from any other person or
persons, or sources whatever: so help me God.

Subscribed and sworn to before me this 8 day of August 1887, by the above named
Samuel Frazier
who personally appeared before me and was by me
known to be the identical person he represents himself.

Sam Frazier
Stephen Wheeler
Clerk U. S. District Court, Western District Arkansas.
Ray C. Bagley
D.C.

I, B. Cunnelly, 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.

B. Cunnelly
Deputy U. S. Marshal.

Sworn to and subscribed before me this 8 day of August, A. D. 1887, by the above-named B. Cunnelly, who personally appeared and was by me known to be the identical person he represents himself.

Stephen Wheeler
Clerk U. S. District Court, Western District Arkansas.

I, JOHN CARROLL, U. S. Marshal for the Western District of Arkansas, do certify that I have carefully inquired into the matters as 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 for the period of 1 days; and that a posse comitatus could not have been obtained any nearer than the place said posse comitatus was employed, and this account is approved for \$ 300

John Carroll
United States Marshal for Western District of Arkansas.

Received payment of JOHN CARROLL, United States Marshal for the Western District of Arkansas, in the sum of Three Dollars, in full of the within account.

Sam Finagier

Sam Finagier
Check on E. Lewis

Voucher No. 56
Abstract No. 12
Account Current D No. 12
Term, 1887

Refer to Voucher No. 16 Abstract No. 12
Account Current E No. 12

FILED
AUG 22 1887
Stephen Wheeler
CLERK

JOHN CARROLL,
United States Marshal, Western District Arkansas.

Subscribed