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

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1886 November 6: Voucher, to William Gross, of Fort Smith, Arkansas, for assisting J.R. Cole, deputy marshal, in U.S. v. J.D. Blackburn; Stephen Wheeler, commissioner; S.A. Williams, deputy clerk; John Carroll, U.S. marshal

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The United States of America,

1886 To *William Gross* Dr.,
for *3* day's services as posse comitatus, from *Oct 27* to *Oct 29* 1886
both days inclusive, at \$3.00 per day, \$ *9.00*

UNITED STATES OF AMERICA,

WESTERN DISTRICT OF ARKANSAS.

I, *William Gross*, of *Ft Smith*, in the County of
Sebastian and District aforesaid, being duly sworn, depose and say, that on the *27* day of
Oct, 1886, I was employed under and by virtue of the third section of the Act of Congress
of June 14th, 1858, by *J M Keale*, 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 J D Blackburn

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 *Ft Smith*,
Arkansas, *Smithville*, 1886; and that as such posse comitatus, I immediately proceeded in company
with said Marshal to *near Sanders Station Cherokee*
Nation where I assisted in arresting
J D Blackburn on *Oct 29 1886*
three returning

to *Ft 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

J D Blackburn
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 *35* miles, and in the transportation of said defendants,
was actually and necessarily employed *three* 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 *three* day's services, from any other person or
persons, or sources whatever: so help me God.

Subscribed and sworn to before me this *6th* day of *November* 1886, by the above named
William Gross

who personally appeared *before me* and was by me
known to be the identical person he represents himself.

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

G Sawyers

I, J R Cole, 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..... 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 6 day of November, A. D. 1886, by the above-named J R Cole, who personally appeared and was by me known to be the identical person he represents himself.

J R Cole
Deputy U. S. Marshal.
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..... 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 \$.....

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 Nine Dollars, in full of the within account.

William Cross

Paid

Youcher No. 14
Abstract No. 8
Account Current No. August Term. 1886

Refer to Voucher No. 20
Abstract No. 8
Account Current E No.

FILED
NOV 18 1886

Wheeler
Clerk

JOHN CARROLL,
United States Marshal, Western District Arkansas.

Duplicate

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