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

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1890 December 02: Voucher, to Frank McCullom, of Fort Smith, Arkansas, for assisting Crowder Nix, deputy marshal, in U.S. v. J.M. Carter (alias John Hawkins); Stephen Wheeler, commissioner; Jacob Yoes, U.S. marshal

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The United States of America,

189 To Frank McCullom Dr.
for 17 days, service as posse comitatus, from Feb 14 to Mch 12nd 1890
both days inclusive at \$3 per day \$51.00

UNITED STATES OF AMERICA,
WESTERN DISTRICT OF ARKANSAS.

1 Frank McCullom of Ad Smith Ark in the County
of 14 day of Feb 1890 and District aforesaid, being duly sworn, depose and say, that on the
1890 I was employed under and by virtue of the third section of
the act of Congress of June 14th, 1858, by Crowder Tex 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 writ to-wit:

U. S. vs J M Carter Gas for Hawkins - Secy

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 Ad Smith
Arkansas Dec 2nd 1890 and that as such posse comitatus, I
immediately proceeded in company with said Marshal to

where we arrested for Hawkins Feb 20/90
Enfala I. D. - 139 miles -
thence returning

to Ad Smith Ark Mch 12/90 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

Defendants

to-wit: Creek Nation I. D.
than my place of residence aforesaid; that I actually traveled
from my said residence to said place of arrest for the purposes aforesaid 278 miles, and in the transportation of said
defendants, was actually and necessarily employed 27 days as set out in the foregoing account as posse comitatus,
solely in the execution of said processes and transportation of said defenlants 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 expected to be
paid any other compensation, remuneration or consideration whatever for said expenses and 27 day's service from any
other person or persons, or sources whatever, so help me God.

Subscribed and sworn to before me this 7 day of Apr 1890 by the above named
Frank McCullom

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

Att. Ad Smith Ark
CLERK U. S. DISTRICT COURT, WESTERN DISTRICT ARKANSAS.

by J M Dwyer

I Browder Mix do solemnly swear that I am and regularly commissioned as a Deputy U. S. Marshal for said district, that the employment of a posse comitatus at Arda 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.

Browder Mix

DEPUTY U. S. MARSHAL.

Sworn to and subscribed before me this 7 day of Apr, A. D. 1899 by the above named Browder Mix 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 OF ARKANSAS.

I, JACOB YOES, 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 12 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 \$ 36.00

Jacob Yoes

UNITED STATES MARSHAL FOR WESTERN DISTRICT OF ARKANSAS.

Received payment of JACOB YOES, United States Marshal for the Western District of Arkansas, in the sum of Thirty Six Dollars, in full of the within account.

Frank McCullum

Voucher No. 72
 Account Current E. No. 7
Frank McCullum
\$36.00

Refer to Voucher No. 6
 Account Current E. No. 3

JACOB YOES,
 U. S. Marshal, Western District of Arkansas

W. W. WYERS & CO., PRINTERS, AND BINDERS, FORT SMITH, ARK.

DUPLICATE.