

Arkansas State Archives

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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, to William Preston, of Fayetteville, Arkansas, for assisting Jack Hulse, deputy U.S. marshal, in U.S. v. John Ingram, introducing and selling spiritous liquor; E.B. Harrison, U.S. commissioner; Stephen Wheeler, U.S. clerk of court; I.M. Dodge, deputy clerk**

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THE UNITED STATES OF AMERICA,

1891 To *Wm Preston* Dr.  
for 8 days service as posse comitatus, from April 30 to April 30 1891  
both days inclusive, at \$3 per day, \$ 24 00

UNITED STATES OF AMERICA,

WESTERN DISTRICT OF ARKANSAS.

I, *Wm Preston* of *Fayetteville Ark* in the County  
of \_\_\_\_\_ and District aforesaid, being duly sworn, depose and say, that on the  
30 day of April 1891 I was employed under and by virtue of the third section of  
the act of Congress of June 14, 1858, by *Jaed Hulse* 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 John Duggan - Int 52*

issued by *E. B. Harrison* 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. April 2 1891 and that as such posse comitatus, I  
immediately proceeded in company with said Marshal to

*8 miles N.W. Tah-  
lequah Id. - 85 miles where we arrested  
John Duggan April 27 1891 - thence  
returning*

to *Fayetteville Ark April 30/91* before 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

*Defendant*

to-wit:

*Cherokee Hatten & T*

than my place of residence aforesaid; that I actually traveled from  
my said residence to said place of arrest, for the purposes aforesaid, 170 miles, and in the transportation of said  
defendants was actually and necessarily employed 8 days as set out in the foregoing account as posse  
comitatus, solely in the execution of said processes and transportation of said defendants as aforesaid; that I fur-  
nished 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 8 day's services from any other person or persons, or sources, whatever; so help me God.

*Wm Preston*

Subscribed and sworn to before me this 4 day of May 1891 by the above-named  
*Wm Preston*

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

*Arthur Whicker*  
Clerk U. S. District Court, Western District of Arkansas.  
*B. J. M. Dwyer*

I Jack Hulse 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 Fayetteville Ark under the Act of Congress of June 14, 1858, was actually and indispensibly 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 therefore is just, and that I have no interest in the same.

Sworn to and subscribed before me this 14 day of May A. D. 1897 by the above-named Jack Hulse who personally appeared and was by me known to be the identical person he represents himself.

Thos. W. Bishop  
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 8 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 \$ 24.00

Jacob Yoes  
U. S. Marshal, Western District of Arkansas.

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

Wm. B. Boston