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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, to Eli Keys, of Fort Smith, Arkansas, for assisting J.D. Shaw, deputy U.S. marshal, in U.S. v. John Drake, introducing and selling spiritous liquor; James Brizzolara, U.S. commissioner; Stephen Wheeler, U.S. clerk of court; I.M. Dodge, deputy clerk; Jacob Yoes, U.S. marshal

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Recommended Citation

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UNITED STATES OF AMERICA;

189 2

To

Eli Keys

Dr:

for 5 days service as posse comitatus, from April 29 to May 4 189 2
both days inclusive, at \$3 per day

\$ 15.00

UNITED STATES OF AMERICA,

Western District of Arkansas

I, Eli Keys

of Ft Smith Ark

in the County

of

29 day of April 189 2

and District aforesaid, being duly sworn, depose and say, that on the

act of Congress of June 4, 1858, by

D. Shaw

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:

John Drake - Indr

issued by Brizzolara U. S. Commissioner for the Western District of Arkansas, within the jurisdiction of the said District, returnable to the office of said Commissioner at

Arkansas

Nov 28 189 2 and that as such posse comitatus, I

immediately proceeded in company with said Marshal to

Sau Bois I. T. - 70 miles - where we arrested John Drake May 1st 1892 - thence returning

to Ft Smith Ark May 4/92 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:

Choctaw Nation I. T.

than my place of residence aforesaid; that I actually traveled from my said residence to said place of arrest, for the purpose aforesaid, 140 miles, and in the transportation of said defendant was actually and necessarily employed 5 days as set out in the foregoing account as posse comitatus, solely in the execution of said processes and transportation of said defendant 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 for any other compensation, remuneration or consideration, whatever, for said expenses and 5 day's services from any other person or persons, or sources, whatever; so help me God.

Subscribed and sworn to before me this 14 day of May 189 2 by the above-named Eli Keys

who personally appeared

and was by me known to be the identical person he represents himself. Stephen Walker
Clerk U. S. District Court, Western District of Arkansas

Posse Com

Deputy

Sub-voucher Voucher

Wm Dodge

I, J. D. Shaw 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 Ark 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 just, and that I have no interest in the same.

Sworn to and subscribed before me this 4 day of May A. D. 1897 by the above-named J. D. Shaw who personally appeared and was by me known to be the identical person he represents himself.

Arthur White
Clerk U. S. District Court Western District of Arkansas.

I, JACOB YOES, U. S. Marshal for the Western District of Arkansas, do hereby 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 5 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 \$ 15.00

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

Receive payment of JACOB YOES, United States Marshal for the Western District of Arkansas, in the sum of Fifteen dollars in full of the within account.

Eli Key