

In the District Court, holding terms at Seattle in King
County, Washington Territory.

#4882

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In the matter of the applica-: No. 4882
tion of Yu Gum and Yu Hung for:
a Writ of Habeas Corpus. :
.....

It appearing by the petition of Yu Gum and Yu Hung (China-
women) that they the said Yu Gum and Yu Hung are unlawfully re-
strained of their liberty by one Charles Henry, Deputy U. S. Mar-
shal of Washington Territory in the County jail of King Coun-
ty, Washington Territory, which petition states wherein said il-
legality of their restraint consists, and from which it appears
that a writ of habeas corpus ought to issue.

It is by me, Roger S. Greene, Judge of the above-entitled
Court, ordered that a writ of Habeas Corpus, under the seal of
said Court, issue, directed to the said Charles Henry, Deputy Mar-
shal as aforesaid, commanding him to have the bodies of said
Yu Gum and Yu Hung before me in the Court Room of said Court, on
the 11th day of May, A. D. 1886, at the hour of 2 o'clock P. M.
of that day, to do and receive what shall then and there be
considered concerning the said Yu Gum and Yu Hung, together
with the time and cause of their detention, and that he have
then and there said writ.

Dated at Seattle, W. T. May 8th 1886.

Greene

.....
Judge.

In the District Court, holding terms at Seattle in King
County, Washington Territory.

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In the matter of the applica- No
tion of Yu Gum and Yu Hung for
a writ of Habeas Corpus. :
.....

TERRITORY OF WASHINGTON)
County of King) ss.

To the Honorable Roger S. Greene, Chief Justice of the Su-
preme Court of Washington Territory and Judge of the above-en-
titled Court:

Your petitioners, Yu Gum and Yu Hung (Chinawomen) respect ful-
ly show to your Honor.

I.

That they and each of them are unlawfully imprisoned, de-
tained, confined and restrained of their liberty by one Charles
Henry, Deputy U.S. Marshal of Washington Territory, in the King
County jail, at Seattle, King County, Washington Territory.

II.

That the cause or pretense of said restraint, according to
the best of the knowledge and belief of your petitioners, is as
follows, to-wit: Your petitioners were charged, before Hon Eben
Smith, U.S. Commissioner, by one W.G. Ronald, of being unlawfully
within the United States, contrary to the provisions of an Act
of the Congress of the United States, commonly known as the Re-
striction Act, and upon a hearing before said U.S. Commissioner
he, the said Commissioner, decided that your petitioners were
unlawfully within the United States, and that they had come

thereto from the Province of British Columbia, and ordered that your petitioners be taken back to said British Columbia, and committed your petitioners to the Custody of said Charles Henry, to be deported, and your petitioners are now confined and restrained of their liberty, by the said Charles Henry, as aforesaid.

III.

That said restraint of your petitioners is illegal and the illegality thereof consists in this to-wit: That on the hearing before said Commissioner, no evidence was adduced showing or tending to show that your petitioners, or either of them, are unlawfully within the United States, the only evidence adduced before said Commissioner being, as follows: that your petitioners are females; that they came from Port Ludlow, Washington Territory to Seattle, Washington Territory in male attire; and that your petitioners had told a Chinese interpreter that they came to said Port Ludlow from the City of San Francisco, in the State of California in the United States, direct, without making any stop at any place, save at the City of Port Townsend.

Yet notwithstanding that the above was the only testimony adduced before said Commissioner, he decided that your petitioners should be deported to British Columbia.

And your petitioners allege that they are not unlawfully within the United States, but that they have resided therein for a long period of time, to-wit: since the year 1876, and that they have not been out of the United States since said date; that your petitioners are young girls of the age of 10.

and 1,1...years respectively; that their relatives and friends reside in the United States and your petitioners will be forever separated from them, if deported to British Columbia.

Wherefore, your petitioners pray that a Writ of Habeas Corpus may be granted, directed to said Charles Henry, Deputy U.S. Marshal of Washington Territory, commanding him to have the bodies of your petitioners before Your Honor, at a time and place therein to be named, to do and receive what shall then and there be considered by Your Honor concerning them, together with the time and cause of their detention, and said writ; that your Honor will then investigate the charge against your petitioners, and restore them to liberty

Witness. *Wm Rasui*

Dated May 8th 1886. *Lue King*

Yu. Gum
.....
Yu. Hung
.....

TERRITORY OF WASHINGTON)

County of King)ss.

Ab Yu Gum and Yu Hung, being first duly sworn, on oath depose; and say each for herself, that she is one of the petitioners above-named; that she has ^{read} read the foregoing petition, knows the contents thereof and believes the same to be true.

Witness. *Wm Rasui*
Lue King

Yu. Gum
.....
Yu. Hung
.....

Subscribed and sworn to before me this 8th day of May
A.D. 1886,

Wm Rasui
.....
Notary Public
Notary Public

IN THE DISTRICT COURT,

Of the Third Judicial District of Washington Territory, holding
Terms at Seattle, for the Counties of King and Kitsap.

HABEAS CORPUS.

Charles
The People of the United States of America, to ~~the Sheriff~~
~~Henry D. Farley, U. S. Marshal~~
~~of King County~~ Greeting:

We command you, that you have the bodies of *Yu Fung and Yu Hung*
by you imprisoned and detained as it is said, together with the time and cause of such imprisonment and detention, by whatsoever name said *Yu Fung and Yu Hung*
shall be called or charged, before the HON. ROGER S. GREENE, Judge of the aforesaid Court at
The Court House in Seattle in King County,
Washington Territory
to do and receive what shall then and there be considered concerning the said *Yu Fung*
and Yu Hung
And have you then and there this writ.

WITNESS THE HON. ROGER S. GREENE, Judge of said
District Court, and the seal thereof this *8th* day
of *May* A. D. 188*6*

JAMES SEAVEY, Clerk.
By *Amos L. Ludlow* Deputy

United States of America } ss.
Territory of Washington }

To the Honorable Court, of the Third Judicial
District of Washington Territory.
Holding term in Seattle Co of King W.T.
Greetings;

In reply to the command
contained in the within writ of
Habeas Corpus: I have to say that the
the within named Tin Sam, and Tin Hung
were placed in my official custody on the
2nd day of May 1886, on an "order" made by,
and delivered to me by, Eben Smith Esq.
United States Commissioner for the 3rd Judicial
District of Washington Territory.

The said "Order" after reciting that it has
been considered and adjudged that the
said Tin Sam, and Tin Hung are Chinese
labors unlawfully in the United States.
Directs me the said Charles Henry as
U. S. Marshal for W.T. to return the
said Tin Sam and Tin Hung to
British Columbia from whence they came
all of which will more fully appear by the
attached copies of the Orders reference where to
is hereby made.

Respectfully Submitted by
By Charles Henry.
the said Deputy U. S. Marshal.

Copy

United States of America }
Territory of Washington } SS.
3rd Judicial District }

For the United States Commissioner Court
Before Eben Smith United States Commissioner
in and for said District at Seattle King Co

The United States of America }
Vs } Order
Eln Gunn }

And now on this 7th day of May A.D., 1886
at Seattle in said King County upon trial had
and due consideration of the evidence produced it
is by me now considered and adjudged and
hereby certified that said Eln Gunn defendant
above named is a Chinese Laborer and not
entitled to come into or remain in the
United States of America
and it is further ordered and adjudged by
me that she be, by the United States
Marshal of Washington Territory, returned to
British Columbia that being the country
from which she came

Given under my hand and official seal at
Seattle, King County Wash Territory
this 7th day of May A.D. 1886

Eben Smith 
United States Commissioner in
and for the 3rd Judicial Dist of Wash Territory
at Seattle in King Co. (Over)

United States of America } ss.
Territory of Washington

J. T. Hamilton

U.S. Marshal for Wash Ter

Do hereby certify that the within is a
true copy of the Original Order now
in my hands for service

J. T. Hamilton.

U.S. Marshal for W.T.

by Charles Henry
Deputy.

Copy

United States of America {
Territory of Washington {
3rd Judicial District {
In United States Commissioners Court

Before Eben Smith, United States Commissioner in and
for said District at Seattle, in King County.

The United States of America {
vs. { order
Yue Hong,

And now on this 7th day of May A.D. 1886 at Seattle in
said King County, upon trial had and due consideration
of the Evidence produced, it is by me now considered and
adjudged and hereby certified, that said Yue Hong defendant
afore named is a Chinese Laborer, and not entitled to come
into or remain in the United States of America.

And it is further ordered and adjudged by me that
she be, by the United States Marshal of Washington
Territory returned to British Columbia, that being the
Country from which she came

Given under my hand and official seal at Seattle
Washington Territory this 7th day of May A.D. 1886

Eben Smith 
United States Commissioner in and for
The 3rd Judicial District of Washing-
ton Territory at Seattle in King County

United States of America } ss.
Territory of Washington }

T. J. Hamilton
U.S. Marshal for Wash Ter.

Do hereby certify that the within
is a true copy of the Original Order
now in my hands for service

T. J. Hamilton
U.S. Marshal for W.T.
By Charles Henry
Deputy.

Habeas Corpus
1704582
Return

FILED

MAY 11 1886

James Seavey, Clerk.

By James C. Seavey,
Deputy Clerk.