

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF WASHINGTON  
TERRITORY, HOLDING TERMS AT SEATTLE FOR THE COUNTIES OF KING & KITSAP,

XX

IN THE MATTER OF THE APPLICATION OF ALICE MC. KAY, X NO. \_\_\_\_\_

FOR A WRIT OF HABEAS CORPUS FOR THE BODY OF ~~MARY~~ X PETITION FOR

MARY MC. KAY, HER INFANT DAUGHTER, \_\_\_\_\_ X WRIT OF HABEAS  
X *Corpus*

TO THE HONORABLE RICHARD A. JONES, CHIEF JUSTICE OF WASHINGTON  
TERRITORY, AND JUDGE OF THE THIRD JUDICIAL DISTRICT THEREOF;

THE PETITION OF ALICE MC. KAY, RESPECTFULLY SHOWS:

THAT MARY MC. KAY, AN INFANT CHILD OF THE AGE OF EIGHT AND ONE-HALF  
YEARS IS UNLAWFULLY DETAINED AND RESTRAINED OF HER LIBERTY AND FROM THE  
CUSTODY OF YOUR PETITIONER BY JOHN KEVAN AND DELLA KEVAN, HIS WIFE, AT  
THE CITY OF SEATTLE, KING COUNTY, WASHINGTON TERRITORY.

2

THAT ACCORDING TO THE BEST KNOWLEDGE AND BELIEF OF YOUR PETITIONER  
THE CAUSE OR PRETENSE OF THE DETENTION OF THE SAID MARY MC. KAY, IS THAT  
THE SAID JOHN KEVAN AND DELLA KEVAN CLAIM TO HAVE TAKEN SAID CHILD,  
SOME YEARS AGO, FROM THE SISTERS OF CHARITY IN THE SAID CITY OF SEATTLE,  
AND EVER SINCE SAID TIME HAVE CARED FOR AND SUPPORTED SAID CHILD.

3

THAT THE SAID DETENTION, RESTRAINT AND THE UNLAWFUL KEEPING OF  
SAID CHILD FROM YOUR PETITIONER ARE ILLEGAL, AND THAT THE ILLEGALITY  
THEREOF CONSISTS IN THIS, TO-WIT: 1. THAT YOUR PETITIONER HAS BEEN FOR  
YEARS LAST PAST AND NOW IS A BONA FIDE RESIDENT OF THE CITY OF  
TACOMA, PIERCE COUNTY, WASH. TY. 2. THAT YOUR PETITIONER IS THE MOTHER OF  
THE SAID MARY MC. KAY, AND HAS A HOME AT THE SAID CITY OF TACOMA, AT  
WHICH SHE IS AMPLY ABLE TO SUPPORT, MAINTAIN AND EDUCATE SAID CHILD,  
3. THAT YOUR PETITIONER DEARLY LOVES SAID CHILD, AND LIFE IS \_\_\_\_\_

UNENDURABLE TO HER WITHOUT THE CUSTODY AND COMFORTING SOCIETY OF HER  
SAID INFANT DAUGHTER. <sup>max</sup> 4. THAT YOUR PETITIONER ~~HAD BEEN~~ DEPRIVED OF  
HER SAID DAUGHTER, MARY MC. KAY, WITHOUT HER CONSENT. 5. THAT THE SAID  
JOHN KEVAN AND DELLA KEVAN ARE ENDEAVORING TO TEACH SAID CHILD TO FOR--  
GET ITS SAID MOTHER, OR TO RECOGNIZE YOUR PETITIONER AS SUCH. 6. THAT  
THE SAID JOHN KEVAN, AND M. DELLA KEVAN HAVE REFUSED TO ALLOW YOUR  
PETITIONER TO VISIT SAID CHILD OR TO HOLD COMMUNICATION WITH HER ALTH--  
OUGH YOUR PETITIONER HAS OFTEN REQUESTED THE RIGHT SO TO DO. 7. THAT  
THE SAID JOHN KEVAN AND DELLA KEVAN HAVE REFUSED AND NOW REFUSE TO  
SURRENDER TO YOUR PETITIONER HER SAID INFANT DAUGHTER.

WHEREFORE YOUR PETITIONER PRAYS THAT A WRIT OF HABEAS CORPUS BE  
GRANTED, DIRECTED TO THE SAID JOHN KEVAN AND DELLA KEVAN, COMMANDING  
THEM TO HAVE THE BODY OF THE SAID MARY MC. KAY BEFORE YOUR HONOR AT A  
TIME AND PLACE THEREIN TO BE SPECIFIED, TOGETHER WITH THE TIME AND  
CAUSE OF HER DETENTION, AND SAID WRIT, AND THAT THE SAID MARY MC. KAY BE  
SURRENDERED TO YOUR PETITIONER.

*Ronald & Filer*

ATTORNEYS FOR PETITIONER

Territory of Washington. } ss.  
County of King.

*Alice M. Kay*

being

duly sworn, on oath says: That she is the

*petitioner*

in the above entitled action; that she has heard the

foregoing *petition*

read, knows the contents thereof, and ~~believes~~ *that is* the same to be true, that

~~he makes this affidavit because~~

*Alice M. Kay*

Subscribed and sworn to before me this

*25<sup>th</sup>*

day of

*Nov.*

188

*S. H. Filer*

Notary Public in and for ~~King County~~, Washington Territory

Territory of Washington. } ss.  
County of King.

I, JAMES SEAVEY, Clerk of the District Court, holding terms at Seattle, in King  
County, Washington Territory, hereby certify that the foregoing is a full, true and correct copy of the

in the foregoing entitled cause, now on file and of record in my office.

Witness my hand and the Seal of said Court this

day of

188

JAMES SEAVEY, Clerk.

By

Deputy Clerk.

3662

In the matter of the  
application of Alice  
McKay for a writ  
of Habeas Corpus

Order for  
writ

Now on this ~~Monday~~ day of  
Nov. 1887, on reading  
and filing the petition of  
Alice McKay praying for a  
writ of habeas corpus to  
produce the body of ~~many~~  
McKay ~~into~~ and surrender the  
same to said petitioner. It  
is ordered by the Court that  
said writ issue as prayed  
for & that John Keran and  
Sella Keran, his wife, be  
and they hereby are required  
to produce the body of said  
many McKay in open Court  
at the hour of 11:30 pm of  
this day.



In the District Court  
of the Third Judicial District of  
Washington Territory holder terms at  
Seattle for the Counties of King and  
Snohomish.

St. abbas Corpus.

The People of the United States of  
America, to John Heran and  
Della Heran his wife "Greeting -

We Command you, that you  
have the body of Mary McStay by  
you restrained and detained as it is  
said. Together with the time and cause  
of such restraint and detention by  
whatsoever name. Said Mary McStay  
shall be called or charged, before the  
Hon Richard A. Jones Judge of the  
aforesaid Court at the Court House  
in the City of Seattle W.T. at the hour  
of 1.30 P.M. of this day to do and  
receive what shall then and there be  
considered concerning the said Mary  
McStay. And have you then and  
there this writ.

Witness the Hon. Richard  
A. Jones Judge of said District  
Court, and the seal thereof this 25<sup>th</sup> day of  
Nov. A.D. 1887. W.E. Ledgerwood Clerk.

W.E.

the District Court of the Third Judicial  
District of Washington Territory, holding  
terms at Seattle.

In the matter of the application  
of Alice McKay for a Habeas  
Corpus to obtain possession  
of her infant child Marie McKay

Demurrer

Comes now petitioner herein and  
demurs to the return of the Respond-  
ents herein to the writ of Habeas  
Corpus herein granted, for that  
no authority or cause for the  
restraint of the person of Mary  
McKay is in said return averred.

But  
An alleged adoption, or attempt to  
claim an adoption, is insufficiently  
made, nor is it averred as made  
by competent authority or by a  
Court having jurisdiction.

31  
There are no allegations in said re-  
turn justifying or lawfully authorizing  
said restraint.

Elwood Evans & Ronald & Piles

6662-

In the matter of the applica-  
tion of Alice McKay for a  
writ of Habeas Corpus to  
obtain ~~from~~ the person  
of her infant child Mary McKay

Now on this 26th day of  
November 1894 this matter  
coming on before the court  
to be heard, and after  
hearing the evidence in  
the matter, it is ordered  
by the court that this  
matter be and the same  
herby is continued for  
argument and final  
judgment and final dispo-  
sition of said infant, until  
the 16th day of Dec. 1894 at  
the hour of 130 P.M.  
And it is ordered, adjudged  
& decreed by the court that  
in the meantime the said inf-  
ant child Mary McKay be and  
she hereby is the ward of this  
court, and suffered to  
remain in the custody of

John Kevan & Della Kevan  
as such until the ~~16th~~ 16th day  
16th day of November 1894  
at 1.30 P.M. at which  
said time the said John  
Kevan & Della Kevan  
are required to produce the  
body of the said Mary McKay  
before this court to be  
disposed of as the court  
shall deem meet and  
expedient - And it  
is further ordered that  
the said John and Della  
Kevan are hereby enjoined  
from removing said  
child from without  
the jurisdiction of this  
court.



In the District Court of the Third Ju-  
dicial District of Washington Territory  
holding terms at Seattle.

In the matter of the application  
of Oliver McKay for a writ of  
Habeas Corpus to obtain  
the person of her infant  
child Mary McKay

Answer.

Comes now petitioner herein and answer-  
ing the return of respondents to the writ  
of Habeas Corpus herein returned

1.  
Denies each and every material al-  
legation in ~~the~~ <sup>said</sup> return set forth, and

2.  
Petitioner alleges that she is a fit, com-  
petent and proper person to have  
charge of the ~~care~~ <sup>said</sup> child, her con-  
tinued maintenance and education,  
and that she <sup>is an affectionate mother and</sup> ~~is a~~ Protestant and believes in  
the Protestant Christian religion, and de-  
sires to have her daughter educated  
and instructed in said religion, instead of  
in the Catholic religion, in which respondents  
are now seeking to have her instructed  
and educated. Wherefore petitioner prays

that she be awarded the custody of  
her said child as

Elwood Evans & R. M. Piles,  
Atty for Petitioner.

Territory of Washington  
County of King } ss

Alice M. Kay being  
first duly sworn on oath. Says that  
she is the petitioner named in the above  
entitled cause, that she has read  
and the foregoing answer knows the  
contents thereof, and believes the  
same to be true. Alice M. Kay

J. H. Piles

Subscribed and sworn to before me this  
26th day of November 1887 -

J. H. Piles

Notary Public

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

In the matter of the application  
of Anna McKay for writ of  
Habeas Corpus, to obtain the person  
of her infant child, Mary McKay.

Comes now Alice McKay, Petitioner for said writ, and for  
Amended Petition to the return of John Keenan and  
William Keenan, Respondents, to said writ of Habeas Corpus.

Denies - 1 - That the said child Mary McKay is otherwise  
known as Mary Keenan - or that she is named otherwise than  
as Mary McKay -

Denies that in August, 1882, or at any other time, Petitioner  
abandoned a deserted said child, when at the tender age of  
three years, or at any other age - and denies that she ever  
abandoned a deserted said child.

Denies that she left said child on the door step of the  
Sisters of Charity - or abandoned her there or at any other place,  
at the time alleged or at any other time whatever.

Denies that said child has ever been adopted by said  
respondents - denies upon information and belief that said  
respondents have educated and reared <sup>said child</sup> - denies that ~~the~~ said  
respondents have any information as to the financial  
ability to rear and educate said child sufficient to form  
a belief, and cannot therefore admit a thing the same.

Denies all of the paragraphs of said answers in  
which it is alleged to be an illegitimate person - and each and

every allegation in said paragraph contained.

Denies the whole of paragraph as to the intemperance and criminal habits of the father and mother of said child, and each and every allegation therein contained. Denies that the father is a fugitive from justice - Denies that she is now living in a dwelling with any person. Denies that she is addicted to the use of liquor, or in the habit of getting intoxicated. Denies that she is the proprietor of a saloon. Denies that she is unfit - ~~and denies~~ to rear said child - but avers that she is in every way competent financially and morally to make a good home for said child and give her a proper education and support.

Denies the last paragraph which alleges that Respondents are legally entitled, or in any other way entitled to the custody of said child.

And for further traverse and answer to said Return to said Petition -

Petitioner alleges that she is the mother of said child and that at present, her husband William McKay, who is a sea-faring man is absent in Scotland, and that she is making an honest livelihood by labor, and earns sufficient to make a good home for herself and children - that she is a fit, competent and proper person to have charge of the said child, her control, maintenance and education and that she is an affectionate mother.

and is a Protestant and believes in the Protestant Christian religion and desires to have her daughter educated and instructed in said faith, instead of in the Catholic religion in which respondents are now seeking to have her instructed and educated. Wherefore Petitioner prays that she be awarded the custody of her said child -

Ronald Piles & Edward Evans

Atty for Petitioner

Territory of Washington }  
County of King D.S. }

Alice McKay being first duly sworn on oath says that she is the petitioner named in above entitled cause - that she has heard read the foregoing answer knows the contents thereof and believes the same to be true - Alice McKay

Witness my hand and subscribed before me this 26<sup>th</sup> day of November 1889

R. Piles

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

.....  
In the matter of the application No. ~~522~~ 5662.  
of Alice Me Kay for a writ  
of Habeas Corpus for the be-: RETURN TO WRIT.  
dy of Mary Me Kay.  
.....

To the Hon Richard A. Jones, Judge of said Court:  
The respondents, John Keegan and Della Keegan, his wife  
for a return to the writ of habeas corpus served on them  
herein respectfully show Your Honor; that the said child  
Mary Me Kay, otherwise Mary Keegan, when an infant of ten-  
der years, to-wit: of the age of about *four years*.....  
and on or about the ..... day of *August*..... 188*7*.....  
was deserted and abandoned by the said Alice Me Kay and  
by her left on the doorstep of the Sisters of Charity  
in said Seattle, and never has been cared for, supported  
or in any way provided for or maintained by said Alice  
Me Kay, since said date; that said child was supported  
and maintained by said Sisters of Charity for a brief  
period, to-wit for about *two years*....., when she  
was by said sisters given to these respondents, and taken  
and adopted by them as their own child, and has ever since  
up to the present day been nourished, supported, cared for,  
maintained and educated by these respondents, and has  
lived with them in their own home in the City of Seattle  
and is in all respects treated by them as their own  
child and is being educated and reared by them to a use-  
ful, honest and virtuous life; that the whole expense of  
rearing said child since she was received by them from  
said sisters has been borne by your respondents; that  
your respondents are deeply attached to said child; that  
they have no children of their own and love said child  
dearly, and said child reciprocates their affection, and  
is contented and happy with them, and has never known  
any other home save that of these respondents, and has  
come to regard these respondents as her parents; that  
these respondents have abundant ability financially to  
rear and educate said child properly and desire and in-  
tend so to do.

And your respondents further allege and state that said  
Alice Me Kay is a wholly unfit person to be permitted  
to have the care or control or custody of said child,  
having abandoned the same to the care of strangers vol-  
untarily when a mere infant, and never having cared for  
her since. That said Alice Me Kay has no means whatever  
and is wholly unable to properly care for, maintain or  
educate said child.

And your respondents further aver that the father of  
said child, and its mother, the said Alice Me Kay, are  
both of a grossly immoral and intemperate character; that



that the father of said child is now a fugitive from justice and absent from Washington Territory; that the said Alice Mc Kay is now living separate from her said husband and is cohabiting and living in adultery with a man, whose name is unknown to affiant; that said Alice Mc Kay is greatly addicted to the use of liquor and is frequently grossly intoxicated; that the said Alice Mc Kay is now the proprietor of a low saloon in the City of Tacoma, Washington Territory, to which saloon, as respondents are informed and believe she proposes to take said child ~~and~~ should this Honorable Court award her the custody of the same; that said Alice Mc Kay is a person of very bad moral character having been convicted of the crime of selling liquor to Indians at the ~~November~~ term of the District Court, holding terms at Tacoma W.T. on or about the ~~1st~~ day of ~~January~~ 1884, and is a person wholly unfit to have the care of an infant child; that if said Alice Mc Kay be given the custody of said child, these ~~and~~ respondents verily believe that said child will be reared up to lead an immoral life: that said child is desirous of remaining with these respondents, and if left in their custody will be reared in a good home and to a good life.

By reason of the aforesaid facts, your petitioners allege that they are legally entitled to the custody of said child, nevertheless they here produce the body of said Mary Mc Kay, and request that she be again remanded to their custody.

*John Keegan*  
.....

*Della Keegan*  
.....  
*mark*

TERRITORY OF WASHINGTON)

County of King )ss.

John Keegan and Della Keegan, on oath each says; that the foregoing return has been read to them; that they know the contents thereof; that the same is true in substance and in fact.

*Della Keegan*  
*John Keegan*  
.....

Subscribed and sworn to before me this 27th day of November, A. D. 1887.

*L. C. Gilman*  
.....  
Notary Public.

In Superior Court of King  
County, Washington. No 5662 Order

In Re Application of Alice M. Kay  
for Writ of Habeas Corpus to  
Obtain Possession of Mary M. Kay

Now May 5, 1891 on presentation  
and reading of affidavit of  
Della Kellum, a warrant is  
directed to issue for the arrest of  
Alice M. Kay and ~~the~~ Kate  
M. Kay Dore formerly Kate M. Kay  
whose marriage name is unknown  
for contempt without bail, as  
prayed for in said affidavit.

J. J. Lipton  
Jus  
5 May 91

In the Superior Court of King County, State of Washington.

In the Matter of the Application of Alise McKay for a Writ of Habeas Corpus to Obtain the Person of Her Infant Daughter, Mary McKay.

No. 5662.

State of Washington )  
County of King ) ss

Della Keegan, being first duly sworn according to law, deposes and says: that on the 26th day of November, 1887, the above-entitled matter coming on to be heard in the then district court in and for King County, in the then Territory of Washington, before Honorable Richard A Jones of said court, and it was so proceeded in that the said Honorable Richard A Jones made and entered the following order in the above entitled cause:

In the Matter of the Application of Alise McKay for a writ of habeas corpus to obtain the person of her infant child, Mary McKay.

Now, on this 26th day of November, 1887, this matter coming on before the court to be heard, and after hearing the evidence in the matter, it is ordered by the court that this matter be and the same hereby continued for argument and final judgment, and final disposition of said infant until the 16th day of December, 1887, at the hour of 1.30 p. m. and it is ordered, adjudged and decreed by the court that in the meantime the said infant child, Mary McKay be and she hereby is the ward of this court and suffered to remain in the custody of John Keegan and Della Keegan as such until the said 16th day of December, 1887, at 1.30 p m at which said time the said John Keegan and Della Keegan are required to

produce the body of the said Mary McKay before this court to be disposed of as the court shall deem meet and equitable. And it is further ordered and that the said John and Della Keegan are hereby enjoined from removing said child from without the jurisdiction of this court.

That on the 16th day of December, 1887, a further order was entered in said cause continuing the further hearing until the 29th day of December, 1887, and that said cause has never been finally disposed of either in said district court or in the superior court, the successor of said district court. That since the making of said orders in said cause, Mary McKay, known as Mamie Keegan, in accordance with said order of November 26, 1887 has been in the care, custody and control of affiant and her husband, John Keegan, as a member of their family and has been cared for and provided for by them as one of their family and that they have always held her in their care and custody as the ward of said court according to the terms of said order up to April 17, 1891, and that they have obeyed said order in all respects and have not taken said child out of the jurisdiction of this court. Affiant further says that on the 17th day of April, 1891, Alice McKay, the mother of said child, and the daughter of said Alice McKay, Katie McKay, <sup>Dr</sup> now married, and whose marriage name is to the affiant unknown entered upon the premises of affiant in the City of Seattle and forcibly and against her will abducted and carried away said Mary McKay, known as Mamie Keegan, said Mary McKay then and there being in the custody of the affiant and her husband, John Keegan, as the ward of this court, in contempt and disregard of the aforesaid order of said court and carried her as affiant is informed and believes into the county of Pierce and

State of Washington and said Alice McKay and Katie McKay, <sup>Do</sup> whose marriage name is to the affiant unknown, now have said Mary McKay concealed in said county of Pierce, in or near the City of Tacoma, aforesaid and against her will. Affiant further says that said Alice McKay and Katie McKay <sup>Do</sup> are ~~not~~ fit and proper persons to have the care, custody and control of said Mary McKay, who is now of the age of fifteen years and that this affiant verily believes and expects to prove that said abduction and carrying away was for the purpose of placing said Mary McKay where she would be obliged to enter upon a life of shame in a house of prostitution and for no other purpose whatever, as said Alice McKay is and has been well-known for years as a drunken, disreputable character and a common prostitute and a keeper of disreputable places/including houses of prostitution. Affiant further says that at the time of such forcible abduction and carrying away, said Alice McKay and Katie McKay, <sup>Do</sup> her daughter, were fully aware of the fact that said Mary McKay was in the care and custody of the affiant and her husband as the ward of this court and were fully cognizant of said order of court hereinbefore set forth and perpetrated said abduction and carrying away with full knowledge of said order and in contempt thereof.

Wherefore affiant prays that a warrant of arrest be issued for the apprehension of said Alice McKay and Katie McKay, <sup>Do</sup> whose marriage name is to the affiant unknown, without bail, and that they be brought before your honorable court to answer for the contempt by them committed in the aforesaid abduction and removal of said Mary McKay from the care and custody of the affiant and her husband.

Sworn to and subscribed before me this <sup>5th</sup> day of May, 1891.

*James Rife*  
Notary Public in and for the State of  
Washington, residing at Seattle.

In the Superior Court of King  
County, State of Washington.

In the Matter of the Application of  
Alice McKay for a Writ of Habeas  
Corpus to Obtain the Person of  
her Infant Daughter, Mary McKay

Comes now the defendants  
Alice McKay and Katie McKay  
Budinich, and -

~~Demands~~ to the Affidavit  
and Warrant upon which they are  
arrested, <sup>and held</sup> for Contempt of Court for  
violating the order of the District  
Court of the Territory of Washington  
made on Nov. 26<sup>th</sup> 1887, making  
said Mary McKay a ward of said  
Court, on the ground -

First That said affidavit and  
Warrant don't nor does either of  
them state facts sufficient to con-  
stitute an offense nor a contempt

Second That said matter involved  
appears to have been submitted more  
than 90 days prior to the Com-



menacement of this proceeding and  
 the Court appears not to have  
 rendered a decision therein and has  
 thereby lost jurisdiction to make  
 any final order on said hearing  
 in said Habeas Corpus matter,  
 and is without jurisdiction to en-  
 force the provisional order made  
 therein, pending the final decision  
 of said Habeas Corpus matter.

For & Likers  
 Attorney for Depts

#5662  
 100  
 In matter of  
 Habeas Corpus for  
 body of Mary Whaley

Deputy of Depts  
 Albee & Ketchum M. K.  
 & Affidavit of Warrant  
 for Contempt

FILED.

MAY 8 1891

W. B. Spence  
 by W. B. Spence of Office  
 Deputy Clerk

In the Matter of the Application of Alice McKay for a Writ  
of Habeas Corpus to Obtain the Person of Her Infant Daughter, Mary  
McKay.

No. 5662.

The State of Washington

To *J. H. Woolery* Sheriff of *King* County, Greeting

Whereas complaint has been made under oath before the under-  
signed, one of the judges of the Superior Court of the County of  
King, in the State of Washington, that on the 26th day of November,  
1887, the above entitled matter came on to be heard in the then  
district court in and for King County, in the then Territory of  
Washington, before Honorable Richard A Jones of said court, and  
it was so proceeded in that the said Honorable Richard A Jones made  
and entered the following order in the above entitled cause:

In the Matter of the Application of Alice McKay for a writ  
of habeas corpus to obtain the person of her infant child, Mary  
McKay.

Now, on this 26th day of November, 1887, this matter coming on  
before the court to be heard, and after hearing the evidence in  
the matter, it is ordered by the court that this matter be and  
the same hereby is continued for argument and final judgment, and  
final disposition of said infant until the 16th day of December,  
1887, at the hour of 1.30 p m and it is ordered, adjudged and  
decreed by the court that in the meantime the said infant child,  
Mary McKay, be and she hereby is the ward of this court and suffered  
to remain in the custody of John Keevan and Della Keevan as such  
until the said 16th day of December, 1887, at 1.30 p m at which

produce the body of the said Mary McKay before this court to be disposed of as the court shall deem meet and equitable. And it is further ordered that the said John and Della Keegan are hereby enjoined from removing said child from without the jurisdiction of this court.

That on the 16th day of December, 1887, a further order was entered in said cause continuing the further hearing until the 29th day of December, 1887, and that said cause has never been finally disposed of either in said district court or in the superior court, the successor of said district court. That since the making of said orders in said cause, Mary McKay, known as Mamie Keegan, in accordance with said order of November 26, 1887 has been in the care, custody and control of affiant and her husband, John Keegan, as a member of their family and has been cared for and provided for by them as one of their family and ~~has been named~~ that they have always held her in their care and custody as the ward of said court according to the terms of said order up to April 17, 1891, and that they have obeyed said order in all respects and have not taken said child out of the jurisdiction of this court. Affiant further says that on the 17th day of April, 1891, Alice McKay, the mother of said child, and the daughter of said Alice McKay, Katie McKay, <sup>now</sup> married, and whose marriage name is to the affiant unknown entered upon the premises of affiant in the City of Seattle and forcibly and against her will abducted and carried away said Mary McKay, known as Mamie Keegan, said Mary McKay then and there being in the custody of the affiant and her husband, John Keegan, as the ward of this court in contempt and disregard of the aforesaid order of said court and carried her as affiant is informed and believes into the county of

<sup>Do</sup>McKay, whose marriage name is to the affiant unknown, now have said Mary McKay concealed in said county of Pierce, in or near the city of Tacoma aforesaid and against her will. Affiant further says that said Alice McKay and Katie McKay<sup>Do</sup> are not fit and proper persons to have the care, custody and control of said Mary McKay, who is now of the age of fifteen years and that this affiant verily believes and expects to prove that said abduction and carrying away was for the purpose of placing said Mary McKay where she would be obliged to enter upon a life of shame in a house of prostitution and for no other purpose whatever, as said Alice McKay is and has been well-known for years as a drunken, disreputable character and a common prostitute and a keeper of disreputable places, including houses of prostitution. Affiant further says that at the time of such forcible abduction and carrying away, said Alice McKay and Katie McKay<sup>Do</sup>, her daughter, were fully aware of the fact that said Mary McKay was in the care and custody of the affiant and her husband as the ward of this court and were fully cognizant of said order of court hereinbefore set forth and perpetrated said abduction and carrying away with full knowledge of said order and in contempt thereof; praying that a warrant of arrest be issued for the apprehension of said Alice McKay and Katie McKay<sup>Do</sup>, whose marriage name is to the affiant unknown, without bail, and that they be brought before your honorable court to answer for the contempt by them committed in the aforesaid abduction and removal of said Mary McKay from the care and custody of the affiant and her husband.

Now You Are Hereby Commanded to forthwith take the bodies of Alice McKay and Katie <sup>Do</sup>McKay formerly Katie McKay, whose marriage name is unknown and forthwith bring them before Honorable I J

court room in the city of Seattle, in the county of King and State of Washington, there to answer the charge of contempt hereinbefore recited and them safely keep; and for so doing this shall be your sufficient warrant.

Witness the Honorable I J Lichtenberg, one of the judges of said court and the seal of said court, this 5th day of May, A D 1891.

W. B. Spruance Clerk.  
By Gus F. Stanley Dep Clerk.

In the Superior Court of King County, State of Washington.

In the Matter of the Proceedings against Alice McKay and Katie McKay Doe, whose true name is Katie Budenish.

No. 5662.

The respondents, Alice McKay and Katie Budenish, having been brought up upon the warrant heretofore issued and the court having heard the testimony adduced on the 8th day of May, 1891, and having adjourned the further hearing of the matter until the 9th day of May, 1891, and the matter having been fully heard and considered by the court on said 9th day of May, 1891, and the respondents being present in court, the court finds the following facts:--

I.

That on the 26th day of November, 1887, the Hon. Richard A Jones, Chief Justice of the Territory of Washington, presiding at a term of the District Court of the Third Judicial District, declared Mary McKay a ward of the court, and placed her in the custody of John Keevan and Della Keevan as such ward, until the final judgment and disposition in case No. 5662, an application by Alice McKay for a writ of habeas corpus to obtain the person of said infant.

II.

That in obedience to said order said infant was in the custody of said John and Della Keevan until the 17th of April, 1891, to-wit in the city of Seattle, King County, State of Washington. That on said date said Alice McKay entered the dwelling of the parties having charge of the said ward and by force abducted said infant Mary McKay, taking her to the County of Pierce and there detaining her.



That at the time of said abduction, said case No 5662 was undisposed of. That neither the parties in charge of said ward nor the ward herself nor the Superior Court of King County had given any consent to the removal of said ward. That at the time said order constituting said infant the ward of this court was made said Alice McKay was aware of the order and had full knowledge thereof.

IV/

That in the said abduction and taking of the said ward, said Alice McKay was assisted by her daughter, Mrs Katie Budenich.

Whereupon it is considered by the court that the defendants, Alice McKay and Mrs Katie Budenich, are guilty of contempt of court and they are so adjudged.

Wherefore it is ordered, adjudged and decreed by the court that Mrs Katie Budenich be fined for said contempt of court the sum of five dollars and that she jointly with her mother, Alice McKay, pay the costs of this proceeding, and it is further considered, ordered adjudged and decreed by the court that the defendant, Alice McKay, pay a fine of fifty dollars for said contempt and jointly with Katie Budenich pay the costs of this proceeding and that they both be committed to the custody of the sheriff until the sentence of the court is complied with.

And it is further ordered, adjudged and decreed by the court that said Mary McKay be declared and she is hereby made the ward of this court and she is hereby committed to the care, custody and control of Della Keegan, wife of John Keegan, until the final disposition of the application of Alice McKay for a writ of habeas corpus to recover the possession of said Mary McKay now pending and undetermined in this court; said Mary McKay, ward of this court, not to be taken out of the County of King without the consent of

the court first had and obtained and all persons are hereby  
enjoined from intermeddling with said ward of the court.

Lichtentberg

Judge.

23 May/91

The order to be entered of  
force & effect from postulated  
in Mar/91.

Lichtentberg

Judge

23 May/91

*Lithium carbonate*

kindness, I wish that you  
are ~~too~~ kind: trusted to  
keep in skill. Be sure  
and come to-morrow to  
see me. If I did not care  
for you I would not  
write. This and send,  
I'm sure over with it.  
Believe me to be your sincere  
friend

Idella K. Evans

29262

92/92B

I can offend Miss Fortman  
I hope that you are not  
offended, with me for you  
no that it was the beer  
that was talking. I can  
not take more than one  
glass of beer since I was  
sick and you now that  
I had two or three years  
day and it went to my  
head. I did not know what  
I said until I never told  
any one in the evening  
you know yourself that  
you are the last in Seattle  
that I would offend.  
Because you were all ways  
a good kind friend to me  
I cannot forget you



Spirit Merchants

UNION BLOCK

AGENTS FOR  
TO-KALON VINEYARD,  
NAPA.

TELEPHONE No 313.

Seattle, Wash July 11 1891

1889 Sold to Mrs. Kuran

June 5	1/2 gal Brandy	190
" 14	1/2 " Brandy	150
July 3	1/2 " "	150
" 12	1 " Claret	50
		540

Exhibit "B"

5662

In the matter of  
the petition of Alice  
Murray for writ of  
Habeas Corpus to obtain  
the body of Michael  
Mary Murray

Filed July 11, 1891

M. B. Spencer, Clerk

By 26.13.1891

W. J. Perry, 6 July

The Record

5662