

Captain Jack, Petitioner

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Court : US Supreme Court

Decided On : Apr-15-1889

Appeal No. : 130 U.S. 353

Appellant : Captain Jack, Petitioner

Judgement :

Captain Jack, Petitioner - 130 U.S. 353 (1889)

U.S. Supreme Court Captain Jack, Petitioner, 130 U.S. 353 (1889)

Captain Jack, Petitioner

No. 8, Original

Argued March 18, 1889

Decided April 15, 1889

130 U.S. 353

ORIGINAL

SYLLABUS

The facts that the petitioner in this case was sentenced to imprisonment in Ohio, and that the offense was committed within a judicial district, instead of an Indian reservation, do not take this case out of the decision in *Gon-shay-ee's Case*, just decided, *ante*, [130 U. S. 343](#) .

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Petition for writ of habeas corpus. The case is stated in the opinion.

MR. JUSTICE MILLER delivered the opinion of the Court.

The only distinctions between this case and that of *Gonshayee*, in which the opinion has just been delivered, are:

First, that Captain Jack was sentenced to imprisonment at hard labor in the penitentiary of Ohio for thirty years, and the writ must therefore be directed to the keeper of that institution at Columbus, in that state; second, that it appears by the record that in the former case the offense was committed on an Indian reservation, while in the case of Captain Jack, the act was done within the judicial district, but not upon such a reservation. We do not consider that these differences have any influence in the decision of the question as to the jurisdiction of the court which tried them both, and that therefore in this case, as in the former, the writ of habeas corpus should issue.

Writ granted.