

STATE OF ILLINOIS, )  
 :SS.  
County of Cook. )

IN THE CIRCUIT COURT OF COOK COUNTY

- In Chancery -

Florence K. Wischnewetzky,	)	
- vs -	)	Gen. No. 207,770
	)	
Lazare Wischnewetzky.	)	Term No. 12,810

CERTIFICATE OF EVIDENCE.

BE IT REMEMBERED, That on the 19th. day of July, A.D., 1900, at 9:15 A. M., the above entitled cause came on for hearing, before the Honorable FRANK BAKER, One of the Judges of said Court, in Chancery sitting, and the Complainant, to maintain the issues on her part, introduced evidence as follows:

PRESENT:

For Complainant,

C. C. Arnold, Esq.

FLORENCE K. WISCHNEWETZKY,

The complainant herein, called as a witness in her own behalf,  
being first duly sworn, testified as follows:

DIRECT EXAMINATION

By Mr. Arnold:

Q State your full name? A Florence K. Wischnewetzky.

Q Are you the complainant in this cause, Mrs. Wischnewetzky?

A I am.

Q State your relation to the defendant, Lazare Wischnewetzky?

THE COURT:

Q You are the wife of the defendant, are you?

A Yes.

MR. ARNOLD:

Q When were you married to him? A October 17, 1884.

Q How long did you live with him as his wife?

A Until December 27, 1891.

Q Why did you then leave him? A Because of his continuo us  
cruelty during that year and the preceding year.

Q Will you state particular acts of cruelty on the part of  
your husband during the time that you stated? A Yes, he  
struck me and he spit in my face and he habitually used infa-  
mous language before the children, to me, addressed to me.

Q Will you give a particular time on which he was cruel to  
you, stating the facts and the circumstances fully?

A Yes, in January 1891, on the 9th. of January, Dr. Wischnewetzky struck my face in such a way that I was disfigured for between two and three weeks after it and was confined to my room.

Q What was the reason if any for such conduct on his part?

A I don't remember how his anger began. I know that we had some guests staying with us, friends of his, and he was-- as nearly as I can remember, he was dissatisfied with something at dinner, some item of the dinner---

THE COURT: I don't think that is very important, the mere fact, excuse,-- I don't care much about that.

THE WITNESS: All I can remember about it is that he grew more and more angry during the evening and finally wound up with this brutality.

MR. ARNOLD:

Q Did you give him any cause for these blows inflicted upon you? A Oh no.

Q Was anyone present when he struck you? A No one was actually in the room but this guest of ours in the house heard the resounding blow.

Q But no one was present in the room and saw it? A No, no one saw it, and Mrs. Vincennes saw me afterwards, Mrs. Gilpin, I mean, saw my disfigured face afterwards.

Q Will you please state any other time, any other time or

occasion on which he was cruel to you, giving the date and the circumstances?     A Yes; Another time during that same year Dr. Wischnewetzky struck me in the same way again. It was late at night and we were alone, and that also was heard by the other people in the house.

Q Can you give the date of that?     A No, I can't give the exact date, but later the same year; and just a few days before I went away, Sunday, the Doctor struck me again and spat in my face.

Q What is the date of that?     A I came away on the 27th. of December, I think that was on a Thursday, and this was Sunday before that.

Q 27th. of what month, did you say?     A December.

Q What year?     A 1891.

Q Was this last act of cruelty on his part the occasion of your leaving him?     A Yes sir.

Q What gave rise to that; what was the reason, if any, for his striking you at that time?     A The same sort of trivial thing; the mantel-piece had not been dusted, the Doctor came down before the dusting was done and the Doctor was very much outraged over it, and in his language there to me before the children he was very insulting and finally ended in his brutality.

Q Was anyone present on the occasion of this last act of cruelty on his part towards you?     A Mrs. Gilpin came along

and saw the state of my face quite freshly after the insult.

Q State in what way you have behaved yourself towards Dr. Wischnewetzky during the whole of the time you lived with him?

THE COURT:

Q Were you a good and faithful wife during the time you lived together, in a general way?

A Yes, I think I was, so far as I knew how.

MR. ARNOLD:

Q Have you and Dr. Wischnewetzky had any children?

A Yes sir.

THE COURT:

Q Give the names and ages of the children living?

A Nicholas, he is fifteen years and Margaret she is thirteen and John twelve; all the children we have ever had.

Q And they are all living? A Yes.

MR. ARNOLD:

Q Do you desire to have the care, custody and education of these children until they become of age?

A Oh yes.

Q And you desire to resume your maiden name of Florence Kelley, do you? A Yes.

MR. ARNOLD: I think that is all, if the Court please, from this witness.

THE COURT: That is all, Mrs. Wischnewetzky.

(Witness excused)

CLARA GILPIN,

Called as a witness in behalf of the complainant, being first duly sworn, testified as follows:

DIRECT EXAMINATION

By Mr. Arnold:

Q What is your full name? A Clara Gilpin.

Q Do you know the complainant and the defendant in this cause? A Yes.

Q Dr. and Mrs. Wischnewetzky? A Yes, I do.

Q How long have you known them? A I have known them for about nine years, over.

Q Did you know them during the year 1891?

A Yes, I lived with them.

Q In what capacity did you live with them? A I cared for their children.

THE COURT: (Addressing the Complainant)

Q Mrs. Wischnewetzky, you said you left your husband in December, 1891- then you came to Chicago, did you?

A Yes sir.

Q And this has been your place of residence- you have made this your continuous residence ever since?

A Yes sir.

MR. ARNOLD:

Q This is still your place of residence, Mrs. Wischnewetzky?

A Yes sir.

Q And that of your children? A Yes sir.

MR. ARNOLD: (Addressing the witness Mrs. Clara Gilpin)

Q Did you observe any acts of cruelty toward his wife by Dr. Wischnewetzky during the time that you lived in their family, Mrs. Gilpin? A Yes sir, repeatedly.

Q State what you saw? A Well, one time in January,---  
THE COURT:

Q Now, tell in a general way what took place; what year was that? A Well, it was in 1891.

Q Now go on and state each act, what you know about it?

A In 1891, they had some trouble one night, and he struck her in the eye and blackened it so that she was disfigured for about three weeks.

MR. ARNOLD:

Q Did you hear this trouble while it was occurring?

A Yes, the bell rang repeatedly in the kitchen and then I went up stairs, I went up to see what was the matter, if they wanted me, and I heard him rowing inside, and the next day Mrs. Wischnewetzky was confined to her room and I didn't see her for about two or three days, I didn't see her face, but after that when I did see her her eye was very badly inflamed and remained discolored for about three weeks.

Q State whether or not this was about January 9th., 1891?

A Well, I know it was in January, and I think it was about

the 9th.

Q What other acts of cruelty if any do you know of?

A Another time late at night after I had gone to bed I heard a terrible row and in the morning it was just the same, she had another black eye.

Q Are you able to give that date, approximately?

A No, I believe that was in the same year, but I can't give the exact date; it has been a long time ago.

Q State what if anything you heard at or about the time that Mrs. Wischnewetzky left her husband and came to Chicago?

A Well, just a few days before she left she was coming down the stairs - he had been rowing at her before that, they had been up in their room, - as she came down the stairs I was going up, and I saw her on the stairs and I saw where he had spit in her face, I saw the spit right on her face.

Q What else if anything did you see at that time?

A That was all I saw, but he quarreled continually with her and called her all kind of vile names in the presence of his children.

Q That is the last time that you saw any evidences of cruelty on his part towards her? A I heard them quarreling in the dining-room and then they went up stairs and I heard them quarreling up stairs, at least I heard him quarreling; I never used to hear Mrs. Wischnewetzky say anything.



Q During the whole of the time you were in the family of Dr. and Mrs. Wischnewetzky, what was the attitude of Mrs. Wischnewetzky toward her husband? A Well, she was one of the best wives I have ever seen.

Q Have you ever heard profane or abusive language on the part of Dr. Wischnewetzky toward his wife?

A Yes sir.

Q Or children? A Yes sir, all the time.

Q State some of the things he said?

A Do I have to say them?

THE COURT:

Q If you don't want to, I don't care.

A They were very vile.

Q Very vile and indecent words? A Yes sir, they were.

MR. ARNOLD:

Q And this was in the presence of his children?

A Yes, in the presence of his children.

MR. ARNOLD: I think that is all, if the Court please.

(Witness excused.)

THE COURT: ~~well, the~~ the testimony can be written up and the decree prepared, of course awarding to Mrs. Wischnewetzky the custody of the children.

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I hereby certify that the above and foregoing is a true and correct transcript of all the evidence introduced on the hearing of the above entitled cause.

Sophia Leone  
Reporter.

Frank Baker (SEAL)  
Judge.

CIRCUIT COURT COOK COUNTY

Gen. No. 207770  
Term No. 12810

WISCONSIN  
VS.  
WISCONSIN

CERTIFICATE OF EVIDENCE.

*Filed July 14/00*  
*John A. Cook*  
*Clerk*

G. C. Arnold,  
Solicitor for Compt.