

out the knowledge or consent of the said Lazare Wischnewetzky, took the said named children from the home of the said Lazare Wischnewetzky and Florence Kelley Wischnewetzky in the city of New York and brought said children to the County of Cook aforesaid and has since then retained the custody and control of said children, concealing them from the said Lazare Wischnewetzky, and the said Florence Kelley Wischnewetzky has refused to meet the said Lazare Wischnewetzky or to have any communication with the said Lazare Wischnewetzky, and refuses to disclose to the said Lazare Wischnewetzky where either of the said children is and refuses to permit the said Lazare Wischnewetzky to see or have any communication with, or custody of either or any of the said children.

Your petitioner further shows that the said Lazare Wischnewetzky, being entitled to the continued care and custody of his said children, came from the City of New York to Chicago in January, 1892, and again on the 21st of February 1892, for the sole purpose of finding the said Florence Kelley Wischnewetzky and the said children and regaining possession, custody and control of his said children; that on the occasion of each of said visits to Chicago he was obliged to return without seeing either the said Florence Kelley Wischnewetzky, or being able to find or communicate with either of his said children.

Your petitioner further shows that the said Lazare Wischnewetzky has indirectly communicated, through his solicitors and the solicitor of the said Florence Kelley Wischnewetzky, with said Florence Kelley Wischnewetzky, and has

through them learned that said Florence Kelley Wischnewetzky refuses to meet the said Lazare Wischnewetzky and refuses to communicate directly with said Lazare Wischnewetzky and refuses to advise the said Lazare Wischnewetzky where either of said children is, and refuses to permit the said Lazare Wischnewetzky to see, or communicate with, or in any manner have any relations or communications with either of the said children.

Your petitioner further shows that said Florence Kelley Wischnewetzky wrongfully detains each of the said children and that the same are retained in her control wrongfully, forcibly and without right or authority of law.

Your petitioner further shows that the said Nicholas Wischnewetzky, Margaret Wischnewetzky and John Brown Wischnewetzky are not, neither is either of them, committed or detained by virtue of any process, judgment, decree, or execution issued by any court or Judge of the United States in a case where such court or Judge has exclusive jurisdiction, nor by virtue of a final judgment or decree of any competent court of civil or criminal jurisdiction, or of any execution issued upon any such judgment or decree, nor for any treason, felony, or other crime committed in any other State or Territory of the United States for which they, or either of them ought, by the constitution and laws of the United States, to be delivered up to the executive power of such State or Territory.

Your petitioner further shows that he is the attorney in law and in fact of said Lazare Wischnewetzky and had been by the said Lazare Wischnewetzky duly authorized

and requested to institute proceedings in this behalf for the recovery by the said Lazare Wischnewetzky of the custody and possession of the said children, and your petitioner acts in this behalf for, and on behalf of the said children and the said Lazare Wischnewetzky.

Your petitioner therefore prays that a writ of Habeas corpus to be directed to the said Florence Kelley Wischnewetzky may issue in this behalf pursuant to the statute in such case made and provided, so that the said Nicholas Wischnewetzky, Margaret Wischnewetzky, and John Brown Wischnewetzky may be forthwith brought by her before this Honorable Court to do, submit to and receive what the law may require.

Edwin F. Abbott.

Abbott & Baker

Solicitors for Petitioner.

State of Illinois }
Cook County } ss Edwin F. Abbott, the above
on oath deposes and says that he has read the foregoing named petitioner being duly sworn
petition by him subscribed and knows the contents thereof and that the matters and things therein alleged are true to the best of his knowledge, information and belief.
Edwin F. Abbott.
Subscribed and sworn to before me this 25th day of February
A.D. 1892. Henry Reed,
Clerk. (over)

Liba writ for Habeas Corpus nisi as above
prayed for returnable before me tomorrow the
26th day of February 1892 at 12.30 P.M.
Dated February 25th 1892.

Frank Baker
Judge etc

