

State of Illinois  
Cook County

Edward J. [Name] being first duly  
sworn on oath says he has seen, read and  
knows the contents of the will of the said  
deceased and that the same is true and  
correct and that he is a competent witness  
thereof.

Subscribed and sworn to before me this 2nd  
day of March 1892

Henry [Name]

Notary Public for Cook County, Illinois  
My commission expires on the 1st day of  
March 1893

The foregoing is a true and correct copy  
of the original of the will of the said  
deceased as the same appears from the  
records of the Court of Cook County, Illinois  
and I am a competent witness thereof.

100672-1176  
Circuit Court  
Cook County

Prothonotary  
E. J. [Name]

Floralda [Name]  
Witness

John [Name]

Henry [Name]

Robert [Name]  
Notary Public

State of Illinois, )  
                          :SS  
County of Cook. )

In the Circuit Court of Cook County, Illinois.

February Term, A.D., 1892.

People of the State            )  
                                  )  
of Illinois on the            )  
                                  )  
Relation of Edwin            )  
                                  )  
F. Abbott                    )  
                                  )  
                  vs.            )  
                                  )  
Florence K. Wischnewetzky)

To the Honorable Judges of the said Circuit Court:-

The Reply of Edwin F.            )  
                                  )  
Abbott, the Relator in the above )  
                                  )  
entitled matter, to the return )  
                                  )  
of Florence Kelley Wischnewetzky )  
                                  )  
to the Writ of Habeas Corpus    )  
                                  )  
issued in said matter.         )

The said Edwin F/ Abbott for reply to the said return  
replying alleges and shows the following:-

That he is informed and believes, and so charges the  
fact to be, that it is not true that the said Lazare Wischnewetzky  
was guilty of any cruelty to the said Florence Kelley Wischnewetz-  
ky, as in said return alleged, and especially denies that it is  
true that in the month of July, A. D., 1890 and in the month of  
January, A. D., 1891 that the said Lazare Wischnewetzky struck the  
said Florence Kelley Wischnewetzky violent blows, as in said re-  
turn alleged.

This repliant further alleges upon information and belief that the said Florence Kelley Wischnewetzky was not compelled by reason of the treatment received by her from the said Lazare Wischnewetzky, for her own safety, or that of her children, to leave the home of the said Lazare Wischnewetzky and bring the said children mentioned in the writ issued in this cause to Chicago.

This repliant further says upon information and belief that it is not true that during the first six years after the marriage of the said Florence Kelley and the said Lazare Wischnewetzky that she, by her own earnings and money advanced by her relatives and friends, supported not only herself and the said Lazare Wischnewetzky, but also the said children, but this repliant does admit that it is true that her relatives and friends did contribute towards such support, and towards establishing the said Lazare Wischnewetzky in the practice of his profession, and in the business in which he is now engaged.

This repliant further says upon information and belief that it is not true that the said Florence Kelley Wischnewetzky is abundantly able to support, maintain and educate said children, and that since she removed them from New York to Chicago she has provided properly for their support, maintenance and education.

This repliant, further replying, alleges upon information and belief that it is not true, as alleged in the said return, that the said Lazare Wischnewetzky is not a fit person to have the care, custody or control of his said children, and denies upon information and belief that the said Lazare Wischnewetzky has repeatedly used profane and obscene language towards the said Florence Kelley Wischnewetzky in the presence of the said children, and has otherwise conducted himself in the presence of the said

Lazare Wischnewetzky with the said children, and has otherwise conducted himself in the presence of the said children in such a manner as to render it dangerous to their moral and physical welfare to leave them in his care, custody or control.

This repliant further replying to the said return alleges upon information and belief that the said Florence Kelley Wischnewetzky is at present in the City of Chicago engaged in clerical work of a character which does not command a high salary; that her days and evenings are occupied in such work; that she is not able, and does not give her personal attention to her said children; that since she has been in the City of Chicago she has not lodged for a large part of the time at the same place with her

children; that she has boarded and roomed at one place and her children at another, and in the charge of strangers; that her employment is such that it is not possible for her to give to her children her personal care and attention; that she has no means or income outside of her present earnings, which are not sufficient to maintain herself and her said children in the manner in which the said children have been, or should be maintained.

This repliant, further answering the said return, alleges upon information and belief that Lazare Wischnewetzky, the father of said children, is a man of liberal education, being a university graduate, and a Doctor of Medicine and Physician, and having a successful practice in the City of New York, and is the Medical Director and Manager of a Medical Institute in the City of New York, from which he has a large regular income—the salary from which alone is twelve thousand dollars a year; that the hope that the said Florence Kelley Wischnewetzky and Lazare Wischnewetzky occupied in New York at the time the said Florence Kelley Wischnewetzky

newatzky left the said Lazare Wischnewatzky with the said children was a four-story residence, richly furnished, in which the said children enjoyed all the comforts and many of the luxuries of life, being attended by four servants in the house, and that the said Lazare Wischnewatzky is amply able, financially, in every way, to receive, maintain, educate and bring up the said children in the manner in which it is to their best interest to be educated and brought up; that the said Lazare Wischnewatzky is a man of kind feelings and strong affection for his children; that he has never struck one of his children even in punishment; that he is deeply interested in their welfare, and in all respects a proper father and person to have the care, custody, nurture and support of his said children.

This respondent further alleges upon information and belief that the property designed by both the parents to become the patrimony of these children is invested in the said Medical Institute in the City of New York, and that the ~~future~~ future interests of the children require that the efforts of the father in sustaining said institution should be furthered by having his children with him. And if the said Lazare Wischnewatzky should abandon said institution and remove to Chicago it would result in the destruction of his own financial prospects and the hope of fortune for the said children.

This repliant further alleges upon information and belief that the said respondent is impaired in her health and is a person changeable in disposition and of literary tastes, habits and practices and not domestic, and for such reason not a proper person to have the sole care, custody and education of said children.

*Robert H. Cooper*  
Sole for Plaintiff

*Edwint. Abbott*