

Roth Vs. Ehman

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Court : US Supreme Court

Decided On : Mar-19-1883

Appeal No. : 107 U.S. 319

Appellant : Roth

Respondent : Ehman

Judgement :

Roth v. Ehman - 107 U.S. 319 (1883)

U.S. Supreme Court Roth v. Ehman, 107 U.S. 319 (1883)

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MOTION TO DISMISS A WRIT OF ERROR TO THE

SUPREME COURT OF THE STATE OF ILLINOIS

SYLLABUS

This Court has no jurisdiction to reexamine the judgment of a state court recognizing as valid the decree of a foreign court annulling a marriage.

The case is sufficiently stated in the opinion of the Court.

MR. CHIEF JUSTICE WAITE delivered the opinion of the Court.

The only question in this case controverted below was whether Madelaine Roth, the plaintiff in error, was the widow of John George Roth, deceased, and that depended entirely on the validity of the decree of the Royal Matrimonial Court of Elwangen, in the Kingdom of Wurtemberg, annulling the marriage of the parties. The Supreme Court of Illinois decided in favor of the validity of the Wurtemberg decree, and consequently that the plaintiff in error was not the widow of the decedent and not entitled to dower in his estate or to inheritance under the laws of Illinois. This presents no question of which we can take cognizance under sec. 709 of the Revised Statutes. No right, title, privilege, or immunity which could be claimed under the authority of the United States was involved, and the validity of no treaty or statute of, or any authority exercised under, the United States was drawn in question. Neither was there any statute or authority of the state relied on which was in conflict with the Constitution, treaties, or laws of the United States.

Motion granted.