

No. 8840

# Supreme Court of Illinois

Francis Reed

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vs.

Josiah F. Reed

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State of Illinois, Ct.

Supreme Court

Error to Richland. November Term. A.D. 1852

Marcis Reed, Plaintiff in Error.

v.

Josiah F. Reed, Defendant in Error.

This was a Bill for Divorce filed by the Plaintiff in Error against the defendant in Error, in the Richland Circuit Court. Between the filing of the bill and the session of the court, the same was lost, and when the cause came on for hearing it was agreed between counsel and allowed by the court, to state the cause in short upon the record. The cause came on for hearing before the court and a jury as will be seen by the record, at the October Term A.D. 1848 when the jury found against the complainant, whereupon the court rendered a judgment against her for costs, and directed special execution to issue against her lands. The rendition of this judgment for costs and special execution by the court below is now here assigned for error, and such judgment sought to be reversed &c.

The Plaintiff in error contends -

1<sup>st</sup> That no judgment for costs could



be rendered against the complainant  
she being a  feme covert, and her le-  
gal identity merged in her husband,  
and she having no separate estate from him -

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2<sup>nd</sup>

That could such judgment  
be rendered and special execution  
awarded, as in the case at bar, such  
judgment should set forth particu-  
larly the description of the subject  
matter of such special execu-  
tion -



In the Sup. Court  
Nov. Term: 1852

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Error to Richland.

Abstract & Briefs.

1852

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Constable, Attorney.