

POLITICAL AND CIVIL STATUS OF WOMEN

LEGISLATIVE PROGRESS—1938—1945

During the years 1938 through 1945, a number of significant legislative enactments favorable to women have been adopted in various States. Major instances of improvements in women's status appear in the following items:

PUBLIC LAWS

Public Office

Oklahoma amended both constitution and statutes to admit women to elective State offices. New Jersey prohibited discrimination because of marital status, in the granting of privilege to hold public office or employment. Wisconsin repealed its exclusion of women from appointment as legislative employees.

Jury Service

Six additional States admitted women as jurors making the present total 32.¹ Women are eligible in all of these States for service on Federal juries also. Hearings were held on the Federal bill reintroduced in the 79th Congress (Sessions 1945 and 1946), proposing, among other things, to make women eligible on the same basis as men for jury duty in all Federal trial courts throughout the States.

Teachers' Equal Pay

An equal-pay statute was adopted in New Jersey, and Massachusetts passed a law of this type but made its adoption elective by municipalities.

Teachers' Employment

North Carolina prohibited discrimination because of sex or marital status of applicants. West Virginia prohibited school boards from voiding the contract of a teacher because of marriage during the term of employment.

FAMILY LAWS

Guardianship of Minors

Georgia gave both parents the same right to appoint by will a guardian for the person, property, or both, of their minor child.

Family Support

Enforcement provisions for support of wives and minor children were strengthened in Maine, Massachusetts, Oregon, and Wisconsin.

¹ For the purpose of this report, the District of Columbia is counted as a State.

LEGAL STATUS OF WOMEN IN THE UNITED STATES

Marriage

In Nebraska, the mother was given equal right with the father in authorizing the marriage of their minor child.

Divorce

Maryland repealed a ground for divorce which had been available exclusively to the husband.

PROPERTY LAWS

Contractual Powers

Six States—Florida, Indiana, Nebraska, Oklahoma, Pennsylvania, Wisconsin—liberalized powers of contract between husband and wife. Florida extensively revised its Married Woman's Act. Indiana abolished sex distinctions in appointment of administrators. Florida and Pennsylvania gave married women full powers of general contract. Partnerships between husband and wife were validated in Michigan, Rhode Island, and Vermont.

Free Trader Statute.—This act was repealed in North Carolina. A married woman may now engage in business without the formality of her husband's consent and court procedure.

Personal Earnings.—In Georgia a statute was enacted which gives a wife full right to her personal earnings free of any claims of her husband.

Ownership and Control of Property.—Florida, Kentucky, Pennsylvania, and Virginia liberalized transfer of property by married women. Oklahoma adopted a State-wide system of community property for husband and wife, repealing its former optional plan.

Exemptions of property from forced sale for payment of debts were liberalized for married women under specified conditions in Alabama, Missouri, Nebraska, New York, and Tennessee.

Conveyance of Property—Special Acknowledgments.—Laws were repealed in three of the four States that formerly required married women to execute special certificates of acknowledgment: Delaware, Florida, and North Carolina.

Inheritance between spouses was made uniform in important aspects by Arkansas and North Carolina.