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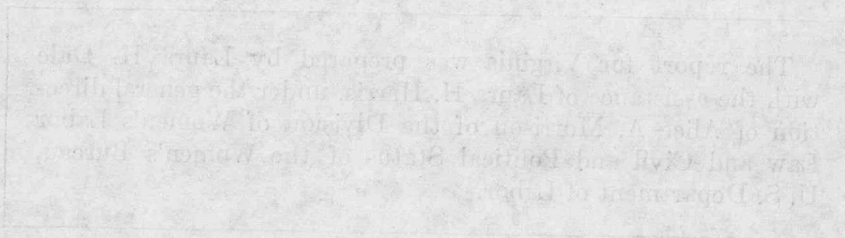
The Legal Status of Women  
in the  
United States of America

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REPORT FOR

**VIRGINIA**

as of January 1, 1957



45 WOMEN'S BUREAU BULLETIN 157-45 (Revised)

UNITED STATES DEPARTMENT OF LABOR

JAMES P. MITCHELL, *Secretary*

WOMEN'S BUREAU

MRS. ALICE K. LEOPOLD, *Director*

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REPORT FOR  
VIRGINIA  
AS OF JANUARY 1, 1957

The report for Virginia was prepared by Laura H. Dale with the assistance of Laura H. Harris, under the general direction of Alice A. Morrison of the Division of Women's Labor Law and Civil and Political Status of the Women's Bureau, U. S. Department of Labor.

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# The Legal Status of Women in the United States of America

## INTRODUCTION

Any conclusion bearing on woman's status under the laws of the United States of America must take into account the common law, on which the fabric of the Nation's jurisprudence is woven.

The common-law rules of property sprang from various causes, notably tradition, military or economic exigency, and "natural male dominance." Economic and social advances in the position of women in the United States have brought about marked changes in the laws governing property and family rights and political status.

In general, it has been the rule that where specific statutes abrogating common-law principles have not been enacted, the common law applies. In the century just past, many of the old common-law injustices to women have been removed by statute.

The material considered centers largely around the woman in the marriage relation, since the legal status of the unmarried woman is practically identical with that of the unmarried man.

The United States Summary of the Legal Status of Women in the United States of America, Bulletin 157, has been brought up to date as of January 1, 1953. Information in the Summary is compiled from the reports for each of the 48 States and the District of Columbia.



## SOURCES

Constitution of Virginia  
Code of Virginia, 1950  
Virginia Reports  
Southeastern Reporter

## EXPLANATORY NOTE

This pamphlet, Bulletin 157-45, presents a digest of the Constitution and statutory provisions affecting the legal status of women in the State of Virginia. It includes pertinent statutory changes enacted in that State up to January 1, 1957, and supersedes the previous report and addendum for Virginia.

References to the State Constitution are indicated by parenthetical insertions of section numbers following the abbreviation "Const.," as "(Const., art. II, sec. 1)," placed after the related subject matter.

References to the code sections are likewise in parentheses, as "(sec. 55-42)."

Case citations definitely construing statutes or declaring judicial policy in the absence of express statutory provision are indicated by footnote references. Cases showing historical development of a statute or policy are followed by the abbreviation "hist."

Numbered subject headings are the same as those used in the Summary. Cross references employ these numbers for brevity, as "See number 6," which refers to the subject heading "Earnings of a married woman."

# **VIRGINIA**

## **CIVIL RIGHTS**

### ***Contracts and Property***

#### **1. Age of majority**

The age of majority for both sexes is 21 years, as at common law, which governs in the absence of an express statute.

#### **2. Contractual powers of a minor**

The disability of minority is removed by marriage for the purpose, and to the extent only, that a minor husband or wife may dispose of his or her contingent right of curtesy or dower in real estate by joining the other spouse in the deed or contract (sec. 55-42).

If a married woman who is a minor desires to sell her separate real estate, it is essential that such sale be in conformance with statutory procedures (sec. 55-45). If she is entitled to any estate, she does not, during marriage and while a minor, have control and management of the property, but, on petition, a receiver for the purpose is appointed by the court (sec. 55-44).

A minor who is transacting business as a trader without disclosing his minority by the specific methods required by law is liable for his debts to the extent of the property employed in the business (sec. 8-135).

A minor may be appointed as a notary public when 18 years of age or over, and is fully liable for official acts (Const., art. II, sec. 32) (sec. 47-3).

A minor is not bound by an express contract to pay for necessities any more than their actual value, nor is he bound unless the contract is for necessities actually required by him.<sup>1</sup>

But as to other acts and contracts of persons under 21, the rule is that generally they are voidable, subject to the minor's affirmation or repudiation at majority.<sup>2</sup>

(For capacity to make a will, see number 14.)

<sup>1</sup> *Bear's Adm. v. Bear* (1921), 131 Va. 447; 109 S. E. 813.

<sup>2</sup> *Strother v. Lynchburg Bank* (1931), 155 Va. 826, 829, 832; 156 S. E. 426.

### 3. Property exemptions from seizure for debt

#### A. RESPECTIVE RIGHTS OF MAN AND WOMAN

The exemptions are allowed to "every householder or head of a family residing in this State," or to his widow and minor children, or either of them, after his death; or to "a laboring man or woman who is a householder or head of a family" (Const., sec. 190) (secs. 34-4, 34-5, 34-10, 34-11, 34-13, 34-15, 34-26, 34-27, 34-29 through 34-31, 64-121).

The statute declares the words "householder" and "householder or head of a family" equivalent, and the term "laboring man" to include all householders who receive wages for their services (sec. 34-1).

The following are included among articles exempt from seizure for debt: All wearing apparel of the debtor and his family; family pictures, books and library up to \$100 in value; beds and bedding; floor coverings not exceeding \$100; specified livestock; household furniture and furnishings; provisions; fowl not exceeding \$10; canned goods, put up and prepared for use of the family; cooking stove and utensils; sewing machine; tools of trade not exceeding \$200 in value; boat and tackle of a fisherman up to \$500 (sec. 34-26); and specified items for farmers (sec. 34-27).

The wages or salary owing or to be owing to a laboring man who is a householder or head of a family are exempt to the extent of 75 percent; but in no case shall such exemption be less than \$100 a month nor more than \$150 a month. The wages or salary of a laboring man who is not a householder or head of a family shall be exempt to the extent of 50 percent. The exemption granted to a laboring man who is a householder or head of a family shall extend to any person under court order to support a parent, child, or spouse and may be claimed by such person or on his behalf by any agency of government or person in interest (sec. 34-29).

The wages of a minor shall not be liable to garnishment or otherwise liable to the payment of the debts of the parents (sec. 34-33).

#### B. HOMESTEADS

Every householder or head of a family residing in the State is entitled, in addition to other provisions for property exemptions (secs. 34-26, 34-27, 34-29), to hold exempt his real and/or personal property, including money and debts due him, to a value not exceeding \$2,000 (secs. 34-4, 34-13).

The rents and profits of the property set apart as the homestead shall be exempt in the same manner as the corpus of the homestead; and if the value of the whole real and personal estate set apart does



not exceed \$2,000 at the time it is so set apart, the exemption thereof shall not be affected by any increase in its value afterwards, unless such increase consists of permanent improvements placed upon real estate set apart by means derived from some source other than the homestead (sec. 34-18).

If a householder did not, in his lifetime, set apart any real or personal property, or as much as he was entitled to, his widow and minor children may, upon his death, petition to have it set apart (secs. 34-11, 34-15). Such property shall be exempt also from the debts and obligations of the widow and children, until her death or marriage, and during the minority of the children unless they marry before attaining age 21 (secs. 34-10, 34-15).

#### 4. Ownership and control of property owned at marriage

(See number 9.)

#### 5. Contractual powers of a married woman

A married woman may make contracts, sue, and be sued as freely and with as full liability as if she were unmarried, except that she cannot defeat, by her sole action, her husband's curtesy right in her separate property (sec. 55-36).

The statute has wiped out all the husband's rights in the wife's separate property except as to his curtesy. The effect is to give the wife as full control over her property during the coverture as her husband has over his. She may sue her husband as if he were a stranger, and hold him to account in connection with transactions regarding her lands.<sup>3</sup>

A married woman may issue power of attorney to execute or acknowledge any deed or writing which she herself might make. This power is fully effective to convey her interest in her dower (sec. 55-43).

When an unmarried woman who is a personal representative shall marry, her husband shall not be a personal representative in her right and the marriage shall not operate as an extinguishment of her authority, subject, however, to revocation by the court on petition of her surety or that of any other interested person (sec. 64-130).

A husband shall not be responsible for any contract, liability, or tort of his wife, whether the contract or liability was incurred or the tort was committed before or after marriage (sec. 55-37).

#### 6. Earnings of a married woman

A wife may accumulate a separate estate through her earnings.<sup>4</sup>

<sup>3</sup> *Edmonds v. Edmonds* (1924), 139 Va. 652, 657, 658; 124 S. E. 415, 416.

<sup>4</sup> *Harris v. Carver* (1924), 139 Va. 676; 124 S. E. 206.

## 7. Liability for family support

Any husband who without just cause deserts or willfully neglects or refuses to provide for the support and maintenance of his wife is guilty of a misdemeanor, as is any parent who deserts or willfully neglects or refuses to provide for the support and maintenance of his child under the age of 17 years, or a child of whatever age who is crippled or otherwise incapacitated for earning a living (sec. 20-61).

## 8. Right of a married woman to engage in a separate business

There are no restrictions on a married woman's right to engage in trade and carry on business on her own account.

## 9. Rights of a married woman with respect to separate property

A married woman may have a statutory separate estate, which she has the right to acquire, hold, use, control, and dispose of as if she were unmarried. This applies to the property of married women acquired since April 4, 1877, the effective date of the Married Woman's Act. Her husband has no control over such estate, but is entitled to curtesy in the real property belonging to her statutory separate estate, which right cannot be defeated by the sole act of the wife. But neither his right to curtesy nor his marital rights entitle him to the possession or use, or to the rents, issues, and profits of such real estate during the marriage; nor is her property subject to the husband's debts or liabilities (sec. 55-35). The court has ruled that the effect of this statute is to give the wife as full control over her property during the marriage as her husband has over his; that his right to curtesy and his marital rights give him no more power or authority over his wife's property during the marriage than if he were a total stranger.<sup>5</sup>

A married woman may have also an "equitable separate estate," specifically recognized by the statute, which provides that such estates may be created as they were prior to the adoption of the Married Woman's Act, and that the instrument creating them determines by its provisions how the property composing them shall be held and the power to be exercised over such property (sec. 55-47).

The husband has his curtesy right in any real estate included in the equitable estate on the death of the wife, unless the instrument creating the estate expressly precludes it.<sup>6</sup>

<sup>5</sup> *Edmonds v. Edmonds* (1924), 139 Va. 652, 658; 124 S. E. 415 [cited with approval in *Commonwealth v. Rutherford* (1933), 160 Va. 524; 169 S. E. 909].

<sup>6</sup> *Jones v. Jones* (1899), 96 Va. 749, 752; 32 S. E. 463.

## **10. Property acquired by joint efforts of husband and wife**

By common-law rule, in the absence of statute, property acquired during marriage by the joint efforts of husband and wife belongs to the husband, unless other arrangement is made by private agreement such as joint deed or joint bank account.

## **11. Damages for injury to person, property, or character**

In an action by a married woman to recover for a personal injury inflicted on her, she may recover the entire damage sustained, including the personal injury, expenses arising out of the injury (whether chargeable to her or her husband), notwithstanding that the husband may be entitled to the benefit of her services as to domestic affairs and consortium; and any sum recovered shall be chargeable with expenses arising out of the injury, including hospital, medical, and funeral expenses; and any person, including the husband, discharging such debts shall be reimbursed out of the sum recovered in the action, to the extent justified by services rendered or expenses incurred. Written notice of such claim must be served on such married woman and the defendant prior to settlement; and no action for such injury, expenses, or loss of services or consortium shall be maintained by the husband (sec. 55-36).

(See number 5.)

The common-law rule that a wife had no right of action for criminal conversation with her husband and alienation of his affections has been abrogated.<sup>7</sup>

## **12. Damages for injury by spouse to person or property**

A married woman may not sue her husband for damages for an assault committed upon her by him during the marriage.<sup>8</sup>

## **13. Competency of husband or wife to testify for or against each other**

Husband and wife are competent generally to testify for or against each other in both civil and criminal cases (sec. 8-287).

In criminal cases the spouses are competent, and may be compelled, to testify in behalf of each other, but neither may be compelled without the other's consent to testify against the other unless the case involves an offense committed by one against the other (sec. 8-288).

<sup>7</sup> *Newsom v. Fleming* (1935), 165 Va. 89; 181 S. E. 393.

<sup>8</sup> *Keister's Admr. v. Keister's Ewr.* (1918), 123 Va. 157; 96 S. E. 315; 1 A. L. R. 439 (hist.).

Neither spouse may testify, in any case, without the other's consent, as to any communication privately made by one to the other during the marriage (sec. 8-289).

In prosecutions under desertion, nonsupport and uniform reciprocal enforcement of support statutes, husband and wife are competent witnesses against each other (secs. 20-82, 20-88.29).

#### **14. Right to dispose of separate property by will**

No person under the age of 21 is capable of making a will, except that minors aged 18 years or over may by will dispose of their personal estate (sec. 64-49).

There are no restrictions as to the making of a will by a married woman, except that she cannot defeat her husband's curtesy right in her separate legal estate (secs. 55-35 to 55-37, 64-48, 64-91). She may make valid powers of appointment by her will (sec. 64-52).

#### **15. Inheritance rights in deceased spouse's estate**

Upon the death of either spouse, the survivor is entitled to a life interest in one-third of the real estate owned by the deceased during the marriage, provided such interest has not been legally barred or relinquished by the survivor. Both are interests created by statute, that of the widow being called dower, and that of the husband curtesy. If the decedent leaves no will nor issue, the survivor takes the dower or curtesy interest in one-third of all the real estate; and in addition thereto—subject to the rights of the decedent's creditors—the widow is endowed of, or the widower takes an estate by the curtesy in, all the residue of such real estate. If the decedent dies partially intestate and without issue, the living spouse may take the one-third life interest, together with a life interest in the residue of such real estate after payment of debts and distribution of the property passing by the will. The husband's curtesy extends also to any equitable separate estate the wife may own, unless his right is expressly precluded by the instrument creating such estate (secs. 64-20 to 64-22, 64-25 to 64-26, 64-43).

Curtesy is barred by the wife's devise of real or personal property to her husband instead of his curtesy right, unless the contrary intention clearly appears in the will or in some other writing signed by the party making the provision. He may renounce the will, however, as provided by law (sec. 64-23).

Either spouse may bar his or her statutory interest of curtesy or dower by joining in a deed of conveyance of the other's lands (secs. 55-35, 55-40, 55-41). The right may be relinquished also by the execution of an antenuptial agreement to that effect or settlement by deed or jointure prior to marriage (sec. 64-31). (See number 17.)



Willful desertion or abandonment by one spouse, continuing until the death of the other, bars the guilty spouse of all interest in the decedent's estate, either by dower or curtesy, by distribution, or otherwise (secs. 64-24, 64-35).

At the death of husband or wife the absolute title to the real and personal property composing the decedent's estate descends or is distributed as follows:

(a) The real estate of an intestate decedent descends, subject to curtesy or dower: (i) to his or her children and their descendants; (ii) if there be no child nor the descendants of any child, then to the decedent's father and mother, or the surviving one; (iii) if there be neither father nor mother, then to the decedent's brothers and sisters and their descendants; (iv) if there be none of these, then the whole real estate goes to the surviving consort of the intestate (sec. 64-1).

(b) The personal property of a married decedent not disposed of by will is to be divided as follows, subject to the statutory exemptions, payment of funeral expenses, charges of administration, and debts: One-third of such surplus to the surviving spouse, if the decedent left children or descendants of such children of any marriage or by adoption; but if no children or their descendants survive, the living spouse is entitled to the entire surplus, except that if the intestate was a married woman and left only illegitimate children or their descendants, the surviving husband is entitled to only one-third of such surplus (sec. 64-11). (See number 17.)

The portion of a married woman's estate not disposed of by her will descends or is distributed according to the statutes referred to under sections (a) and (b) preceding, but subject to the payment of her debts and her surviving husband's estate by curtesy (sec. 55-46).

Survivorship in estates by joint tenancies has been abolished (sec. 55-20); but statutory exception is made of any estate conveyed or devised to persons in their own right, when the instrument of devise or conveyance plainly intends that the part of one owner dying should then belong to the others (sec. 55-21). In such a case, an estate of tenancy by the entirety, with the whole title continuing in the survivor, is held to exist between husband and wife.<sup>9</sup>

The provisions relating to personal estate of a deceased spouse and to renunciation of the will are subject to the qualification that if either spouse leaves the other and lives in adultery, he or she shall have no part of the personal estate as to which the other spouse dies intestate, unless before such death they were reconciled and living together (secs. 64-11, 64-13 to 64-16, 64-19).

<sup>9</sup> *Allen v. Parkey* (1930), 154 Va. 739, 746.

**16. Provision for survivors during administration of estate**

Upon the death of a householder, the widow, minor children, or unmarried daughters are allowed food and livestock necessary for family use and personal property set apart by law to the householder as exempt from his debts. The wearing apparel of the debtor and his family is included in the exempt property. This provision is absolute and exempt from any claims of the estate (secs. 34-26, 64-120, 64-121).

In addition, if there are creditors of the husband, the widow and minor children, or either, are entitled to the homestead, or the \$2,000 allowance of personal estate in lieu of the homestead, to which the decedent householder was entitled (secs. 34-26, 64-120, 64-121), provided, in the case of the widow, she has not accepted her dower or jointure (sec. 34-12). This homestead right extends to the widow until her death or remarriage, and until the child reaches age 21 or marries (sec. 34-10).

The widow is entitled to occupy the "mansion house and curtilage" without charge for rent, repairs, taxes, or insurance; also to receive one-third part of the net income from the other real estate, until her dower is assigned (sec. 64-36).

Moneys belonging to a person who dies in a State mental institution, or due from the State or the United States as a pension or for burial expenses of soldiers, or from any employer to a deceased employee, up to the sum of \$300 are payable to the surviving spouse after 120 days from the death of the person to whom such money is due (secs. 64-119, 64-119.1).

**17. Right of husband or wife to disinherit the other by will**

If any provision is made for the surviving spouse in the will of the decedent and renunciation is made according to law, or if no provision appears in the will for the living spouse, and issue survive the decedent, the living spouse takes one-third of the surplus of the decedent's personal estate. If no issue survive, the living spouse takes one-half of such surplus (secs. 64-13 to 64-16).

If a deed or will conveying or devising property, real or personal, in lieu of dower by express terms was made before the marriage without the assent in writing or during the infancy of the female, or if it was made after marriage, in either case the widow may at her election waive such jointure and demand her dower, provided she makes her election within 1 year after the death of the husband or within 1 year after the admission of his will to probate (secs. 64-32, 64-33).

## Marriage and Divorce

### 18. Age of consent to marriage

If either party is under 21 years of age, and not previously married, the consent of the father or mother or guardian must be given either personally to the clerk or judge, or in writing subscribed by a witness under oath or certified by an officer under seal. When there is no parent or guardian to give consent, the judge of the circuit court or corporation court where the female resides may authorize the marriage (sec. 20-49).

The minimum age at which minors may marry with consent of the parent or guardian shall be 18 years for males and 16 for females. In those cases in which the female applicant is pregnant and either party is under the legal age of consent, the clerk may issue a license to marry, on consent of the parent or guardian of the person under age and a doctor's certificate that pregnancy exists (sec. 20-48).

### 19. Common-law marriage

Every marriage in the State must be under a license and solemnized according to law (sec. 20-13).

The enactment of this statute wholly abrogated the common law in force in this State on the subject of marriage; and no marriage or attempted marriage, if it took place in this State, can be held valid here unless shown to have been under a license and solemnized according to the statutes. The language of this statute is mandatory, and not simply directory.<sup>10</sup>

### 20. Premarital requirements

Each applicant for license to marry must file a physician's certificate that evidence and serological tests have been obtained as required by law, to determine whether syphilis is present. If the disease is present, the physician must inform both applicants of the fact, and advise them of possible consequences.

No licensing clerk may refuse a license because syphilis is shown by the required tests to be present.

Upon marriage, the infected person and the other spouse are to obtain treatment as prescribed by the State health commissioner. Failure or refusal of the infected person to take or continue treatment for the disease constitutes a misdemeanor (secs. 20-1 to 20-12).

<sup>10</sup> *Offield v. Davis* (1902), 100 Va. 250, 40 S. E. 910; *Eldred v. Eldred* (1899), 97 Va. 606; 34 S. E. 477.



## 21. Interstate cooperation in marriage-law enforcement

Certain marriages which are declared void in the State because they are violative of public policy will not be recognized even though contracted in a State where they are not prohibited, if the parties return to Virginia to reside as man and wife (secs. 20-40, 20-44, 20-58).

## 22. Annulment

Marriages are prohibited that are bigamous or between parties who are within specified degrees of kinship, insane, incapable from physical causes of entering into the marriage state, or a white person and a person with an admixture of blood other than white and American Indian (secs. 20-38, 20-41, 20-45, 20-54).

A marriage may be annulled because of a prohibited degree of kinship, mental or physical incapacity at time of marriage, bigamous marriage, or a prohibited interracial marriage (secs. 20-43, 20-45 to 20-48, 20-57, 20-89).

Marriage is forbidden to a woman under 45 or a man of any age (unless he marries a woman over 45 years of age) who is an habitual criminal, an idiot, imbecile, hereditary epileptic, or insane (sec. 20-46).

## 23. Divorce

The aggrieved spouse may be granted an absolute divorce on one of the following grounds: Adultery; sodomy or buggery; incurable physical impotency existing at the time of marriage; sentence after marriage to confinement in a State or Federal prison, without subsequent cohabitation; conviction of an infamous offense prior to the marriage without the knowledge of the petitioner; indictment for an offense punishable with death or penitentiary imprisonment, followed by flight from justice and absence for 2 years; willful desertion or abandonment for 1 year.

The husband may be granted an absolute divorce if at the time of the marriage, without his knowledge or agency, the wife was pregnant; or if prior to the marriage, without his knowledge, she had been a prostitute. However, if the aggrieved spouse cohabits with the offender after knowledge of a conviction for an infamous offense, voluntarily cohabits after knowledge of fact of adultery, or institutes the suit after 5 years have lapsed since knowledge of the fact of adultery, or if a husband cohabits with the wife after he has had knowledge of her pregnancy by another or of her having been a prostitute, no divorce can be granted (secs. 20-91 to 20-94).

A divorce from bed and board may be granted for cruelty, reasonable apprehension of bodily hurt, abandonment, or desertion (sec. 20-95).



Upon absolute divorce for any cause arising after the marriage, neither party is permitted to marry any other than the former spouse within 4 months from the date of the decree granting the divorce (sec. 20-118).

In granting a divorce for adultery, the court may decree that the guilty party shall not marry again at any time. However, this provision of the decree may be revoked by the court at any time after the expiration of 6 months from the date of the decree, if good cause is shown for such action (sec. 20-119).

A limited divorce decree granted on grounds of cruelty or desertion may be merged into an absolute decree after 1 year (sec. 20-121).

The issue of marriages deemed null in law, or dissolved by a court, are legitimate (sec. 64-7).

A decree of absolute divorce extinguishes all contingent rights of either spouse in the real and personal property of the other then existing, including the right of survivorship as joint tenants or tenants by the entirety, with survivorship as at common law. Such estate by the entirety shall be converted into a tenancy in common (sec. 20-111).

#### **Alimony and maintenance**

Pending suit for divorce, the court may make any order that is proper to compel the man to pay any sums necessary for the maintenance of the woman, to enable her to carry on the suit, and to provide for the custody and maintenance of minor children (sec. 20-103).

Upon decreeing dissolution of marriage or granting absolute or limited divorce, the court may make any further decree that is expedient concerning the estate and maintenance of the parties and the care, custody, and maintenance of their minor children. The court shall have no authority to decree such support or alimony to continue after the death of the husband or father (sec. 20-107).

If any person to whom alimony has been awarded shall thereafter marry, such alimony shall cease as of the date of the marriage (sec. 20-110).

#### **Parents and Children**

##### **24. Parents' right to services and earnings of a minor child**

The father and mother of a legitimate unmarried minor have equal legal powers and equal legal rights in relation to such minor, provided the parents are suitable and competent and living together (sec. 31-1).

Wages of a minor are not liable to garnishment or other process for the debts of the parents (sec. 34-33).

**25. Guardianship of a minor child**

The father and mother of every legitimate unmarried minor child are joint natural guardians of the person of such child, with equal legal powers and rights in relation to it, provided the parents are living together, are suitable persons, and are respectively competent to transact their own business. Upon the death of either parent, the survivor becomes the natural guardian of the child's person. If either parent has abandoned his or her family, the other becomes the natural guardian of the child's person (sec. 31-1).

Either parent may be designated by a court having control of a fund of less than \$1,000 for a minor incapable of handling his estate or annual income, to receive and administer such fund for the child's education, maintenance, and support (sec. 8-751).

**26. Appointment of testamentary guardian for a minor child**

A testamentary guardian may be appointed by either parent only for the estate of his or her minor child, bequeathed by the testator to such child. The right of custody of the child's person is in the surviving parent by statutory provision, as long as the parent is a fit and proper person to have control of the child (sec. 31-2).

**27. Inheritance—child**

The real estate of an intestate decedent who leaves no children or descendants of children descends, subject to curtesy or dower, to the parents in equal shares (secs. 64-1, 64-11).

**28. Child born out of wedlock**

If a man, having had a child or children by a woman, shall afterwards intermarry with her, such child or children, or their descendants, if recognized by him before or after marriage, shall be deemed legitimate (sec. 64-6).

Whenever the court finds in support proceedings that the parents of a child are not married but the father admits that he is the child's father, the court may enter and enforce a judgment for the support, maintenance, and education of the child as if born in lawful wedlock (sec. 20-61.1).

**29. Inheritance—child born out of wedlock**

Illegitimate children inherit and transmit inheritance on the part of their mother as if lawfully begotten (sec. 64-5).

**POLITICAL RIGHTS****30. Domicile of a married woman**

In general, the domicile of the husband is the domicile of the wife, by rule of common law.

For the purpose of registering and voting, the residence of a married woman is not controlled by the residence or domicile of her husband (sec. 24-21).

**31. Public office—eligibility of women**

Women who are qualified electors are eligible for election to public office (Const., art. II, secs. 18, 32).

**32. Jury service—eligibility of women**

All citizens over 21 who are otherwise qualified are eligible for jury service (secs. 8-174, 19-123). Women who notify the jury commissioners within the time and manner prescribed that they do not desire their names placed on the jury lists are exempt from jury service (secs. 8-178, 19-123).