

L13.3: 157-24 Rev.

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UNITED STATES DEPARTMENT OF LABOR

MAURICE J. TOBIN, Secretary

WOMEN'S BUREAU

FRIEDA S. MILLER, Director



The Legal Status of Women in the United States of America

January 1, 1948

REPORT FOR MISSOURI

Individual State material, constituting part of a compilation to show the present legal status of women in the United States of America



BULLETIN OF THE WOMEN'S BUREAU, No. 157-24 (Revised)

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1949

For sale by the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. - - - - Price 10 cents

THE LEGAL STATUS OF WOMEN IN THE UNITED STATES OF AMERICA

In response to continuing domestic and international needs, the Women's Bureau has prepared a revised edition of its 1938 report on the legal status of women in the United States of America.

The revised report is based on an examination of the Constitutions, official statutes, and significant decisions of courts of last resort of the Federal Government and the several States, as well as pertinent law texts of recognized authority.

This pamphlet presents a digest of the material compiled for a single State, which has been incorporated in the complete report.

LETTER OF TRANSMITTAL

UNITED STATES DEPARTMENT OF LABOR,
WOMEN'S BUREAU,
Washington, September 6, 1949.

SIR: I have the honor to transmit to you a revised report on the legal status of women in Missouri. This is one of 54 separate reports constituting a survey of the laws of the 48 States, the District of Columbia, the territories of Alaska, Hawaii, and Puerto Rico, and the United States possessions, the Canal Zone and Virgin Islands.

The original report for each jurisdiction represents a thorough search of statutes and decisions of appellate courts construing its statutes or establishing its judicial policy. Revision covers important changes by legislative action.

The study was made by Sara L. Buchanan, Attorney, aided by Mary L. Sullivan, Associate Economist, and Elizabeth Batson, Editorial Assistant, all of the Bureau staff.

Respectfully submitted.

FRIEDA S. MILLER, *Director.*

Hon. MAURICE J. TÓBIN,
Secretary 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, natural male dominance, and the social status of women. Shifts in these have effected an almost complete overturn in laws governing the property owned by a woman prior to her marriage and that coming into her individual ownership after her marriage, by gift, inheritance, will, or accumulation from her premarital possessions.

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 largest remaining area to be reformed to the present-day trend lies in the matter of ownership and control of property acquired by the cooperative efforts of husband and wife after marriage.

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, with the exception of the discrimination in some States which bars women from jury duty; or of distinctions, such as variance between men and women in the statutory age of majority or age of consent to marriage.

MISSOURI

SOURCES

Constitution of Missouri.
Revised Statutes of Missouri, 1939.
Session Laws, 1943, 1945.
Missouri Reports.
Missouri Appeal Reports.
Southwestern Reporter.

EXPLANATORY NOTE

References to the State Constitution are indicated by parenthetical insertions, as (Const., Amend.) placed after the related subject matter.

Code section references are likewise in parentheses, thus (sec. 374).

Session laws are referred to by year of enactment and page number, as (1943, p. 641).

Case citations, definitely construing statutes or declaring judicial policy in the absence of express statutory provision, are indicated by numerical footnote references, and appear immediately after the related paragraphs. Cases showing historical development of a statute or policy are followed by the abbreviation (Hist.).

Subject headings are preceded by numbers, which remain constant for their respective topics through the entire State series. Cross references among topics employ these numbers for brevity, as "See Number 6," which refers to the subject heading, "Separate Earnings of Married Woman—Ownership and Control."

MISSOURI

A.—CIVIL RIGHTS

I.—CONTRACTS AND PROPERTY

1. Age of Majority.

Twenty-one years is the age of majority of men and women for all purposes, except where the law, applicable to a particular act involved, makes a different provision (sec. 374).

2. Contractual Powers of Minors.

Any conveyance or any contract other than for necessities under certain conditions made by a minor is voidable and may be disaffirmed by him or her on attaining majority (sec. 3446).^{1 2}

¹ *Phillips v. Savings Trust Co. of St. Louis* (1935), 85 S. W. (2d) 923.

² *Fenn v. Hart Dairy Co.* (1935), 83 S. W. (2d) 120, 123.

3. Property Exemptions from Seizure for Debt—Respective Rights of Men and Women.

When owned by any person other than the head of a family, the statute exempts: (1) The wearing apparel; (2) the necessary tools and implements of trade of any mechanic, while carrying on his trade (sec. 1323).

When owned by the head of a family, exemption is allowed for these and various other personal, household, and occupational articles enumerated in the statute (sec. 1324); or, instead of the property described in subdivisions 1 and 2 of that section, each head of a family may select for exemption any other property, real, personal, or mixed, or debts and wages, up to the amount of \$300, except 10 percent of any debt, income, salary, or wages due such head of a family (sec. 1327).¹ Exemption is allowed for the homestead of every housekeeper or head of a family, of the amount and value described by statute (sec. 608).

A married woman may claim all exemption and homestead exemptions, now or hereafter in force, allowed the head of a family as to real and personal property, when judgment is rendered against her in any suit, provided her husband has not claimed such exemptions for his own property (sec. 3385).

The "head of a family" may be a widow,² or a deserted wife.^{3 4} The terms "housekeeper" and "head of a family" are held by the court to apply to practically the same persons, and anyone claiming the right to homestead exemption, whether designated by the one term or the other, must show that he has one or more persons living with him who are dependent upon him for support, before the right of exemption can attach.⁵

Identical provision for widow and widower is made as to property of deceased spouse to be exempted from payment of estate debts or claims (sec. 106).

Insurance for benefit of wife on life of her husband, or for benefit of an unmarried woman on the life of her father or brother, when such beneficiaries survive the insured, is exempt from claims of insured's creditors, executors, and administrators, to the amount of such insurance covered by \$500 annual premiums (secs. 5847-5850).

¹ *Southern Coal Co. v. Shepard* (1928), 223 Mo. App. 112, 115; 9 S. W. (2d) 257.

² *Clark v. Thias* (1903), 178 Mo. 628, 646; 73 S. W. 616.

³ *Bank v. Redlinger* (1902), 95 Mo. App. 279, 283; 68 S. W. 1073.

⁴ *Williams v. Williams* (1912), 161 Mo. App. 249, 256; 143 S. W. 559.

⁵ *Elliot v. Thomas* (1912), 161 Mo. App. 441, 449; 143 S. W. 563.

4. Property of Married Woman Owned at Marriage—Ownership After Marriage.

See Number 9.

5. Contractual Powers of Married Women.

A married woman is to be considered as if she were single so far as to enable her to carry on and transact business on her own account, to contract and be contracted with, to sue and be sued, and to enforce and have enforced against her property such judgments as may be rendered for or against her, and may sue and be sued at law or in equity with or without her husband being joined as a party (secs. 855, 3385, 3390). A wife may contract with her husband with the same freedom as any other individual.^{1 2} She may sue her husband, or be sued by him, upon contract.^{1 3 4} She may convey her separate real estate without her husband's joinder in the deed,^{5 6} though he cannot convey his separate lands unless she joins him in the conveyance.⁷

See Number 9.

A married woman is eligible to act as guardian of a minor (sec. 389).

¹ *Hall v. Greenwell* (1935), 85 S. W. (2d) 150.

² *Huss v. Culver* (1897), 70 Mo. App. 514, 518.

³ *Regal Realty & Investment Co. v. Gallagher* (1916), 188 S. W. 151.

⁴ *Abramsky v. Abramsky* (1914), 261 Mo. 117, 126; 168 S. W. 1178, 1180.

⁵ *Farmers' Exchange Bank v. Hageluken* (1901), 165 Mo. 443, 450, 452; 65 S. W. 728; 88 Am. Rep. 434.

⁶ *Brook v. Barker* (1921), 287 Mo. 13, 28; 228 S. W. 805; 14 A. L. R. 347.

⁷ *O'Brien v. Sedalia Trust Co.* (1928), 319 Mo. 1001, 1008-1009; 5 S. W. (2d) 74. (Hist.)

6. Separate Earnings of Married Woman—Ownership and Control.

Whatever is due a wife as the wages of her separate labor is her separate property under her sole control, and not liable to be taken for her husband's debts, unless she has made a written agreement otherwise. She may sue in her own name in the proper court to recover her wages (sec. 3390).^{1 2}

¹ *Browning v. Bailey* (1924), 216 Mo. App. 122, 125; 261 S. W. 350.

² *Malone v. Harlin* (1926), 220 Mo. App. 102, 110; 278 S. W. 806.

7. Liability of Married Woman for Family Necessaries.

A married woman is liable on her own contract for any goods or groceries. She is not liable personally for her husband's contracts for necessaries, though the products of her land may be subject to attachment and levy for them (secs. 3385, 3389, 3390).¹

¹ *Skillman v. Ballew* (1980), 27 S. W. (2d) 1086, 1039.

8. Formal Procedure Required for a Married Woman to Engage in a Separate Business.

A married woman is deemed a single woman so far as to enable her to carry on and transact business on her own account (sec. 3385).

9. Married Woman's Separate Property—Control During Marriage—Liability for Husband's Debts.

A wife's separate estate is composed of all real estate and any personal property owned by her at her marriage or acquired afterward through gift, bequest, or inheritance; or by purchase with her separate funds; or due her as the wages of her separate labor; or received as an award for any violation of her personal rights, together with all the income, increase, and profits thereof. It is expressly provided that such property is to remain under her separate control, and that it may not be taken for the husband's debts.^{1 2} If the wife so desires, she may give written authority to her husband to use, control, or dispose of her separate personal property for his own benefit, but it then becomes liable for any debt or liability of her husband incurred for necessaries for the wife or family. She may sue alone and in her own name, to recover her separate personal property as if unmarried (secs. 3385, 3390).³

The common-law estate by entirety is recognized. "An estate by the entirety is created by a conveyance to the husband and wife by a deed in the usual form. It is one estate vested in two individuals who are by a fiction of law treated as one person, each being vested with the entire estate. Neither can dispose of it or any part of it without the concurrence of the other, and in case of the death of either the other retains the estate."⁴ Such property is not subject to the separate debts of either husband or wife.⁵

¹ *Travelers' Ins. Co. v. Beagles* (1933), 333 Mo. 568, 574; 62 S. W. (2d) 800.

² *Murphy v. Wolfe* (1932), 329 Mo. 545; 45 S. W. (2d) 1079.

³ *Winn v. Riley* (1899), 151 Mo. 61; 52 S. W. 27; 71 A. S. R. 517.

⁴ *Ashbaugh v. Ashbaugh* (1918), 273 Mo. 353, 357; 201 S. W. 72.

⁵ *Brewing Co. v. Saxy* (1918), 273 Mo. 159, 172; 201 S. W. 67. (Hist.)

10. Property Acquired After Marriage Through Cooperative Efforts of Spouses—Ownership and Control.

By common-law rule, property acquired after marriage by the joint efforts of the spouses belongs to the husband, unless joint ownership is created by private arrangement, such as joint deed or joint bank account.

11. Damages Recovered for Injury by Strangers to a Married Woman's Person, Property, or Character—Ownership and Control.

A married woman can sue in her own name to recover any personal property, including rights of action growing out of any violation of her personal rights, and such proceeds are her separate property, under her sole control (sec. 3390). The rights of action include personal injury suits for (1) loss of wages in separate employment,¹ (2) impairment of capacity to work,² (3) alienation of her husband's affections by a third person.³ For loss of consortium of the other spouse through personal injury, the husband may recover, but the wife cannot.^{4 5}

See Number 5.

¹ *Smith v. The C. & A. Ry. Co.* (1893), 119 Mo. 246, 253; 28 S. W. 784.

² *Wolfe v. Kansas City* (1934), 334 Mo. 796; 68 S. W. (2d) 821.

³ *Nichols v. Nichols* (1898), 147 Mo. 387, 401; 48 S. W. 947.

⁴ *Bernhardt v. Perry* (1919), 276 Mo. 612, 627.

⁵ *Clow v. Chapman* (1894), 125 Mo. 101, 107; 28 S. W. 328.

12. Action to Recover Damages for Willful or Negligent Injuries to the Person or Property of One Spouse by the Other—Respective Rights of Husband and Wife.

Neither husband nor wife can maintain a suit against the other for a personal tort committed by one upon the other.¹

¹ *Willott v. Willott* (1933), 333 Mo. 896, 899; 62 S. W. (2d) 1084.

13. Competency of Spouses to Testify For or Against Each Other.

The wife or husband is a competent witness for the other when on trial for a criminal offense, at the discretion of the accused, except as to confidential communications between the spouses during the marriage (sec. 4081). Neither spouse can testify against the other in criminal prosecutions without the consent of the accused.^{1 2}

In civil actions, either spouse is competent to testify in any proceeding to which the other is a party, except as to confidential communications between them during the marriage (sec. 1892).³

¹ *State v. Burlingame* (1898), 146 Mo. 207, 225; 48 S. W. 72.

² *State v. Willis* (1893), 119 Mo. 485; 24 S. W. 1008.

³ *Hughes v. Renshaw* (1925), 314 Mo. 95, 118; 282 S. W. 1014.

14. Disposition of Separate Property by Will—Extent of Married Woman's Right.

A woman, whether married or unmarried, can devise and bequeath her real and personal property, if she is 21 years of age and of sound mind (sec. 519). Every male person of sound mind may will real and personal property at 21 years of age, or personal property only at 18 years of age (sec. 518). Neither spouse may by will defeat the statutory dower interest of the other in his or her estate.^{1 2}

¹ *Collier v. Porter* (1929), 322 Mo. 697, 710; 16 S. W. (2d) 49.

² *Waters v. Herboth* (1903), 178 Mo. 166, 171; 77 S. W. 305.

15. Estate of Deceased Husband or Wife—Share of Surviving Spouse.

Life Interests.

Either spouse is entitled to a life interest in one-third of the lands owned by the other at any time during marriage, in which the survivor has not legally relinquished such right (secs. 318, 319). This right may be released to the other spouse by contract or quit-claim deed, if based upon a legal consideration (secs. 334, 319),¹ or conveyed to a third party by the joint deed of husband and wife (sec. 3402). A divorce will bar the statutory dower right of the party at fault (secs. 331, 319). The right may be lost also by the spouse who is guilty of adultery, or abandonment without reasonable cause, living apart from the other spouse for a period of 1 year (sec. 337). But the right cannot be barred by any act, deed, or conveyance of one spouse without the valid assent of the other who is entitled to it (secs. 330, 319).

If a devise of real estate is made by the will of a decedent to the surviving husband or wife, such survivor must elect whether the provision of the will is to be accepted or the statutory dower taken, as the devise by will replaces the dower interest unless the testator expressly declares otherwise or an election is made by the beneficiary (secs. 332, 333, 319, 329).

Absolute Interests.

On the death of one spouse, leaving issue, the other is entitled absolutely to a portion equal to a child's share in the decedent's personal estate belonging to him or her at the date of death (sec. 323). This provision is taken without election or reference to the will.²

If the deceased spouse leaves issue, and the surviving spouse has a child or children living of the marriage, the living spouse may elect to be endowed absolutely in a share equal to a child's portion of the lands owned at death by the decedent; but such an estate is taken subject to the payment of debts of the deceased. This is in lieu of the dower, or life interest in one-third of such lands, which is held free of all debts of the decedent (secs. 328, 319).

If a spouse die leaving inheritable issue, but not of his or her last marriage, the surviving spouse may elect to take in lieu of dower, and in addition to real estate, the personal property which he or she brought into the marriage or contributed by written consent, and remaining in the deceased spouse's possession at the date of his or her death. These rights are subject to the payment of the decedent's debts, however (secs. 326, 319).

The object of this section is to give back to the childless spouse all the property which came to the deceased by means of the marriage or which had belonged to the survivor and had become the property of the deceased spouse by the written consent of the survivor, provided he or she surrendered all interest in the remainder of the decedent's estate.³

See Number 9.

If the husband or wife die without any living issue, the widow or widower is entitled to take absolutely: (1) All the real and personal estate which he or she brought into the marriage, and all the personal property reduced to the possession of the husband or wife with the other's written assent, remaining undisposed of, and passing to the survivor free from any of the decedent's debts; (2) one-half of the real and personal estate belonging to the husband or wife at his or her death, but subject first to payment of decedent's debts (secs. 325, 319).⁴

The surviving spouse of a deceased husband or wife who left no inheritable issue, may elect to take the statutory dower interest provided in sections 318, 319, free of debts, or to take the substitute for it provided in section 325 (secs. 327, 319).⁵

When a person having title to any real estate of inheritance, or personal estate undisposed of, or otherwise limited by marriage settlement, shall die intestate as to such estate, it descends and is distributed to the surviving husband or wife if there be no children or their descendants, nor father, mother, brother, or sister or their descendants living, subject, however, to payment of decedent's debts (sec. 306).

¹ *Crenshaw v. Crenshaw* (1918), 276 Mo. 471; 208 S. W. 249.

² *Trautz v. Lemp* (1932), 329 Mo. 580, 612; 46 S. W. (2d) 135.

³ *Haniphan v. Long* (1897), 70 Mo. App. 351, 354.

⁴ *Collier v. Porter* (1929), 322 Mo. 697, 709; 16 S. W. (2d) 49.

⁵ *O'Brien v. Sedalia Trust Co.* (1928), 319 Mo. 1001; 5 S. W. (2d) 74. (Hist.)

16. Provision for the Surviving Spouse During Administration of the Estate.

Besides the statutory dower, the living spouse may keep as his or her absolute property: Family books up to \$200 in value; all family wearing apparel and clothing; all implements and articles of domestic industry; household furniture and furnishings up to \$500 in value; and money, necessary in the court's judgment, for 1 year's support of the spouse and family (sec. 106).

In addition to these, the living spouse may select personal property from the estate up to an appraised value of \$400 (secs. 107, 109). But if there is a dower interest in personal property, and descendants of the deceased spouse survive, the \$400 allowance is deducted from the dower (sec. 108).¹

The widow and minor children through their minority, or the widow if there are no children, are entitled to the homestead as provided by statute, the widow's right extending through her life or widowhood (sec. 612).²

A widower has no corresponding right in a homestead owned by his deceased wife.³

Incident to dower, and separate from the homestead right, the widow has the "right of quarantine," under which she "may remain in and enjoy the mansion house of her husband, and the messuages or plantation thereto belonging," rent-free, until her dower is assigned to her (sec. 338).⁴

¹ *Finnell's Estate v. Howard* (1915), 191 Mo. App. 214; 177 S. W. 790.

² *Martin v. Coz* (1917), 199 S. W. 185.

³ *Collier v. Porter* (1929), 322 Mo. 697, 717; 16 S. W. (2d) 49.

⁴ *Falvey v. Hicks* (1926), 315 Mo. 442, 458; 286 S. W. 385.

17. Disinheritance of Husband or Wife by Will of Deceased Spouse —Survivor's Alternative.

See Numbers 14 and 15.^{1 2}

¹ *O'Brien v. Sedalia Trust Co.* (1928), 319 Mo. 1001; 5 S. W. (2d) 74.

² *Wallace v. Crank* (1930), 324 Mo. 1114, 1121; 26 S. W. (2d) 601.

II.—MARRIAGE AND DIVORCE

18. Age of Consent to Marriage—Men and Women.

The written consent of the father, mother, or guardian of the party under age is necessary for the issuance of license to males between 15 and 21 years, or to females between the ages 15 and 18 years. Unless good cause is shown, and unusual conditions appear to make such a marriage advisable, so that an order of the circuit or probate court will authorize it, no license to marry may be issued to any person under 15 years of age (sec. 3370).

19. Validity of Common-Law Marriage.

Any common-law marriage contracted since March 31, 1921,¹ is declared null and void by statute (sec. 3364).

¹ *McAdoo v. Metropolitan Life Insurance Co.* (1937), 233 Mo. 900; 110 S. W. (2d) 845.

20. Health Certificate Requisites Prior to Issuance of Marriage License—Men and Women.

Before license to marry can be issued, each applicant must file report of a standard serological laboratory test for syphilis. If the report shows a positive reaction, applicant must file a physician's certificate, which shows that physical examination has been made to determine either that syphilis is not present, or if present, is not in a communicable stage. Under specified circumstances, the examination may be waived. Both the test and examination must be made within 15 days of the date the marriage license is issued (1943, p. 641).

It is illegal to issue a license to a person who is imbecile, insane, feeble-minded, or epileptic, and the marriage of a person so afflicted is absolutely void (sec. 3361).

21. Interstate Cooperation in Marriage Law Enforcement.

The rule is followed that capacity or incapacity to marry depends on the law of the place where the marriage is celebrated, and not on that of the matrimonial domicile.¹

¹ *Henderson v. Henderson* (1915), 265 Mo. 718, 733.

22. Grounds for Marriage Annulment—Respective Availability to Man or Woman.

A marriage is voidable on the grounds of mental incapacity, prohibited degrees of kinship, living spouse of undissolved former marriage, non-age, intermarriage with a forbidden race (secs. 3361, 3362, 3370). There is no discrimination because of sex.

23. Grounds for Divorce—Respective Availability to Spouses.

Either spouse may obtain a divorce for any one of the following causes: Impotency; a wife or husband living at time of marriage; adultery; desertion for 1 year; conviction of felony or infamous crime during marriage; habitual drunkenness for 1 year; cruel or barbarous treatment endangering life; intolerable indignities; conviction of felony or infamous crime before marriage without the knowledge of the complainant at the time of marriage. The wife is entitled to a divorce when the husband is guilty of such conduct as to constitute him a vagrant within the meaning of the law respecting vagrants. The husband is entitled to a divorce if the wife was pregnant at the time of the marriage without his knowledge or agency (sec. 1514).

III.—PARENTS AND CHILDREN**24. Services and Earnings of Minor Children—Parents' Respective Rights.**

When the parents are living together, the father and mother are made the natural guardian and curator of their minor children, with equal powers, rights, and duties, and have the custody and care of their persons, education, and estates, and as such natural guardian are entitled to receive and collect the earnings of the children during their minority, and are held liable for their support to the extent of such earnings, without exempting the father from his liability for support of his children. In case of the death of either parent, the survivor, or when there shall be no lawful father, then the mother, if living, shall be such natural guardian and curator (sec. 375). If the husband has abandoned his family without good cause, and refuses or neglects to provide for them, the wife is entitled to the earnings of her minor children, having sole control over them, and they are not liable for the debts of the husband (secs. 3376, 3380).

25. Guardianship of Minor Children—Parents' Respective Rights.

See Number 24.

26. Appointment of Testamentary Guardian for Minor Children—Parents' Respective Rights.

The surviving parent is made the guardian and curator of the minor children, and has the custody and care of their persons, education, and estates (sec. 375).

27. Inheritance from an Intestate Child—Parents' Respective Rights.

When any person having title to any real estate of inheritance, or personal estate undisposed of, or otherwise limited by marriage settlement, dies intestate as to such estate, it descends and is distributed in parcenary to his kindred, male and female, subject to payment of his debts and the widow's dower, in the following

course: First, to his children, or their descendants, in equal parts; second, if there be no children, or their descendants, then to his father, mother, brother, and sister, and their descendants in equal parts (sec. 306).

28. Support of Children Born Out of Wedlock—Parents' Respective Responsibility.

There is no statutory provision for determining the paternity of such a child. Under the common law of Missouri the mother is under the primary duty to support it although the putative father is not. The legislature has not yet gone to the extent of requiring a father of an illegitimate child to support it, except where such a father has by law obtained the care and custody of the child.¹ See Number 24.

¹ *State v. Porterfield* (1927), 222 Mo. App. 553, 555, 556, 565; 292 S. W. 85.

29. Inheritance from Child Born Out of Wedlock—Mother's Right.

The mother inherits from her child born out of wedlock as if it were legitimate (sec. 314). This is true if this section of the statute remains law. See the historical note following the section in the Supplement.

B.—POLITICAL RIGHTS

30. Domicile of Married Women.

Although the rule of common law applies generally, that the domicile of the husband is that of the wife, it does not apply where the wife sues for divorce or separate maintenance, but her domicile is then established where she intends to reside permanently.^{1 2}

¹ *Wyrick v. Wyrick* (1912), 145 S. W. 144.

² *Walton v. Walton* (1928), 6 S. W. (2d) 1025.

31. Public Office—Eligibility of Women.

Women are eligible for election to legislative and executive offices (Const., art. VII, sec. 10).

32. Jury Service—Eligibility of Women.

No citizen can be disqualified from jury service because of sex, but the court is bound to excuse any woman who requests exemption before being sworn as a juror (Const., art. I, sec. 22).

[Constitution adopted Feb. 27, 1945. Text in 1945 Laws, pp. 1-60.]