

# TIMELINE OF WOMEN'S RIGHTS IN UTAH (1847-1896)

Compiled from Lisa Madsen Pearson and Carol Cornwall Madsen, "Innovation and Accommodation: The Legal Status of Women in Territorial Utah, 1850-1896," *Women in Utah History: Paradigm or Paradox?*, Edited by Patricia Lyn Scott and Linda Thatcher, Utah State University Press, 2005.

**1847.** Forty-one women, as heads of households, are awarded property in the first land allocation by the Utah Pioneers.

**1852.** The Utah Territorial Legislature enacts the following:

- A liberal divorce law in its first session. Only six other states and territories had a similar law.
- While fathers were typically considered the legal guardians of their children and won custody in divorce cases, early laws in the Territory allowed courts broad interpretation of the laws. Women could maintain custody of their children. Divorcing spouses could negotiate child custody agreements. Children 10 years of age and older could choose their "custodial parent."
- The Homestead Exemption law to award widows and her minor children property despite directions in the father/husband's will or liens from creditors.
- A statute "to allow women as well as men to act as their own legal counsel or to choose any person, male or female, of good moral character to represent them."

**1868.** Federal homesteading laws include Utah territory. Women continue to obtain land as heads of families.

**1870.** The Utah Territory passes the Woman Suffrage Bill and gives voting rights to "every woman of the age of twenty-one years who has resided in this Territory six months next preceding any general or special election, born or naturalized in the United States, or who is the wife, widow or the daughter of a native-born or naturalized citizen of the United States." Native women and many women of color are not considered citizens, and thus, are not included in this suffrage clause.

**1872.** The Utah legislature passes "An Act Concerning the Property Rights of Married Persons," a liberal law allowing women to maintain, control, sell, or gift their personal property and real estate even after marriage.

**1887.** The Edmunds-Tucker Act, anti-polygamy legislation, takes away all women's voting rights regardless of marital status. It also prevents children's inheritance if they were born "illegitimately" (to a plural wife) after passage of the Act. Only legitimate, or children born to a first wife, are able to inherit a father's property without a will.

**1888.** Amendments to the Homestead Exemption law grants "absolute ownership of all the homestead property" to the surviving widow without children; otherwise, half of the property went to the children/heirs.

**1896.** Utah becomes the third state to grant women's suffrage to female citizens (again, Native women and many women of color are not considered citizens and are not included). Utah becomes the first state to have a permanent statute that allows women to serve as jurors. However, Utah women can also claim exemption from doing so.