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1877

An act to legalize the proceedings of probate courts of certain counties heretofore had in divorce cases.

Colorado General Assembly

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922. SEC. 6. When a divorce shall be decreed, it shall Alimony and maintenance of wife; care and custody of children. and may be lawful for the court to make such order touching the alimony and maintenance of the wife, the care and custody of the children, or any of them, as from the circumstances of the parties and the nature of the case, shall be fit, reasonable and just; and in case the wife be complainant, to order the defendant to give reasonable security for such alimony and maintenance, or may enforce the payment of such alimony and maintenance, in any other manner consistent with the rules and practice of the court, and may also grant alimony *pendente lite*; and the court may on application from time to time, make such alteration in the allowance of alimony and maintenance as shall appear reasonable and proper.

923. SEC. 7. Any woman suing for a divorce, who shall make it appear to the court that she is poor and unable When woman to prosecute without costs. to pay the expenses of such suit, shall be allowed by the court to prosecute her suit without costs, and in such cases, no fees shall be charged by the officers of the court.

924. SEC. 8. The same rule of proceeding shall be Rules of proceeding same as in other chancery cases. had as in other cases in chancery, and upon the hearing, the court shall have the power to decree a dissolution of the bonds of matrimony, if the causes mentioned in this chapter are proven to exist.

AN ACT TO LEGALIZE THE PROCEEDINGS OF PROBATE COURTS OF CERTAIN COUNTIES HERETOFORE HAD IN DIVORCE CASES.

Be it enacted by the General Assembly of the State of Colorado:

THAT, WHEREAS, the probate courts of certain counties have heretofore exercised jurisdiction in divorce cases, and various parties have obtained decrees of said courts granting divorces, with the belief that the courts possessed jurisdiction in relation to said matters;

AND WHEREAS, doubts exist as to the validity of said proceedings, and as to the right of said courts to exercise jurisdiction in the said matters;

THEREFORE, be it enacted, as aforesaid:

925. SECTION 1. That all proceedings of any probate

Proceedings
heretofore had
in probate
courts, legalized.

courts, the jurisdiction of which is or may be questioned as aforesaid, heretofore had in any case so far as the same or any part thereof relate to the matters aforesaid, and to the jurisdiction of the courts therein, be and the same are in all respects legalized.

Approved, March 1, 1877.

CHAPTER XXX.

ELECTIONS.

AN ACT REGULATING ELECTIONS, AND REPEALING ALL TERRITORIAL ACTS UPON THE SUBJECT.

Be it enacted by the General Assembly of the State of Colorado:

QUALIFICATIONS OF ELECTORS.

Qualifications of
electors.

926. SECTION 1. Every male person over the age of twenty-one years, possessing the following qualifications, shall be entitled to vote at all elections:

First—He shall be a citizen of the United States, or not being a citizen of the United States, he shall have declared his intention, according to law, to become such citizen, not less than four months before he offers to vote.

Second—He shall have resided in the state six months immediately preceding the election at which he offers to vote, in the county thirty days, and in the ward or precinct ten days; *provided*, that no person shall be denied the right to vote at any school district election, nor to hold any school district office on account of sex.

Same.

927. SEC. 2. No person under guardianship, *non compos mentis*, or insane, shall be qualified to vote at any election, nor shall any person while confined in any public prison be entitled to vote, but every such person who was a qualified elector prior to such imprisonment, and who is released therefrom by pardon, or by having served out his full term of imprisonment, shall be invested with all the rights of citizenship, except as provided in the constitution.

Residence
gained or lost.

928. SEC. 3. For the purposes of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason