

HUSBAND AND WIFE

CHAPTER 171.

[H. B. No. 359—Leonard.]

RIGHTS AND LIABILITIES OF HUSBAND AND WIFE.

AN ACT to Amend Section 4414 of the Compiled Laws of 1913, Relating to Separate and Mutual Rights and Liabilities of the Husband and Wife.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 4414 of the Compiled Laws of 1913 be amended to read as follows:

§ 4414. SEPARATE AND MUTUAL RIGHTS AND LIABILITIES.] Neither the husband nor the wife, as such, is answerable for the acts of the other.

§ 2. The earnings of the wife are not liable for the debts of the husband, and the earnings and accumulations of the wife and of her minor children living with her, or in her custody, while she is living separate from her husband, are the separate property of the wife; *provided*, however, that husband and wife shall be jointly and severally liable for any debts contracted by either while living together, for necessary household supplies, of food, clothing and fuel and for shelter for themselves and family, and for the education of their minor children.

§ 3. The separate property of the husband is not liable for the debts of the wife contracted before the marriage.

§ 4. The separate property of the wife is not liable for the debts of her husband, but is liable for her own debts contracted before or after marriage.

§ 5. No estate is allowed the husband as tenant by courtesy upon the death of his wife, nor is any estate in dower allotted to the wife upon the death of her husband.

Approved, March 4, 1905.