



Hers, His, and Theirs: Community Property Law in Spain and Early Texas (American Liberty and Justice)

Jean A. Stuntz

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In the mid-1700s, in the tiny villa of San Fernando de Béxar, on the northern fringes of the Spanish Empire in North America, Hispanic women had legal rights that would have astonished their British counterparts half a continent to the east. Under Spanish law, even in the sparsely settled land that would one day become Texas, married women could own property in their own names. They could control and manage not only their own property but even that of their husbands. And if their property rights were infringed, they could seek redress in the courts. —from the introduction Through court cases and legal documents, *Hers, His, and Theirs* explores the evolution of Castilian law during the Spanish Reconquest and how those laws came to the New World and Texas. Looking carefully at why the Spanish legal system developed so differently from any other European system and why it survived in Texas even after settlement by Anglos in the 1830s, Jean A. Stuntz discusses what this system of community property offered that English common law did not, and why this aspect of married women's property rights has not been well studied.

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