



# Reference Guide to Texas Law and Legal History

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# Reference Guide To Texas Law And Legal History

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and the rights and duties of partners outside of marriage Elvia R Arriola Visiting Professor of Law De Paul University When he settled in Mexican Texas in 1832 and began courting Anna Raguet Sam Houston had been separated from his Tennessee wife Eliza Allen for three years while having already married and divorced his Cherokee wife Tiana and at least two other Indian wives during the interval Houston's political enemies derided these marital irregularities but in fact Houston's legal and extralegal marriages hardly set him apart from many other Texas men at a time when illicit and unstable unions were common in the yet to be formed Lone Star State In this book Mark Carroll draws on legal and social history to trace the evolution of sexual family and racial caste relations in the most turbulent polity on the southern frontier during the antebellum period 1823 1860 He finds that the marriages of settlers in Texas were typically born of economic necessity and that with few white women available Anglo men frequently partnered with Native American Tejano and black women While identifying a multicultural array of gender roles that combined with law and frontier disorder to destabilize the marriages of homesteaders he also reveals how harsh living conditions land policies and property rules prompted settling spouses to cooperate for survival and mutual economic gain Of equal importance he reveals how evolving Texas law reinforced the substantial autonomy of Anglowomen and provided them material rewards even as it ensured that cross racial sexual relationships and their reproductive consequences comported with slavery and a regime that dispossessed and subordinated free blacks Native Americans and Tejanos

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