

The children must either accept or renounce the continued community as a whole; they cannot even accept it as it stood on the day of the subsequent marriage, and renounce it as it was afterwards, because it is regarded as but one partnership.

The effect of the renunciation, by the children, of the continuation, is to give them an action against the survivor to render them an account of the first community; but they cannot lay claim to any part in the property acquired by the survivor after the death of the deceased; they are not, on the other hand, responsible for debts contracted by the survivor since that time.

When the children accept the continued community, they must, when it is divided, return to the mass of the partnership, all the property which they have received from it. The monies paid them are compensated by the amount due to them as far as their share goes.

The survivor must account to the children for any *propres* belonging to the deceased or to the children which may have been sold during the continuation, as well as any moveables belonging to the children which the survivor may have alienated.

The division is made with the same formalities as on the dissolution of the community.

When some of the children accept, and others renounce, the continuation of the community, the share of those who renounce does not accrue to the others. So that, when there are three children, of whom one renounces and two accept, as the survivor had three-sixths in the community, against each of them one-sixth, the part of the survivor in the partnership which exists between him and the two children accepting, must be as three is to two; he must then have three-fifths, and the two who accept, each one-fifth.

The amount due to the child who so renounces, for his portion of the property of the deceased conjunct, is a debt of the continued community, to the payment of which, the survivor and those who accept, contribute each according to the amount of their interest.

The debts due by the *tri-partite* community are payable by the three parties composing it; but the second wife cannot be held