

the wife and children are included in the stipulation but not the collateral heirs.

The wife who has abandoned her husband, or has been convicted of adultery has no share in the community.

The courts have a right to declare that a married woman has forfeited her matrimonial rights, in an action of *separation de corps et de biens*, by reason of the adultery of the wife. (1)

Upon the dissolution of the community, by the death of one of the conjuncts, the property belonging to it is equally divided between the survivor of the one part, and the representatives of the deceased of the other part. The debts due by the conjuncts during their marriage must be paid out of the funds of the community. The funeral expenses of the deceased are paid by his representatives. The wife is seized *ipso jure* of one-half the debts due to the community; and she may therefore demand one-half of each of them. She also becomes the debtor of one-half the amount due by the community; but, as we have seen, she may avoid the obligation of paying these debts by renouncing, and even if she accept it, she is only held for one-half of the debts to the extent of her half-share of the community. It must, however, be observed, that she cannot exercise this privilege of renunciation, or of limited liability, unless she have made a good and faithful Inventory of the property of the community.

The creditor who has a mortgage upon any part of the *conquêts* which has devolved to the wife, has his recourse against her individually as the holder of the property hypothecated; but in such a case, the wife who has paid the debt, has her recourse against the representatives of the husband for the one-half.

The wife may at any time renounce the community, as long as she has not acted as *commune*, but until she renounces she may be sued by the creditors of the community for the debts due by it. The law gives her delay, namely, three months to make an inventory and forty days to deliberate, which forty days however begin to run from the completion of the inventory, if it be completed

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(1) 3 L. C. R., p. 418.