

does so in the quality not only of usufructuary, but of administrator, the wife is obliged to maintain such lease after the dissolution of the marriage, provided it be made in good faith, and for no more than nine years. (1)

The husband is bound to watch over the interests of his wife, interrupt the course of prescription against her, cause declarations *en hypothèque* to be made, have the donations made to the wife duly enregistered, have the necessary repairs made to her propres, in short, manage the property carefully and in good faith, and with the same zeal and attention as a good father, (*en bon pere de famille*,) would manage property which he intended to transmit in the best condition to his children. It results from these duties that the husband is liable for any losses or disadvantage that may have been occasioned through any neglect of them.

Separation as to property can be obtained by the wife, if it appear that her property is in course of dissipation by the misconduct, injudiciousness, or even misfortune of the husband.

Separation as to body and habitation is obtained on the ground of the cruel treatment of one of the conjuncts by the other; slight altercations between the parties are not sufficient to found a demand.

The wife demanding a separation either of property or person, must obtain the authority of the Judge to sue her husband. In the latter case the Judge will assign her a residence apart from her husband, (usually with some old and discreet person) during the pendency of the suit; and if she have not a sufficient income, a certain sum will be allowed her by the Judge proportioned to the means of her husband.

Neither the separation as to property, nor the separation as to habitation, wholly take the wife out of the power of the husband, nor give her the right to alienate or encumber her immoveables without his express authorization, unless it be for debts within the bounds of a simple administration, because the wife separated may, without the authority of her husband, perform all acts of administration concerning her property, enjoy her propres, and collect the revenues of them. (2)

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(1) C. P. Art. 227. (2) De La James, 68.