

If community exist, the husband is personally bound for the payment of the personal debts incurred by his wife as well before as during their marriage; and can be sued for the same during their marriage; and the wife is likewise bound, after the death of her husband, to pay half of the personal debts created by him as well during his marriage as previous thereto, and this to the extent of the benefit she derives from the community; (1) unless there be a marriage contract containing certain precautionary covenants of which we are about to speak.

This precaution consists in the stipulation that the conjuncts shall pay their separate debts contracted before the marriage. It is necessary that an Inventory (2) of the property of the wife be made at the same time, otherwise this stipulation will not protect either conjunct against the creditor of the other. If such Inventory be made, and the husband be sued for debts contracted by the wife before marriage, in that case, if the debts of the wife exceed the value of the moveables which she brought into the community, the husband is discharged by producing the Inventory, and abandoning the property of the wife to her creditors, to be by them sold, and the proceeds distributed among them. If the moveables have been sold or have ceased to exist, the husband is bound to pay their value, and if they be not sufficient to pay the wife's debts, her creditors have their recourse against her immoveable property. If the value of the inventorized property have been estimated at the making of the inventory, the husband must pay the value therein mentioned. The creditors of the wife, who became such previous to the marriage, having no just claim upon the husband, can, in such a case, seize only the inventorized property of the wife, as she has but a contingent right in the community, and her claims cannot be established but at its dissolution.

The Inventory must be made in good faith; and the estimate of the value of the property of the wife must not be under its real worth. If the Inventory be fraudulent, it will be considered as invalid and inefficient.

A devise by the husband of the share of the *communauté* belonging to his wife, under a condition to pay her a life-rent, is

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(1) C. P. Art. 221 and 228. (2) C. P. Art. 222.