

into the community: those which are acquired in any other manner do. Such are the enactments by the *coutume de Paris*, in cases where contracts of marriage do not covenant otherwise; but, parties about to be married are not obliged to adhere to these enactments, but may make such dispositions, in that respect, as they may think fit; for marriage is highly favored by the laws, and a marriage contract is, even in a greater degree, than other contracts, susceptible of every covenant which is not contrary to law and morality. "Les contrats de mariage sont, susceptibles de toutes les clauses et conventions qui ne sont contraires ni a la loi ni aux bonnes mœurs." Although by the *coutume* all moveables belonging to the conjuncts at the time of their marriage, fall into the community, they may nevertheless stipulate by their contract of marriage, that a part of the moveable effects which do belong to them shall be *propre* (*propres immeubles*) to them, that is, shall not fall into the community, so that at its dissolution the property shall not be divided between the deceased conjunct and the representative of the other, but shall belong to the conjunct whose property it was at the time of the marriage, or the heirs of such conjunct. It may be stipulated that no community shall exist or that either party may have a limited right in the community. And it may, on the other hand, be stipulated that the immoveables belonging to either of the conjuncts shall be considered as moveables and this is called *ameublisement* or mobilizing. The effect of such a clause is that any immoveable so mobilized forms part of the community; and that the husband can dispose of such immoveables in the same manner as the actual moveables of the community.

The donation by an *ascendant* of one of the conjuncts, to such conjunct, in a marriage contract, of an immoveable, destined to enter into the community, is an *ameublisement* within the meaning of the law, such *ameublisement* has no effect except as regards the community, and between the conjuncts themselves. The immoveable preserves its quality of *propre* up to the time of *partage*, (or division of property on the dissolution of the *communauté*.) One of the conjuncts being dead, and the child born of the marriage afterwards dying without issue and before *partage*, the *ameublis-*