

to pay more than she has benefitted by the community, the surplus must be paid by the husband and the children of the first marriage. If the wife be the surviving party, and be in continued community with her children and her husband, the wife and children are not bound to pay more than they benefit by the community, the husband, as head of the community, is bound for the surplus.

As regards the creditors, however, the parties composing the *tri-partite* community are responsible each for a third of the debts; except the holder of a property hypothecated by the head of community, for the holder is hypothecarily bound for the whole.