

WILLS AND EXECUTION OF WILLS.

ART. 292.—All persons of sound mind, of age, and enjoying their rights, can dispose by testament and ordinance of last will to the advantage of persons capable of receiving, of all their goods moveables *acquêts* and *conquêts* immoveable and of the fifth part of all their *propres* estates and not more even if it was for a charitable use. (See the following Art. and Arts. 272, 294 (1))

ART. 293.—To bequeath moveables, *acquêts* and *conquêts* immoveables, twenty years of age is requisite, and to devise the fifth of the *propres* twenty-five years completed (now twenty one.)

ART. 294.—But if the Testator has neither moveables, *acquêts* or *conquêts* immoveable can in that case devise the fifth of his *propres*, after twenty years completed. (See the preceding and following Articles.)

* ART. 295.—If the heir is content with taking the four-fifths of the *propres*, and leaves the moveables *acquêts* and *conquêts* immoveables with a fifth of the said *propres* to all the legatees, he can do so and in so doing he will remain possessed of the said four-fifths, and the legatees will take the surplus, the debts being always first paid, on all the property of the inheritance. (See Art. 298.)

ART. 296.—The husband by his will or ordinance of last will, cannot dispose of moveable property and *conquêts* immoveable common between him and his wife, to the prejudice of his said wife, nor the half of what may belong to her in the same by the death of her husband. (See Arts. 225, 282 and 286.)

ART. 297.—The testamentary executors are seized during the year and day from the death of the deceased, of the moveable property belonging to the deceased for the accomplishment of his will, if the Testator has not ordered that his executors shall be seized of certain sums only, and the said executor is bound to make an inventory in diligence as soon as the will has come into his hands, the apparent heir present or duly called. (See Arts. 228, 237, 240, 269, and 318.)

ART. 298.—The legitime is the half of such part and portion that each child would have had in the succession of his father and mother, grand father or grand mother, or other ancestors, if the said father and mother or other ancestors had not disposed thereof, by donation *entre vifs* or last will, deducting the debts and funeral expenses. (See Arts. 17, 295 and 307.)

(1) By the Act Geo. III cap. 83, every proprietor of immoveable property who has the right to dispose of the same during his life, may at his death dispose by will of the same, either *in toto* or in part, in favour of whom he pleases.