

WILLS AND EXECUTION OF WILLS.

penies and half of the debts, must be deducted from the half and portion of the first deceased. But he is not bound to pay the legacies and other testamentary dispositions. (See Arts. 267, 295, and 296.)

ART. 287.—And also he who would enjoy the mutual gift is bound to make all necessary repairs to be made on the estates, subject to the said mutual gift, and pay the *cens* and annual charges, and the arrears as well of rents *foncières*, as other rents constituted during the community, due since the enjoyment of the said mutual gift, without hopes of recovery. (See Arts. 262, and 267.)

ART. 288.—The heir can demand of the donee that a new price be set upon the moveables by persons whom they agree upon, and to have the said moveables prized at a just estimation, different from that of the inventory, and in so doing, the said mutual donee will have the enjoyment of the said moveables, without being obliged to sell them. (See Arts. 58, 222, and 305.)

TITLE XIV.—SUMMARY.

Art. 289, Of the form and division of wills. 290, Not followed. 291, Of the registers. 292, In whose favor and what property. 293, Of the age required. 294, Exception. 295, Propres. 296, The husband can only devise the half of the conquests. 297, Of testamentary executors. 298, Of the legitime of children.

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ART. 289.—In order to make a solemn will, it is necessary that it be written and signed by the testator, or that it be passed before two Notaries, or before the Curate of the Parish of the testator or his Vicar General, and one Notary or by the said Curate or Vicar and three witnesses, or one Notary and two witnesses, being males, aged twenty years, and not legatees, and that it has been dictated and named by the testator to the said Notaries, Curate or Vicar General, it must afterwards be read to him in the presence of the said Notaries, Curate or Vicar General and witnesses, and that it be mentioned in the said will that it has been dictated and read, and that it be signed by the said testator and by the witnesses, or that mention be made why they could not sign. (See Arts. 63, and 293.)

ART. 290.—(Not followed.)

ART. 291.—And also the said Curates and Vicars General are bound to carry and cause to be carried every three months to the Register's office, as before mentioned, the registers of baptisms, marriages, wills and burials, on pain of all costs, damages and interests, and for this they do not pay anything at the Register's office. (1)

(1) Notified by 35 Geo. III., chap. 4: and by Prov. Stat. 9 and 10 Geo. IV., Ministers of all denomination of Christians and Jews are allowed to keep registers. A duplicate of the said Registers is to be fyled once a year in the Court of Queen's Bench.