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The conception of a will cannot be considered by itself but it is a member of a series of conceptions which we have to treat first.

Universitas Juris is a collection of rights, of duties united by the single circumstance of their having once belonged to some one person. Universal Succession is a succession to a universitas juris. The dissolution must take place, uno ictu Inheritance was a universal inheritance occurring at death.

The primitive family was considered as a corporation. The persons who succeeded did not simply represent the deceased but they continued his civil life, his legal existence.

The original will indicates what passed from the Testator to the Heir was his family i.e. the aggregate of its rights and duties contained in the Patria potestas. They came to be connected with the sacra or family right e.g. Hindoos.

The only form of a will not belonging to a Roman or Hellenic society which can be supposed to be indigenous is that in Bengal, but it is only rudimentary. The evidence is that testaments are at first only allowed to take effect on failure of the persons entitled to have the inheritance.

Comitia Calata was where the Patrician Wills were heard. This assembly was composed of the heads of the Gentiles and protected their right so when the testator has no gentiles discoverable or when they waived their claims he could have a will. This form soon leaped into absolute

The Plebeian will was a conveyance, a complete and irrevocable alienation family and substance of the Testator.

This was by Mancipation-5 witnesses, *libripens* and the familiae emptor. This will was not secret and had to take place at once.

Praetorian Will, symblematic ceremonies were absent, probably a written instrument. This does not pass inheritance only *bonorum possessionis* Age of Gaius,

Some unconcerned person acted as familiae emptor secrecy. Consisted now of two parts conveyance & publication- revocable.

Chap. VII. ANCIENT AND MODERN IDEAS RESPECTING WILLS & SUCCESSIONS.

Disinheritance of Children. The Law of the XII Tables permitted execution of wills.

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