

1454. The dowager, as long as she remains a widow, enjoys the dower, whether customary or conventional, upon giving the security of her oath to restore it, but if she remarry she is bound to give the same security as any other usufructuary. C.C. 464.

1443. Neither the alienation by the husband of immoveables subject to or charged with dower, or the charges or hypothecs which he may have imposed upon them, either with or without the consent of his wife, affect in any manner the rights of the latter or of the children unless she has expressly renounced in conformity with the following article:

1444. The wife who is of age may, however, renounce her right of dower whether customary or conventional upon such immoveables as her husband sells, alienates or hypothecates.

The renunciation may be made either in the act by which her husband sells, alienates or hypothecates the immoveable or by a separate and subsequent act.

1439. Children do not come into possession of dower until after the death of the mother.

1468. In order to be entitled to dower, the child is bound to return into the succession of his father all such benefits as he has received from him in marriage or otherwise, or to take less in the dower.

1467. A child cannot accept dower and also be an heir to his father.

Continuation of Community.

1323. After the dissolution of the community (of property) by death, and in the absence of any will to the contrary, the surviving consort has the enjoyment of the property of the community coming to the children from the deceased husband, such usufruct lasts as to each child until he is of the age of eighteen or emancipated.

2116. The right to legal customary dower cannot be preserved otherwise than by the registration of the marriage certificate with a description of the immoveables then subject to dower.

As regards to immoveables which may subsequently fall to the husband and become subject to customary dower, the right to dower upon such immoveables does not take effect until a declaration for that purpose has been registered setting forth the date of the marriage, the names of the consorts and the description of the immoveable, its liability for dower and how it has become subject to it.

1448. If the dower which is not yet opened be the conventional dower, whether it consists in an immoveable or in an hypothecary claim it is subject to the effect of the registry laws.

NOTE—A woman marrying a widower with children by a former wife should see that an inventory of her husband's free property is made and registered.