

donee is bound to restore only the estimation of the said estates, having regard to the time that the division and partition is made between them, the expenses being deducted. (Art. 306.)

ART. 306.—Also what has been given to the children of those who are heirs, and succeed to their father and mother or other ascendants, is subject to be returned, or take less as above stated.

ART. 307.—Notwithstanding where he to whom one has given, would wish to keep his gift, he can do it on his giving up the inheritance, the legitime reserved to the others. (Arts 298 and 316.)

ART. 308.—The child having survived his father and mother, and coming to the succession of his grandfather and grandmother, even if he renounces to the succession of his said father and mother, is nevertheless bound to make restitution to his said grandfather and grandmother, of all which has been given to his said father or mother by the said grandfather or grandmother, or take less. (See Art. 306.)

ART. 309.—The fruits of the thing given by father and mother, grandfather and grandmother, either estates or rents are not to be returned only from the day the succession occurred. And if there is money given the profits are to be restored for the said time at the rate of 5 per cent. (See Art. 305.)

ART. 310.—The right and portion of the child who abstains and renounces to the succession of his father or mother, accrues to the other children, being heirs without any prerogative of seniority for the portion which accrues to them. (See Arts. 27 and 50.)

ART. 311.—Father and mother succeed to their children, born in lawful marriage, if they die without heirs of their body, to the moveables, *acquêts et conquêts* immoveables. And in default of them the grandfather and grandmother, and other ascendants. (See Arts. 313, 214 and 315.)

ART. 312.—In succession in the direct line the estate *propre* does not ascend; and the father and mother, grandfather or grandmother, do not succeed. (See the three following Articles.)

ART. 313.—But they succeed to things given by them to their children, dying without children descending from them. (See Arts. 230 and 315.)

ART. 314.—The father and mother enjoy by usufruct the property left by their children, which had been acquired by the said father and mother, and by the decease of one of them having come to one of their children, even if it was made *propre* to the said children, provided always that the said children die without any children or descendants; and after the decease of the said father and mother, who have enjoyed the said property by usufruct, the said property returns to the nearest relations of the said children from whom the said property proceeds. (See Arts. 230 and 263.)

ART. 315.—If the son purchases estates or other immoveable property, and dies leaving to his child the said estates—and that the said child dies afterwards without children or descendants from him, and without brothers and sisters—the grandfather and grandmother succeed to the said estates in full enjoyment, and exclude all others in the collateral line. (See Arts. 230 and 211.)