

same case, he leaves no ascendants, then one half falls to the nearest collateral in the paternal line, and the other to the nearest in the maternal line. Beside the above changes a few others also relate to the matter of successions. Thus, article 649 provides that where heirs do not agree as to whether a succession shall be accepted or renounced, it is held to be accepted under benefit of inventory. Article 683 declares that, in the collateral line, the beneficiary heir is not excluded by one who accepts unconditionally. This is contrary to the old rule, but it is similar to that which governs successions in the direct line. It is not only more equitable, but has the advantage of establishing a uniformity in respect of both lines. Article 712 applies to all heirs, in whatever line of succession, the rule which formerly governed only heirs in the direct line, or those in the collateral line who were also legatees; so that in all cases the heir must return into the mass of the succession all gifts or legacies made in his favor. This obligation, however, is not binding when the gift or the legacy contains an express exemption from it. Article 714 extends the provisions of article 712 to donees who at the time of the gift were not heirs, but who, at the time when the succession devolves, are entitled to succeed. Article 728, for the sake of uniformity and convenience, renders general the rule which was formerly exceptional, by declaring that, in all cases, the return of immovables by the heir who is also a donee or a legatee may, at his option, be made either in kind or by taking less at a valuation.

In the title *Of Gifts inter vivos and by will*, article 833, for the sake of simplicity and uniformity, abolishes the privilege which minors over twenty years of age had, under the old law, of bequeathing certain portions of their property. When the age of majority was twenty-five years, minors between that age and twenty formed a considerable class, in favor of whom exceptional provisions might justly be made, but when the age of majority was fixed at twenty-one years, no sufficient reason remained for preserving an exceptional rule in favor of minors during only one year of their minority. Article 848, in view of the facility with which notaries may now be procured, enacts that, except in the district of Gaspe, where it may still be difficult in many instances to obtain their services, ministers of religion can no longer act as notaries and can only serve as ordinary witnesses.