

An Act to authorize *les partages et licitations* of the property of minors, and of substituted property, in certain cases.

**WHEREAS** it is expedient to amend the laws relating to the partition of the property of minors and interdicted persons, and also of substituted property in certain cases; Therefore Her Majesty, &c., enacts as follows: Preamble.

5 I. The action *en partage*, in respect of co-heirs, minors, or interdicted persons, may be instituted by their tutors or curators specially authorized by the advice of a meeting of relations duly homologated. The Judge or officer of Justice shall set forth in the Act of homologation the reasons which induced him to authorize such proceeding on the part of the tutor or curator. Action of partition may be instituted by tutors, &c., in certain cases.

10 II. When the husband has the right of enjoyment of the property of his wife, she being a minor emancipated by marriage, he may, in conjunction with her, assisted by her curator, demand a final partition as against the co-heirs with his wife, both of immoveables and moveables. As to husband enjoying the property of his wife.

20 III. When a co-heir, being of age, makes a *demande en justice*, or by notarial act, for a partition either upon the tutor or curator of a minor or interdicted person, such tutor or curator being authorized by the advice of a meeting of relations duly homologated, may appear to the action and defend the same, or may proceed to an amicable partition with or without *tirage au sort*, after a valuation of the property subject thereto shall have been first made by *experts* appointed *ex officio* by the officer of justice homologating the advice of the meeting of relations. Tutor, &c., may be a party to the action of partition, in certain cases.

25 IV. *Co-grevés de substitution* in favor of their respective children or other nearest heirs may, with the consent of the tutor to the substitution authorized by the advice of a meeting of relations, proceed to final partition of the substituted property: and those called to the substitution in each branch shall only be entitled to have and receive the property falling to the lot of their respective lines, saving their recourse by the ordinary action of *lesion en partage*, if there be ground therefor. Co-grevés may, in certain cases, divide the property entailed.

30 V. A *co-grevé de substitution* shall have a right of action for final partition against his *co-grevés* and the tutor to the substitution; and any judgment condemning the latter shall be equivalent to the authorization of the meeting of relations. A Co-grevé may demand final partition, &c.