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THE FUNDAMENTALS OF LOUISIANA SUCCESSION LAW*

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PART I. THE INTESTATE SUCCESSION

1. Introduction.

Book III of the Louisiana Civil Code deals with the different modes of acquiring the ownership of things. The first title of this book is devoted to the subject of successions. The law of successions is an important and fundamental concept in the law of prop-By means of its principles, property of much value and importance is transmitted. Consequently, a thorough understanding of the basic rules of succession law is necessary for a number of reasons. First, the lawyer who is engaged in the examination of titles must be able to ascertain the validity of the proceedings from which a link in the chain of title was derived. Second, the lawyer who is handling a succession must know how to proceed in order to obtain a distribution of the property in the most expedient manner. Third, the lawyer must know how to actually divide the property among the various heirs. For these and other reasons, a simple and concise exposition of the law of successions may prove helpful to both lawyer and student.

2. Basic Definitions

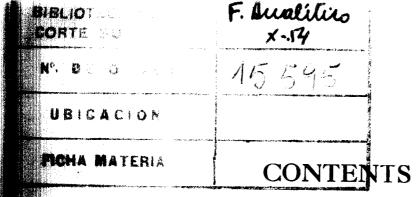
The term "succession" may be used in Louisiana in three different senses. First, it may mean the transmission of the rights and obligations of the deceased to the heirs. Second, it may signify the estate itself, that is to say, the rights and things which form the corpus of the estate.2 Finally, it may mean the right which the heirs have to take possession of the estate.3

^{*}This article will appear in three parts. Part I deals with the intestate succession, Part II with the testate succession, and Part III with the administration of the succession.

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²Arts. 872, 873, La. Civil Code of 1870.

³Art. 874, La. Civil Code of 1870.





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