Testate Succession General Rules

**Definitional of Property on death**
- Property may be disposed of under provisions of a will or codicil.
- A will or codicil may be created before or after death.
- Property may also be disposed of by an inter vivos trust, a donatio mortis causa trust, or other testamentary disposition.

**Matters which may be regulated by Will**
- Matters which may be regulated by Will:
  - Disposition of property
  - Disposition of rights in property
  - Release from debt
  - Appointment of executors, trustees and administrators
  - Appointment of guardians
  - Appointment of persons to be vested with the custody of a minor's children

**Joint or Mutual Wills**
- Two or more people may execute their Wills in one document.
- Joint Wills are prima facie, construed as separate Wills of the parties.

**The importance of the date of execution and the date of death**
- The Will can only speak from the date of death, and any will or testamentary disposition after death is invalid.
- Any act done under the Will must have been done at or before the date of the Will.

**The revocable nature of a Will and Pacts Succession**
- A Will may be revoked at any time before death.
- Pacts Succession contracts where the pactum relates to rights of succession to one or both of the contracting parties is invalid.

**Definition and nature of a will and codicil**
- A Will is defined as a declaration in a document executed in the manner required by law by the person making the Will, the testator, in regards to the devolution of the testator's property after the testator's death.
- A Codicil is defined as a testamentary document executed in the manner required by law, which constitutes an addendum or supplement to a Will previously made, for the purpose of adding to or varying the provisions of that Will.

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