

# Title I. Of Things (Art. 448 - 487)

Louisiana

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BOOK II  
Of Things, and of the Different Modifications  
of Ownership

TITLE I — OF THINGS

Chapter I—OF THE DIVISION OF THINGS

Section I—GENERAL PRINCIPLES

**ART. 448.** The word *estate* in general is applicable to any thing of which riches or fortune\* may consist. This word is likewise relative to the word *things*, which is the second object of jurisprudence, the rules of which are applicable to persons, things and actions.

RCC—472, 541, 872.

**RCC 1870, Art. 448.** (Same as Art. 448 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 439.** (No reference in Projet)

The word *estate* in general is applicable to any thing of which riches or fortune\* may consist. This word is likewise relative to the word *thing*, which is the second object of jurisprudence, the rules of which are applicable to persons, things and actions.

Le mot *bien* se dit en général de tout ce qui peut composer les richesses et la fortune des citoyens\*; ce terme est également relatif au mot *chose*, qui est le second objet du droit, dont les règles doivent s'appliquer aux personnes, aux choses et aux actions.

**CC 1808, p. 94, Art. 1.**

The word *estate* in general, is applicable to any thing in which the riches or fortunes of citizens may consist. This word is likewise relative to the word *thing* which is the second object of jurisprudence whose rules are applicable to persons, things and actions.

**-p. 95, Art. 1.**

Same as above; but no punctuation after "chose", or after "droit."

**CN 1804.** No corresponding article.

\*English translation of French text incomplete; should include "of citizens."

**ART. 449.** Things are either common or public. Things susceptible of ownership belong to corporations, or they are the property of individuals.

RCC—450, 453 *et seq.*, 456, 459 *et seq.*, 481 *et seq.*

**RCC 1870, Art. 449.** (Same as Art. 449 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 440.** (No reference in Projet)

Things are either common or public; they either belong to corporations, or they are the property of individuals.

Les choses sont communes ou publiques; ou elles appartiennent à des corps, ou elles sont dans le domaine de chaque particulier.

**CC 1808, p. 94, Art. 2.**

Things are either common or public, they either belong to corporations, or they are the property of each individual.

**-p. 95, Art. 2.**

Same as above.

**CN 1804.** No corresponding article.

**Projet du Gouvernement (1800), Book II, Title I, Art. 2.**

They belong:  
Either to the nation as a body,  
Or to public institutions,  
Or to communes,  
Or to individuals.

Ils appartiennent  
Ou à la nation en corps,  
Ou à des établissements publics,  
Ou à des communes,  
Ou aux particuliers.

**ART. 450.** Things, which are common, are those the ownership of which belongs to nobody in particular, and which all men may freely use, conformably with the use for which nature has intended them; such as air, running water, the sea and its shores.

RCC—449, 451 *et seq.*, 482, 486.

**RCC 1870, Art. 450.** (Same as Art. 450 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 441.** (Projet, p. 35. Amendment amended and adopted; comment by redactors)

Things, which are common, are those of which the property belongs to nobody in particular, and which all men may freely use, conformably to the use for which nature has intended them, such as air, running water, the sea and its shores.

Les choses communes sont celles dont la propriété n'appartient à personne en particulier, et dont tous les hommes peuvent se servir librement, conformément à l'usage pour lequel la nature les a destinés [destinées]; tels [telles] sont l'air, l'eau courante, la mer et ses rivages.

**CC 1808, p. 94, Art. 3.**

Things which are common are those whose property belongs to nobody, and which all men may freely use, conformably to the use for which nature has intended them, such are air, running water, the sea and its shores.

**-p. 95, Art. 3.**

Les choses communes sont celles dont la propriété n'appartient à personne, et dont tous les hommes peuvent se servir librement, conformément à l'usage pour lequel la nature les a destinées; telles sont l'air, l'eau courante, la mer et ses rivages.

**CN 1804, Art. 538.**

Quoted under RCC 1870, Art. 453, below.

**ART. 451.** Sea shore is that space of land, over which the waters of the sea spread in the highest water, during the winter season.

RCC—450, 452, 455, 457.

**RCC 1870, Art. 451.**

Same as above.

**CC 1825, Art. 442.** (No reference in Projet)

Sea shore is that space of land, over which the waters of the sea are spread in the highest water, during the winter season.

On entend par rivage de la mer, l'espace de terre sur lequel s'étendent les flots de la mer, dans la plus grande élévation que les eaux ont en temps d'hiver.

**CC 1808, p. 94, Art. 4.**

By sea shore, we understand the space of land upon which the waters of the sea, are spread in the highest water, during the winter season.

**-p. 95, Art. 4.**

On entend par rivage de la mer, l'espace de terre sur lequel s'étendent les flots de la mer dans la plus grande élévation que ses eaux ont en tems d'hiver.

**CN 1804.** No corresponding article.

**ART. 452.** From the public use of the sea shores, it follows that every one has a right to build cabins thereon for shelter, and likewise to land there, either to fish or shelter himself from the storm, to moor ships, to dry nets, and the like, provided no damage arise from the same to the buildings and erections made by the owners of the adjoining property; provided however, that where a sea shore is within the limits of an incorporated city or town, such sea shore shall be subject to the police power of such city or town as set forth in its charter,

and no cabins or other structures shall be built on such sea shore or in the waters adjacent thereto except upon such conditions as the city or town may prescribe. (As amended by Act 1914, No. 173)

RCC—450, 451, 861.

**RCC 1870, Art. 452.** (Same as Art. 452 of Proposed Revision of 1869)

From the public use of the sea shores, it follows that every one has a right to build cabins thereon for shelter, and likewise to land there, either to fish or shelter himself from the storm, to moor ships, to dry nets, and the like, provided no damage arise from the same to the buildings and erections made by the owners of the adjoining property.

**CC 1825, Art. 443.** (No reference in Projet)

From the public use of the sea shores it follows that every one has a right to build cabins thereon for shelter, and likewise to land there, either to fish or to shelter themselves from the storm, to moor ships, to dry nets, and the like, provided no damage arise from the same to the buildings and erections made by the owners of the adjoining property.

Il résulte de l'usage public des rivages de la mer, qu'il est permis à chacun d'y bâtir un cabane pour s'y retirer, comme aussi d'y aborder, soit pour y pêcher, soit pour s'y retirer à l'abri de la tempête; d'y attacher ses vaisseaux, d'y faire sécher ses filets, et d'y faire toutes autres choses semblables, pourvu qu'on ne cause aucun dommage aux édifices ou monuments que les riverains y ont fait construire.

**CC 1808, p. 94, Art. 5.**

From the public use of the sea shores, it follows that every one has a right to build there a cabin, to retire to, and likewise to land there, either to fish or to shelter themselves from the storm, to moor ships, to dry nets, and the like, *provided*, no damage arise from the same to the buildings or monuments erected by the owners of the adjoining property.

**-p. 95, Art. 5.**

Il résulte de l'usage public des rivages de la mer, qu'il est permis à chacun, d'y bâtir une cabane pour s'y retirer, comme aussi d'y aborder, soit pour y pêcher, soit pour s'y retirer à l'abri de la tempête; d'y attacher ses vaisseaux, et d'y faire sécher ses filets et autres usages semblables, *pourvu* qu'on ne cause dommage aux édifices ou monuments que les riverains y ont fait construire.

**CN 1804.** No corresponding article.

**ART. 453.** Public things are those, the property of which is vested in a whole nation, and the use of which is allowed to all the members of the nation: of this kind are navigable rivers, seaports, roadsteads and harbors, highways and the beds of rivers, as long as the same are covered with water.

Hence it follows that every man has a right freely to fish in the rivers, ports, roadsteads, and harbors.

RCC—449, 454, 455, 457 *et seq.*, 486, 509, 510, 512, 658, 661, 861.

**RCC 1870, Art. 453.** (Same as Art. 453 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 444.** (No reference in Projet)

Public things are those, the property of which is vested in a whole nation and the use of which is allowed to all the members of the nation: of this kind are navigable rivers, sea ports, roads, harbours, high ways and the bed of rivers, as long as the same is covered with water.

Hence it follows that every man has a right freely to fish in the rivers, ports, roads and harbours.

Les choses publiques sont celles dont la propriété appartient à un peuple, et dont l'usage est permis à tous les membres de la nation. De ce genre sont les rivières navigables, les ports, rades et havres, les grands chemins, et le lit des rivières aussi longtemps qu'il est couvert par les eaux.

De là il suit qu'il est permis à chacun de pêcher librement dans les rivières, ports, rades et havres.

**CC 1808, p. 94, Art. 6.**

Public things are those the property of which belongs to a whole nation, and the use of which is allowed to all the members of the nation: Of this kind, are navigable rivers, sea ports, roads, harbours, high ways, and the bed of rivers as long as the same is covered with water.

Par. 2 same as par. 2, above; but comma (,) after "roads."

**CN 1804, Art. 538.**

Highways, roads, and streets maintained by the nation, navigable or floatable rivers and streams, the shores, accretions and derelictions of the sea, sea ports, harbors, roadsteads, and in general all portions of the national territory which are not susceptible of private ownership, are considered as pertaining to the public domain.

**-p. 95, Art. 6.**

Same as above; but no punctuation after "people", or after "chemins."

Les chemins, routes et rues à la charge de la nation, les fleuves et rivières navigables ou flottables, les rivages, lais et relais de la mer, les ports, les havres, les rades, et généralement toutes les portions du territoire national qui ne sont pas susceptibles d'une propriété privée, sont considérés comme des dépendances du domaine public.

**ART. 454.** Things which are for the common use of a city or other place, as streets and public squares, are likewise public things.

RCC—453, 455, 458, 486, 664, 765, 861.

**RCC 1870, Art. 454.**

Same as above.

**CC 1825, Art. 445.**

(Projet, p. 35. Amendment adopted; comment by redactors)

Same as above.

Les choses qui sont à l'usage commun d'une ville ou d'un autre lieu, comme sont les rues et les places publiques, sont aussi des choses publiques.

**CC 1808, p. 94, Art. 7.**

In the number of public things are likewise reckoned such as are for the common use of the inhabitants of a city, or of another place, and on which individuals cannot exercise any right of property, such as the walls, the ditches, the gates, the streets and the public square of a city.

**-p. 95, Art. 7.**

On met aussi au nombre des choses publiques, celles qui sont à l'usage commun des habitans d'une ville, ou d'un autre lieu et où les particuliers ne peuvent avoir aucun droit de propriété, comme sont les murs, les fossés, les portes, les rues et les places publiques d'une ville.

**CN 1804, Art. 542.**

Communal property is that to the ownership or produce of which the inhabitants of one or more communes have a vested interest.

Les biens communaux sont ceux à la propriété ou au produit desquels les habitans d'une ou plusieurs communes ont un droit acquis.

**ART. 455.** The use of the banks of navigable rivers or streams is public; accordingly every one has a right freely to bring his vessels to land there, to make fast the same to the trees which are there planted, to unload his vessels, to deposit his goods, to dry his nets, and the like.

Nevertheless the ownership of the river banks belongs to those who possess the adjacent lands.

RCC—451, 453, 454, 457, 509 *et seq.*, 661, 707, 861, 863.

**RCC 1870, Art. 455.**

(Same as Art. 455 of Proposed Revision of 1869)

Same as above.

*Art. 456*

*COMPILED EDITION*

**CC 1825, Art. 446.**

(Projet, p. 35. Amendment † adopted; comment by redactors)

Par. 1 same as par. 1, above.

L'usage des rives des fleuves ou rivières navigables, est public; en conséquence chacun peut librement y faire aborder ses vaisseaux; en attacher les cordages aux arbres qui y sont plantés, y décharger ses navires, y déposer ses marchandises, y faire sécher ses filets et y faire toutes autres choses semblables.

Nevertheless the property of the river banks belongs to those who possess the adjacent lands.

Cependant la propriété des rives des rivières appartient à ceux qui ont des terres adjacentes.

**CC 1808, p. 96, Art. 8.**

The use of the shores of navigable rivers or creeks, is public; accordingly every one has a right freely to bring his ships to land there, to make fast the same to the trees which are there planted, to unload his vessels, to deposit his goods, to dry his nets, and the like.

Nevertheless the property of the river shores belong [belongs] to those who possess the adjoining lands.

**-p. 97, Art. 8.**

L'usage des rivages des fleuves ou rivières navigables, est public; en conséquence chacun peut librement y faire aborder ses vaisseaux, en attacher les cordages aux arbres qui y sont plantés, y décharger ses navires, y déposer ses marchandises, y faire sécher ses filets et autres usages semblables.

Cependant la propriété des rivages des rivières appartient à ceux qui ont des terres joignantes.

**CN 1804.** No corresponding article.

**ART. 456.** The provisions of the ancient laws concerning the distinction of things into things holy, sacred, and religious, and the nature and inalienability of these kinds of things, are abolished; and nothing prevents the corporations or congregations to which these things belong, from alienating them, provided it be done in the manner and under the restrictions prescribed by their acts of incorporation.

RCC—449.

**RCC 1870, Art. 456.**

Same as above.

**CC 1825, Art. 447.**

(Projet, p. 36. Addition adopted; comment by redactors)

Same as above; but semicolon (;) after "religious"; no punctuation after "kinds of things."

Les dispositions des anciennes lois, relativement à la distinction des choses en choses saintes, sacrées et religieuses, et à la nature et à l'inaliénabilité de ces sortes de choses, sont abolies, et rien n'empêche que les corps ou congrégations auxquels ces choses appartiennent, ne puissent les aliéner, pourvu que ce soit de la manière et sous les restrictions prescrites par leurs actes respectifs d'incorporation.

**CC 1808.** No corresponding article.

**CN 1804.** No corresponding article.

**ART. 457.** The banks\* of a river or stream are understood to be that which contains it in its ordinary state of high water; for the nature of the banks does not change, although for some cause they may be overflowed for a time.

Nevertheless on the borders of the Mississippi and other navigable streams, where there are levees, established according to law, the levees shall form the banks.

RCC—451, 453, 455.

**RCC 1870, Art. 457.** (Same as Art. 457 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 448.** (Projet, p. 36. Addition amended in French text and adopted; comment by redactors)

The banks\* of a river or stream are understood to be that which contains it in its ordinary state of high water; for the nature of the banks does not change, although from some cause they may be overflowed for a time.

Nevertheless on the borders of the Mississippi where there are levees, the levees shall form the banks.

On entend par lit\* d'un fleuve ou d'une rivière ce qui contient la rivière dans l'état ordinaire de ses plus hautes eaux; car la nature des rives ne change point, quoique la rivière se déborde pour un temps par quelque cause que ce soit.

Néanmoins sur les bords du fleuve Mississippi, lorsqu'il y existera des levées, ces levées en formeront les rives.

**CC 1808.** No corresponding article.

**CN 1804.** No corresponding article.

\*The word "lit" in French text has as an English counterpart "banks" instead of "bed"; French text in Projet is "rives" (banks).

**ART. 458.** Things which belong in common to the inhabitants of cities and other places, are of two kinds:

Common property, to the use of which all the inhabitants of a city or other place, and even strangers, are entitled in common; such as the streets, the public walks, and quays.

And common property which, though it belongs to the corporation, is not for the common use of all the inhabitants of the place, but may be employed for their advantage by the administrators of its revenues.

RCC—429, 453, 454, 482, 484, 485, 664, 665.

**RCC 1870, Art. 458.**

Same as above.

**CC 1825, Art. 449.** (Projet, p. 37. Amendment † adopted; comment by redactors)

Same as above; but comma (,) after "entitled in common"; colon (:) after "quays."

Les choses qui appartiennent en commun aux habitans des villes et autres lieux, sont de deux sortes:

Les biens communaux, dont l'usage est commun à tous les habitans d'une ville, et même aux étrangers, tels que les rues, les places publiques, les quais;

Et les biens communaux, qui, quoiqu'ils appartiennent à la corporation d'une ville, ne sont pas à l'usage commun de tous ses habitans, mais peuvent être employés pour leur avantage par les administrateurs des revenus de la corporation de cette ville.

**CC 1808, p. 96, Art. 9.**

Things which belong to bodies or corporations are of common use to all those who compose said bodies or corporations respectively: such are the commons of cities, the churches of the different religious congregations and the like.

**-p. 97, Art. 9.**

Les choses qui appartiennent à des corps ou corporations, sont d'un usage commun à tous ceux qui composent ces corps ou corporations respectivement; telles sont les communes des villes, les églises des différentes congrégations religieuses et autres semblables.

Even strangers may enjoy the use of things which belong to bodies or corporations, as in the case of the commons of cities, *provided* the members who compose those bodies or corporations do not object to it.

Les personnes étrangères peuvent même avoir quelquefois l'usage des biens qui appartiennent à ces corps ou corporations, comme dans le cas des communes des villes *pourvu que* les membres qui composent ces corps ou corporations ne s'y opposent pas.

CN 1804, Art. 542.

Quoted under RCC 1870, Art. 454, above.

**ART. 459.** Private estates and fortunes are those things which belong to individuals.

RCC—449, 453.

**RCC 1870, Art. 459.**

Same as above.

**CC 1825, Art. 450.**

(No reference in Projet)

Same as above.

Les choses qui sont dans le domaine de chaque individu, forment les biens et les richesses particulières.

**CC 1808, p. 96, Art. 10.**

Things which belong to each individual respectively, form private estates and riches.

**-p. 97, Art. 10.**

Same as above.

CN 1804. No corresponding article.

**ART. 460.\*** Things are divided, in the second place, into corporeal and incorporeal.

Corporeal things are such as are made manifest to the senses, which we may touch or take, which have a body, whether animate or inanimate. Of this kind are fruits, corn, gold, silver, clothes, furniture, lands, meadows, woods, and houses.

Incorporeal things are such as are not manifest to the senses, and which are conceived only by the understanding; such as the rights of inheritance, servitudes and obligations.

RCC—449, 461, 470, 537, 538, 541, 1536. Acts 1938, No. 205.

**RCC 1870, Art. 460.**

Same as above.

**CC 1825, Art. 451.**

(No reference in Projet)

Same as above; but colon (:) after "and incorporeal"; no punctuation after "woods"; comma (,) after "understanding."

Les choses se divisent, en second lieu, en corporelles et en incorporelles:

Les corporelles sont celles qui tombent sous les sens, que nous pouvons toucher et prendre, qui ont un corps, soit animé, soit inanimé; de ce genre sont les fruits, les grains, l'or, l'argent, les habits, les meubles [meubles], les terres, près [prés], bois et maisons;

Les incorporelles sont toutes celles qui ne peuvent tomber sous les sens, et que nous ne concevons que par l'entendement, tels que les droits d'hérédité, de servitude, et les obligations.

**CC 1808, p. 96, Art. 11.**

Things are divided in the second place into corporeal and incorporeal.

**-p. 97, Art. 11.**

Same as above; but "meubles" correctly spelled "meubles"; "près" cor-



Corporeal things are such as are made manifest to the senses, which we may touch and take, which have a body whether animate or inanimate. Of this kind are fruits, corn, gold, silver, clothes, furniture, lands, meadows, woods and houses.

Incorporeal things are such as are not manifest to the senses, and those which are conceived only by the understanding, such as the rights of inheritance, services and obligations.

rectly spelled "prés"; no punctuation after "divisent", after "lieu", or after "servitude"; period (.) after "en incorporelles"; comma (,) after "de ce genre sont."

**CN 1804.** No corresponding article.

\*In connection with this article see Acts 1938, No. 205.

**ART. 461.** The third and last division of things is into movables and immovables.

RCC—449, 460, 462 *et seq.*, 470, 471, 472 *et seq.*, 541.

**RCC 1870, Art. 461.**

Same as above.

**CC 1825, Art. 452.**

Same as above.

(No reference in Projet)

Enfin une troisième division des choses ou des biens, est en meubles et en immeubles.

**CC 1808, p. 96, Art. 12.**

The third and last division of things or estates, is into moveable and immoveable.

**-p. 97, Art. 12.**

Same as above.

**CN 1804, Art. 516.**

All things are either movable or immoveable.

Tous les biens sont meubles ou immeubles.

## Section 2—OF IMMOVABLES

**ART. 462.** Immovable things are, in general, such as can not either move themselves or be removed from one place to another.

But this definition, strictly speaking, is applicable only to such things as are immovable by their own nature, and not to such as are so only by the disposition of the law.

RCC—461, 463, 464, 467, 468, 475 *et seq.*, 498, 541. Acts 1904, No. 188.

**RCC 1870, Art. 462.**

Same as above.

**CC 1825, Art. 453.**

Same as above; but no punctuation after "things are."

(No reference in Projet)

Les immeubles, ou choses immobilières, sont en général ceux qu'on ne peut transporter d'un lieu à un autre, ou qui ne peuvent se mouvoir.

Mais cette définition ne s'applique rigoureusement qu'aux biens qui sont immeubles par leur nature, et non à ceux qui ne le sont que par la disposition de la loi.

**CC 1808, p. 96, Art. 13.**

Real estate or immoveable things are in general such as cannot be carried from one place to another, or such as those which cannot move.

Par. 2 same as par. 2, above; but no punctuation after "definition", after "speaking", or after "nature."

**CN 1804.** No corresponding article.

**-p. 97, Art. 13.**

Same as above; but no punctuation after "immeubles", or after "leur nature."

**ART. 463.** There are things immovable by their nature, others by their destination, and others by the object to which they are applied.

RCC—462, 464 *et seq.*, 471.

**RCC 1870, Art. 463.**

Same as above.

**CC 1825, Art. 454.**

Same as above.

(No reference in Projet)

Il y a des biens immeubles par leur nature, d'autres par leur destination [destination], d'autres encore par l'objet auquel ils s'appliquent.

**CC 1808, p. 96, Art. 14.**

There are things immovable by their nature, others by their destination, and others by the object to which they apply.

**-p. 97, Art. 14.**

Same as above; but "distinction" correctly spelled "destination."

**CN 1804, Art. 517.**

Things are immovable either by their nature, or by their destination, or by the object to which they apply.

Les biens sont immeubles, ou par leur nature, ou par leur destination, ou par l'objet auquel ils s'appliquent.

**Projet du Gouvernement (1800), Book II, Title I, Art. 3.**

Same as CC 1808, p. 96, Art. 14, above.

Same as CC 1808, p. 97, Art. 14, above.

**ART. 464.** Lands and buildings or other constructions, whether they have their foundations in the soil or not, are immovable by their nature.

RCC—462, 463, 465 *et seq.*, 471, 506, 594.

**RCC 1870, Art. 464.**

Same as above.

**CC 1825, Art. 455.**

Same as above.

(Projet, p. 37. Amendment adopted; comment by redactors)

Sont immeubles par leur nature les fonds de terre et les bâtimens ou autres constructions, soit que ces bâtimens ou constructions aient ou non des fondations dans le sol.

**CC 1808, p. 96, Art. 15.**

A tract of land and buildings are immoveable by their nature.

**-p. 97, Art. 15.**

Sont immeubles par leur nature, les fonds de terre et les bâtimens.

**-p. 96, Art. 16.**

Wind and watermills fixed upon posts, and being a part of the building are likewise immoveable, by their nature. (Suppressed on recommendation of redactors; Projet, p. 37)

**-p. 97, Art. 16.**

Les moulins à vent et à eau fixés sur piliers et faisant partie du bâtiment, sont aussi immeubles par leur nature. (Suppressed on recommendation of redactors; Projet, p. 37)

**CN 1804, Art. 518.**

Lands and buildings are immovable by their nature.

Les fonds de terre et les bâtimens sont immeubles par leur nature.

**-Art. 519.**

Same as CC 1808, p. 96, Art. 16, above.

Same as CC 1808, p. 97, Art. 16, above; but comma (,) after "eau."

**Projet du Gouvernement (1800), Book II, Title I, Art. 4.**

Same as CC 1808, p. 96, Art. 15, above.

Same as CC 1808, p. 97, Art. 15, above.

**ART. 465.** Standing crops and the fruits of trees not gathered, and trees before they are cut down, are likewise immovable, and are considered as part of the land to which they are attached.

As soon as the crop is cut, and the fruits gathered, or the trees cut down, although not yet carried off, they are movables.

If a part only of the crop be cut down, that part only is movable.

RCC—463 *et seq.*, 466, 501 *et seq.*, 544. Acts 1874, No. 66 (as am. by 1882, No. 44); 1904, No. 188.

**RCC 1870, Art. 465.**

(Same as Art. 465 of Proposed Revision of 1869)

Same as above.

**CC 1825, Art. 456.**

(Projet, p. 37. Amendment † adopted; comment by redactors)

Standing crops and the fruits of trees not gathered, and trees while standing, are likewise immoveable, and are considered as part of the land to which they are attached.

As soon as the crop is cut down, and the fruits gathered, or the trees cut down, although not yet carried off, they are moveables.

Par. 3 same as par. 3, above.

Les récoltes pendantes par les racines, les fruits des arbres non cueillis, et les arbres, avant qu'ils soient abattus, sont pareillement immeubles, et censés faire partie du sol auquel il sont attachés.

Dès que la récolte est coupée, les fruits détachés ou les arbres abattus, quoique non enlevés, ils sont meubles.

Si une partie seulement de la récolte est coupée, cette partie seule est meuble.

**CC 1808, p. 96, Art. 17.**

Standing crops and the fruits of trees not yet gathered, are likewise immoveable.

As soon as the corn is reaped and the fruits gathered, although not yet carried off, they are moveable.

If a part only of the crop be reaped, that part only is moveable.

**-p. 97, Art. 17.**

Les récoltes pendantes par les racines et les fruits des arbres non encore recueillis, sont pareillement immeubles.

Dès que les grains sont coupés et les fruits détachés quoique non enlevés, ils sont meubles.

Par. 3 same as par. 3, above.

**CN 1804, Art. 520.**

Same as above.

Same as above; but comma (,) after "racines", and after "détachés."

**ART. 466.** The fruits of an immovable, gathered or produced while it is under seizure, are considered as making part thereof, and inure to the benefit of the person making the seizure.

RCC—463 *et seq.* CP—656, 657, 658.

**RCC 1870, Art. 466.**

(Same as Art. 466 of Proposed Revision of 1869)

Same as above.

**CC 1825, Art. 457.**

(Projet. p. 37. Addition adopted; comment by redactors)

The fruits of an immoveable, gathered or produced since it was under

Les fruits d'un immeuble échus ou produits depuis qu'il a été saisi, sont

*Art. 467*

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seizure, are considered as making part thereof, and inure to the benefit of the person making the seizure. censés faire partie de cet immeuble, et en suivent le sort en faveur du saisissant.

**CC 1808.** No corresponding article.

**CN 1804.** No corresponding article.

**ART. 467.** Wire screens, water pipes, gas pipes, sewerage pipes, heating pipes, radiators, electric wires, electric and gas lighting fixtures, bathtubs, lavatories, closets, sinks, gasplants, meters and electric light plants, heating plants and furnaces, when actually connected with or attached to the building by the owner for the use or convenience of the building are immovable by their nature. (As amended by Acts 1912, No. 51)

RCC—462 *et seq.*, 468, 469.

**RCC 1870, Art. 467.** (Same as Art. 467 of Proposed Revision of 1869)

The pipes made use of for the purpose of bringing water to a house or other estate, are immovable, and are part of the tenement to which they are attached.

**CC 1825, Art. 458.** (No reference in Projet)

The pipes made use of for the purpose of bringing water to a house or other inheritance, are immovable, and are a part of the tenement to which they are attached. Les tuyaux servant à la conduite des eaux dans une maison ou autre héritage, sont immeubles, et font partie du fonds auquel ils sont attachés.

**CC 1808, p. 98, Art. 18.**

Same as above; but no punctuation after "immovable."

**-p. 99, Art. 18.**

Same as above; but no punctuation after "immeubles."

**CN 1804, Art. 523.**

Same as above.

Same as above.

**ART. 468.** Things which the owner of a tract of land\* has placed upon it for its service and improvement,\* are immovable by destination.

Thus the following things are immovable by destination when they have been placed by the owner for the service and improvement\* of a tract of land,\* to wit:

Cattle intended for cultivation.

Implements of husbandry.

Seeds, plants, fodder, and manure.

Pigeons in a pigeon house.

Beehives.

Mills, kettles, alembics, vats, and other machinery made use of in carrying on the plantation works.

Th utensils necessary for working cotton, and sawmills,\*\* taffia distilleries, sugar refineries and other manufactures.

All such movables as the owner has attached permanently to the tenement or to the building, are likewise immovable by destination.

RCC—462 *et seq.*, 467, 469, 473. Acts 1914, No. 169.

**RCC 1870, Art. 468.**

(Same as Art. 468 of Proposed Revision of 1869)

Same as above.

**CC 1825, Art. 459.**

(No reference in Projet)

Pars. 1-7 same as pars. 1-7, above; but semicolon (;) after "cultivation", after "husbandry", after "manure", after "house", and after "hives"; comma (,) after "things are immovable by destination"; no punctuation after "fodder."

Mills, kettles, alembics, cisterns, vats, and other machinery made use of in carrying on the plantation works;

Pars. 9, 10 same as pars. 9, 10, above; but semicolon (;) after "manufactures."

**CC 1808, p. 98, Art. 20.**

The things which the owner of a tract of land,\* has placed upon it, for its service and improvement,\* are immoveable by destination.

Thus are immoveable by destination, when they have been placed by the owner for the service and improvement\* of a tract of land\*; to wit:

- The cattle intended for cultivation;
- The implements of husbandry;
- The seeds, plants, fodder and manure;
- The pigeons in a pigeon house;
- Bee hives;

The mills, kettles, alembics, tubs, barrels and other machinery made use of in carrying on works;

The utensils necessary for working cotton and saw mills, taffia distilleries, sugar refineries and other manufactures;

Are likewise immoveable by destination all such moveables as the owner has attached to the tenement or to the building for ever.

**CN 1804, Art. 524.**

Pars. 1-4 same as pars. 1-4, above.

Seeds given to farmers or tenants paying rent in kind;

Les objets que les propriétaires d'un fonds\* y ont placés pour le service et l'exploitation\* de ce fonds, sont immeubles par destination.

Aussi [Ainsi] sont immeubles par destination, quand ils ont été placés par le propriétaire pour le service et l'exploitation\* du fonds\*:

- Les animaux attachés à la culture;
- Les ustensiles aratoires;
- Les semences, plants, pailles et engrais;
- Les pigeons des colombiers;
- Les ruches à miel;

Les moulins, chaudières, alambics, cuves, tonnes et autres machines servant à l'exploitation;

Les ustensiles nécessaires à l'exploitation des moulins à coton, à scie,\*\* guildives, raffineries et autres manufactures.

Sont aussi immeubles par destination tous les effets mobiliers que le propriétaire a attachés au fonds ou au bâtiment à perpétuelle demeure.

**-p. 99, Art. 20.**

Pars. 1-9 same as pars. 1-9, above; but "propriétaire" spelled "propriétaier"; semicolon (;) after "manufactures."

Sont aussi immeubles par destination, tous les effets mobiliers que le propriétaire a attaché au fonds ou au bâtiment, à perpétuelle demeure.

Les objets que le propriétaire d'un fonds\* y a placés pour le service et l'exploitation\* de ce fonds, sont immeubles par destination.

Pars. 2-4 same as pars. 2-4, above; but "Aussi" correctly spelled "Ainsi"; "propriétaier" spelled "propriétaire"; comma (,) after "Ainsi", and after "fonds."

Les semences donnés aux fermiers ou colons partiaires;

Pigeons in a pigeon house;	Les pigeons des colombiers;
Rabbits in warrens;	Les lapins des garennes;
Bee hives;	Les ruches à miel;
Fish in ponds;	Les poissons des étangs;
Presses, kettles, alembics, tubs and barrels;	Les pressoirs, chaudières, alambics, cuves et tonnes;
The necessary utensils for the working of forges, paper mills, and other factories;	Les ustensiles nécessaires à l'exploitation des forges, papeteries et autres usines;
Fodder and manure.	Les pailles et engrais.
Par. 10 same as par. 10, above.	Sont aussi immeubles par destination, tous effets mobiliers que le propriétaire a attachés au fonds à perpétuelle demeure.

\*The French words "fonds" and "exploitation" have a broader meaning than "tract of land" and "improvement", respectively.

\*\*Note error in English translation of French text; "working cotton, and saw mills" should be "working cotton mills, saw mills", or "working cotton and saw mills."

**ART. 469.** The owner is supposed to have attached to his tenement or building forever such movables as are affixed to the same with plaster, or mortar, or such as can not be taken off without being broken or injured, or without breaking or injuring the part of the building\* to which they are attached.

RCC—464, 467, 468, 476, 594.

**RCC 1870, Art. 469.**

Same as above.

**CC 1825, Art. 460.**

(Projet, p. 38. Amendment † adopted; comment by redactors)

Same as above.

Le propriétaire est censé avoir attaché à son fonds ou bâtiment des effets mobiliers à perpétuelle demeure, lorsqu'ils y sont scellés en plâtre, ou à chaux et à ciment ou lorsqu'ils ne peuvent être détachés sans être fracturés ou détériorés, ou sans briser et détériorer la partie du bâtiment ou du fonds\* à laquelle ils sont attachés.

**CC 1808, p. 98, Art. 21.**

The owner is supposed to have attached to his tenement or buildings for ever, such moveables as are affixed to the same with plaister [plaster] or plaister [plaster] and lime.

Or such as cannot be taken off without being broken or injured, or without breaking or injuring the part of the building or tenement to which they are attached;

Such are the wainscots, pictures and looking glasses affixed to a chimney.\*\*

With respect to statues placed by the owner in niches made on purpose in buildings, they are thereby considered as placed there for ever.

**CN 1804, Art. 525.**

The owner is supposed to have attached to his tenement forever such movables as are affixed to the same with

**-p. 99, Art. 21.**

Le propriétaire est censé avoir attaché à son fonds ou bâtiment, des effets mobiliers, à perpétuelle demeure:

Lorsqu'ils y sont scellés en plâtre ou à chaux et ciment;

Ou lorsqu'ils ne peuvent être détachés, sans être fracturés et détériorés, ou sans briser et détériorer la partie du bâtiment ou du fonds à laquelle ils sont attachés;

Tels peuvent être les lambris, boiseries, tableaux, peintures, glaces et trumeaux.\*\*

A l'égard des statues placées par le propriétaire dans des niches pratiquées exprès dans les bâtimens, elles sont censées par cela seul à perpétuelle demeure.

Le propriétaire est censé avoir attaché à son fonds des effets mobiliers à perpétuelle demeure, quand ils y sont

plaster, mortar, or cement, or such as cannot be taken off without being broken or injured, or without breaking or injuring the part of the tenement to which they are attached.

The looking-glasses of an apartment are considered placed there forever when the backing to which they are attached forms part of the woodwork.

It is the same with respect to pictures and other ornaments.

As to statues, these are immovable when they are placed in niches made on purpose to receive them, even though they might be removed without fracture or deterioration.

scellés en plâtre ou à chaux ou à ciment, ou lorsqu'ils ne peuvent être détachés sans être fracturés et détériorés, ou sans briser ou détériorer la partie du fonds à laquelle ils sont attachés.

Les glaces d'un appartement sont censées mises à perpétuelle demeure, lorsque le parquet sur lequel elles sont attachées fait corps avec la boiserie.

Il en est de même des tableaux et autres ornemens.

Quant aux statues, elles sont immeubles lorsqu'elles sont placées dans une niche pratiquée exprès pour les recevoir, encore qu'elles puissent être enlevées sans fractures ou détérioration.

\*English translation of French text incomplete; should include "or tenement."

\*\*English translation of French text incomplete; paragraph should read "Such are the wainscots, woodwork, pictures, paintings, looking-glasses and pier-glasses."

**ART. 470.\*** Incorporeal things, consisting only in a right, are not of themselves strictly susceptible of the quality of movables or immovables; nevertheless they are placed in one or the other of these classes, according to the object to which they apply and the rules hereinafter established.

RCC—460, 463, 471, 2481. Acts 1938, No. 205.

**RCC 1870, Art. 470.** (Same as Art. 470 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 462.** (Projet, p. 38. Addition adopted; comment by redactors)

Incorporeal things, consisting only in a right, are not of themselves strictly susceptible of the quality of moveables or immoveables; nevertheless they are placed in one or the other of these classes, according to the object to which they relate, and the rules hereinafter established.

Les choses incorporelles ne consistant que dans un droit, ne sont pas proprement par elles-mêmes susceptibles de la qualité de meubles ou d'immeubles; néanmoins elles sont placées sous l'une ou l'autre de ces classes, suivant l'objet auquel elles s'appliquent et les règles qui sont ci-après établies.

**CC 1808.** No corresponding article.

**CN 1804.** No corresponding article.

\*In connection with this article see Acts 1938, No. 205.

**ART. 471.** The following are considered as immovable from the object to which they apply:

The usufruct and use of immovable things.

A servitude established on an immovable estate.

An action for the recovery of an immovable estate or an entire succession.

RCC—78, 462, 463, 470, 533 *et seq.*, 626 *et seq.*, 646 *et seq.*, 731, 872, 935, 1030, 1031, 3548. Acts 1938, No. 96; 1938, No. 205.

**RCC 1870, Art. 471.** (Same as Art. 471 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 463.** (Projet, p. 38. Amendment adopted; comment by redactors)

Pars. 1, 2 same as pars. 1, 2, above; but semicolon (;) after "things."

Sont immeubles par l'objet auquel ils s'appliquent;

L'usufruit et l'usage des choses immobilières;

A servitude established on real estate;  
 Par. 4 same as par. 4, above.

Les servitudes ou services fonciers;

Les actions qui tendent à revendiquer ou réclamer un bien immeuble ou une universalité de biens, telle qu'une succession.

**CC 1808, p. 98, Art. 22.**

Are immovable by the object to which they apply.

The usufruct of immovable things;  
 The servitude or services due on a tract of land;

The actions the end of which is to claim an immovable thing.

**-p. 99, Art. 22.**

Par. 1 same as par. 1, above.

L'usufruit des choses immobilières;  
 Par. 3 same as par. 3, above.

Les actions qui tendent à revendiquer un immeuble.

**CN 1804, Art. 526.**

Same as above.

Same as above; but comma (,) after "immeubles", and after "s'appliquent."

Section 3—OF MOVABLES

**ART. 472.** Estates are movable either by their nature or by the disposition of the law.

RCC—448, 461, 473 *et seq.*, 541.

**RCC 1870, Art. 472.**

Same as above.

**CC 1825, Art. 464.**

Same as above.

(No reference in Projet)

Les biens sont meubles par leur nature ou par la détermination de la loi.

**CC 1808, p. 98, Art. 23.**

Estates are moveable by their nature or by the disposition of the law.

**-p. 99, Art. 23.**

Les meubles sont meubles par leur nature ou par la détermination de la loi.

**CN 1804, Art. 527.**

Same as above.

Same as CC 1825, Art. 464, above; but comma (,) after "nature."

**ART. 473.** Things movable by their nature are such as may be carried from one place to another, whether they move by themselves, as cattle, or can not be removed without an extraneous power, as inanimate things.

RCC—468, 472, 475, 476 *et seq.*, 2478.

**RCC 1870, Art. 473.**

Same as above.

**CC 1825, Art. 465.**

Same as above.

(No reference in Projet)

Sont meubles par leur nature, les corps qui peuvent se transporter d'un lieu à un autre, soit qu'ils se meuvent par eux-mêmes, comme les animaux, soit qu'ils ne puissent changer de place que par l'effet d'une force étrangère, comme les choses inanimées.

**CC 1808, p. 98, Art. 24.**

Same as above.

**-p. 99, Art. 24.**

Same as above.

**CN 1804, Art. 528.**

Same as above.

Same as above.



**ART. 474.** Things movable by the disposition of the law, are such as obligations and actions, the object of which is to recover money due or movables, although these obligations are accompanied with a mortgage; obligations which have for their object a specific performance, and those which from their nature, resolve themselves into damages; shares or interests in banks or companies of commerce, or industry or other speculations, although such companies be possessed of immovables depending upon such enterprises. Such shares or interests are considered as movables with respect to every associate as long only as the society is in existence; but as soon as the society is dissolved, the right, which each member has to the division of the immovables belonging to it, produces an immovable action.

In the class of things movable by the disposition of the law, are also considered perpetual rents and annuities, whether they be founded on a price in money or on the price or the condition of the alienation of an immovable.

RCC—472, 475, 2778, 2779 *et seq.*, 2793 *et seq.*

**RCC 1870, Art. 474.** (Same as Art. 474 of Proposed Revision of 1869)  
Same as above.

**CC 1825, Art. 466.** (Projet, p. 39. Addition † adopted; comment by redactors)

\*Obligations and actions, the object of which is to recover money due or moveables, although these obligations are accompanied with a mortgage; obligations which have for their object a specific performance; and those which from their nature, resolve themselves into damages; shares or interests in banks or companies of commerce, or industry or other speculations, although such companies be possessed of immovables depending upon such enterprises, such shares or interests are considered as moveables with respect to every associate as long only as the society is in existence. But as soon as the society is dissolved, the right, which each member has to the division of the immovables belonging to it, produces an immovable action.

In the class of things moveable by the determination of the law, are also considered perpetual rents and annuities, whether they be founded on a price in money or on the price or the condition of the alienation of an immovable.

**CC 1808, p. 98, Art. 25.**

Things moveable by the determination of the law, are obligations and actions, the object of which is to recover money due or moveables shares or interest in banks or companies of commerce or industry, or other speculations, although said companies be possessed of immovables depending upon said enterprises; said shares or interest are

Sont meubles par la détermination de la loi,\* les obligations et actions qui ont pour objet des sommes exigibles ou des effets mobiliers, quoique ces obligations soient accompagnées d'hypothèques; les obligations qui ont un fait pour objet, et dont la nature est de se résoudre en dommages-intérêts; les actions ou intérêts dans les banques ou compagnies de commerce ou d'industries, ou autre spéculation, encore que des immeubles dépendant de ces entreprises appartiennent à ces compagnies. Ces actions ou intérêts sont réputés meubles à l'égard de chaque associé seulement, tant que dure la société; mais dès que la société est dissoute, le droit qu'a chaque associé au partage de l'immeuble qui en dépend, produit une action immobilière.

Sont aussi réputées meubles par la détermination de la loi, les rentes perpétuelles et viagères, soit qu'elles aient été constituées à prix d'argent ou pour le prix ou la condition de l'aliénation d'un immeuble.

**-p. 99, Art. 25.**

Sont meubles par la détermination de la loi, les obligations et actions qui ont pour objet des sommes exigibles ou des effets mobiliers, les actions ou intérêts dans les banques ou compagnies de commerce ou d'industrie ou autre spéculation, encore que des immeubles dépendans de ces entreprises appartiennent aux compagnies; ces actions ou

considered as moveables with respect to every associate as long only as the society is in existence.

In the class of things moveable by the determination of the law, are also considered perpetual rents and annuities.

**CN 1804, Art. 529.**

Things movable by the determination of the law, are obligations and actions, the object of which is money due or movables, shares or interests in companies of finance, commerce or industry, although said companies be possessed of immovables depending upon said enterprises. These shares or interests are considered as movables with respect to every associate as long only as the society is in existence.

In the class of things movable by the determination of the law are also perpetual rents or annuities, whether paid by the Republic or by individuals.

\*English translation of French text incomplete; should include "Things movable by the disposition of the law, are."

**ART. 475.** All things corporeal or incorporeal, which have not the character of immovables by their nature or by the disposition of the law, according to the rules laid down in this title, are considered as movables.

RCC—462 *et seq.*, 472, 474.

**RCC 1870, Art. 475.**

Same as above.

**CC 1825, Art. 467.**

(Projet, p. 40. Substitution adopted; comment by redactors)

All things corporeal and incorporeal, which have not the character of immovables by their nature or by the disposition of the law, according to the rules laid down in this title, are considered as moveables.

**CC 1808, p. 100, Art. 27.**

Boats, flat boats, ships, mills erected on boats, and generally every machine not resting upon pillars, and not being a part of a house, are moveables. (Suppressed on recommendation of redactors; see comment, Projet, p. 40)

**CN 1804, Art. 531, clause 1.**

Boats, fiatboats, ships, mills and baths erected on boats, and generally all machinery not resting upon pillars, and not being part of a house, are moveables:

intérêts sont réputés meubles, à l'égard de chaque associé seulement, tant que dure la société.

Sont aussi réputées meubles, par la détermination de la loi, les rentes perpétuelles et viagères.

Sont meubles par la détermination de la loi, les obligations et actions qui ont pour objet des sommes exigibles ou des effets mobiliers, les actions ou intérêts dans les compagnies de finance, de commerce ou d'industrie, encore que des immeubles dépendans de ces entreprises appartiennent aux compagnies. Ces actions ou intérêts sont réputés meubles à l'égard de chaque associé seulement, tant que dure la société.

Sont aussi meubles par la détermination de la loi, les rentes perpétuelles ou viagères, soit sur la République, soit sur des particuliers.

Sont réputées meubles toutes les choses soit corporelles, soit incorporelles, qui n'ont pas le caractère d'immeubles par leur nature ou par la disposition de la loi suivant les règles qui sont prescrites dans ce titre.

**-p. 101, Art. 27.**

Les bateaux, bacs, navires, moulins sur bateaux, généralement toutes usines non fixées par des piliers, et ne faisant point partie de la maison, sont meubles. (Suppressed on recommendation of redactors; see comment, Projet, p. 40)

Les bateaux, bacs, navires, moulins et bains sur bateaux, et généralement toutes usines non fixées par des piliers, et ne faisant point partie de la maison, sont meubles:

**ART. 476.** Materials arising from the demolition of a building, those which are collected for the purpose of raising a new building, are movables, until they have been made use of in raising a new building.

But if the materials have been separated from the house or other edifice, only for the purpose of having it repaired or added to, and with the intention of replacing them, they preserve the nature of immovables, and are considered as such.

RCC—472, 473.

**RCC 1870, Art. 476.**

Same as above.

**CC 1825, Art. 468.**

(Projet, p. 40. Amendment adopted; comment by redactors)

Same as above.

Les matériaux provenant de la démolition d'un édifice, ceux assemblés pour en construire un nouveau, sont meubles, jusqu'à ce qu'ils soient employés dans une construction.

Mais si les matériaux ne sont séparés d'une maison ou autre édifice que pour le réparer ou l'augmenter, et avec l'intention de les y replacer, ils conserveront la nature d'immeubles, et seront réputés tels.

**CC 1808, p. 100, Art. 28.**

Materials arising from the demolition of a building, those which are collected for the purpose of raising a new building, are moveables until they have been made use of by the workmen in raising a new building.

**-p. 101, Art. 28.**

Les matériaux provenant de la démolition d'un édifice, ceux assemblés pour en construire un nouveau, sont meubles, jusqu'à ce qu'ils soient employés par l'ouvrier dans une construction.

**CN 1804, Art. 532.**

Same as above.

Same as above; but no punctuation after "meubles."

**ART. 477.** The word *furniture* made use of in the dispositions of the law, or in the conventions or acts of persons, comprehends only such furniture as is intended for the use and ornament of apartments, but not libraries which happen to be there, nor plate.

RCC—472, 478, 479.

**RCC 1870, Art. 477.**

(Same as Art. 477 of Proposed Revision of 1869)

Same as above.

**CC 1825, Art. 469.**

(Projet, p. 40. Amendment adopted; comment by redactors)

The word *furniture* made use of in the provision of the law, or in the conventions or acts of persons, comprehends only such furniture as is intended for the use and ornament of apartments [apartments], but not libraries which happen to be there nor plate.

Les mots *meubles meublans* employés dans les dispositions de la loi ou dans les conventions ou actes des parties, ne comprennent que les meubles destinés à l'usage et à l'ornement des appartemens, mais non les bibliothèques qui peuvent s'y trouver, ni l'argenterie.

**CC 1808, p. 100, Art. 29.**

The word moveable furniture made use of within the provision of the law or the disposition of man comprehends only such furniture as is intended for the use and ornament of apartments, as tapestry, bedsteads, chairs, looking glasses, time pieces,\* china and the like.

**-p. 101, Art. 29.**

Les mots *meubles meublans* employés dans les dispositions de la loi ou de l'homme, ne comprennent que les meubles destinés à l'usage et à l'ornement des appartemens, comme tapisseries, lits, sièges, glaces, pendules, tables,\* porcelaines et autres objets de cette nature.

Pictures and statues which are a part of the furniture of an apartment, are likewise included, but not libraries which may happen to be there, nor plate.

**CN 1804, Art. 534.**

The word movable furniture comprehends only such furniture as is intended for the use and ornament of apartments, as tapestry, bedsteads, chairs, looking glasses, time pieces, tables, china and the like.

Pictures and statues which are a part of the furniture of an apartment, are likewise included, but not collections of pictures which may be in galleries or individual rooms.

It is the same for china: only that which is part of the decoration of an apartment is included in the denomination of movable furniture.

Les tableaux et les statues qui font partie du meuble, d'un appartement y sont aussi compris, mais non les bibliothèques qui peuvent s'y trouver ni l'argenterie.

Les mots *meubles meublans* ne comprennent que les meubles destinés à l'usage et à l'ornement des appartemens, comme tapisseries, lits, sièges, glaces, pendules, tables, porcelaines et autres objets de cette nature.

Les tableaux et les statues qui font partie du meuble d'un appartement y sont aussi compris, mais non les collections de tableaux qui peuvent être dans les galeries ou pièces particulières.

Il en est de même des porcelaines: celles seulement qui font partie de la décoration d'un appartement, sont comprises sous la dénomination de *meubles meublans*.

\*English translation of French text incomplete; should include "tables."

**ART. 478.** The expressions *movable goods, movables or movable effects*, employed as above stated, comprehend generally all that is declared to be movable, according to the rules laid down in this chapter.\*

RCC—472, 477, 479.

**RCC 1870, Art. 478.**

(Same as Art. 478 of Proposed Revision of 1869)

Same as above.

**CC 1825, Art. 470.**

(Projet, p. 40. Amendment adopted; comment by redactors)

The expression of *moveable goods*, that of *moveables* or *moveable effects*, [effects], employed as above stated, comprehends generally all that is declared to be moveable, according to the rules laid down in this chapter.\*

L'expression *meubles*, celle de *mobilier* ou *d'effets mobiliers*, employés ainsi qu'il est dit ci-dessus, comprennent généralement tout ce qui est censé meuble, d'après les règles établies dans ce titre.\*

**CC 1808, p. 100, Art. 30.**

The expression of moveable goods, that of moveables, or moveable effects, comprehend [comprehends] generally all that is reckoned to be moveable according to the rules before laid down.

**-p. 101, Art. 30.**

L'expression *biens meubles*, celle de *mobilier* ou *d'effets mobiliers* comprennent généralement tout ce qui est censé meuble d'après les règles ci-dessus établies.

**CN 1804, Art. 535, par. 1.**

Same as above.

Same as above; but comma (,) after "*d'effets mobiliers*."

\*Note error in English translation of French text; "chapter" should be "title."

**ART. 479.** The sale or gift of a house ready furnished, includes only such furniture as is in the house.

RCC—477, 478, 480.

**RCC 1870, Art. 479.**

Same as above.

**CC 1825, Art. 471.**

(Projet, p. 41. Amendment adopted; no comment)

Same as above.

La vente ou le don d'une maison *meublée* ne comprend que les meubles meublans qui s'y trouvent.

CC 1808, p. 100, Art. 31.

The sale or gift of a house ready furnished, includes only such moveables as are the furniture of the house.

-p. 101, Art. 31.

La vente ou le don d'une maison meublée ne comprend que les meubles meublans.

CN 1804, Art. 535, par. 2.

Same as above.

Same as above.

ART. 480. The sale or gift of a house *with all that is in it*, does not include the money, nor the credits or other rights, the titles of which may be in the house; all other movable effects are included.

RCC—472 *et seq.*, 1721, 1903, 2275, 2440, 2461, 2490.

RCC 1870, Art. 480.

(Same as Art. 480 of Proposed Revision of 1869)

Same as above.

CC 1825, Art. 472.

(Projet, p. 41. Addition adopted; no comment)

The sale or gift of a house *with all that is in it*, does not include the money, nor the debts, or other rights, the titles of which may be in the house; all other moveable effects are included.

La vente ou le don d'un maison *avec tout ce qui s'y trouve*, ne comprend pas l'argent comptant ni les dettes actives ou autres droits, dont les titres peuvent être déposés dans la maison; tous les autres effets mobiliers y sont compris.

CC 1808. No corresponding article.

CN 1804, Art. 536.

Same as CC 1825, Art. 472, above.

La vente ou le don d'une maison, avec tout ce qui s'y trouve, ne comprend pas l'argent comptant, ni les dettes actives et autres droits dont les titres peuvent être déposés dans la maison; tous les autres effets mobiliers y sont compris.

## Chapter 2—OF THINGS CONSIDERED IN THEIR RELATION TO THOSE WHO POSSESS THEM

ART. 481. Things, in their relation to those who possess or enjoy them, are divided into two classes; those which are not susceptible of ownership and those which are.

RCC—449, 482, 483, 488 *et seq.*, 870.

RCC 1870, Art. 481.

Same as above.

CC 1825, Art. 473.

(Projet, p. 41. Addition † adopted; comment by redactors)

Same as above.

Les choses dans leur rapport avec ceux qui les possèdent ou en jouissent, se divisent en deux classes; l'une de celles qui ne sont pas susceptibles de propriété, et l'autre, de celles qui en sont susceptibles.

CC 1808. No corresponding article.

CN 1804. No corresponding article.

ART. 482. Among those which are not susceptible of ownership, there are some which can never become the object of it; as things in common, of which all men have the enjoyment and use.

There are things, on the contrary, which, though naturally susceptible of ownership, may lose this quality in consequence of their being applied to some public purpose, incompatible with private ownership; but which resume this quality as soon as they cease to be applied to that purpose; such as the high roads, streets and public places.

RCC—450 *et seq.*, 458, 484, 509, 658, 665, 705.

**RCC 1870, Art. 482.**

Same as above.

**CC 1825, Art. 474.**

(Projet, p. 41. Addition † adopted; comment by redactors)

Same as above; but comma (,) after “it”, after “private ownership”, and after “that purpose.”

Parmi les choses qui ne sont pas susceptibles de propriété, il y en a qui ne peuvent jamais en être l'objet, telles que les choses communes dont les hommes ont la jouissance et l'usage.

Il y a des choses, au contraire qui, quoiqu'elles soient naturellement susceptibles de propriété, peuvent perdre cette qualité en raison de ce qu'elles sont consacrées à des usages publics incompatibles avec une propriété privée; mais qui en deviennent susceptibles, aussitôt que cesse leur destination; tels sont les grands chemins, les rues et les places publiques.

**CC 1808.** No corresponding article.

**CN 1804.** No corresponding article.

**ART. 483.** Things susceptible of ownership, are all those which are held by individuals, and which may be alienated by sale, exchange, donation, prescription or otherwise.

RCC—488, 870, 1467, 1885, 2448, 3457.

**RCC 1870, Art. 483.**

Same as above.

**CC 1825, Art. 475.**

Same as above.

(Projet, p. 41. Addition adopted; no comment)

Les choses qui sont susceptibles de propriété, sont toutes celles qui sont dans le domaine des individus, et qui peuvent changer de maîtres ou de propriétaires, par vente, échange, donation, prescription ou autrement.

**CC 1808.** No corresponding article.

**CN 1804.** No corresponding article.

**ART. 484.** Individuals have the free disposal of the property which belongs to them, under the restriction [restrictions] established by law.

But the property of corporations of cities, or other corporations, is administered according to laws and regulations which are peculiar to them, and can only be alienated in the manner and under the restrictions prescribed in their several acts of incorporation.

RCC—373, 386, 482, 491 *et seq.*, 2357, 2436, 2445.

**RCC 1870, Art. 484.**

Same as above.

(Same as Art. 484 of Proposed Revision of 1869)

CC 1825, Art. 476.

(Projet, p. 41. Amendment adopted; no comment)

Par. 1 same as par. 1, above; but "restriction" correctly spelled "restrictions."

But the property of the corporation of cities, or other corporations, are administered according to laws and regulations which are peculiar to them, and can only be alienated in the manner and under the restrictions prescribed in their several acts of incorporation.

Les particuliers ont la libre disposition des biens qui leur appartiennent, sous les modifications établies par la loi.

Mais ceux des communes des villes ou des corporations sont administrés par des lois et des réglemens qui leur sont propres, et ne peuvent être aliénés que de la manière et sous les restrictions portées dans leurs actes respectifs d'incorporation.

CC 1808, p. 100, Art. 32.

Individuals have the free disposal of the estates which belong to them under the restrictions established by law.

But the estates, the property of the nation, of bodies or corporations, are administered according to laws and regulations which are peculiar to them; and it is likewise according to\* said laws and regulations, that the nation and corporations may sell their estates or otherwise dispose of the same.

-p. 101, Art. 32.

Par. 1 same as par. 1, above.

Mais ceux de la nation des corps ou corporations sont administrés d'après des lois et des réglemens qui leur sont propres; c'est aussi suivant les formes prescrites par\* ces lois et ces réglemens, que la nation et les corporations peuvent vendre leurs biens, ou autrement en disposer.

CN 1804, Art. 537.

Par. 1 same as par. 1, above.

Things which do not belong to individuals are administered and may be alienated only in the forms and according to the rules which particularly pertain to them.

Par. 1 same as par. 1, above.

Les biens qui n'appartiennent pas à des particuliers, sont administrés et ne peuvent être aliénés que dans les formes et suivant les règles qui leur sont particulières.

Projet du Gouvernement (1800), Book II, Title I, Art. 23.

Individuals have the free disposal of the things which belong to them, saving the exceptions contained in the laws.

But the estates, the property of the nation, of public institutions and *communes*, are administered according to the laws and regulations which are peculiar to them. It is, moreover, only according to the forms prescribed by these laws and regulations that the nation, public institutions, and *communes* may sell their estates, or acquire new ones.

Les particuliers ont la libre disposition des biens qui leur appartiennent, sauf les exceptions marquées dans les lois.

Mais ceux de la nation, des établissemens publics et des communes, sont administrés d'après des lois et des réglemens qui leur sont propres. Ce n'est non plus que suivant les formes prescrites par ces lois et ces réglemens, que la nation, les établissemens publics et les communes, peuvent vendre leurs biens, ou en acquérir de nouveaux.

\*English translation of French text incomplete; should include "the forms prescribed by."

**ART. 485.** The succession of persons who die without heirs, or which are not claimed by those having a right to them, belong to the State.

RCC—878, 917, 929, 1095 *et seq.*, 1196, 1204, 1205.

RCC 1870, Art. 485.

Same as above.

CC 1825, Art. 477.

(Projet, p. 42. Addition adopted; comment by redactors)

Same as above.

Les successions des personnes qui décèdent sans héritiers, ou qui ne sont pas recueillies par ceux qui ont le droit de les réclamer, appartiennent à l'Etat.

CC 1808. No corresponding article.

**CN 1804, Art. 539.**

All estates which are vacant and without an owner, and those of persons who die without heirs, or whose successions are abandoned, belong to the nation.

Tous les biens vacans et sans maître, et ceux des personnes qui décèdent sans héritiers, ou dont les successions sont abandonnées, appartiennent à la nation.

**ART. 486.** The national domain, properly speaking, comprehends all the landed estate and all the rights which belong to the nation, whether the latter is in the actual enjoyment of the same, or has only a right to reenter on them.

RCC—450, 453, 454, 664, 665.

**RCC 1870, Art. 486.**

Same as above.

**CC 1825, Art. 478.**

(No reference in Projet)

The national domain, properly speaking, comprehends all the landed estate and all the rights which belong to the nation, whether the latter be in the actual enjoyment of the same, or have only a right to re-enter on them.

Le domaine national, proprement dit, s'entend de toutes les propriétés foncières et de tous les droits qui appartiennent à la nation, soit qu'elle en ait la jouissance actuelle, soit qu'elle ait seulement le droit d'y rentrer.

**CC 1808, p. 100, Art. 33.**

Same as above; but no punctuation after "domain", or after "same"; comma (,) after "estate."

**-p. 101, Art. 33.**

Same as above; but no punctuation after "national."

**CN 1804.** No corresponding article.

**ART. 487.** There may be different kinds of rights to things:

1. A full and entire ownership.
2. A right to the mere use and enjoyment.
3. A right to certain servitudes due upon immovable estates.

RCC—488 *et seq.*, 533 *et seq.*, 626 *et seq.*, 646 *et seq.*

**RCC 1870, Art. 487.**

(Same as Art. 487 of Proposed Revision of 1869)

Same as above.

**CC 1825, Art. 479.**

(No reference in Projet)

There may be different kinds of rights to estates:

1. A full and entire property;
2. A right to the mere use and enjoyment;
3. A right to certain services due upon the estate.

On peut avoir sur les biens, différentes espèces de droits:

1. Les uns en ont la propriété pleine et entière;
2. D'autres une simple jouissance;
3. D'autres enfin n'ont que des services fonciers à exiger.

**CC 1808, p. 100, Art. 34.**

Different sorts of rights may be exercised on estates;

Some have a full and entire property in an estate;

Others have simply the enjoyment of it;

Others, in fine, have only a claim to certain services due by the estate.

**-p. 101, Art. 34.**

Par. 1 same as par. 1, above; but no punctuation after "biens"; semicolon (;) after "droits."

Par. 2 same as subds. 1-3, above; but comma (,) after "entière", and after "jouissance."

**CN 1804, Art. 543.**

One may have over estates a right of property, or a simple right of enjoyment, or only a pretension to certain services due by the estate.

On peut avoir sur les biens, ou un droit de propriété, ou un simple droit de jouissance, ou seulement des services fonciers à prétendre.



Projet du Gouvernement (1800), Book II, Title I, Art. 30.

Pars. 1-3 same as CC 1808, p. 100, Art. 34, pars. 1-3, above.

Many, in fine, have only a claim to certain services due by the estate.

Pars. 1-3 same as CC 1825, Art. 479, par. 1 and subds. 1, 2, above; but no punctuation after "biens."

Plusieurs, enfin, n'ont que des services fonciers à exiger.

TITLE II—OF OWNERSHIP

Chapter I—GENERAL PRINCIPLES

ART. 488. Ownership is the right by which a thing belongs to some one in particular, to the exclusion of all other persons.

RCC—483, 484, 487, 489, 490, 494, 496, 504, 505, 870.

RCC 1870, Art. 488.

Same as above.

CC 1825, Art. 480.

(Projet, p. 42. Addition adopted; comment by redactors)

Same as above.

La propriété est le droit par lequel une chose appartient à quelqu'un en propre, et exclusivement à tous autres.

CC 1808. No corresponding article.

CN 1804. No corresponding article.

ART. 489. The ownership of a thing is vested in him who has the immediate dominion of it, and not in him who has a mere beneficiary right in it.

RCC—488, 1469, 2043.

RCC 1870, Art. 489.

Same as above.

CC 1825, Art. 481.

(Projet, p. 42. Addition adopted; comment by redactors)

Same as above.

La propriété d'une chose est dite appartenir à celui qui en a le domaine direct, et non à celui qui n'en a que le domaine utile.

CC 1808. No corresponding article.

CN 1804. No corresponding article.

ART. 490. Ownership is divided into perfect and imperfect. Ownership is perfect, when it is perpetual, and when the thing is unincumbered with any real right towards any other person than the owner.

On the contrary, ownership is imperfect, when it is to terminate at a certain time or on a condition,\* or if the thing, which is the object of it, being an immovable, is charged with any real right towards a third person; as a usufruct, use or servitude.

When an immovable is subject to a usufruct, the owner of it is said to possess the naked ownership.

RCC—488, 491, 492, 494, 533 *et seq.*, 626, 646 *et seq.*, 2010 *et seq.*