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

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

TITLE I — OF THINGS

Chapter 1—Of the Division of Things

Section 1—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.

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.

CC 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.

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.

CC 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.

They appartiennent
À la nation en corps,
À des établissements publics,
À des communes,
À 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 above.

CC 1825, Art. 441.
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 destinées; tels [telles] sont l'air, l'eau courante, la mer et ses rivages.

CC 1808, p. 94, 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.

CC 1808, 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 temps d'hiver.

Same as above.

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.

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,
Art. 453

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 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 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.

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 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.
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.

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.

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.

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)
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.

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.

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, 482, 484, 485, 664, 665.

RCC 1870, Art. 458. Same as above.

CC 1825, Art. 449. (Projet, p. redactors)
Same as above; but comma (,) after “entitled in common”; colon (:) after “quays.”

Les choses qui appartiennent en commun aux habitants des villes et autres lieux, sont de deux sortes:
Les biens communaux, dont l’usage est commun à tous les habitants d’une ville, et même aux étrangers, tels que les rues, les places publiques, les quais;
Et les biens communaux, qui, quoi qu’ils appartiennent à la corporation d’une ville, ne sont pas à l’usage commun de tous ses habitants, 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.
Art. 459

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.

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.
Same as above.

CC 1808, p. 96, Art. 10.
Things which belong to each individual respectively, form private estates and riches.

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 1870, Art. 460.
Same as above.

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

CC 1808, p. 96, Art. 11.
Things are divided in the second place into corporeal and incorporeal.

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

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

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 membres (meubles), les terres, près (près), 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'héritédité, de servitude, et les obligations.

Same as above; but “membres” correctly spelled “meubles”; “près” cor-
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Art. 462

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.

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 moveables 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. (No reference in Projet)
Same as above.

CC 1808, p. 96, Art. 12.
The third and last division of things or estates, is into moveable and immoveable.

CN 1804, Art. 516.
All things are either movable or immoveable.

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. (No reference in Projet)
Same as above; but no punctuation after “things are.”

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.
Art. 463

There are things immoveable 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.
(No reference in Projet)
Il y a des biens immeubles par leur nature, d'autres par leur distinction (destination), d'autres encore par l'objet auquel ils s'appliquent.

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

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


RCC 1870, Art. 464.
Same as above.

CC 1825, Art. 455.
(Projet, p. 37. Amendment adopted; comment by redactors)
Sont immeubles par leur nature les fonds de terre et les bâtiments ou autres constructions, soit que ces bâtiments ou constructions aient ou non des fondations dans le sol.

-p. 97, Art. 15.
Sont immeubles par leur nature, les fonds de terre et les bâtiments.

CC 1808, p. 96, Art. 15.
A tract of land and buildings are immoveable by their nature.

-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)
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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 moveables.

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

RCC 1870, Art. 465. (Same as Art. 465 of Proposed Revision of 1869)
Same as above.

CC 1825, Art. 456. (Projet, p. 37. Amendment I adopted; comment by redactors)

Standing crops and the fruits of trees not gathered, and trees while standing, are likewise immovable, 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.

CC 1808, p. 96, Art. 17.

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

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.

CN 1804, Art. 520.

Same as above.

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 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 immovable, gathered or produced since it was under
seizure, are considered as making part thereof, and inure to the benefit of the person making the seizure.

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, gas-plants, 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 Proj.)
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.

Same as above; but no punctuation after “immovable.”

CN 1804, Art. 523.
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.


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RCC 1870, Art. 468.

Same as above.

CC 1825, Art. 459.

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; 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 immovable by destination.

Thus are immovable 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 immovable 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.

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

Les semences donnés aux fermiers ou colons partiaires;


Pars. 1-9 same as pars. 1-9, above; but "propriétaire" spelled "propriétaire"; 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"; "propriétaire" spelled "propriétaire"; comma (,) after "Ainsi", and after "fonds."

Les semences donnés aux fermiers ou colons partiaires;
Art. 469

The owner is supposed to have attached to his tenement or building forever such moveables as are affixed to the same with plaster, or mortuar, 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.

Same as above.

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 plaster (plaster) or plaster (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 moveables as are affixed to the same with plaster (plaster) or plaster (plaster) and lime.

Le propriétaire est censé avoir attaché à son fonds ou bâtiment des effets mobiliers à pépétuelle demeure, lorsqu'il s'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.


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

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

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 expressément dans les bâtiments, elles sont censées par cela seul à pépétuelle demeure.

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

Art. 469

The owner is supposed to have attached to his tenement or building forever such moveables as are affixed to the same with plaster, or mortuar, 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.

Same as above.

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 plaster (plaster) or plaster (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 moveables as are affixed to the same with plaster (plaster) or plaster (plaster) and lime.

Le propriétaire est censé avoir attaché à son fonds ou bâtiment des effets mobiliers à pépétuelle demeure, lorsqu'il s'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.


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

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

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 expressément dans les bâtiments, elles sont censées par cela seul à pépétuelle demeure.

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

*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.”
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.

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.

*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 moveables or immoveables; 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 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.

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 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 immoibles par l'objet auquel ils s'appliquent;

L'usufruit et l'usage des choses immobilières;

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Art. 472

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

RCC—468, 472, 473 et seq., 541.

RCC 1870, Art. 472.

Same as above.

CC 1825, Art. 464.

(No reference in Projet)

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.

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.

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 1808, p. 98, Art. 22.

Are immoveable by the object to which they apply.

The usufruct of immoveable things;

The servitude or services due on a tract of land;

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

CC 1808, p. 98, Art. 23.

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

CC 1804, Art. 527.

Same as above.

CC 1825, Art. 464.

Same as above.

CN 1804, Art. 526.

Same as above.

CN 1804, Art. 527.

Same as above.

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.

(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.


Same as above.

CN 1804, Art. 528.

Same as above.

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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 t adopted; comment by redactors)

*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 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 movable by the determination of the law, are obligations and actions, the object of which is to recover money due or movables 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

*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, 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.
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.

Art. 475

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 moveables.

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

ART. 476. 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 in raising a new building.

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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.

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.

CN 1804, Art. 532.
Same as above.

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.

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.
Art. 478. The expressions movable goods, moveables 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 movable effects, employed as above stated, comprehends generally all that is declared to be movable, according to the rules laid down in this chapter.*

CC 1808, p. 100, Art. 30.

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

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.

Same as above.
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) 
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.)

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.

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. (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 maitres 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 Art. 484 of Proposed Revision of 1869)
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.

CC 1808. No corresponding article.
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 re-enter on them.

RCC-456, 453, 454, 664, 665.

RCC 1870, Art. 486.
Same as above.

CC 1825, Art. 478. (No reference in Projet)
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 n’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.”

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., 636 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)
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.
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.
On peut avoir sur les biens, ou un droit de propriété, ou un simple droit de jouissance, ou seulement des services fonciers à prétendre.
CIVIL CODES OF LOUISIANA

Art. 490

TITLE II—OF OWNERSHIP

Chapter 1—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.
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.
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.