Title II. Of Domicile and the Manner of Changing the Same (Art. 38 - 46)

Louisiana
Art. 37

Compiled Edition

daughters the age of twelve complete, are distinguished by the name of adults.

CC 1808, p. 10, Art. 18.
Males who have not attained the age of fourteen years complete and females who are under twelve are called impubes; and sons who have attained fourteen years complete and daughters the age of twelve complete, are distinguished by the name of Adults.

CN 1804. No corresponding article.

Art. 37. Minors are those of both sexes, who have not yet attained the age of one and twenty years complete; and they remain under the direction of tutors till that age. When they have attained that age, then they are said to be of full age.

RCC—34, 39, 98, 216, 221, 223, 246, 302, 353, 1369, 1476 et seq., 1665, 1748, 1782, 1785, 2222 et seq., 2330, 3001, 3072, 3522.

RCC 1870, Art. 37. (Same as Art. 37 of Proposed Revision of 1869)
Same as above.

CC 1825, Art. 41. (No reference in Projet)
Minors are those of both sexes, who have not yet attained the age of one and twenty years complete; and they remain under the direction of tutors or curators till that age. When they have arrived at it, they then are said to be of full age.

CC 1808, p. 10, Art. 19.
Minors are those of both sexes who have not yet attained the age of one and twenty years complete, and they remain under the direction of tutors or curators till that age;—when they have arrived at it, they are then said to be of full age or majors.

CN 1804, Art. 388.
The minor is an individual of either sex who has not yet attained the age of twenty-one years complete.

Title II—Of Domicile

And the Manner of Changing the Same

Art. 38. The domicile of each citizen is in the parish wherein he has his principal establishment.

The principal establishment is that in which he makes his habitual residence; if he resides alternately in several places, and nearly as much in one as in another, and has not declared his intention in the manner hereafter prescribed, any one of the said places where he resides may be considered as his principal establishment, at the option of the persons whose interests are thereby affected.

RCC—39 et seq., 57, 95, 392, 935, 1086, 1110, 3042. CP—162, 166.
 ART. 40. Persons who have attained the age of majority, and who labor constantly with, or serve others, have the same domicile as those with whom they labor or serve, provided they reside with them.
ART. 41. A change of domicile from one parish to another is produced by the act of residing in another parish, combined with the intention of making one's principal establishment there.

RCC—38, 39, 40, 42 et seq. CP—167, 168.

ART. 42. This intention is proved by an express declaration of it before the recorders of the parishes, from which and to which he shall intend to remove.

This declaration is made in writing, is signed by the party making it, and registered by the recorder.

RCC—41, 43. CP—167, 168.
This declaration is made in writing, is signed by the party making it, and registered by the judge.

CC 1808, p. 12, Art. 3.
This intention is proved by an express declaration of it, before the judge of the parish from which and to which he shall intend to remove.
Par. 2 same as par. 2, above.

CN 1804, Art. 104.
This intention is proved by an express declaration, made at the city hall of the place being relinquished, as well as at the city hall of the place to which the domicile is being transferred.

This declaration will be made in writing, signed by the person who makes it, and registered by the judge.

CC 1808, p. 12, Art. 3.
This intention is proved by an express declaration of it, before the judge of the parish from which and to which he shall intend to remove.
Par. 2 same as par. 2, above.

CN 1804, Art. 104.
This intention is proved by an express declaration, made at the city hall of the place being relinquished, as well as at the city hall of the place to which the domicile is being transferred.

ART. 44. A citizen accepting a temporary and precarious office, or one from which he may be removed at pleasure, * retains his ancient domicile, if he has not evinced a contrary intention.

RCC—38, 41, 45, 46.

RCC 1870, Art. 44.
Same as above.

RCC 1825, Art. 46.
(Projet, p. 4. Amendment adopted; comment by redactors)
Same as above.

ART. 45. In case this declaration is not made, the proof of this intention shall depend upon circumstances.

RCC—41, 42. CP—167, 168.

RCC 1870, Art. 45.
Same as above.

CC 1825, Art. 45.
Same as above.

ART. 46. A citizen accepting a temporary and precarious office, or one from which he may be removed at pleasure, * retains his ancient domicile, if he has not evinced a contrary intention.

RCC—38, 41, 45, 46.

RCC 1870, Art. 46.
Same as above.

RCC 1825, Art. 46.
(No reference in Projet)

ART. 47. In case this declaration is not made, the proof of this intention shall depend upon circumstances.

RCC—41, 42. CP—167, 168.

RCC 1870, Art. 47.
Same as above.

RCC 1825, Art. 47.
Same as above.

ART. 48. A citizen accepting a temporary and precarious office, or one from which he may be removed at pleasure, * retains his ancient domicile, if he has not evinced a contrary intention.

RCC—38, 41, 45, 46.

RCC 1870, Art. 48.
Same as above.

RCC 1825, Art. 48.
Same as above.

ART. 49. A citizen accepting a temporary and precarious office, or one from which he may be removed at pleasure, * retains his ancient domicile, if he has not evinced a contrary intention.

RCC—38, 41, 45, 46.

RCC 1870, Art. 49.
Same as above.

RCC 1825, Art. 49.
Same as above.

ART. 50. A citizen accepting a temporary and precarious office, or one from which he may be removed at pleasure, * retains his ancient domicile, if he has not evinced a contrary intention.

RCC—38, 41, 45, 46.

RCC 1870, Art. 50.
Same as above.

RCC 1825, Art. 50.
Same as above.

ART. 51. A citizen accepting a temporary and precarious office, or one from which he may be removed at pleasure, * retains his ancient domicile, if he has not evinced a contrary intention.

RCC—38, 41, 45, 46.

RCC 1870, Art. 51.
Same as above.

RCC 1825, Art. 51.
Same as above.

ART. 52. A citizen accepting a temporary and precarious office, or one from which he may be removed at pleasure, * retains his ancient domicile, if he has not evinced a contrary intention.

RCC—38, 41, 45, 46.

RCC 1870, Art. 52.
Same as above.

RCC 1825, Art. 52.
Same as above.
Art. 45

The citizen appointed to a temporary a revocable public office, retains his ancient domicile, if he has not evinced a contrary intention.

"Or one from which he may be removed at pleasure" has no counterpart in French text.

ART. 45. An acceptance of an office conferred for life or during good behavior, implies an immediate transfer of the domicile of the officer to the parish in which he is required to exercise his functions.

But public officers, who perform duties throughout the State or in a district composed of several parishes, preserve the domicile they had before their appointment, unless they manifest a contrary intention.

RCC—44.

RCC 1870, Art. 45.
Same as above.

CC 1825, Art. 47.
(Projet, p. 5. Amendment adopted; comment by redactors)
Same as above.

CC 1808, p. 12, Art. 6.
Same as par. 1, above.

CN 1804, Art. 107.
The acceptance of an office conferred for life, implies an immediate transfer of the domicile of the officer to the place in which he is required to exercise these functions.

ART. 46. Domicile once acquired shall not be forfeited by absence on business of the State or of the United States, but a voluntary absence of two years from the State, or the acquisition of residence in any other State of this Union, or elsewhere, shall forfeit a domicile within this State.

RCC—38 et seq., 44, 142, 144. CP—167, 168. RS—418.

RCC 1870, Art. 46.
Same as above.

CC 1825. No corresponding article.

CC 1808. No corresponding article.

CN 1804. No corresponding article.