

French Civil Code

BOOK I. Of Persons.

Decreed 25th of March, 1803. Promulgated the 2d of April.

TITLE IX.

Of Paternal Power.

Decreed the 24th of March, 1803. Promulgated 3rd of April.

371. A child, at every age, owes honor and respect to his father and mother.
372. He remains subject to their control until his majority or emancipation.
373. The father alone exercises this control during marriage.
374. A child cannot quit the paternal mansion without the permission of his father, unless for voluntary enlistment after the full age of eighteen years.
375. A father who shall have cause of grievous dissatisfaction at the conduct of a child, shall have the following means of correction.
376. If the child have not commenced his sixteenth year, the father may cause him to be confined for a period which shall not exceed one month; and to this effect the president of the court of the circle shall be bound, on his petition, to deliver an order of arrest.
377. From the age of sixteen years commenced to the majority or emancipation, the father is only empowered to require the confinement of his child during six months at the most; he shall apply to the president of the aforesaid court, who, after having conferred thereon with the commissioner of government, shall deliver an order of arrest or refuse the same, and may in the first case abridge the time of confinement required by the father.
378. There shall not be in either case, any writing or judicial formality, except the order itself for arrest, in which the reasons thereof shall not be set forth. The father shall only be required to subscribe an undertaking to defray all expenses and to supply suitable support.
379. The father is always at liberty to abridge the duration of the confinement by him ordered or required. If the child after his liberation fall into new irregularities, his confinement may be ordered anew, according to the manner prescribed in the preceding articles.
380. If the father be remarried, he shall be bound to conform to article 377, in order to procure the confinement of his child by the first bed, though under the age of sixteen years.
381. The mother surviving and not married again is not empowered to cause the confinement of a child, except with the concurrence of the two nearest paternal relations, and by means of requisition, conformably to article 377.
382. When the child shall possess personal property, or when he shall exercise an office, his confinement shall not take place, even under the age of sixteen years, except by way of requisition in the form prescribed by article 377. The child confined may address a memorial to the commissioner of government in the court of appeal. This commissioner shall cause the child to render a detail in the court of first instance, and

shall make his report to the president of the court of appeal, who, after having given intimation thereof to the father, and after having collected the proofs, may revoke or modify the order delivered by the president of the court of first instance.

383. Articles 376, 377, 378, and 379, shall be common to fathers and mothers of natural children, legally recognized.
384. The father during marriage, and, after the dissolution of marriage, the father or mother surviving, shall have the enjoyment of the property of their children, until the full age of eighteen years, or until emancipation, which may take place before the age of eighteen years.
385. The conditions of such enjoyment shall be—
- 1st. Those by which usufructuaries are bound;
 - 2d. Nourishment, maintenance, and education of children, according to their fortune;
 - 3d. The payment of arrears or interest on capital;
 - 4th. Funeral expenses, and those of the last sickness.
386. This enjoyment shall not take place for the benefit of a father or mother against whom a divorce shall have been pronounced; and it shall cease with regard to the mother in the case of a second marriage.
387. It shall not extend to property which children may have acquired by separate labor and industry, nor to such as shall be given or bequeathed to them under the express condition that their father and mother shall not enjoy it.