obligations, or Covenants or other securities for Debt
or other Chose in Action. Because those have no Worth
in themselves, but Derive their whole Value from the
Relation they bear to some other thing which cannot
be stolen. And being of no Manner of use to any but the
owner are not so much in Danger of being Stolen, as
those things which are of a known price and every Bodies
Money Stamped pl. Cor. 25. b. Cooke 3 Inst. 109 Fulton de
pace 127 b. Hale pl. Cr. 66. Hawkins pl. Cr. lib. 1 cap.
33 §21. & 22. But now the Stealing or Robbing bonds,
bills of Exchange, Notes or other Securities for payment
of Money is in England felony of the same Nature and in
the same Degree, and will or Without the Benefit of Clergy
in the same Manner as it would have been if the offender
had Stolen or taken by Robbery any other goods of like
Value with the Money due on such bonds bills Notes or
other securities and Remaining Unsatisfied 2 G. 2 cap. 25
§ 1 which Act was to be of force for the Space of seven
Years Ibid. §

By the law of England the taking away Dogs cats birds
Monkies Ferrets Foxes bears &c. is not Theft Cooke 3 Inst.
109. Hale pl. Cr. 66. Hawkins pl. Cr. lib. 1 cap. 33 §23. Because those and the like however they may be Valued by
the owner, are Regarded in law as things of a base Nature
of little or no Value, and Supposed to be taken away for
Sport Rather than for Lucre. But it may be thought
that a Fowler who makes gain by a Dog may be thereby
a thief for Stealing another Fowlers dog. By which
he gets his Living: seeing such dogs are now bought
and sold. In Scotland one who takes a Collar from a
Dogs Neck with the Masters name or Stile on it is
guilty of Theft Act 21 Parl. 1 Jac. 1 § 7. By the law of
England Larceny is Committed by the taking of Domestick beasts as Horses Cows Sheep or any Creatures

Creatures what soever which are Domitæ Naturæ and fit for
food as Ducks hens geese turkys peacocks or their young
or young ones Cooke ibid. Hale ibid. 68. Hawkins ibid. § 28.
Or by taking Deer hares or Conies or any other Creatures
feræ Naturæ if they be fit for Food, and Reduced to tameness
and known by the taker to be so; or by taking Doves pigeons
in a dove house flue ups, or hares or deer in a Park inclosed
in such Manner that the owner may take them when ever
he pleases without Danger of their Escaping; or by taking
fish out of a pond, or young Pigeons or hawks out of a Mews
or by taking swans marked and Pinioned, or the Swans Brood
if kept in a pond or private River Cooke ibid. 109. Hale
ibid. 68. Fulton de pace 127 Hawkins ibid. § 26 & 27. But
one doth not commit Larceny by taking of fish in a River
or other great water, wherein they are at their Natural Liberty, or by taking deer hares or Conies in an open forrest
or chase or warren or old pigeons out of the house &c. Cooke
ibid. 109. Hale pl. Cr. 67 Hawkins ibid. § 25 & 26. Because those
are Nullius in bonis.

No man can properly Steal what belongs to himself.
Hale Hist. pl. Cr. [illegible] pag. 513. And which is no
Moral guilt of Theft by taking away that which is his
other mans, if he have probable Reasons to think it
his own Mackenzie Crim. part 1 Tit. 19 § 14 in fine But yet
a man may Commit Larceny by taking of things whereof
the absolute property is in himself, as if one Deliver
goods to Another as Cloath to a Taylor to make a suit
of Clothes &c. And thereafter with a Intent to make
the Taylor Answer for the Cloth fraudulently and feloniously take it away Cooke 3 Inst. 110. Hale pl. Cr. 67. Fulton de pace 126. a. By the Civil law l. 18 2 ff de Act. Rer. amot. l. 52 § 18 2 ff de Furt. And by the law of England Bracton. lib. 3. tract. 2. cap. 8. pag. 513. Fleta lib. 1. cap. 38. Britton. cap. 29. fol. 65. Hawkins ibid. § 19. A wife taking goods from her husband without his knowledge