

**LARCENY.** In criminal law. The wrongful and fraudulent taking and carrying away by one person of the mere personal goods of another from any place, with a felonious intent to convert them to his (the taker's) use, and make them his property, without the consent of the owner. *State v. South*, 28 N. J. Law, 31, 75 Am. Dec. 250; *State v. Chambers*, 22 W. Va. 786, 46 Am. Rep. 550; *State v. Parry*, 48 La. Ann. 1483, 21 South. 30; *Haywood v. State*, 41 Ark. 479; *Philamalee v. State*, 58 Neb. 320, 78 N. W. 625; *People v. Bosworth*, 64 Hun, 72, 19 N. Y. Supp. 114; *State v. Hawkins*, 8 Port. (Ala.) 463, 33 Am. Dec. 294.

The felonious taking and carrying away of the personal goods of another. 4 Bl. Comm. 229. The unlawful taking and carrying away of things personal, with intent to deprive the right owner of the same. 4 Steph. Comm. 152. The felonious taking the property of another, without his consent and against his will, with intent to convert it to the use of the taker. *Hammon's Case*, 2 Leach, 1089.

The taking and removing, by trespass, of personal property which the trespasser knows to belong either generally or specially to another, with the intent to deprive such owner of his ownership therein; and, perhaps it should be added, for the sake of some advantage to the trespasser,—a proposition on which the decisions are not harmonious. 2 Bish. Crim. Law, §§ 757, 758.

Larceny is the taking of personal property, accomplished by fraud or stealth, and with intent to deprive another thereof. Pen. Code Dak. § 580.

Larceny is the felonious stealing, taking, carrying, leading, or driving away the personal property of another. Pen. Code Cal. § 484.

—**Constructive larceny.** One where the felonious intent to appropriate the goods to his own use, at the time of the asportation, is

made out by construction from the defendant's conduct, although, originally, the taking was not apparently felonious. 2 East, P. C. 685; 1 Leach, 212.—**Compound larceny.** Larceny or theft accomplished by taking the thing stolen either from one's person or from his house; otherwise called "mixed" larceny, and distinguished from "simple" or "plain" larceny, in which the theft is not aggravated by such an intrusion either upon the person or the dwelling. Anderson v. Winfree, 85 Ky. 597, 4 S. W. 351; State v. Chambers, 22 W. Va. 786, 46 Am. Rep. 550.—**Grand larceny.** In criminal law. In England, simple larceny, was originally divided into two sorts,—*grand* larceny, where the value of the goods stolen was above twelve pence, and *petit* larceny, where their value was equal to or below that sum. 4 Bl. Comm. 220. The distinction was abolished in England by St. 7 & 8 Geo. IV. c. 29, and is not generally recognized in the United States, although in a few states there is a statutory offense of grand larceny, one essential element of which is the value of the goods stolen, which value varies from \$7 in Vermont to \$50 in California. See State v. Bean, 74 Vt. 111, 52 Atl. 269; Fallon v. People, 2 Keyes (N. Y.) 147; People v. Murray, 8 Cal. 520; State v. Kennedy, 88 Mo. 343.—**Larceny by bailee.** In Pennsyl-

vania law. The crime of larceny committed where "any person, being a bailee of any property, shall fraudulently take or convert the same to his own use, or to the use of any other person except the owner thereof, although he shall not break bulk or otherwise determine the bailment." Brightly's Purd. Dig. p. 436, § 177. And see *Welsh v. People*, 17 Ill. 339; *State v. Skinner*, 29 Or. 599, 46 Pac. 368.—**Larceny from the person.** Larceny committed where the property stolen is on the person or in the immediate charge or custody of the person from whom the theft is made, but without such circumstances of force or violence as would constitute robbery, including pocket-picking and such crimes. *Williams v. U. S.*, 3 App. D. (1) 345; *State v. Eno*, 8 Minn. 220 (Gil. 190).—**Mixed larceny.** Otherwise called "compound" or "complicated larceny;" that which is attended with circumstances of aggravation or violence to the person, or taking from a house.—**Petit larceny.** The larceny of things whose value was below a certain arbitrary standard, at common law twelve pence. See *Ex parte Bell*, 19 Fla. 612; *Barnhart v. State*, 154 Ind. 177, 56 N. E. 212; *People v. Righetti*, 66 Cal. 184, 4 Pac. 1185.—**Simple larceny.** Larceny which is not complicated or aggravated with acts of violence. Larceny from the person, or with force and violence, is called "compound" larceny. See *State v. Chambers*, 22 W. Va. 786, 46 Am. Rep. 550; *Anderson v. Winfree*, 85 Ky. 597, 4 S. W. 351; *Pitcher v. People*, 16 Mich. 142.