

2 — The Thing.

A 'thing' is the object of a right. It is whatever the law regards as the object over which one person exercises a right, and with reference to which another person lies under a duty.

Of 'things' in this sense, there are two kinds :-

- (1)- Material objects, i.e., physical things, such as a house, a tree, a field, a horse, or a slave.
- (2)- Intellectual objects, artificial things, such as a patent, a trademark, a copyright, an easement, a bankrupt's estate. These are groups of advantages which for shortness are treated by the law as if they were material objects.

So that, just as we have seen that what the law means by a 'person' is the subject of rights or duties, irrespectively of the subject being, as is more frequently the case, or not being, a human individual; so a 'thing' is what the law regards as the object of rights and duties, irrespectively of the object, being, as it usually is, material object.

It is no doubt convenient for the purposes of our science to include among 'things' not only physical objects, but also certain groups of rights, which for purposes of transfer and otherwise, are occasionally treated as if they were physical objects. The fiction by which patents, bankrupt's estates, or easements are regarded as 'things', is indeed not only harmless but almost indispensable.

Things are further classified, in accordance with the different ways in which they are subservient to persons, under various heads, of which the following are the more important:-

- 1 — Things divisible and indivisible.
- 2 — Movable and immovable things.
- 3 — Things which are, and which are not, capable of private ownership
- 4 — Things principal and things accessory.