

Act 53 Stat. 6 L. M. act 136 Stat. 12 F. 6 which are punishable as
Appropriation.

By the Roman law, all force is declared Unlawful, and all
Acts of Violence prohibited, not only whose illegal they are to
terminate in order to extort a Consent to an unjust pretension,
but to procure or do ones self Justice. So that if Violence in
stead of lawful Means had been made use of to force any per-
son to Comply with a thing that is just, as a Debtor to
pay what he owes; the person who had Recourse to Violence
Means is liable to Damages, and such other punishments
as the Violencer may have Deserved; and even that of the loss of
the Ball Exercise by such illegal course. l. 12 § 2 l. 13 infra
quod Mol. caud. By the law of Scotland qui sibi jus dicitur
who does himself Right by Violence, doth not forfeit his Debt
but is liable to the Debtor for Damages and Interests of his Law
and then the Violencer does, to be Estimated by his Bath in
terms that further may be subjected to an arbitrary punish-
ment according to the Degree of the Violence. Again if any
man do by force or Violence extort from another a Debt
or Obligation which he could have oblig'd him in Law
to grant not only is such force punishable criminally, but
also the Extorted Debt is Recoverable in a Civil pursuit,
as was Decided January 1675
about the Grantor of the Bond Extorted from obliged by
Violence of a former Minister to grant the same. Yet he
might have had objections against fulfilling the Minute
which are not Useful to him till the Implementing
be Revoked. And the Restitution to Minors introduced for
their Advantage, is granted only when they are wrong'd
yet Redression is granted by what the party
intendeth to be Injured or Not. And Motus causa qd hinc
of Rationem non habet says the Praetor l. 1 § quod Mol.
caud. Consequently it falls to be Declared Void. Spoliatus
ante omnia est Restitutus: whether one doth grant a
vi Compulsiva, or it be taken from him or Oblatus
Molentis Compulsiva, Tit. 34 § 7 vob. the third Principle
For there would be no door in the Society of Man-kind
and even the best Acts of Violence Repressed.

Raym

Playard and houghness of hoofs, Oxen or other Cattle in labour
ing time; or their Murtherers and Rapistors; Cutlers and Steel
trayors of plough and plough gear in letting time; and the
stealers of oxen and calves of oxen or hogs in the time of
feeding Corn or such are punishable with Death as testified
Act 100 par. 4 junct. act 52 Stat. 11 F. 6. In Consequence of which
law, the slaughter of 60 sheep, 166 George feet 3 others.
But yet one Convicted of lurching another Ox that was going
in the plough, was by an order from the King banished the
Realm not to Return without his Majesties special licence
under the pain of death 2 July, 1600 George 1st Compt. the

In Consequence of Violence, the taker of a sack or other
substantial quantity paid to every Ball Cartwright, it was to be
pay 20 shillings for every Ball Recorded the 1st of the year,
half to the King and half to the Informer Act 14 Stat. 23
F. 6. Which law was made to prevent Extortion; upon the
same ground that Usury was Declared: but it seems now to
be in disuse; if ever it was in observance.

Some things that were formerly punishable by the court
of Star-chamber as Common Appropriation, viz. the Molesting
Magistrates and Merchants in the use of their
Liberties act 24 Stat. 9 F. 5 are now the subject by Act of
Molestation or Declaration of property before the King
or before of that before any Judge Comptroler, 9th Decem-
ber on de act 27.

Having treated of Crimes with respect to the year
= treat more immediately Jurisprud. I come now as I proposed
= supra Book 1 chap. 10 to consider Crimes that relate to of
= first, law suits; and the Execution of Law and Justice.

Book 5.
Of Crimes Relating to Officers Lawfully,
and the Execution of Law and Justice.

Chapp. 1.
Of Crimes Relating to Officers
These are Committed by a Violation of ones duty; in
the Performing and Obtaining, or in the Discharge of
Officers.

Jul. 1