But the man fifty merks, and for any other person is M
losse as losse of office and incapacity of publick trust.
Which penalties the party grieved may pursue for bef
the Court of Session summarly for his own behoof, and
cannot be Modified by any Authority Act 6 Sess. 8 &9 Ja
K W. 7 & Wrongous Imprisonment, being facti, is prob
by Witnesses 1 August 1687 William Hiss. But Action
& proscribes, if not pursued within three Years after
the last day of the Wrongous Imprisonment and th
Raised within that time, proscribes, if not Judici
in Yearly thereafter, d. act 6.

2/ That any other Professors under Colour of law a
Authority as Officers of the law taking fees where No th
is due, or greater fees than are due to them, shall Custome
Cui talem Publicani quasi publici cavent exacting more
than their due are punishable as Oppressors Act 4 6
Parl. 4 J. 4. But a person infeft upon a Charter from
King in a burgh of Barony with a Right to the Cus
and Anchorage of all goods imported or Exported there, a
had been in possession beyond the Memory of Man
Exacting a certain Custom from all Exportors o
portion of Goods or Commodities there was not found
guilty of Oppression for Upholding the said Custome
it, that Customs not being like the Duties Exac
by Superiors from their dwelling upon
their own ground, but a General Imposition Concern
the whole Liedges, could only be warranted by Act o
Parliament 14 December 1669 George Viscount of Ta
burn and Others. Nothing can warrand Exaction of Cu
toms but Express law, or Immemorial possession act
Parl. 11 J. 6 All possession for 40 years is Equivalent t
Immemorial possession and warrands such Exactio
by prescription, Mackenzie observ. on d. act 34.
Messengers for Exacting three shillings Sterlin
from a person he was Executing a second Diligence against

Against, and ordained to Restore the three shillings Unwar
rantably Exacted, and also fined in 10 Merks Scots, whereof
five to be paid to the person Extortionate, and five to the
Macers of Court, 13 December 1709 Thomas Brokinrig.
Extortioning the Liedges by the Kings officers is also puni
shable as Oppression Act 34 Parl. 5 J. 3 act 83 Parl. 11 J. 6.
2/ Forry men's taking more than just freight from
the Kings Liedges, is oppression and a point of Bribery Act
75 Parl. 10 Junct. act 65 Parl. 13 J. 3 Act 20 Parl. 5 Q. M.
75 Parl. 10 Junct. act 65 Parl. 13 J. 3 Act 20 Parl. 5 Q. M.
And for George Mackenzie Observ. on d. act 75. Thinks
that the Master of the ground where the ferry is, may
punish such Irregular Exactions. 3/ Tradesmen Exacting
Custom from those of their own Craft coming to the work
by Market, shall buy their life as Common Oppressors
Act 42 Parl. 4 J. 4 i.e. they shall be forced to take a Ransi
som for Redeeming. It is also Oppression for Tradesmen to
Make or use Statutes among themselves Prejudicial to
the Common Wealth: as that None shall work begun
by another Act 4 Parl. 4 J. 4. Leaving other ways Indeed
men might Extortion people at their pleasure. Which
is agreeable to the Laws of Saxony, Carpzov. Jurisp.
Forens. part 2 Constit. 6 Def. 11 & 41. It is oppressive
on to poind, oxen, horse or other goods belonging to the
plough in labouring time, where other goods may be found
to be pounded or apprized; which is prohibited according
to the Common Law Act 68 Parl. 6 J. 4 i.e. the Civil Law;
the that Law Makes no Distinction whether the
other goods poindable or Not L. 8 C. quæ Res Pign. oblig.
post. & Gudlent. Sæg. Agricultores. Such poinding of la
bouring beasts in time of Labouring, is not Expressly Declared
to be a Crime by the Statute forbidding it, Nor is it Libelled
charged with Any Penal Sanction. But Yet the Contra
vener was found guilty of a Crime and fined in a sum
to be paid to the Fisk 22 January 1666 Roderick Mackay
& Ulster. Because of Contempt of a Law or Disobe
dience