

or ill, it was their judgment, and the only remedy was an appeal to the quarter-sessions.

No 324.

THE LORDS found the suspension not competent.

Act. *W. Grant.*Alt. *R. Craigie.*

*Fol. Dic. v. 3. p. 358. D. Falconer, v. 2. No 155. p. 179.*

1752. February 4.

BELL *against* DUNDAS.

No 325.

DUNDAS pursued Bell before the Justices of the Peace, for having injured him by a defamatory libel.

*Pleaded* for Bell in a bill of advocation; Justices of the Peace have no jurisdiction in the crimes of slander and defamation, which must in the first instance be tried before the Commissaries.

*Answered* for Dundas; The libel contains expressions which import a threatening to break the peace; and besides it reflects on Dundas for words uttered by him at the quarter-sessions held by the Justices of the Peace, who therefore are proper Judges of an injury offered to a member of their court. Even judges of inferior rank and less authority, may punish injuries offered to any of their number, on account of words uttered, or things done, in court; as appears from the decision, 14th November 1679, Magistrates of Kirkcaldy against Dougal, No 98. p. 1984.

“THE LORDS refused the bill of advocation.”

Reporter, *Woodball.*Act. *A. Lockhart.*Alt. *R. Dundas.*

D.

*Fol. Dic. v. 3. p. 358. Fac. Col. No 1. p. 3.*

1754. March 10.

BUCHANAN *against* TOWART.

No 326.

By the 18th act, *anno* 1st Geo. I. entitled, “An act to encourage the planting of timber trees,” &c. the Justices of Peace are authorised to “hear and finally determine” all offences against the same. It was questioned, how far these words gave, in such cases, a jurisdiction to the Justices without appeal to the Court of Session. THE LORDS found that the act gave no such jurisdiction.

*Fol. Dic. v. 3. p. 358. Fac. Col.*

\* \* This case is No 81. p. 7347.