

SNOWDON v. LINDO.

{1 Cranch, C. C. 569.}¹

Circuit Court, District of Columbia. July Term, 1809.

LIBEL—ACTIONABLE WORDS—JUSTIFICATION.

It is a libel to print and publish these words, “He is a lying, slanderous rascal;” and it is no justification, that the plaintiff had stated what was not true, unless he had stated it maliciously.

Case for libel—for printing and publishing these words of the plaintiff, “He is a lying, slanderous rascal.”

The defendant pleaded, in justification, that the plaintiff had untruly published that the dinner was given to Mr. Lewis for his public services, when in truth it was given for his service to the town of Alexandria. The plea did not aver that the plaintiff maliciously, as well as falsely, published, &c.

Demurrer and joinder.

Mr. C. Lee, for plaintiff. Words written and published are actionable, which would not be, if spoken only. Any words written and published, throwing contumely on the party, are actionable. *Villers v. Monsley*, 2 Wils. 403; *Bell v. Stone*, 1 Bos. & P. 331; *Bull. N. P.* 8; *Esp. N. P.* 260.

Mr. Swann, contra. The declaration is bad; the words “lying, slanderous rascal,” although printed and published, are not libellous and actionable. But if the declaration is good, the justification is good.

THE COURT rendered judgment on the demurrer for the plaintiff.

¹ [Reported by Hon. William Cranch, Chief Judge.]

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