

*Judgement of the Lords of the Judicial Committee  
of the Privy Council on the Appeal of Harris  
v. Davies, from the Supreme Court of New  
South Wales ; delivered February 12th, 1885.*

Present :

LORD BLACKBURN.

SIR BARNES PEACOCK.

SIR ROBERT COLLIER.

SIR RICHARD COUCH.

SIR ARTHUR HOBHOUSE.

THEIR Lordships are of opinion that there are no sufficient grounds for reversing the judgement of the Court below.

Their Lordships are of opinion that the Colonial Legislature had the power to repeal the Statute of James (21 James I. cap. 16. sect. 6.) if they thought fit, and they are also of opinion that, looking at the first section of 11 Victoria, No. 13, it was the intention of the Legislature to place an action for words spoken upon the same footing as regards costs and other matters as an action for written slander. Under these circumstances, their Lordships think that the Statute of James as regards an action for words was impliedly repealed by the Act of the Colonial Legislature 11 Victoria, No. 13.

Their Lordships will therefore humbly advise Her Majesty that the judgement of the Supreme Court be upheld, and that this appeal be dismissed with costs.

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