



## **Dog Bit Porter**

### **Nisi Prius Court, Salisbury March 1841**

#### **Hunt v. Hitchcock**

Mr. Cockburn conducted the case for the plaintiff, and Mr. Crowder that of the defence.

This was an action brought by the plaintiff, who was a poor man acting as a porter for Messrs. Smith and Dawes, of Salisbury, against the defendant, a carrier, residing near to Smith and Dawes, for an injury which he had received by reason of the defendant's dog having attacked and bitten him to so great a degree, that he was obliged to go to the Infirmary for three weeks; and of which injury, although committed on the 8th of June last, he had not yet recovered. On behalf of the plaintiff, it was urged that this was a ferocious and mischievous dog, and that, as the plaintiff was going past the defendant's premises in the course of his business, the dog had rushed out and attacked him, and bitten him most severely on the shoulder and wrist. This act was clearly proved on the part of the plaintiff, by whom another witness was called to prove that the dog had bitten him; but it appeared that this witness had struck the dog at a former period, which blow it was supposed the dog had recollected for some time, and had then made the attack. The witnesses said that the dog was generally good-tempered.

For the defendant, it was said that he was exceedingly sorry that his dog should have injured anyone: but it was then urged that it had not been shown that the dog was ferocious or mischievous, but, on the contrary, that he was good-tempered and harmless.

The learned Judge having summed up, the Jury returned a verdict for the defendant.

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