CHAPTER VII

Recent Developments in Animal Protection

Many of the activities of anti-cruelty societies have been indicated in the preceding chapters. Generalization of these activities in this place will be valuable.

In these days the grosser forms of cruelty are exceptional. Where there are active societies, there is a steady though perhaps not always measurable reduction in the extent of the practice of cruelty to animals. A very interesting illustration of this is furnished by the records of the Washington (D.C.) Humane Society. This society serves a sharply defined territory. Its limited field prevents it from constantly expanding its operations. Therefore its reports of prosecutions can be taken as illustrating with rather close accuracy the cruelty conditions in the city of Washington. In 1910 Washington was pointed to by humanitarians as being one of the least advanced cities in the matter of the prevention of cruelty to animals,¹ this despite the fact that the Washington society kept seven agents upon the streets of the national capital and was so active that horse owners formed an Animal Protective Association to combat its efforts. The steady improvement of the conditions from that day to this is indicated by the following table of arrests for all forms of cruelty made by the Society's agents:

Though not so apparent elsewhere, the same tendency is operative throughout the country. In 1921 the American S. P. C. A. could report: "In former days, an agent would make two or three arrests a day, and suspend a number of horses from duty. Now an agent may walk the streets all day without seeing a case demanding interference. His principal duty is that of investigating complaints." While some of this improvement is doubtless due to the decrease in the use of horses within city limits—within twenty years the number of horses used in New York City has decreased from about 110,000 to 65,000 according to estimates of the officials of the American S. P. C. A.—New York anticiuelists agree that the growth of a kindly spirit among horse drivers has been the more significant factor. Even in districts where active anti-cruelty societies have not as yet been formed, humane ideas have permeated.

No longer forced to consider every case brought before them one of wilful cruelty, the anti-cruelty societies do not now emphasize immediate prosecution. The manager of the Erie County S. P. C. A. has pointed out in respect to this:

\[\text{Washington Humane Society, 1922 Year Book, p. 12.}\]

\[\text{National Humane Review, vol. ix, p. 187.}\]
Formerly the humanitarian was more concerned about the enforcement of the law and the punishment of the evildoer than he was in seeking the cause of things. It has taken nearly a half century of waging warfare upon the cruelist to break down his indifference to the rights of the lower creatures by the law enforcement. It is, therefore, only in recent years that organized humane forces have undertaken another line of attack through constructive methods to make certain his defeat. The punishment of the wrong-doer is not so important in this day as the application of a remedy to cure him of his shortcomings.¹

The Pennsylvania S. P. C. A. publishes the following table of the causes of cruelty and their respective remedies:

<table>
<thead>
<tr>
<th>Cause</th>
<th>Remedy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ignorance</td>
<td>Education</td>
</tr>
<tr>
<td>Poverty</td>
<td>Kindness and understanding</td>
</tr>
<tr>
<td>Indifference</td>
<td>Warning</td>
</tr>
<tr>
<td>Viciousness</td>
<td>Arrest and prosecution²</td>
</tr>
</tbody>
</table>

One of the important functions of many humane societies is to initiate anti-cruelty legislation and to keep a close watch upon the state legislatures to prevent the passage of bills which would either directly or indirectly authorize or permit the increase of cruelty to animals. Usually this latter duty is undertaken by one or two of the larger societies in the state; in New Jersey for a time, all the societies cooperated in maintaining a committee for this purpose.³

During the past decade there have been no marked developments in the types of humane legislation that has been passed in the various states. In a few states, the general anti-cruelty statutes have been strengthened by the addition of a word or phrase. In Maine, “dogs” has been included

³Vide supra, p. 47.
in the statute forbidding overdriving, overloading and unnecessary beating.\(^1\) California has strengthened her general statute which read “cruelly whips, beats, or illtreats animal” by the omission of the word “cruelly”.\(^2\) Nebraska has added “maltreat” to her general statute.\(^3\) Ohio has made the overworking of any animal a misdemeanor.\(^4\) Since 1907, every state in the Union has had a more or less complete general anti-cruelty act upon its statute books.

All but six states\(^5\) punish the failure to provide necessary and proper food, drink and shelter for animals. Pennsylvania does not specifically make such neglect a misdemeanor, but it does provide that any peace officer or humane agent may relieve the neglected animals and has a lien on them to recover costs.\(^6\) Not all the states that punish the neglect of animals have made provision for their relief by others than the owner. Where such provision has been made, it usually allows interested outsiders to relieve the suffering animals after a specified time, usually twelve hours, and provides that the expenses of relief are chargeable to the owner and constitute a lien on the animals cared for. Twenty-three states have made such provision.\(^7\) Colorado makes provision that neglected range stock may be relieved by the State Board of Stock Inspection Commissioners, and that the expense shall constitute a lien on the stock which shall be sold after thirty days.\(^8\)

\(^{1}\) _Me. Sess. Laws_, 1909, ch. 208.
\(^{2}\) _Cal. P. C._ (1909), sec. 597.
\(^{8}\) _Col. Sess. Laws_, 1909, ch. 210; 1913, ch. 152.
All but five states\(^1\) penalize the abandonment of disabled and decrepit animals. In the majority of cases, it is provided that, within certain limitations, peace officers may kill such animals. Only a few states have decrepit horse sale laws, although in several others, such bills have been introduced and defeated.\(^2\) For the enforcement of these sale laws, the vigorous cooperation of the local anti-cruelty societies is necessary. In Philadelphia, for example, under the act of May 6, 1909, an officer of the Pennsylvania S. P. C. A. examines all horses offered for sale in the horse markets and auction rooms. Each horse is ticketed with an indication of approval or condemnation. Where horses are condemned, the owner receives $5 and the auctioneer $1 of the $6 allowed for the carcass.\(^3\)

In connection with the prevention of this form of cruelty, it should be pointed out that several humane societies make it a rule to buy decrepit horses that are offered at the auctions for from $3 to $10. Even where there are decrepit horse sale laws, these societies consider this alternative method preferable to prosecution. The Animal Rescue League of Boston buys about 300 horses a year at an average price of $5 each. It has an arrangement with horse auctioneers whereby horses condemned by it are "knocked down" to it without competitive bidding.\(^4\)

Very few states today lack laws punishing those who maliciously kill or injure another's animals, and a somewhat smaller number provide additional protection in this field by regulating the exposure of poison with the intent of killing pernicious animals. Only seven states\(^5\) do not

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\(^1\) Ariz., La., N. M., N. C. and N. Dak.

\(^2\) In California in 1913, and in Florida in 1915.

\(^3\) *National Humane Review*, vol. iii, p. 5.

\(^4\) *National Humane Review*, vol. ix, p. 126.

\(^5\) Ariz., Kans., La., Md., N. M., Ore. and Vt.
penalize cock-fighting, and in not a few, spectators are also
punishable either by direct provision or by implication. Only seventeen states have legislative provision forbidding the docking of horses' tails despite the long and active agitation carried on by all societies against this abuse. The changing mode of fashion, however, and the substitution of the automobile for the carriage as a pleasure vehicle, have been most effective in curing this evil.

Among the miscellaneous offenses forbidden under penalty are the use of the bristle bur on horses, the setting of certain kinds of traps and the failure to visit traps within a specified period (usually 24 hours), the exhibition of bears except in a menagerie, the leaving of horses unblanketed in a public place (in most states this offense is covered only by municipal ordinances), the cutting off of more than half of an ear of a domestic animal, the working of a horse more than 15 hours out of 24 or more than 90 in a week, the preparation of or participation in moving picture films involving cruelty to animals, the sale of feed for livestock in bags with tags attached by metal fasteners which may work loose and get into the feed, the careless exposure of barbed wire near livestock, and the beating or

2 Mass., Me., Tenn. and Vt.
3 Me. R. S., ch. 125, sec. 40.
5 Ore. B. & C. (1901), secs. 2078, 2079.
7 Me. Sess. Laws, 1921, ch. 53.
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maltreating of a cow’s udder to simulate fullness or the leaving it unmilked for 24 hours for the same purpose.¹

It should be borne in mind that the placing of a law upon the statute book does not automatically secure its enforcement. In the final consideration, the enforcement of the anti-cruelty statutes must depend upon the humane societies. Where they remain inactive, the law becomes a dead letter.

This police duty, then, is a primary activity of all societies, though the enforcement of the laws need not always necessitate prosecution. Many societies engage in secondary activities, some of which deserve mention.

It has been pointed out in Chapter II that a large number of animal societies erect and maintain drinking fountains and watering stations for horses. During the last few years, a number of the larger societies have been adding stable inspection to the list of their activities. In 1911 the American S. P. C. A. reported:

Believing that the condition of the horses in our city would be improved by better stable supervision, and that many of the infirmities with which they are afflicted, as well as their short life in the city service, are due in no small measure to unscientific methods of stabling, feeding, rooming, harnessing, etc., the society has initiated a gratuitous service of "stable inspection" that has appealed strongly to horse owners and has been welcomed by drivers, stablemen, and others having the care of horses. Upon request the Society sends its expert veterinary inspector to make minute examination of stables. A confidential report is made to the owner, pointing out any defects that may be found and suggesting a remedy. Drivers and stable employees are also instructed in regard to these various subjects.²

After a thoroughgoing campaign of stable inspection

throughout New York City completed by the Society in 1914, the necessity for continuing this program lessened, and since then the Society has sent its agents to stables only upon complaint.

The Massachusetts S. P. C. A. amplifies this stable inspection. The Massachusetts fire law makes it compulsory for all stables where draught animals are kept above the ground floor to provide two means of exit from the ground or street floor at opposite ends of the building unless automatic sprinklers have been installed throughout the stable. The Massachusetts Society includes the enforcement of this law in the routine of its stable inspection.\footnote{Mass. S. P. C. A., 49th Ann. Rpt. (1917).}

Several societies have interested themselves in the matter of the paving of city streets.\footnote{Cf. McCrea, op. cit., p. 81.} The problem is three-fold: it involves the appearance of the streets, the durability and suitableness of the paving material for the heavy automobile and truck traffic which prevails today, and lastly, what is of significance to humane societies, its fitness for horse traffic. Some types of paving, for example the creosoted wooden block, are admirable in that they deaden noise and provide a cushiony road bed; on the other hand, it is almost impossible for a horse to keep footing on a creosoted block pavement after a heavy rain storm. Individual societies have interested themselves in the problem, and in 1913 it came up for discussion in the annual conference of the American Humane Association.\footnote{A. H. A., 37th Ann. Rpt.} The conclusions arrived at were that granite blocks will stand the heaviest traffic, that macadam is best for the horse’s safety, and that vitrified brick is superior in wet and slippery weather. The American S. P. C. A. favors granite blocks for horse traffic and discourages the use of the wooden block and of asphalt.\footnote{National Humane Review, vol. i, p. 7.}
Closely allied to the matter of street paving are the efforts of several societies to induce their municipalities to sand the city streets in winter. This has not always been successful and several societies have purchased and operate such sprinklers during the winter months upon their own responsibility. In New Orleans, where the streets are never made slippery by ice or snow coatings, the Louisiana S. P. C. A. nevertheless maintains and operates a sand spreader to use on streets made unsafe for horses by oil and gasoline drippings. The Atlanta Humane Society likewise maintains a sand-blowing apparatus which spreads a thin coat of fine sand on the streets on damp mornings. There has, however, been opposition to this on the part of the local merchants who complain that later in the day the sand blows up and into their stores.\(^1\)

One society has taken upon itself to see that the horses in its city have proper shoeing during the winter months. The Erie County S. P. C. A. in the winter of 1918 began a campaign of education among the large trucking companies of Buffalo which might otherwise have organized to resist legislation to such end introduced without their consent or against their will. When their support was won, an ordinance was introduced in the Buffalo city council and passed without opposition:

No person owning or having the care, custody, or control of, or driving any horse, mule, or other large animal used for the purpose of driving or hauling, shall permit or allow any such animal to be driven upon any of the streets, avenues, or highways of the city of Buffalo between November first of any year and April first of the following year, unless such animal is shod in such manner as will prevent, or tend with reasonable certainty to prevent, it from slipping.\(^2\)


\(^2\)Buffalo Ordinances, 1918, ch. iv, sec. 26.
The American Humane Association has also taken up the matter of road construction outside of the cities in its relation to horse traffic. One of the speakers at the 1918 annual conference predicted the doom of the horse as a means of transport if the present methods of road construction, taking into consideration only automobile traffic, were followed. In New York State the New York State Association of Horsemens, and in Massachusetts the Protective Association for Horses, were organized mainly to meet this issue. Pennsylvania horse associations likewise were agitating at that time various types of road reforms which were embodied in a bill in 1919 providing that the highway commission should take the needs of horses into consideration in its plans for road construction.\(^1\) The Carriage Builders National Association at its convention in Washington in November 1917, adopted a resolution that "special appeal should be made to all associations and organizations interested in good roads to construct them in a way that will admit of the humane use of the horse."\(^2\)

The suggestion made to the 1918 convention of the American Humane Association was the construction of roads that would admit of both horse and auto traffic. The speaker said:

Since the regulation of traffic has been undertaken in our larger cities, it has been an established rule that the slow moving vehicles keep to the curb, giving the faster ones a freer path through the centre. The same system can and should be followed in the country and a roadway of proper surface for horses should be provided at either side of the motor path. The width of this side drive should depend upon the needs, but generally, a six foot drive on each flank of the hard surface.


will care for the traffic, permitting the slow horse-drawn vehicles to keep to the right in each direction. The construction of a stone road of the modern county road pattern adjacent to the hard surface, would form a natural and inexpensive transition from the concrete to the dirt shoulder, and would also give the horse his place.¹

The transportation of live stock by the railroads has been a matter of great concern to many anti-cruelty organizations located near important railroad centers. One of the first cruelties attacked used to occur within the stock yards at the terminals. There were formerly butchers who specialized in the purchase of crippled stock at a reduced rate, and although it was necessary after slaughtering to discard quantities of bruised meat, they realized big profits on each animal so purchased. When in any shipment there were few such animals, they made smaller profits. It was discovered by agents of the humane societies that they often deliberately crippled healthy animals for their own gain, entering cars at the stock yards and, unobserved, breaking the legs or otherwise injuring whatever animals they could, which they later bought very cheaply. When the humane societies discovered this practice, they brought it to the attention of the stockyard officials and with their cooperation, prosecutions were initiated and the practice checked.²

The Massachusetts, Buffalo, Chicago, St. Louis and Los Angeles anti-cruelty societies among others, have long maintained an inspection service at the railroad terminals to examine and dispose of injured stock.³ The extent of this activity over the decade beginning 1910 may be judged by the agents' records of stock injuries and mortality at the Buffalo yards published in the annual reports of the Erie County S. P. C. A.

¹Ibid.
³Vide McCrea, op. cit., p. 73 for table of the activities of the Erie County Society in this field for one year.
### Stock Injuries and Mortality in Buffalo Yards

<table>
<thead>
<tr>
<th>Year</th>
<th>Cattle</th>
<th></th>
<th>Hogs</th>
<th></th>
<th>Sheep</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Carloads</td>
<td>Crippled</td>
<td>Dead</td>
<td>Carloads</td>
<td>Crippled</td>
<td>Dead</td>
</tr>
<tr>
<td>1910</td>
<td>2,579</td>
<td>77</td>
<td>2</td>
<td>1,037</td>
<td>1,336</td>
<td>1,119</td>
</tr>
<tr>
<td>1911</td>
<td>(600,000)</td>
<td>211</td>
<td>100</td>
<td>(5,800,000)</td>
<td>5,998</td>
<td>4,367</td>
</tr>
<tr>
<td>1912</td>
<td>(300,000)</td>
<td>260</td>
<td>134</td>
<td>(5,400,000)</td>
<td>7,238</td>
<td>6,159</td>
</tr>
<tr>
<td>1913</td>
<td>no report</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1914</td>
<td>5,649</td>
<td>147</td>
<td>67</td>
<td>30,385</td>
<td>6,246</td>
<td>6,280</td>
</tr>
<tr>
<td>1915</td>
<td>16,540</td>
<td>160</td>
<td>98</td>
<td>34,843</td>
<td>5,275</td>
<td>5,496</td>
</tr>
<tr>
<td>1916</td>
<td>21,073</td>
<td>162</td>
<td>106</td>
<td>32,673</td>
<td>5,149</td>
<td>6,145</td>
</tr>
<tr>
<td>1917</td>
<td>13,707</td>
<td>191</td>
<td>170</td>
<td>27,272</td>
<td>4,315</td>
<td>4,474</td>
</tr>
<tr>
<td>1918</td>
<td>21,431</td>
<td>220</td>
<td>200</td>
<td>33,087</td>
<td>3,056</td>
<td>5,324</td>
</tr>
<tr>
<td>1919</td>
<td>no report</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1920</td>
<td>21,430</td>
<td>201</td>
<td>136</td>
<td>32,631</td>
<td>3,461</td>
<td>2,366</td>
</tr>
</tbody>
</table>

Figures in parentheses give the number of animals arriving at the yards instead of the carloads.
These figures indicate a decided decrease during these years in stock mortality during transportation. Although the total of dead and crippled animals is greater in the later years, this is more than counter-balanced by the increase in shipments, so that the average number of killed and injured animals to each car is actually less. This is to be explained in part by the added care that is given to the animals by the train crews because of the educational propaganda carried on among them by the humane societies, and by the greater cooperation of yard crews. As the result of a propaganda drive begun in 1919 by the Los Angeles S. P. C. A. among the caboose men and caretakers, and by arrangement with the railroad officials so that the office of the Society was constantly in touch with all stock shipments, the Society was able to announce a year later a fifty per cent improvement in stock-transportation conditions in its district.\(^1\)

Little of the improvement noted above can be credited to more progressive transportation legislation, as state legislatures have been notoriously inactive in this field, where they have not passed or attempted to pass actually retrogressive legislation. In Ohio, for example, the legislature in 1913 and 1914 tried to amend the livestock-transportation law, extending the time that stock might be confined on a train from twenty-four to thirty-six hours. It was only by the vigorous action of the Cleveland Animal Protective League that this was defeated.\(^2\)

All state stock transportation legislation has been moulded by the federal twenty-eight hour law of March 3, 1873 as modified by the amendment act of June 29, 1906.\(^3\) The modified act provides that no interstate land or water carrier shall transport cattle, sheep, swine or other animals

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for a period longer than twenty-eight consecutive hours without unloading the same in a humane manner, into properly equipped pens for rest, water, and feeding, for a period of at least five consecutive hours, unless prevented by storm or by other accidental or unavoidable causes which cannot be anticipated or avoided by the exercise of due diligence and foresight: Provided that upon the written request of the owner or person in custody of that particular shipment . . . the time of confinement may be extended to thirty-six hours . . . : Provided that it shall not be required that sheep be unloaded in the night time, but where the time expires in the night time in the case of sheep, the same may continue in transit to a suitable place for unloading subject to the aforesaid limitation of thirty-six hours.

A proposal to require all stock trains to average a speed of eighteen miles an hour, though desirable, did not become a part of the law.

A series of judicial decisions has emphasized the humane character of the act. Nevertheless, it should be remembered that the 1906 amendment gave an advantage to the shippers by providing for the extension to thirty-six hours on request and several decisions other than those cited in Note — have provided for the shippers' interest: in U. S. v. Pere Marquette Ry. Co, it was asserted that "the Act has also in view the protection of the interests of owners of animals and of the public in preventing their health and condition being injured in transit"; in U. S. v. Oregon Ry. & Nav. Co, it was stated that the Act was intended "to subserve the interests of the owner"; in two decisions,
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U. S. v. St. Joseph Stock Yards Co., and U. S. v. Louisville and Nashville Ry. Co. it was stated that the act was passed not more from considerations of sympathy for the cattle, than to protect the public from imposition and from unwholesome food.1

The Act of 1873 had been a dead letter from its passage in spite of sporadic attempts on the part of the Department of Agriculture to enforce it, and many grave abuses had arisen out of the failure of the railroads to live up to the law. After the passage of the 1906 amendment, however, the Bureau of Animal Industry put its agents on the roads to follow the shipments of live stock and to report violations. Hundreds of cases were reported and the law was rigorously enforced. On June 30, 1918 there were 2,831 cases of violations of the act pending in the courts.2

The legislation that has been passed on this matter affecting intra-state shipments has been for the most part to bring the state laws into alignment with the federal. In addition, four states have speed minimums: Colorado, ten miles per hour;3 Kansas, fifteen miles per hour;4 Nebraska, eighteen miles per hour except on branch lines where twelve miles per hour is permitted;5 Kansas, fifteen miles per hour;6 and North Dakota, twenty miles per hour.7 Iowa requires animals to be carried at the "highest practical speed"; what this is to be is decided by the Board of Railway Commissioners.8

1 181 Fed. 625 (1909); 18 Fed. 480 (1883). Vide U. S. Dept. of Agriculture, Bureau of Animal Industry, Order no. 264 (1919) for review of the Act and a review of further decisions bearing on it.
3 Col. Sess. Laws, 1921, ch. 68.
6 N. D. Sess. Laws, 1903, ch. 144.
Humanitarians are not satisfied with present conditions of animal transportation and numerous reforms have been projected. These were generalized by Dr. Francis H. Rowley, President of the Massachusetts S. P. C. A., at the 1921 convention of the American Humane Association:

First. We have been told, ever since the days of Bergh and Angell, that the remedy for these evils is the slaughter of food animals near the place of their rearing, and the shipping of their flesh in refrigerator cars. But the hundreds of millions of dollars invested in our present systems of slaughter houses... makes their breaking up a dream whose fulfillment lies only in the millenium.

Second. No small part of the suffering of animals in transit is due to the failure of the railroad to maintain a proper rate of speed in their transportation. A freight composed of sentient creatures should have the right of way over shipments of inanimate merchandise. . . . The universal opinion is that a speed should be maintained of not less than from 18 to 25 miles per hour.

Third. Much has been accomplished, chiefly through anti-cruelty organizations . . . to change the conditions that formerly existed at unloading stations. I have seen yards into which cattle, sheep and swine were forced from cars where they wallowed in mire half-way up to their knees, where hay pitched to them became fouled with mire before it could be a quarter eaten, and where the watering troughs were so full of filth, that, thirsty as they were, the suffering victims could not drink from them. Things have been greatly improved in recent years. Yet here is another point at which humane societies may well concentrate their forces.

Fourth. Years ago there was a hope that improved cattle cars might materially help lessen the suffering of animals in transit—cars so constructed that animals might be provided with food and water in the cars themselves. Who knows anything about the much-talked-of palace cars today, except those for horses? It was soon found that the watering troughs in
these cars must be placed at a height which could be reached by the animals. But this height was just such that the troughs, though filled with water at frequent intervals, were more like sewers than drinking places. Cattle are cattle. You can’t load them with heads all one way. You can make it possible for them to lie down and have their food and drink provided for them in cars only at an expense that the trade would denounce as prohibitive. Here, then, is another point against which humanitarianists must concentrate their forces. They must seek the repeal of the amendment that extended the confinement period to thirty-six hours, and strive for something even more humane than the old twenty-eight hour law.¹

A special committee of the American Humane Association drew up recommendations for a model Animal Transport Act which were reported in the 1917 Convention of the American Humane Association,² but as yet few state legislatures have adopted any of these recommendations.

Closely allied to the problem of stock transportation is that of the humane slaughter of food animals. It has occupied the attention of humanitarians for the last twenty years,³ but is little nearer solution today than when propounded. The following description of a large American slaughter-house was made to the 1920 American Humane Association conference by Dr. Francis H. Rowley:

In a large room, I saw probably one hundred steers standing with water being sprayed over their backs. I said to the man who was taking me about, “It isn’t hot enough today to spray those animals.” I wondered at the kindness that had suggested that these animals could be cooled by the spray.

² *Vide* appendix iii.
He said "We don't spray them to get them cool; but the hair is so thick, until we spray them it is a poor nonconductor (sic) for our electric punches."

Then opening from this pen is a door which will bring a certain number of animals in through a passageway perhaps five feet wide. Doors are in it making it into compartments, each one holding four animals. These doors are lifted, and as the animals are started by this electric prod they are rushed in with speed as fast as they can make it, every man standing along the line having one of these electric prods.

"How powerful is the shock of this electric prod?" I asked. "Put it on a bull's neck and it will knock him to the ground every time. The thinner animals are often knocked down as soon as it touches them."

When the space is filled the doors are dropped. The animals they had were often so large it was almost impossible to get four inside the two doors. A man who stood next to me must have been at least thirty seconds trying to get one animal under the door so he could drop it. The prod was held against him until he roared and bellowed and cried almost like a human being. At last, driven by that prod, he rammed his way in until he had shoved one of the others almost double at the further end.

Four animals were jammed in. The man who started at the head of the line struck the first animal three blows before he could even drop him to his knees. The first blow dropped the second one. The third one he struck twice. The fourth one, the first blow got him down. The first one got to his feet again. Already struck three blows with that great hammer as near the centre of the forehead as he could get, a final blow was struck which threw him on his knees.1

This description indicates the nature of the problem confronting humanitarians. This problem is further stated by Dr. Rowley as follows:

1. We kill for food in the United States so vast a number of animals as compared with other nations, that the elements of time and expense in our methods of slaughter present a problem other lands have scarcely to consider. In seeking our goal, not only must some device be found for the effective stunning of our food animals before bleeding, that can be operated with great rapidity, economical and safe, and demanding little delay to keep it in good order, but our great abattoirs must of necessity, change or rearrange certain of their present facilities for bringing their animals to the slaughtering pens, or introduce new facilities to make possible humane slaughter.

2. Again it must be acknowledged that the character of the cattle dealt with in our large abattoirs is very different from that of similar animals in European countries. Little is known in Europe of our wild, untamed, Western-range beef animals. The foreign slaughter houses have to deal with steers and cows and bulls which, with few exceptions, are more or less domesticated, used to daily contact with men, and used to being led or driven about the farm, or kept largely in the stable.

3. Still further, we have to remember that in all foreign countries with the exception of England, the great majority of the animals are killed at municipal abattoirs under the direct control of the city authorities. To these places, the individual butchers come not only to buy their animals but to have them slaughtered. Municipal abattoirs in all our larger cities and towns to which animals from the surrounding country could be brought, would eliminate no small part of the sufferings of our food animals now endured by reason of long shipments in trains often overcrowded, often side-tracked for other freight to pass, often subjected to climatic conditions which cause intense suffering, often enduring hunger, thirst, and exhausting weariness. None of us will dispute the statement that even when the best has been done that human genius can devise and humanity may dictate, the transportation and slaughter of our food animals will always, by the very nature of the business, involve more or less of suffering. To take from the ranch or the farm to the place of shipment, cattle, sheep, and swine; to
load and unload them; to bring into the slaughter pen amid unfamiliar scenes and odors, millions of creatures more or less frightened and incapable of reason and unable to understand what is wanted of them; to do this with a care and concern for their welfare that would prevent all suffering, would be to make the cost involved in the traffic absolutely prohibitive. This, however, must not for a moment stay us in our endeavor to better to the utmost limit of our power, the conditions which are responsible for this unavoidable suffering.

After a recent study of European slaughter houses and abattoirs, Dr. W. Reid Blair concludes against the American method of stunning by a blow of the hammer. He says:

It is the unanimous opinion of all the directors of abattoirs with whom it has been my privilege to consult, that the only humane and practical method of producing insensibility in animals slaughtered for food, is by stunning or destroying the cerebrum or fore-brain. It has been repeatedly demonstrated that effective stunning acts as a perfect and instantaneous anaesthetic, and the stunned animal is lost in unconsciousness before there is time for the blow which produces it to be felt. . . .

If the blow of the hammer was always accurately directed and with sufficient force, there would be no great objection to this method of stunning, but with butchers, as with all other men engaged in human endeavors, all are not equal in skill, strength or reliability in delivering the blow. To become an expert in stunning requires constant practice, and it is important to remember that these dumb creatures furnish the subjects for the practice. It is horrible to contemplate the sufferings of animals before the butchers become experts at proper stunning. In the case of thick-skulled bulls, often the blows of the hammer in the hands of even a skillful and strong man are not sufficient to cause even a temporary stunning, until the skull bones are broken through by repeated blows.

1 The Charleston American, April 8, 1923.
In line with these recommendations, the humane slaughter committee of the American Humane Association voted in 1922 for a publicity campaign and drew up the following model bill to be introduced into all state legislatures during the coming year:

Sec. 1. No animal shall be slaughtered for food or for rendering or other disposal unless such animal is first effectively stunned or otherwise deprived of sensation before being cut or bled; and such stunning or deprivation of sensation shall be done in as humane a manner as practicable, and so as not to cause such animal unnecessary pain or fright. No animal in the process of slaughter shall be caught up or hung up, by its hind legs, ears, tail, or otherwise, before it is so stunned or deprived of sensation. The word "animal" herein used shall not be deemed to include fish or fowl.¹

To encourage progress along these lines, the American S. P. C. A. in the winter of 1922 offered two prizes: one of $5000 for the best acceptable device for casting animals previous to slaughter, and one of $10,000 for the best acceptable humane slaughtering device. No decision has as yet been rendered in this contest (November 1923) and the devices submitted will be put to extensive practical tests before final judgment is rendered.

The Jewish rite of kosher slaughtering precludes the possibility of stunning animals before slaughter, because the Rabbis believe such stunning prevents a complete draining of blood from the animal. The Massachusetts S. P. C. A. and the American Humane Education Society have been carrying on a campaign to prove by reference to adequate authorities that such is not the case in an endeavor to abolish the extreme cruelty of the rite.²

The western societies have been carrying on during the

² Vide Francis H. Rowley, Slaughter-House Reform in the United States and the Opposing Forces (pamphlet, Boston, 1921), p. 9, et seq.
last few years a campaign directed towards the betterment of the conditions of the range stock in their states. All the plain and mountain states and a few of the Pacific and South Atlantic states—twenty-one or twenty-two in all—are considered range stock states.

It is reported that in one year 1,800,000 range cattle and sheep died from exposure. In Colorado during the winter of 1916-1917, a particularly severe one, from 10 per cent to 35 per cent of the 1,680,197 range cattle and the 1,440,380 sheep in the state died. There should be also taken into consideration the severe stunting of growth resulting to the survivors. In the year ending March 1919, 900,000 head of cattle in the United States died of exposure.

One of the biggest loss factors in this respect is the "shoe-stringer". He is the cattleman who operates without owning a foot of land and generally without credit or capital, taking his chances to make a winning on an open winter when his stock will get through without heavy losses.

The great cattle-range country is in a transition stage. Settlers are still crowding in and fencing in more and more land. Large cattle companies—the best of them—have fenced lands and provide water, food and shelter. They are crowding the "shoe-stringer" off the better lands, and as he is forced onto the poorer, his stock losses with all the animal suffering involved, are correspondingly higher.

Bona-fide cattlemen are as bitter against the "shoe-stringer" as are the anti-cruelty societies. Through the efforts of western organizations of cattlemen and wool-growers, he is no longer granted leases to pasture his livestock on the forest reserves, and these are granted now only to owners of cattle and sheep who are able to show owner.

1 Cf. McCrea’s account of his problem, op. cit., p. 69.
ship of ranch lands and ability to take care of stock when it is taken off the reserve. They would gladly welcome a means whereby the "shoe-stringer" might be shut off from the state and federal range lands as he is also off the forest reserves.\footnote{Ibid.}

The owners of ranch lands, however, are not entirely free from charges of negligence and cruelty. They find it difficult to adapt themselves to the change from the earlier days when herds were smaller, ranges larger, and pasturage better. There is a reluctance to provide winter feed for their stock even in regions where dry farming is quite practicable and inexpensive. In addition to the western humane societies and state bureaus, the Red Star has devoted its attention to the relief of range stock. A broad publicity campaign was begun in 1918 and three special investigators as well as local volunteers began a thorough examination of range stock conditions. The representatives of the Red Star found the stock owners very ready to cooperate with them.\footnote{\textit{A. H. A.}, 43rd Ann. Rpt., pp. 4 and 15.} The measure of such support by the live stock associations may be gauged by the following letter of the Querno Verde Live Stock Association to the Wyoming State Board:

\begin{quote}
We are opposed to the grazing of live stock on the open range or forest reserve during the months of January, February and March. Each and every member of this association by these resolutions bind themselves to obey the above and exert every effort to gather all stock off the range at the beginning of the time mentioned each and every year.

We respectfully ask the State Humane Society to assist us by appointing one or more members of this association as humane officers to act within the boundaries of this association.\footnote{\textit{Wyoming State Board of Child and Animal Protection}, Biennial Report of 1912.}
\end{quote}
In 1912 and 1913 inquiries were made into sheep-shearing conditions in several of the western states. It was found that grave abuses existed in Colorado, Wyoming and Oregon. California conditions were much better, whereas in Texas and Montana little information could be obtained. These six states constitute the principal sheep states in the United States.

The greatest abuse was the wounding of the animals through careless cutting. In the holding of the sheep, brutal methods such as stunning or undue pressure were sometimes employed. The sheepmen themselves were not responsible for these cruelties, for it was to their interest to have their sheep shorn as humanely as possible. The cruelties were perpetrated by irresponsible shearing crews. Consequently, the humane organizations were aided in their campaign by the National Wool Growers Association and by the various state and local sheepmen's associations.¹

The form that the resulting campaign took is indicated by a report of the Wyoming State Board:

We sent out circulars to the sheep growers outlining our plan and requesting them to select discreet men in their employ to act as special agents under our appointment during the shearing season. In addition to this, we sent out our deputies to the largest shearing pens to report on conditions. Also a large linen poster was sent to each shearing station, giving the terms of the Wyoming laws in regard to cruelty to animals, and as warning to all persons violating the law, that they would be punished by fine or imprisonment or both.²

The campaign was successful in Wyoming and elsewhere.

During the same years, the western societies were active in discouraging the use of barbed wire fences in the cattle country and encouraging the substitution of smooth wire fences with moderate success.