

prise to witness that men of intelligence would torture horses by using the check-rein. Even if it was necessary to use a check-rein on a particular animal when driving it, its use would not be justifiable when the animal was left standing by the side of the road. From the evidence already given witness had no hesitation in saying that the animal in question was suffering pain when seen by Mr. Hutchinson and Mr. Ramsay. The checking to which the animal was said to have been subjected would be both useless and cruel.

Cross-examined :—He knew that the check-rein was used on valuable horses like Maud S., but its use was, like many another thing, due to the fact that owners would submit to the fads and fancies of trainers. Even if some veterinarians of high standing favored the use of the check-rein, he did not think that the profession as a whole approved of it. He did not think that he had ever had to treat a horse that was suffering from anything which could be directly traced to the use of the overdraw check-rein, but many derangements were brought on in horses the cause of which it was sometimes difficult to trace.

Col. Whitehead corroborated the evidence of Mr. Hutchinson and Mr. Ramsay, after which Dr. Daubigny deposed that the abuse of the check-rein was cruel. With some animals the use of the check-rein was necessary. When properly used it was not cruel.

This was the case for the prosecution, and witnesses for the defence were called.

Mr. Lowry, the defendant, said that the horse was not suffering on the day in question from the use of the check-rein. The tightness of the check-rein which had been spoken of was due to the fact that the blanket which he had thrown over the horse was pulling upon it. Without the check-rein witness would not attempt to drive the animal, which was a very hard puller. He had tried the curb-bit, but the horse would not drive at all with it. When racing the horse he checked it up during the heats, and at the finish of each heat he loosened the check.

Mr. Geo. Clemmie knew the horse in question, and said that he had never seen the defendant check it up in such a way as to suffer pain. The animal was a very hard puller, and it was necessary to use the check-rein with it. The horse carried its head very high when driving, so that, although the check-rein