

## SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS V. COURSOLLES.

left fluttering on the ground until others had been placed in the traps, and another shooter had taken his stand, when the judge or referee called out, "gather your bird, Mr. Coursolles." The boy was sent out, caught and carried it in, wrung its neck and threw it into a pile of dead birds. The great majority of the birds did not rise until beaten up by the whipping-up rope. They almost invariably flew towards the shooters. Many were so crippled from confinement as to be unable to rise from the ground, and after further trial were pronounced "no birds" by the judges. These were put into a separate box as useless for the purpose of living targets. Many were wounded and escaped outside the bounds. One bird was fired at and flew in among the crowd. It was followed up by the shooter who after some time succeeded in knocking it down with his hand inside the rope. He carried it to the judges, who after long handling and examination, and failing to detect traces of blood drawn by the shot, pronounced it "no bird"; its neck was then wrung, and its body thrown into the pile. The birds bore evidence of having been badly treated before being fired at. Saw several left rotting on the field after being shot. I witnessed the shooting at clay pigeons which are thrown into the air by a spring trap; these were more difficult to hit than the live birds, and furnished tolerable practice.

*Dr. R. F. Wicksteed.*—"The object of the prosecuting society, and of the law under which it works, is twofold—deterrent and educational. Every act of cruelty which is perpetrated is a practical lesson in immorality. We wish to protect the animals, and also to prevent scenes which are calculated to harden the minds of the people. In this case we have to prove that the act complained of was: 1st, committed within the jurisdiction of the magistrate; 2nd, that the birds shot at were domestic; 3rd, that the birds were cruelly or unnecessarily ill-treated, abused or tortured; 4th, that they were so abused, etc., by the party summoned.

The first and fourth points have been proved by the witness Baker. As to the third point, the birds used were common house pigeons. Do they come under the class, "domestic birds," of the statute? This may be inferred from the remarks of the judges in *Bridge v. Parsons*, 32 L. J. N. S. See also, Dallas' Natural History, p. 497, and Nicholson's Manual of Zoology, where we find the expressions "domestic varieties" and "common domestic breeds of pigeons."

The third and most important point we have to make is—were the birds unnecessarily abused and tortured? Judge Grove, in *Swan v. Saunders*, 44 L. T. 426, says, "I prefer to define cruelty

as unnecessary ill-usage by which the animal substantially suffers." Now, although these birds may have been bought for the market, and the defendant and his companions were only acting the part of amateur butchers or poulterers, yet the work of killing was bunglingly done, and the calling in of these men and the use of the shot gun, I hold to be unnecessary ill-usage; the birds substantially suffered, and we have the definition of cruelty complete. Scientific men and even sportsmen admitted that under any conditions the shooting of pigeons from a trap was an act of cruelty and brutality. In the debates in the English House of Commons on 5 & 6 W. IV. c. 59, 1835, Col. Sibthorp said, "I think shooting and hunting are amusements which none will deny to be cruel." Sir M. W. Ridley said, "In my opinion the amusements of hunting, coursing, shooting and fishing are as much breaches of the Act as cock-fighting and bull-baiting"; see "Mirror of Parliament," vol. 29, 1835, p. 1883.

In *Temple Bar*, 1870, p. 367, we read, "What applies to any shooting in the matter of cruelty applies to all—pigeon-shooting included. Nevertheless, we feel strongly tempted to some sort of agreement with Mr. Freeman when he calls it 'the lowest brutality of all,' because the tameness of the quarry, and the total absence of some of the nobler elements of sport—such as adventure, exercise and the pitting of one's wits against the instinct of the animal—almost degrades this particular pastime to amateur butchery."

W. Stanley Jevons, in the *Fortnightly Review* for 1876, p. 674, says: "Can any one deny that what is known as sport—including hunting, coursing, deer-stalking, shooting, battue-shooting, pigeon-shooting and angling—is, from beginning to end, mere diversion founded on the needless sufferings of the lower animals."

Stonehenge, in his "Encyclopaedia of Rural Sports," writes: "All pursuit of game merely for sport has an element of cruelty attending it; and it should always be remembered that this stain must be subdued, and, if possible, washed out by the many counterbalancing advantages." And again, "There can be no reason why hunting or shooting should not be carried on without any drawback, except the inherent cruelty attending upon them."

Robert Blakey, in his work on shooting, writes of pigeon-shooting: "Looking to its attraction as a matter of sport, little or nothing can be said in its favour, when put into competition with the more noble and manly enjoyment of the sports of the field."

An able writer in the *Cornhill Magazine*, vol. 29, 1874, p. 218, expresses himself in these forcible