

SUGGESTIONS

For the Guidance of Individuals who may desire to Prosecute Persons
Guilty of Cruelty to Animals.

The Dominion Law presents three means by which perpetrators of Cruelty to Animals may be punished: I. By giving the Offender into the custody of a Policeman or Constable: II. By the issue of a summons: III. By the apprehension of the accused under a Warrant.

I. By giving the Offender into the custody of a Policeman or Constable.

This is the best course to adopt within the City of Halifax and in towns where Magistrates sit daily, as the person charged can be conveyed to a Police Court immediately after the commission of the offence, and punished forthwith. If a Policeman or Constable is not within reach when the cruelty is witnessed, or cannot be obtained soon afterwards, it will be better to proceed by summons, except in flagrant cases, exhibiting the worst features of torture; or when in consequence of the offender's refusal to discontinue his brutality it may be necessary to protect the animal by placing its tormentor in custody of a Police Officer.

II. By the issue of a summons.

First obtain the name and address of the offender, and lay the complaint before a Justice of the Peace within whose jurisdiction the offender shall have been committed. This must be done within three Calendar Months after the commission of the act complained of.

Should the accused be the Driver or Conductor of an Omnibus, Cab, or other Public Vehicle, obtain his name, address, and number of badge; also, the name, address, and number on said Omnibus, Cab, or other Vehicle. Make a note of the time when, and the place where, the offence occurred. If for driving a horse or other animal with galled neck or shoulders, or other wounds, note the size, situation of such wounds, especially if raw, discharging, or in contact with the harness; if flogging or beating, note the number of blows, and on what part of the body inflicted, and the effect, if any, on the skin of the animal; if for lameness, ascertain particularly whether or not there is suffering, as a lameness is not always an indication of pain; if for weakness or infirmity, take care to have a witness to speak of the bodily condition, age, and incapacity of the animal, and the labour exacted from it; for overloading, it is indispensable to show painful distress of the animal—e.g., trembling, fading, unusual perspiration, or exhaustion—to show violence on the part of the driver; if for mutilation or any other torture under the aforesaid Acts of the Dominion of Canada, observe minutely and take down in writing the precise character of the same in detail. It is important to remember the exact words of the accused when stopped. In every case, if possible, to obtain the name and address of one or more respectable witnesses willing to give evidence. If unwilling, a witness may be subpoenaed by the Magistrate to appear.

The Magistrate has power, upon conviction for ill-treatment to an animal which has sustained damage, to award compensation to the Owner thereof, in addition to the punishment upon such conviction, the said compensation to be paid by the offender.

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