

to a certain punishment. The offence charged was that a horse, standing by the side of a roadway, and harnessed in a carriage, was ill-treated and tortured, within the meaning of that statute, by the application of a check-rein. The evidence was conclusive that the animal was suffering great pain from a tight check-rein, which kept its head in an unnatural and painful position. Judging from the evidence as reported, a clear case under the statute was made out.

The defence was that the horse was a "hard puller," and was difficult to drive without a check-rein. It was also stated by a witness for the defence that some horses require a check-rein whilst being driven, and that a horse looks handsomer with a check-rein than without. Another of the witnesses stated that the animal did not suffer pain; but this statement was unsubstantiated, and was manifestly untrue in the opinion of the other witnesses.

Doubtless to the astonishment of the prosecutors (the Society for the Prevention of Cruelty to Animals) and the large number of highly respectable witnesses called for the Crown, and, we should suppose, to the great astonishment of every reader of the report of the case, the Recorder dismissed the charge. He said that it had been proved the check-rein was necessary to manage the horse, and that, moreover, "it was quite lawful to use a check to render an animal handsomer, and thus give more value to the property of the owner, who, being a sportsman, had an interest that his horse should show well, and thus bring a better price. No doubt the check-rein causes a certain amount of annoyance until the horse gets accustomed to it, but the annoyance was not caused unnecessarily." Had the learned Recorder been subjected to the same treatment, he would have probably used a stronger word than "annoyance." It would be an interesting subject for a cartoon to represent the horse on the Bench, and the Recorder harnessed to a cart, with a tight check-rein on.

It is scarcely necessary to point out the manifest fallacies of this extraordinary decision. Even if a check is necessary to manage a horse when driving, it is not, therefore, necessary when a horse is "standing at ease"; nor does ill-treatment and cruelty cease to be ill-treatment and cruelty because it is said to be necessary to make the unfortunate subject of it look handsomer, or bring a higher price.