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Seventh and Eighth  
Biennial Reports

OF THE

Colorado State Bureau of  
Child and Animal  
Protection

December 1, 1912, to November 30, 1916



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# Seventh and Eighth Biennial Reports

OF THE

# Colorado State Bureau of Child and Animal Protection

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December 1, 1912, to November 30, 1916



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To the Honorable  
JAMES R. NOLAND,  
Secretary of State.

Sir: Herewith please find the report of the work done by this board during the last two biennial periods, which is respectfully transmitted to you, pursuant to law.

All of the appropriation made by the Twentieth General Assembly for carrying on the work of the Bureau of Child and Animal Protection was vetoed by Governor Carlson except for the first six months.

During the remaining eighteen months the only funds available were such as were contributed by persons interested. For most of the time one officer was employed, but there were no funds for traveling expenses. The work done by the volunteer officers over the State was without the usual backing and aid from the office, when required.

Governor Carlson also refused to permit the publication of the biennial report, which is required by law. The statistical totals for 1913 and 1914 are therefore included, by permission, in the present report.

E. K. WHITEHEAD,  
Secretary Colorado State Bureau  
of Child and Animal Protection.

# THE STATE BUREAU OF CHILD AND ANIMAL PROTECTION

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E. A. COLBURN.....	President
FRANK S. BYERS.....	First Vice-President
FRANK N. BRIGGS.....	Second Vice-President
E. K. WHITEHEAD.....	Secretary
WILLIAM SMEDLEY .....	Treasurer
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MRS. MARY C. C. BRADFORD.....	Superintendent of Public Instruction

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## STATISTICAL REPORT

Of the State Bureau of Child and Animal Protection for the Biennial Period,  
December 1, 1912, to November 30, 1914.

## CHILD AND ADULT CASES

	State Volunteer Officers	Denver Volunteer Officers	El Paso Humane Society	State Officer	Denver Officers	Totals
Men	252	529	198	53	170	1,202
Women	227	302	262	48	236	1,075
Boys	497	504	341	297	1,771	3,410
Girls	511	274	282	281	1,850	3,198
Court Cases involving children	128	28	42	69	332	639
Non-support cases	178	137	30	.....	422	767
Children placed in institutions	241	382	70	.....	533	1,226
Peck's Training School	.....	.....	.....	.....	1	1
Children's Hospital	.....	.....	.....	.....	1	1
Mercy Hospital	.....	.....	.....	.....	1	1
Steele Hospital	.....	.....	.....	.....	2	2
Colorado Christian Home	.....	.....	.....	.....	3	3
St. Clara's Orphanage	.....	.....	.....	.....	10	10
State Industrial School for Boys	28	8	.....	.....	5	41
State Industrial School for Girls	29	1	.....	.....	4	38
Crittendon Home	.....	.....	4	.....	4	9
St. Vincent's Orphanage	.....	.....	.....	.....	9	9
Denver Orphans' Home	.....	.....	.....	.....	42	42
House of the Good Shepherd	.....	.....	.....	.....	12	12
County Hospital	.....	.....	.....	.....	44	44
Detention Home	.....	.....	.....	2	19	19
State Home	30	19	.....	.....	75	75
Police Matron	.....	.....	.....	.....	78	127
Private Homes	154	354	.....	.....	62	162
Sent to Other States	.....	.....	.....	.....	48	556
Adults to Asylums	.....	.....	.....	.....	25	25
Public Schools	359	149	.....	.....	13	13
School Buildings, conditions changed	.....	.....	.....	43	.....	551
School children referred to us under physical examination	.....	.....	.....	3	.....	3
Declared dependent in court	.....	.....	.....	391	67	458
	.....	.....	.....	.....	87	87

## ANIMAL CASES

Poultry and other small animals .....	764	2,522	634	.....	1 car, 668 crates	4,920
Hogs .....	167	107	4	.....	1,000	278
Dogs .....	359	659	365	33	563	1,976
Cattle .....	5,254	797	2,022	2,414	1,357	17,844
Sheep .....	17,155	18	1	.....	1,302	17,476
Horses, mules and burros .....	2,054	2,093	1,002	1,860	4,461	18,470
Taken out of harness .....	498	673	160	59	633	2,023
Taken possession of .....	182	25	.....	.....	.....	207
Animals destroyed .....	467	454	280	3	273	1,477
Court cases involving animals .....	43	12	.....	50	49	154
Warnings .....	1,802	3,533	651	152	2,195	8,333
Number volunteer (unpaid) officers .....	.....	1,664	.....	.....	.....	.....
Number towns represented .....	.....	319	.....	.....	.....	.....
Number officers gained in two years .....	.....	221	.....	.....	.....	.....
Towns visited .....	.....	465	.....	.....	.....	.....
Miles traveled by state officers: automobile, 3,660; horse and stage, 683; wheel, 648; railroad, 41,474. Total, 46,465.	.....	.....	.....	.....	.....	.....



## STATISTICAL REPORT

Of the State Bureau of Child and Animal Protection for the Biennial Period,  
December 1, 1914, to November 30, 1916.

## CHILD AND ADULT CASES

	Volunteer Officers	El Paso County Branch	Las Animas County Branch	State Officer	Denver Officers	Total
Men	348	163	130	9	91	611
Women	249	241		11	163	684
Boys	417	371	20	57	784	1,694
Girls	332	313		43	813	1,566
Court cases involving children	54	69		7	96	226
Non-support cases	39	33		1	113	260
Children put in institutions	209	119	14		167	569
Private homes	141		74		141	141
Public schools	240					240
Declared dependent in court					43	43

## ANIMAL CASES

Poultry and other small animals	1,314	2,554			67 crates	3,935
Hogs	197	340				537
Dogs	427	290			137	854
Cattle	2,736	1,366				4,102
Sheep	3,347					3,347
Horses, mules and burros	1,317	815			733	2,865
Taken out of harness	367	103			176	646
Taken possession of	63					63
Animals destroyed	346	317			74	737
Court cases of animals	23				33	55
Warnings	1,764	743			767	3,274
Number volunteer (unpaid) officers	1,683					
Number towns represented	322					
Number officers gained in two years	19					
Towns visited	63					
Miles traveled by state officers	6,112					



## REFERENCES TO THE LAWS OF COLORADO FOR THE PREVENTION OF WRONGS TO CHILDREN AND ANIMALS

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The laws for the protection of children and animals are so numerous and voluminous that it is impracticable to print them in this report. All that can be done is to print extracts from one or two of the fundamental ones and references to the others. The subjects they cover are given, and the laws in full can be found in any lawyer's office that is handy. All of them are in late editions of the Revised Statutes and in the Session Laws. Any lawyer will help an officer to find them without charge if he understands the conditions—the volunteer character of the officer's own service.

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### ESTABLISHING A STATE BUREAU OF CHILD AND ANIMAL PROTECTION

(Session Laws, 1901, pages 191 and 192.)

An Act to Prevent Wrongs to Children and Dumb Animals, and to Establish a Bureau of Child and Animal Protection.

*Be it Enacted by the General Assembly of the State of Colorado:*

Section 1. That the Colorado Humane Society be and hereby is constituted a State Bureau of Child and Animal Protection for the purposes hereinafter set forth; Provided, That the said humane society shall accept and carry out the provisions of this act.

Sec. 2. The Governor, the Superintendent of Public Instruction and the Attorney General shall be ex-officio members of the board of directors of said State Bureau.

Sec. 3. It shall be the duty of the said bureau to secure the enforcement of the laws for the prevention of wrongs to children and dumb animals; to assist the organization of district and county societies and the appointment of local and State agents, and give them representation in the State Bureau; to aid such societies and agents in the enforcement of the laws for the prevention of wrongs to children and dumb animals, which may now or hereafter exist; and to promote the growth of education and sentiment favorable to the protection of children and dumb animals.

Sections 4, 5, 6 and 7 relate to meetings, reports, etc.

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### THE LAW AGAINST WRONGS TO CHILDREN

(Session Laws of 1891, pages 59-62; 3 Mills' Statutes, pages 194-198.)

Section 1. It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years, to

exhibit, use or employ as an actor or performer in any concert-hall or room where intoxicating liquors are sold or given away, or in any variety theatre, or for any illegal, obscene, indecent or immoral purposes, exhibition or practice whatsoever, or for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein. Nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music.

Sec. 2. It shall also be unlawful for any person to take, receive, hire, employ, use, exhibit or have in custody any child under the age and for the purpose prohibited in the first section of this act.

Sec. 3. It shall be unlawful for any person having the care or custody of any child, wilfully to cause or permit the life of such child to be endangered, or the health of such child to be injured, or wilfully to cause or permit such child to be placed in such a situation that its life or health may be endangered, or wilfully or unnecessarily to expose to the inclemency of the weather or wilfully to abandon such child, or to torture, torment, cruelly punish, or wilfully and negligently to deprive of necessary food, clothing or shelter or in any other manner injure such child.

Sec. 4. It shall be unlawful for any person or persons to give or sell cigarettes to any person or persons under the age of sixteen years.

Sec. 5. Any person who shall be convicted of violating any of the provisions of the preceding sections of this act shall be fined not exceeding one hundred dollars or be imprisoned in the county jail not exceeding three months, or both, in the discretion of the court; and upon conviction for a second or any subsequent offense, shall be fined not exceeding two hundred dollars, or be imprisoned in the county jail not exceeding six months.

Sec. 6. Any justice of the peace of the county in which any of the offenses defined in this act are committed, may upon his own knowledge, or upon the oath of any competent person, issue a warrant to any proper officer of his county for the arrest of any person charged with such offense, and upon the arrest of such person, the justice of the peace before whom such person is brought to trial shall have jurisdiction to hear and determine the cause, and if he finds the accused guilty, shall assess the fine or fix the term of imprisonment, or both, as prescribed in this act; Provided, The accused may have a trial by a jury of six lawful jurors, or if he shall insist upon a full jury, by twelve, who shall be summoned to try the cause, and if the jury shall find the accused guilty, they shall assess and state the amount of the fine or the term of imprisonment, or both; upon which the

justice of the peace before whom the trial shall be had shall give judgment accordingly, and proceed to collect such fine and the costs of trial; and when such fine shall be collected the same shall be paid to the treasurer of the Colorado Humane Society, who shall give his receipt therefor, which said receipt shall be filed with the justice of the peace, after which the said fine shall be subject to the control of said society in aid of the benevolent objects for which it was incorporated.

Sections 7-11 are seldom used.

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SUBJECTS COVERED BY STATUTE—SEE REVISED LAWS AND  
SESSION LAWS

Forbidding Life Insurance of Children.

State Home for Dependent and Neglected Children.

State Industrial School for Boys.

State Industrial School for Girls.

State School for the Deaf and Blind.

State School for Mental Defectives.

Feeble-Minded Persons.

Physical Examination of School Children by Teachers.

Delinquent Children.

Contributing to Dependency, Neglect or Delinquency of Children.

Parents or Other Persons Responsible for Dependency or Neglect.

Referees in Child Cases.

Support of Wives and Children.

Support of Parents by Children.

Dependent and Neglected Children.

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CONCERNING COMPULSORY ELEMENTARY EDUCATION  
IN SCHOOL DISTRICTS

(Revised Statutes, 1908, section 530, page 290.)

Section 1. That section 1 of the act entitled "An act to compel the elementary education of children in school districts of the first and second class," approved April 12, 1899, be and the same is hereby amended to read as follows:

Section 1. That in all school districts of this State, all parents, guardians and other persons having care of children shall instruct them, or cause them to be instructed, in reading, writing, spelling, English grammar, geography and arithmetic. In such districts, every parent, guardian or other person having charge of any child between the ages of eight (8) and sixteen (16) years, shall send

such child to a public, private or parochial school for the entire school year during which the public schools are in session in such districts; Provided, however, That this act shall not apply to children over fourteen (14) years of age where such child shall have completed the eighth grade, or may be eligible to enter any high school in such district, or where its help is necessary for its own or its parents' support, or where for good cause shown it would be for the best interests of such child to be relieved from the provisions of this act; Provided, further, That if such child is being sufficiently instructed at home by a person qualified such child shall not be subject to the provisions of this act; and Provided, further, That if a reputable physician within the district shall certify in writing that the child's bodily or mental condition does not permit its attendance at school, such child shall be exempt during such period of disability from the requirements of this act. It shall be the duty of the superintendent of the school district, if there be such superintendent, and, if not, then the county superintendent of schools, to hear and determine all applications of children desiring for any of the causes mentioned herein to be exempted from the provisions of this act, and if, upon such application, such superintendent hearing the same shall be of the opinion that such child is, for any reason, entitled to be exempted, as aforesaid, then such superintendent shall issue a written permit to such child, stating therein his reasons for such exemption.

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COMPULSORY EDUCATION LAW IN SCHOOL DISTRICTS  
OF THE THIRD CLASS

(Revised Statutes, 1908, section 541, page 293.)

Sec. 16. That it shall be unlawful for any person, persons or corporation to employ any child under the age of fourteen (14) to labor in any business whatever during the school hours of any school day, of the school term of the public school, in the school district where such child is, unless such child shall have attended some public or private day school where instruction was given by a teacher qualified to instruct in those branches required to be taught in the public school of the State of Colorado, or shall have been regularly instructed at home in such branches, by some person qualified to instruct in the same, at least twelve weeks in each year, eight weeks at least of which shall be consecutive, and shall, at the time of said employment, deliver to the employer a certificate in writing, signed by the teacher, certifying to such attendance or instruction; and any person, persons or corporation who shall employ any child contrary to the provisions of this section shall, upon conviction, be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five (25) dollars nor more than fifty (50) dollars, and all fines so collected shall be paid into the county treasury, and placed to the credit of the school district in which the offense occurs.



## CHILDREN MUST BE SENT TO SCHOOL—EXCEPTION—CLOTHING

(Revised Statutes, 1908, section 542, page 293.)

Sec. 17. Every parent or guardian, or other person in the State of Colorado, having control of any child or children between the ages of eight (8) and fourteen (14) shall be required to send such child or children to a public school, or private school, taught by a competent instructor, for a period of at least twelve (12) weeks in each year, at least (8) weeks of which time shall be consecutive, unless such child or children are excused from such attendance by the board of the school district in which such parent, guardian or person having control, resides, upon its being shown to their satisfaction that such child's bodily or mental condition has been such as to prevent attendance at school, or application to study for the period required; Provided, That if such parent or guardian is not able, by reason of poverty, to properly clothe any such child, it shall be the duty of the school board of the proper district, upon the fact being shown to their satisfaction, to furnish the necessary clothing and pay for the same out of the school fund of such district, by warrant drawn as in other cases, or that such child or children are taught at home in such branches as are usually taught in the public schools, subject to the same examination as other pupils of the district in which the child resides; or that there is no school taught within two miles by the nearest traveled road.

---

COMMENTS ON THE LAW AS APPLIED TO AGES

1. The compulsory education law refers to children between the ages of 8 to 14 years in third-class districts, and to children between the ages of 8 and 16 in first class districts.

2. The compulsory education law does not apply to children under 8 years of age.

3. If a child between the ages of 8 and 16 has attended school in his district of the third class twelve weeks, eight of which have been consecutive, he has complied with the provisions of the compulsory education law pertaining to children in districts of the third class.

4. The intent of the law pertaining to "no school taught within two miles by the nearest traveled road," is to apply to children whose bodily or mental condition or whose age would render them unable to travel the distance alone in bad weather.

Sec. 18. Any parent, guardian or other person failing to comply with the provisions of section 2 of this act shall, upon conviction, be deemed guilty of a misdemeanor and fined in a sum of not less than five or more than twenty-five dollars for each offense; and all fines so collected shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs.

Sec. 19. It shall be the duty of any school director of the district to inquire into all cases of neglect of the duty prescribed in this act, and ascertain from the person neglecting, the reason, if any, therefor; and he shall forthwith proceed to secure the prosecution of any offense occurring under this act; and any director neglecting to secure such prosecution for such offense within ten days after a written notice has been served on him by any taxpayer in said district, unless the person so complained of shall be excused by the district board of education for the reasons hereinbefore stated, shall, upon conviction, be deemed guilty of a misdemeanor and fined in a sum not less than ten nor more than fifty dollars; and such fine when collected, shall be paid into the county treasury and placed to the credit of the school district in which the offense occurs. All actions for offenses committed under this act shall be prosecuted for in the name of the State of Colorado. (See Compiled Laws, 1908, pp. 290-294.)

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#### COMMENTS ON THE LAW AS APPLIED TO DUTIES OF DIRECTORS

1. Under the act of 1889, it is made the duty of any school director of any school district in this State to inquire into all cases of neglect of a parent, guardian or other person having control of any child or children between the ages of eight and fourteen years, to send such child or children to school for a period of at least twelve weeks in each year, and to prosecute any person guilty of such neglect.

2. Any director of any school district wherein an offense is committed under the act failing to prosecute the same after it shall be brought to his attention, may be deemed guilty of a misdemeanor, and upon conviction thereof may be subject to a fine of not less than ten nor more than fifty dollars.

3. School directors of third-class districts have the authority to inquire into all cases of neglect of duty in regard to sending children to school as prescribed by law, and the school directors not only have the right to prosecute the perpetrator of the offense but it is made the bounden duty of any director to do so within ten days after written notice has been served on him by any taxpayer of said district. The case may be brought before any justice court.

4. It is the duty of the school board to enforce the compulsory law. Complaint of its violation may be made by any elector of the district. An appeal may be taken from the decision of such superintendent so passing upon such application to the County Court of the county in which such district lies, upon such child making such application and filing the same with the clerk or judge of said court within ten days after its refusal by such superintendent for which no fee to exceed the sum of one dollar shall be charged, and the decision of the County Court shall be

final. An application for release from the provisions of this act shall not be renewed oftener than once in three months.

Sec. 2. That section 4 of said act shall be and the same is hereby amended to read as follows, to wit:

Sec. 4. Every child within the provisions of this act who does not attend school, as provided in section 1 of this act, or who is in attendance at any public, private or parochial school, and is vicious, incorrigible or immoral in conduct, or who is an habitual truant from school, or who habitually wanders about the streets and public places during school hours without any lawful occupation or employment, or who habitually wanders about the streets in the night time, having no employment or lawful occupation, shall be deemed a juvenile disorderly person, and be subject to the provisions of this act.

Sec. 3. That section 7 of said act shall be and the same is hereby amended to read as follows, to wit:

Sec. 7. Whenever a child shall be a juvenile disorderly person within the meaning of this act, the truant officer or any school teacher, or other reputable person, may make complaint in the County Court of the county in which such child resides. The County Court shall hear and determine such complaint, and if it is determined that such child is a juvenile disorderly person within the meaning of this act, he or she shall be committed to a children's home, if eligible, or to the Boys' Industrial School or to the Girls' Industrial School, or to some other training school, taking into account the years of the child with reference to the institution selected. Any child committed to a children's home, on its being shown to the judge of said court that it is incorrigible and vicious, may be transferred to the industrial school or other proper institution. No child committed to any reformatory shall be detained beyond its majority, and may be discharged sooner or paroled by the trustees or board of control under rules and restrictions applicable to other inmates. Any order of commitment may be suspended by the judge of the County Court during such time as the child may regularly attend school and properly conduct itself. The expense of the transportation of the child to the juvenile reformatory, and of the costs of the case in which the order of commitment is made, shall be paid by the county from which the child is committed.

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#### JUVENILE COURT

The Juvenile Court Act, passed in 1907, provides for the creation of a juvenile court in each county having a population of 100,000 inhabitants or more. This confines it for the present to Denver. It provides in substance that the Juvenile Court shall have original and exclusive jurisdiction of child cases of all kinds. The act is too long to quote, especially since it applies to the city of Denver only. (Revised Statutes, 1908, pages 506-509.)



## AGE OF CONSENT

The law concerning the age of consent fixes it for girls at eighteen years, and, as far as it applies to them, at the same age for boys. The law in full may be found in Revised Statutes, 1908, pages 517-519.

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CONCERNING THE TAKING OF INDECENT LIBERTIES WITH CHILDREN,  
AND TO PROVIDE PUNISHMENT THEREFORE

(General Laws, 1908, section 1656, page 519.)

Section 1. Any person over the age of fourteen years who shall assault any child under sixteen years of age and shall take indecent and improper liberties with the person of such child, or who shall take or attempt to take such liberties with the person of such child or who shall entice, allure or persuade any such child into any room, office or to any other place for the purpose of taking such immodest, immoral and indecent liberties with such child, or who shall take or attempt to take such liberties with the person of such child at any place, shall be deemed a felonious assaulter, and, on conviction thereof, shall be punished, if over eighteen years of age, by confinement in the Penitentiary for a term not more than ten years, and if under eighteen years of age, may be punished by commitment to the State Reformatory or to the State Industrial School.

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TO PREVENT THE SALE OF DANGEROUS EXPLOSIVES AND TO  
REGULATE THE USE OF FIREWORKS

(General Laws, 1908, section 1833, page 552.)

Section 1. It shall be unlawful for any person, persons, firm, association, company or corporation to buy, sell, trade in, give away, keep in stock or have in possession any toy pistols or explosive canes or other like contrivances to be carried or held in the hand for the explosion, ignition or detonation by percussion, or concussion of so-called caps, cartridges or other like contrivances containing fulminate, dynamite, nitro-glycerine or other similar explosive, or any toy cannon for the explosion of gunpowder or other explosive material, or any caps, cartridges or other such contrivances not in the nature of ammunition and to be exploded for sport or amusement by percussion or concussion containing fulminate, dynamite, nitro-glycerine or other similar explosive.

Sec. 2. It shall be the duty of the police authorities of any municipal corporation to regulate the time, place and other conditions under which fireworks may be set off or ignited.

Sec. 3. Any person violating any of the provisions of this act shall, upon conviction, be fined not less than ten dollars nor more than two hundred dollars or be imprisoned in the county

jail not less than ten days nor more than ninety days, or both, for each offense.

Sec. 4. Whereas, in the opinion of the General Assembly an emergency exists; therefore this act shall be in force from and after its passage.

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#### CHILD-LABOR LAW

(Session Laws, 1911, pages 232-244.)

Employment of children under fourteen years of age forbidden in certain occupations, under sixteen years of age in others, and altogether during school hours under fourteen years of age. Not work over eight hours per day, nor after eight o'clock at night, if under sixteen years of age.

Various exceptions and provisions, too voluminous to quote.

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#### EMPLOYMENT OF JAIL PRISONERS

(Session Laws, 1911, pages 383-384.)

Amends previous law in various ways, but provides that one half the amount earned shall be paid to wife and minor children, if residents of county and dependent.

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#### ADOPTION OF CHILDREN AND HEIRS-AT-LAW

(Session Laws, 1911, pages 1-2.)

Provides for adoption of minor children and adult heirs-at-law.

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#### BINDING ORPHAN CHILDREN

(Session Laws, 1911, pages 198-200.)

Authorizes binding of orphans under fourteen years of age to charitable educational institutions during their minority.

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#### TRUANCY OFFICERS

(Session Laws, 1911, page 250.)

Empowers school districts of the third class to employ truancy officers and pay them by the day.

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#### DELINQUENCY OF GIRLS

(Session Laws, 1911, page 298.)

Extends age for delinquency and contributing-to-delinquency laws to eighteen years in case of girls.

## SO-CALLED "WHITE SLAVE" LAW

(Session Laws, 1911, pages 543-545.)

Forbids as a felony encouraging or inducing prostitution by female persons of previous chaste character, or profiting thereby.

This is probably the best statute yet passed on this subject anywhere. It is at least the best one known to this Bureau.

It is of especial interest to us because it affords a means of punishing fathers who try to prostitute their wives, and also men who seek to take advantage of the destitution of mothers.

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## LYING-IN HOSPITALS AND MATERNITY HOMES

(Session Laws, 1911, pages 503-504.)

Must have license from State Board of Health and State Bureau of Child and Animal Protection. No child disposed of without permit from Bureau of Child and Animal Protection except by adoption.

---

SELLING OR GIVING TOBACCO OR CIGARETTES TO MINORS UNDER  
SIXTEEN YEARS OF AGE

(General Laws, 1908, sections 600-601, page 309.)

Penalty of five dollars to one hundred dollars' fine, or imprisonment for not over three months, for selling or giving cigarettes to minors under sixteen years of age, or for selling or giving tobacco to them without written order of father or guardian.

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## LAW AGAINST CRUELTY TO ANIMALS

(Session Laws of 1889, pages 113-117; General Laws, 1908, pages 568-571.)

Section 1. Every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, unnecessarily or cruelly beats, or needlessly mutilates or kills, or carries in or upon any vehicles, or otherwise in a cruel or inhuman manner, any animal, or causes or procures it to be done, or who, having the charge and custody of any animal, unnecessarily fails to provide it with proper food, drink or protection from the weather, or cruelly abandons it, shall, upon conviction, be punished by imprisonment in the county jail not exceeding one year, or by fine not less than ten dollars, nor more than two hundred and fifty dollars, or by both such fine and imprisonment.

Sec. 2. Every person who shall impound or cause to be impounded in any pound or corral, under the laws of this State, any animal, shall supply to the same during such confinement, a sufficient quantity of good and wholesome food and water, and in default thereof, shall, upon conviction, be punished by imprisonment in the county jail not exceeding thirty days, or by fine of not less than five nor more than fifty dollars, or by both such fine and imprisonment.

Sec. 3. In case any animal shall be at any time impounded as aforesaid and shall continue to be without necessary food and water more than twelve successive hours, it shall be lawful for any person, from time to time and as often as it shall be necessary, to enter into and upon any pound or corral, in which any such animal shall be confined, and to supply it with necessary food and water so long as it shall remain so confined; such person shall not be liable to any action for such entry, and the reasonable cost for such food and water may be collected by him of the owner of the animal; and the said animal shall not be exempt from levy and sale upon execution issued upon a judgment therefor.

Sec. 4. Every person who shall keep any place where any fowls or any animals, by his consent, are suffered to fight upon exhibition, or for sport upon any wager, shall, upon conviction, be punished by imprisonment in the county jail not more than thirty days, or by fine not less than five nor more than twenty-five dollars, or by both such fine and imprisonment.

Sec. 5. Any justice of the peace of the county in which any of the offenses defined in this act is committed, may, upon his own knowledge, or upon the oath of any competent person, issue a warrant to any proper officer of his county for the arrest of any person charged with such offense, and upon the arrest of such person, the justice of the peace before whom such person is brought for trial shall have jurisdiction to hear and determine the cause, and if he find the accused guilty, shall assess the fine or fix the term of imprisonment, or both, as prescribed by this act; Provided, That accused may have a trial by a jury of six lawful jurors, or, if he shall insist on a full jury, by twelve, who shall be summoned to try the cause; and if the jury shall find the accused guilty, they shall assess and state the amount of the fine, or the term of imprisonment, or both; upon which the justice of the peace before whom the trial shall be had, shall give judgment accordingly and proceed to collect such fine and the costs of trial; and when such fine shall be collected, the same shall be paid to the treasurer of the Colorado Humane Society, who shall give his receipt therefor, which said receipt shall be filed with the justice of the peace, after which the said fine shall be subject to the control of said society in aid of the benevolent objects for which it was incorporated.



Sec. 6. Any officer or any agent of the Colorado Humane Society may lawfully interfere to prevent the perpetration of any act of cruelty upon any animal in his presence, and every person who shall interfere with or obstruct or resist any such officer or agent in the discharge of his duty, shall, upon conviction, be fined not less than five nor more than fifty dollars, or imprisoned in the county jail not more than thirty days.

Sec. 7. When any person arrested under any provisions of this act is, at the time of such arrest, in charge of any vehicle drawn by or containing any animal cruelly treated, any agent of said Humane Society, having been authorized by the sheriff of the county to make arrests in such cases, may take charge of such animal and such vehicle and its contents and the animal or animals drawing the same, and shall give notice thereof to the owner, if known, and shall care and provide for them until their owner shall take charge of the same; and such agent shall have a lien on said animals and on said vehicle and its contents, for the expense of such care and provision; or the said expenses or any part thereof remaining unpaid may be recovered by such agent in civil action.

Sec. 8. Any officer or agent of the said Humane Society may lawfully take charge of any animal found abandoned, neglected, or cruelly treated, and shall thereupon give notice thereof to the owner, if known, and may care and provide for such animal until the owner shall take charge of the same, and the expense of such care and provision shall be a charge against the owner of such animal, and collectable from such owner by said Humane Society in an action therefor.

Sec. 9. When said Humane Society shall provide neglected and abandoned animals with proper food, shelter and care, it may detain such animals until the expense of such food, shelter and care is paid, and shall have a lien upon such animals therefor.

Sec. 10. Any agent or officer of the said Humane Society may lawfully destroy or cause to be destroyed any animal in his charge when, in the judgment of such agent or officer, and by the written certificate of two reputable citizens called to view the same in his presence, one of whom may be selected by the owner of said animal if he shall so request, and who shall give their written certificate that such animal appears to be injured, disabled, diseased past recovery, or unfit for any useful purpose.

Sec. 11. Any person or corporation entitled to a lien under any of the provisions of this act may enforce the same by selling the animals and other personal property upon which such lien is given, at public auction, upon giving written notice to the owner, if he be known, of the time and place of such sale, at least five days previous thereto, and by posting three notices of the time and place of such sale in three public places within the county, at least five days previous thereto; and if the owner be

not known, then such notice shall be posted at least ten days previous to such sale.

Sec. 12. Officers and agents of said Humane Society shall be provided with a certificate by said society that they are such officers or agents, in such form as the directors of said society may choose, or with a badge bearing the name or seal of said society, and shall, if requested, show such certificate or badge when acting officially.

Sec. 13. Any member of the Colorado Humane Society may require the sheriff of any county, the constable of any precinct, or the marshal or any policeman of any town or city, or any agent of said society authorized by the sheriff to make arrests for the violation of this act, to arrest any person found violating any of the provisions of this act, and to take possession of any animal cruelly treated in their respective counties, cities or towns, and deliver the same to the proper officers of said society, and for such service and for all services rendered in carrying out the provisions of this act, such officers and the officers and agents of said society shall be allowed and paid such fees as are allowed for like services in other cases, which shall be charged as costs, and reimbursed to the society by the person convicted.

Sec. 14. In this act the word "animal" shall be held to include every living dumb creature; the words "torture," "torment" and "cruelty" shall be held to include every act, omission or neglect whereby unnecessary or unjustifiable pain or suffering is caused, permitted, or allowed to continue when there is a reasonable remedy or relief, and the words "owner" and "person" shall be held to include corporations, and the knowledge and act of agents and employes of corporations in regard to animals transported, owned, employed by or in custody of a corporation shall be held to be the knowledge and acts of such corporations.

Sections 8 and 11 of the preceding statute were amended so as to read as follows:

"Any officer or agent of the said Humane Society may lawfully take charge of any animal found abandoned, neglected, or cruelly treated, and shall thereupon give notice thereof to the owner, if known, and may care and provide for such animal until the owner shall take charge of the same, and the expense of such care and provision shall be a charge against the owner of such animal, and collectible from such owner by said Humane Society in an action therefor; Provided, That stock on the range shall not be considered abandoned or neglected unless suffering for the want of food or water, or care if sick or injured.

"Any person or corporation entitled to a lien under any of the provisions of this act may enforce the same by selling the animals and other personal property upon which such lien is given, at public auction, upon giving written notice to the owner, if he be known, of the time and place of such sale, at least five days previous

thereto, and by posting these notices at the time and place of such sale in three public places within the county, at least five days previous thereto, and if the owner be not known, then such notice shall be posted at least ten days previous to such sale. One of said notices shall be mailed to the postmaster, to be posted at the postoffice at the county seat.

"Provided, that if the owner be unknown, then such notice containing a full description of said animal or animals, including all brands on the same, shall be posted as above provided, at least ten days previous to such sale.

"In case the animal is branded and the owner unknown, a copy of said notice, containing a copy of such brand or brands, shall forthwith be sent to the Stock Inspector of the District, and to the Secretary of State, who shall at once forward a notice giving the facts to the recorded owner or owners of the brand or brands found on such animal or animals."—Session Laws 1907, pages 260, 261.

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#### RANGE STOCK

(Session Laws, 1909, pages 507-508.)

Section 1. The State Board of Stock Inspection Commissioners shall have the sole and exclusive charge and control of all stock on the range abandoned or neglected by their owners and any officer or agent of the State Board of Stock Inspection Commissioners shall take charge of any such stock, animal or animals found abandoned or neglected, as aforesaid, provided that such stock, animal or animals shall not be considered abandoned or neglected unless suffering for the want of proper food or water and said State Board of Stock Inspection Commissioners shall forthwith, upon taking charge of any such stock, animal or animals, as aforesaid, give notice to the owner or owners thereof, if known, and shall care and provide for such stock, animal or animals until the owner shall take charge of the same and the expense of such care and provision shall be a charge against the owner of such stock, animal or animals, to be collectible from such owner by said State Board of Stock Inspection Commissioners in an action thereof in any court of competent jurisdiction.

Sec. 2. That all acts or parts of acts in conflict herewith are hereby repealed.

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#### AN ACT FOR THE PROTECTION OF DUMB ANIMALS

(Revised Laws, 1908, sections 1929-1931, page 571.)

Section 1. It shall be unlawful for any person to cause, procure, encourage, aid or abet any dumb animal to fight or engage in combat, or to cause, procure, encourage, aid or abet to be set down or released any captive dumb animal to be shot at



or for dogs to pursue or to be in any other manner injured, frightened or harassed for sport or amusement, or upon a wager, or for the purpose or result of making bets upon the progress or result of such fight, combat, shooting, pursuit or other injury or affright.

Sec. 2. Any person wilfully a spectator of or making bets or wagers upon the progress or result of any such fight, combat, shooting, pursuit or other injury or affright shall be deemed and held to be an accessory, and shall be punished as a principal.

Sec. 3. Any person violating any of the provisions of this act shall, upon conviction, be punished by imprisonment in the county jail for a period not exceeding one year, or by fine of not less than ten dollars nor more than two hundred and fifty dollars, or by both such fine and imprisonment.

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AN ACT FOR THE RELIEF OF ANIMALS INJURED ON THE RIGHT OF WAY  
OF RAILROAD COMPANIES

(Revised Laws, 1908, sections 5497-5498, page 1294.)

Section 1. Whenever any horse, cow or other animal is injured by a train or otherwise on the right of way of any railroad company, it shall be the duty of trackwalkers, section men, brakemen, conductors, firemen, engineers and other employes of said company to care for such animal at once and report the facts to the nearest station agent and then notify the State Board of Stock Inspection Commissioners. It shall be the duty of the agent to give immediate notice, when possible, of the condition of such animal to the owner or his agent, whose duty it shall be forthwith, upon receipt of notice, to have such animal properly cared for. When immediate notice to the owner is not possible, it shall be the duty of the station agent to have such injured animal properly cared for without delay.

Sec. 2. No act of the said railroad company, its employes or agents, or of the owner of such injured animal shall be held to be an admission of liability or responsibility on the part of the said company for the injury of the said animal nor a waiver or relinquishment by said owner of any right or claim to damages from said company.

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VETERINARIANS

(Session Laws, 1909, pages 514-519.)

Section 1. It shall be unlawful for any person to practice veterinary medicine and surgery in any of its branches, including veterinary dentistry, excepting the castrating, vaccinating and spaying of animals and dehorning of cattle, in this State who shall not have complied with the provisions of this act.

## HUMANE TREATMENT OF ANIMALS TAUGHT IN SCHOOL

(Revised Laws, 1908, section 6014, page 1415.)

Section 37. The public schools of this State shall be taught in the English language, and the school boards shall provide to have taught in such schools the branches specified in section fifteen of said chapter, and such other branches of learning in other languages as they may deem expedient, including hygiene, with special reference to the effects of alcoholic stimulants and narcotics upon the human body; and shall cause to be given in each school week two lessons of not less than ten minutes' duration each on the subject of humane treatment to animals. \* \* \*

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POULTRY ORDINANCE

The following ordinance, printed as a warning, and distributed where needed, has been found very effective:

## WARNING

BY AUTHORITY

Ordinance No. 76, Series of 1902. Aldermanic Bill No. 85.

A Bill for an Ordinance for the Sanitary and Humane Treatment of Poultry Confined or Exposed for Sale in the City of Denver.

All coops, crates or cages in which live fowls or poultry are received for transportation or are kept confined or exposed for sale on wagons or stands, or by the owners of grocery stores, commission houses or other market houses or by other persons, shall be sufficiently high so that fowls or other birds confined therein can stand erect and hold their heads upright without touching the top.

Such coops, crates or cages shall be made of open slats or wire on at least three sides and shall have troughs or other receptacles easy of access at all times by the birds confined therein, but so placed that their contents cannot be befouled by them, in which troughs shall be constantly kept clean water and suitable food.

Such coops, crates or cages shall be kept in a clean and wholesome condition. Fowls or other birds confined therein shall not be overcrowded, but shall have room to move about, and shall not be exposed to undue heat or cold.

Dead, injured or diseased fowls shall be at once removed. Whenever live fowls or poultry shall be received for sale or storage they shall immediately be transferred to such coops, crates or cages as are herein described.

Any person violating any of the provisions of this ordinance shall be fined not less than five nor more than fifty dollars for each offense.

## ORDINANCE TO SUPPRESS AIR-GUNS AND SLINGS

Section 1. It shall be unlawful for any person within the corporate limits of the city of Denver to have in possession or to make, use, sell or offer for sale, any instrument, toy or weapon commonly known as a pea-shooter, sling or beany, made for the purpose of throwing projectiles by means of elastic rubber cords or bands, or other india rubber parts, or by means of springs, or any air-gun, whether such instrument is called by any name above set forth, or by any other name; and every person convicted of a violation of this ordinance shall be fined in a sum not less than one dollar nor more than twenty dollars for each offense.

## INSTRUCTIONS AND SUGGESTIONS TO OFFICERS

## TO OFFICERS

When a case of apparent ill-treatment of either children or animals comes to your notice, either because you see it yourself or because somebody tells you of it, stop and weigh in your mind:

- (1) Whether it really is ill-treatment or not; does it cause unnecessary suffering or injury?
- (2) What the best action for you to take is:
  - (a) To relieve the child or animal;
  - (b) To punish the wrong-doer if he ought to be punished.

Ask yourself such questions as these: What are the exact facts? What ought I to do first? Who is to blame? What orders, if any, ought I to give? What is the best thing for me to say? The best thing for me to do?

In most cases no prosecution is needed or best. But sometimes it would be wrong not to prosecute. Ask yourself whether you ought to prosecute? What shall I prosecute for? Who would be my witnesses? What would they testify to? Who would be the offender's witnesses, and what will they testify to?

As a general thing the first thing to be done is to stop the abuse then going on, if possible, right away, and see about the punishment later.

Don't rely too much on the statements or the views of others. Few persons are accurate even when they are truthful. The responsibility is on you anyway. Use your own judgment and make sure you are right.

If you are uncertain whether you should prosecute or bring any kind of case in court, consult the District Attorney or the office in the State House. Unless you have had experience, they are better judges of whether the case is a good one and what effect the evidence will have than you can be. Moreover, the right to decide whether the case should be prosecuted at all or not rests with the District Attorney. In any event, it is best to have him on your side and in sympathy with you.

If, however, it is desirable to bring an immediate prosecution, go to the justice of the peace and under his direction make out your complaint and furnish him a list of your witnesses. Be sure to talk with the witnesses first and find out just what each one knows of his own information, not what he knows by hearsay, for he will not be permitted to testify to that. Get the facts clearly in their minds by talking with them. The District Attorney will prosecute your case for you if you have his approval from the start.

In any case of uncertainty, don't hesitate to write the office in the State House, nor to consult the District Attorney.



## AUTHORITY OF OFFICERS

Officers of the State Bureau of Child and Animal Protection are officers of the State. Their authority is, accordingly, good anywhere in the State. Paid officers and volunteer officers have the same authority under the law.

They may do whatever is necessary in order to properly enforce the laws for the protection of children and animals. Due regard must be paid to the word "necessary" and "properly" in the preceding and following sentences.

They have a right, when necessary—

1. To go armed.
2. To arrest persons found abusing or neglecting children or animals, using force if need be.
3. To arrest persons resisting or interfering with them while enforcing the law, using whatever force is needed.
4. To take possession, by force if need be, of either children or animals, if necessary to protect them from abuse or neglect.
5. To hold possession of animals so taken against the owner until the necessary expense of caring for them is paid.
6. To condemn and destroy animals when necessary for their protection according to law, being careful to observe the terms of the law.
7. To call upon any peace officer to take charge of an animal abused or neglected, or to arrest any person committing such abuse or neglect.

Such are the general powers of our officers. As will be seen, they are sufficient to deal promptly and effectively with any case of child or animal abuse or neglect. They are largely discretionary, also, and must be exercised with careful regard to the necessities of each case, so as to do the most possible good with the least possible harm.

Our officers have no authority, except in dealing with children and animals, beyond that of any citizen. They are not peace officers.

Their powers as officers cannot be used for personal ends either. Our officers have no right to go armed except when they are on duty as such officers and for the purposes of such officers. An officer has no right as an officer, for instance, to go armed because he expects trouble over something not connected with the protection of children or animals. If he goes armed for such a purpose, he cannot claim justification as an officer of the Bureau.

Some of the powers specified are given expressly by law, and some, like that of going armed and of making arrests, by implication. The law makes it the duty of our officers to enforce the laws for the protection of children and animals. It cannot, then, withhold any power necessary to discharge that duty. It

would be a manifest absurdity to make it one's duty to do a certain thing and at the same time withhold the authority or means to do it.

When the law relating to arrest and to the carrying of arms was passed there was no such thing as the State Bureau of Child and Animal Protection, with its officers, upon whom the law lays certain duties and obligations. It has come into existence and its services to the people have grown up since, and are therefore necessarily not mentioned.

It should be borne in mind by officers that the way to exercise authority so as to provoke as little opposition as possible, and get the best results in all ways, is to do it firmly but quietly. Don't be arbitrary, overbearing, or unnecessarily rough in manner or language. It is human nature to resent that sort of conduct in an officer, when, very likely, his actual exercise of authority itself would not be resented.

On the other hand, an officer's conduct should not be hesitating, timid, or apologetic. He should not forget his high place as an officer and representative of the people of the State, doing a duty laid upon him by law, and protecting helpless children and animals. He should be firm, confident, and certain of himself.

He should treat the man he is questioning or correcting in such a way as to give no unnecessary offense, but yet as an officer doing his duty. It is not a personal matter with him, but an official one. He should make sure he is right and then make his point stick.

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#### SUGGESTIONS TO OFFICERS IN DEALING WITH CHILDREN

When possible, parents should be made to take care of their children and bring them up properly, but the child's interests should not be sacrificed in trying to do so.

Parents should be encouraged to keep their children—not to give them up.

Every case should be carefully thought over and studied, with a view to doing the best possible thing for the children. A little thought and thorough investigation will generally prevent mistakes.

If children have to be taken away from parents, or if they have no relatives who can properly care for them, it is generally better to have them sent to the State Home to stay temporarily until homes can be found for them. That is what the State Home is for. It does nothing else. It has ample means and full authority, and no anxiety need be felt when children are once safely committed there.

With wayward or misbehaving children, kindness must be used about evenly tempered with firmness. They have no respect for

anyone too weak to control them, and most of them will take advantage of kindness unless backed up by good, robust discipline.

Child labor, in the sense of labor injurious to the child, is a bad and unlawful thing. Almost equally bad is child idleness. It is a good thing for children to work, but not too much. It is a good thing for them to play, but not too much.

In dealing with them, remember that they are very much like us; or, rather, we are very much like them. What would work well with us generally works well with them. What offends and displeases us generally does so with them. Children love a square deal, a sympathetic and understanding heart, and an eye indulgent to trifles. But they also respect real manliness and real womanliness, and are seldom deceived. Be just as sincere, straightforward, kind, and businesslike as you know how, and you will have little trouble. The same thing is true of our relations to grown-up people.

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#### INSTRUCTIONS TO AGENTS IN DEALING WITH NEGLECTED STOCK

When stock is found neglected and suffering, if practicable, notify the owner and give him a chance to care for it himself before you do. You must use judgment about this. If the owner is too far away, or the animals are suffering much, don't wait for the owner.

In all cases get word to the owner as quickly as possible. In all cases try to keep down the expense, the same as you would if the stock were your own; but while doing so, don't let the animals suffer.

The utmost good faith and sincerity should characterize every action of an agent. Nothing will so quickly destroy his influence for good and confidence in him as the belief that he is dishonest or actuated by mercenary motives.

While he has a right under the circumstances, as set forth in the law, to make a reasonable charge for his services in caring for neglected or abused animals, he should never take advantage of his authority to overcharge, and should be guided by what he would have charged if the owner had come to him to make a bargain before the services were rendered.

In other words, an agent should never let himself use his authority to make money. That is not what it was given him for. Even if, as often happens, the owner of neglected stock is entitled to little consideration on account of his inhumanity, the way to punish him is not by overcharging.

If an agent is fair, impartial, and sincere, he can generally make a friend even of the man against whom he is enforcing the law. He cannot hope to do that if he is not absolutely honest,



but, on the contrary, will make enemies for himself and the cause he represents.

Nothing here said is to be taken to mean that an agent must render his services for nothing, or for less than they are worth, when he is entitled by law to make a charge. His enforcement of the law is a matter of business, and the exercise of his authority as an officer of the State. Moreover, the owner of the stock cared for profits by his action and should pay for it a reasonable price.

There is meant only that the agent should not take advantage, but should be perfectly fair, upright, and aboveboard in his actions, and should then compel the respect to his orders which is due to him as exercising the authority of the people of the State.

The law does not require publication of notice in a newspaper, but when it appears at all likely that animals taken charge of and about to be sold will bring enough to pay the additional cost of advertising in the official stock paper, that should be done, just as is done in the case of estrays.

Whenever any stock is taken up because it needs care, notify the board at the State House, giving particulars of taking, description, brands, etc. Whenever a sale occurs, furnish full information to this office at once.

Take up no range stock unless actually suffering, except when found where they can reach no feed.

Keep full and complete records of dates, names, brands, amounts, etc. Give and take receipt, and make it a careful and correct matter of business.

If an owner comes to redeem stock, do not let him redeem some and leave the rest.

If there is some poor and some good stock to be sold, bunch some of both kinds in lots and sell the lot. Otherwise you will have the worthless stock left on your hands.

Whenever you post sale notices, send one copy to this office.

When stock is redeemed, collect all items of expense for each head for the number of days held, including gathering, advertising, etc.

Employ only honest and trustworthy help.

Keep strictly to the law. Do whatever the law says shall be done. Do it in good faith, and take no advantage of anyone. Treat all alike and all fairly.

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#### SUGGESTIONS TO AGENTS

The following suggestions, founded on the experience of many years, may be useful to inexperienced agents:

Remember that you are not a private citizen, but an officer of the law, representing not merely the State Board of Child and

Animal Protection, but the people of the State of Colorado. Do not allow abusive language of yourself; it constitutes disturbance and can be punished as such. Do not, of course, permit any effective resistance to your actions or orders. Maintain the dignity of your office.

Whenever a case comes under your own observation, or is reported to you, avoid excitement. You don't have to be excited; you have the law and the people of the State back of you. If anybody is to be excited, let it be the other man. If you get excited, you will be pretty sure to do or say something you will regret. Quietly and carefully, but firmly, investigate until you have satisfied yourself as to the condition of things and what ought to be done. Then do it. If you go at it in this way, you will not be likely to make any mistakes, and you will not irritate people unnecessarily.

Very often people are cruel without really meaning to be, because they do not know any better, or have never thought much about the rights of children or animals. If you go at people in a friendly but firm way, very often they will acknowledge their fault and meet you half way. Be patient with ignorance and mistakes, and wait for anger to cool. Persuade people to do what is right if you can; but if you cannot, then compel them. If a man is ugly after such treatment, or has done an intentionally cruel thing, make him fear you; but do it in a quiet way, without apparent feeling or excitement. Make the people you go after understand that you have no ill-feeling toward them personally, but that as an officer you must do your duty. Appeal to their reason, their sense of what is right and just. Don't lecture, scold, or abuse people. They don't care what you think, but they care a great deal what the law says. Warn, but do not threaten. Never make a bluff or take one. Treat all alike, rich and poor.

Always do just as you say you will. Avoid even the faintest suspicion of dishonest or mercenary conduct. Let your conduct of the office commend itself to the fair-minded and level-headed people of the community, and don't worry about the others.

Make friends with the newspapers—they will help you more than anybody else. Give them news items about your work; they are glad to get news, and every item helps to educate public opinion on the rights of animals and children.

Be on good terms with other officials. Give them a chance to make their fees when they can. Advise with them. Defer to their opinion when you can. Get them all to help you when you can. Educating public sentiment on the rights of animals is one of the most important things you can do. Do it through the newspapers, the public schools, by speeches, and in any other way. Most of the value of a prosecution for cruelty is in its educational effect.

If your town is large enough, organize a branch society. Fix dues. Get a little money in the treasury to pay postage, attorney's fees, and once in a while a man's time for a day when needed.

If you lose a prosecution, it doesn't matter; you won't have to prosecute that man again. The publicity, the expense and trouble hurt him worse than conviction would. If people oppose you, do not wonder or be discouraged; all reforms are opposed. It is sometimes slow, but "truth is mighty and will prevail."

Familiarize yourself with the statutes and your authority under them. Don't act on impulse. If you are sure you are right, don't be swerved by the opinions or representations of others. The responsibility is on you, not on them. And if they were in your place, they would, no doubt, change their views. Think about your work, and then think about it more.

If a case of cruelty is reported to you, don't make up your mind until you have investigated. If you find it serious enough to deserve a prosecution, get your evidence in good shape from two witnesses or more, if possible, on each material point. Be sure they are talking of what they know, have seen and heard themselves, and can swear to. Prosecutions are won on evidence generally. Be sure to get the best and strongest evidence obtainable.

If you find a case of apparent cruelty actually going on, stop it until you can investigate. First relieve the animal, and then punish the offender.

You have one extraordinary power, which you can use on the instant. You can take away from anybody, on your own judgment, any animal or animals, if you think they are abused. No other officer has such power. This enables you to deal with any case of cruelty on the spot.

In the case of abused children, agents have not the specific authority to take summary possession of them which they have in the case of abused animals, and would be justified in doing so only in extreme cases, when the child's life or limb is in jeopardy. To punish cruelty to children, follow the statute and, in a general way, the suggestions already given. County Courts, in their capacity to guard the interests of children, can issue orders concerning them of any kind necessary. County attorneys will give advice. Some individual, or the Bureau of Child and Animal Protection, may be made their guardian; or, which is generally best, where permanent guardianship is necessary, they may be sent to the State Home for Dependent and Neglected Children, under the law referred to in this book.

You will seldom need to make arrests yourself. Better file complaint, have warrants issued, and let the regular constable or deputy make arrests. It saves you time and sometimes trouble, and he makes his fees. But if it is necessary, in order to prevent



escape beyond reach, to make an arrest, do not hesitate to do it. You can call on any peace officer to help you prevent cruelty, or a citizen also.

Take the name and address of anyone warned by you, and keep watch of him afterwards. When your warnings are unheeded, do not hesitate to prosecute. To begin prosecution, go to a justice of the peace, have a complaint made out, following the form of the statute, and swear to it. The court will then issue a warrant, and the constable will make the arrest. Follow the advice of the district attorney as to the trial of the case; if no district attorney is within reach, get some attorney to prosecute in his place. If there is no other way, you can prosecute the case yourself.

Cases of cruelty are misdemeanors, in legal phrase, and for the district attorney to prosecute. If the defendant is acquitted, the costs are paid by the county, as in other misdemeanor cases. It is the people of the State who prosecute, not the Bureau of Child and Animal Protection. The society is interested in the prosecution, but is not a party to it.

Having authority, it is your duty to be active and conscientious in exercising it. Be on the lookout for cases of ill treatment of dumb animals and children. Shirk nothing. Sometimes it is an advantage to have a commission as a deputy sheriff. It is well to have it, if it be not too much trouble to get, because people yield to a familiar authority like that of the sheriff, when they are not disposed to yield to an unknown one.

Avoid giving the impression that you are anxious to profit in a mercenary way by your work. People will say you are working a "graft," and then your influence will be gone. As a matter of fact, agents should be paid for their services, just as other officers of the law are, and in time they will be.

There are countless other suggestions which might be made, but it should not be necessary. If you use good sense, carefulness, and firmness, you are not likely to make serious mistakes. Again, don't act on impulse or in haste. Consider each case coolly and impartially, and do what seems to be right.

Don't talk too much about your work. More bad feeling and ill-will are stirred up by idle and unnecessary talk than by what you may do. Don't bluster, threaten, and blow about what you are going to do or have done.

Lastly, be a "stayer." That is, be persistent; keep it up; don't get discouraged—if anybody else is, it is all the more reason you should not be. The only people who do any good are the "stayers." Be one.





