Supreme Court Upholds Horse Protection

On June 30, 1976, the Supreme Court of the United States upheld the constitutionality of the Wild Free-Roaming Horses and Burros Act of 1971. The act protected wild horses and burros on federal lands under the authority of the Department of the Interior and Agriculture in an effort to eliminate the indiscriminate slaughter and commercial exploitation of these animals. HSUS had filed a brief as an amicus curiae (friend of the Court) in support of this landmark animal protection legislation.

Dolphin Slaughter

In a continuing effort to prevent the slaughter of dolphins during commercial tuna fishing operations, HSUS filed an amicus curiae brief on July 2, 1976 in the U.S. Court of Appeals for the District of Columbia Circuit. See page 23 for follow-up story.

Endangered Species

The Department of Interior had added 159 animals to the official list of endangered species. Effective June 14, 1976, they cannot be traded in interstate commerce.

Greyhound Training

HSUS Chief Investigator Frantz Dantzler was invited to testify before a Florida Legislative Committee in Tallahassee regarding the use of live bait to train greyhounds. Unfortunately, the bill was defeated and the use of live animals, particularly rabbits, continues as a method of training greyhounds in Florida.

Animal Fighting

Florida’s governor signed the “Animal Fighting Act of 1976” banning bear, bull, or dog fighting.

Persons found promoting and conducting animal fighting events in Florida are subject to a misdemeanor of the first degree punishable by a year in jail and a fine up to $5000. Persons arrested for betting and attending such events are subject to a second degree misdemeanor punishable to sixty days in jail and a fine up to $1000.

Killer Whales

After passage in the U.S. Senate, a House Bill (H R 12460) is pending before the House Committee on Merchant Marine and Fisheries which would limit the capture of any killer whales. If it becomes law no zoo or aquarium would be able to capture any more killer whales for display.

Horse Protection Act Enforced

The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture reports an Alabama horse trainer, Baine Lee, was convicted on criminal charges of entering a niece horse in the Kosciusko, Mississippi Walking Horse Show on May 19, 1972. This is a violation of the Horse Protection Act which HSUS has continually demanded to be enforced.

Wishes of Deceased

In a recent submission to a Florida Probate Court, HSUS General Counsel Murdaugh Stuart Madden expressed HSUS’ concern over the callousness of banks and trust officers in dealing with the precise wishes of persons with respect to their animals following their death. Madden’s pleading stated that in ignoring the wishes of the deceased, professional trust officers increasingly were substituting “their own impersonal ‘computerized ideas of the way wills, estates, and trusts should be administered’.”

Decompression Chamber Restricted

Massachusetts has restricted the use of the decompression chamber for the purpose of killing dolphins and other marine mammals for research purposes and as a means of protecting the health and safety of the scientific research personnel involved.

N.Y. Spay and Neuter Clinics

The New York State Legislation has approved legislation authorizing municipalities to establish and operate spay and neuter clinics. If individual towns decide the surplus animal population is a priority item, they may provide funds to operate clinics. However, New York state has made no provisions to provide such funds.

Virginia Cruelty Laws Enforced

The revised Virginia State Code “authorizes all law enforcement officers to enforce” anti-cruelty and other animal laws. Its passage has resulted in the increase of convictions and fining of an Arlington man not properly caring for his pet.

Cockfighting Spectators Arrested

Appellantly on June 18, 1976, the Supreme Court of North Carolina reversed an order of the Superior Court granting a temporary restraining order prohibiting the cockfighting association of Watauga County, North Carolina from holding any cockfighting Matches.

For some unknown biological reason, yellowfin tuna swim underneath schools of dolphins. Tuna fishermen, aware of this association, can find the deep swimming tuna easily by spotting the leaping dolphins. Until the sixties, the hook and line method of fishing was used and dolphins were not disturbed. However, with the introduction of the purse seine net, dolphins have been brutally massacred by the millions. While there are several subspecies of dolphins and porpoise, it is the spinner porpoise, spotted porpoise, and the common dolphin which are being slaughtered by the Pacific tuna fleet.

The purse seine net is about ¼ of a mile long and is placed around the whole dolphin school and drawn shut like a drawing string apparatus. Everything including the tuna swimming below. This technique is also called “setting on” dolphins.

Dolphins are air breathing highly intelligent, social mammals. When they realize what is happening they panic and try desperately to escape. Instead, they get their snouts and fins smashed against the nets and drown, or are crushed and mangled as they are pulled aboard in the net. Some escape wounded and mutilated only to become prey to shark or the young, dying, losing their mothers. Although it was estimated that 97% of all dolphins entrapped escape, the 3% which suffocated and drowned amounted to several millions. The law does not include those injured. Moreover, it is estimated that each dolphin in the dolphin populations affected was chased and netted more than 14 times last year. HSUS believes no animal should be subjected to such torture and cruelty.

THE SOLUTION

The Marine Mammal Protection Act of 1972 is a federal act which includes a special section on the so called “incidental” killing of dolphins by tuna fishermen. It gave the tuna industry two years to develop new gear and techniques and to attain the goal of near zero mortality and injury of dolphins. At the end of two years little progress was evident. In fact, more dolphins were killed in 1975 (134,000) than in 1974 (98,000). In late 1974, a number of conservation groups took the Government & a federal court saying they were not upholding the law by allowing the continued kill of dolphins. On May 11, 1976, U. S. District Court Judge Charles R. Richey, ruled the tuna industry must stop setting their nets on dolphins by May 31, 1976.

OBLASTES

Judge Richey’s decision was appealed immediately and Arguelles. The Court has allowed the industry to continue purse seineing until there’s a new ruling”. In the meantime they can legally kill 78,000 dolphins during 1976. Since the tuna industry claims it will go out of business if dolphins can’t be used, some members of Congress held hearings to try to pass a law to override Judge Richey’s decision. Unfortunately, nothing has passed yet. While the United States has demanded that other nations close down their whaling industries and abide

"At Peak Time, The U.S. West of Approaches Uphold Judge Richey’s decision by allowing the tuna industry to continue killing dolphins until January 31, 1977. The fight is now back in Congress where Arguelles proponents know how you feel to prevent any further” weakening of the Marine Mammal Protection Act.”

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