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PROHIBITING VIVISECTION

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which was on the ballot in 1920 was defeated by a majority of 123,598. Every county in the state but one voted "No," and that one cast but thirty votes on the proposition.

Twenty-two states have adopted the initiative. In most states the percentage is the same as in California. Even a conservative state like Massachusetts requires but eight per cent. No state or municipality having adopted the initiative has repealed it.

California is a pioneer state in democratic legislation. If this amendment is adopted it will

be a backward step and will take from the people of the state a right of self-government which is recognized throughout the world today, and is being adopted by all progressive peoples.

California has prospered under democratic institutions. Its securities sell to better advantage than the securities of any other state.

Preserve government of, by, and for the people. Vote "No" on Proposition No. 27.

JOHN R. HAYNES,
Los Angeles, California.

PROHIBITING VIVISECTION. Initiative Act. Prohibits the vivisection or torture of human beings, animals, or other living creatures, for experimental or pathological investigations, or other purposes; authorizes Justice of the Peace to issue warrant for entry into places where such acts have been, or are about to be, performed, for arrest of persons and seizure of instruments engaged therein; excepts certain acts relating to animals and fowls and surgical operations, or medical aid to, human beings, animals and other living creatures, "to relieve or cure actual injury, deformity or disease; prescribes penalties and repeals conflicting acts.

YES
NO

28

Sufficient qualified electors of the State of California present to the secretary of state this petition and request that a proposed measure, as hereinafter set forth, be submitted to the people of the State of California for their approval or rejection, at the next ensuing general election. The proposed measure is as follows:

PROPOSED LAW.

(Proposed changes from provisions of present laws are printed in black-faced type.)

An act prohibiting the vivisection or torture of human beings or animals; providing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith.

The People of the State of California do enact as follows:

Section 1. Any person who vivisects or tortures, or aids or abets any person in the vivisection or torture of any human being, animal, or other living creature, for experimental, physiological or pathological investigation, or for any other purpose, either with or without the use of anesthetics, except as hereinafter provided for, in or at any university, college, public or private school, institute, hospital, sanitarium, meeting place of any society, medical or surgical laboratory, or in or at any other place in the State of California, is guilty of a violation of this act.

Sec. 2. A justice of the peace, or other committing magistrate, on information on oath, that there is reasonable ground to believe that an experiment or demonstration or operation in contravention of this act has been, is being, or is intended to be performed in any place, shall issue his warrant authorizing any police officer, sheriff, constable, or humane officer, either alone or in company with others, to enter with any necessary assistance and force, and to take the names and addresses of the persons found therein, and to search for, seize and take away all subjects, materials and instruments used in such unlawful ways as are prohibited by this act, and to make arrest of any person or persons conducting or participating in any such unlawful practices. The police officer, sheriff, constable or humane officer so authorized, if he shall find in such a place a living animal or creature inferior to mankind, upon which a vivisection shall have been performed, may cause some competent person to kill it in as painless a manner as possible. Any person who shall refuse admission on demand to an officer so authorized and to the persons accompanying him, or who shall obstruct such officer or his assistants in the discharge of duty pursuant to

this act, or who shall refuse on demand to disclose his name and address, or who shall give a false name or address, shall be guilty of a violation of this act.

Sec. 3. No part of this act shall be construed:

(a) As prohibiting the branding of animals, the dehorning of cattle or goats, or the sterilization, gelding, spaying or castration of animals, or the caponizing of fowls; or

(b) As prohibiting the dissection of the bodies of the dead, whether the mortal remains of human beings or otherwise; or

(c) As prohibiting the performance of surgical operations upon, or the rendition of medical aid to any human being, animal or other living creature, for the relief or curing of actual injury, deformity, sickness or disease; but the intentional injury of, or the causing of any deformity, sickness or disease in or to any living creature, for experimental purposes, or for the purpose, either express or implied, of affording a pretext for subsequent operation thereon, or other administration thereon, or on any other pretext, shall be punished as a violation of this act.

Sec. 4. Any violation of any provision of this act shall be punishable, if it be the first offense of the person accused, by a fine of not less than fifty (50) dollars nor more than three hundred (300) dollars, or by imprisonment for not less than thirty (30) days nor more than ninety (90) days, or by both such fine and imprisonment; but, if it be after a prior conviction of any offense punishable by virtue of this act, each and every subsequent offense shall be punishable by a fine of not less than one hundred (100) dollars nor more than five hundred (500) dollars, or by imprisonment for not less than sixty (60) days nor more than six (6) months, or by both such fine and imprisonment, and in addition thereto the offender shall be debarred forever thereafter from the practice of medicine or surgery in this state.

Sec. 5. The final clause of section 599c of the Penal Code (forbidding interference with experiments or investigations performed under the authority of the faculty of a medical college or university of this state) and all other acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

EXISTING PROVISIONS.

Sections five hundred ninety-seven and five hundred ninety-nine b of the Penal Code, which define cruelty to animals, read as follows:

597. Every person who maliciously kills, maims, or wounds an animal, the property of another, or who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink or shelter, cruelly beats, mutilates, or cruelly kills

any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink or shelter, or to be cruelly beaten, mutilated or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the same, or in any manner abuses any animal, or fails to provide the same with proper food, drink, shelter or protection from the weather, or who drives, rides or otherwise uses the same when unfit for labor, is for every such offense, guilty of a misdemeanor.

599b. In this title* the word "animal" includes every dumb creature; the words "torment," "torture," and "cruelty" include every act, omission, or neglect whereby unnecessary or unjustifiable physical pain or suffering is caused or permitted; and the words "owner" and "person" include corporations as well as individuals; and the knowledge and acts of any agent of, or person employed by, a corporation in regard to animals transported, owned, or employed by, or in the custody of, such corporation, must be held to be the act and knowledge of such corporation as well as such agent or employee.

Section five hundred ninety-nine c of the Penal Code, which exempts medical colleges and universities from certain provisions of the laws relating to cruelty to animals, reads as follows: (Provisions which will be repealed by proposed vivisection act are printed in italics.)

599c. No part of this title* shall be construed as interfering with any of the laws of this state known as the "game laws," or any laws for or against the destruction of certain birds, nor must this title be construed as interfering with the right to destroy any venomous reptile, or any animal known as dangerous to life, limb, or property, or to interfere with the right to kill all animals used for food, or with properly conducted scientific experiments or investigations performed under the authority of the faculty of a regularly incorporated medical college or university of this state.

*NOTE.—Title referred to is Title XIV of Part I; includes cruelty to animals.

ARGUMENT IN FAVOR OF PROHIBITING VIVISECTION.

The initiative measure "Prohibiting Vivisection" is not the instrument of sentimentalists or ignoramuses, but the expression of red-blooded men and women who seek to abolish a system that involves a violation of the inalienable rights of humans and animals alike. We oppose a system that employs the unrestricted use of instruments and methods of torture to probe and lacerate the living, quivering flesh of sentient animals for the throbbing nerves of pain; that uses with abandon the homeless, friendless inmates of almshouses, insane hospitals, prisons and orphanages for experimental purposes, which involves prolonged and exquisite suffering.

From the Moral Standpoint.

You have no right to do evil that good may come; the strong have no right to take advantage of the weak.

From the Scientific Standpoint.

You can not argue from animals to men; the anatomical and physiological distinctions are so diverse that you can never arrive at any definite conclusion by experiments upon animals.

Standardization of Drugs.

The standardization of drugs by first trying them out on animals is absurdly fallacious. For instance, a rabbit can eat freely of belladonna and thrive and grow plump. The same if given to a child would kill it. A goat grows fat on hemlock which is fatal to a human. Thirty-seven grains of Morphine given to a dog would rarely poison it and yet one grain given to a human would cause death. A hedgehog can

take as much opium as a Chinaman can smoke in a fortnight and wash it down with as much prussic acid as would kill a whole regiment of soldiers.

Diphtheria and Other Serums.

Doctor Walter R. Hawden, the eminent physician, double gold medalist in surgery of the Royal College, says:

"Of all the senseless, superstitious, filthy, absurd things ever imagined in the brain of mortal man, this anti-toxin or serum business takes the bun. Diphtheria serum has killed, without doubt, thousands of children directly, though it has never had the slightest effect in preventing or curing diphtheria itself. It is based upon statistical jugglery whereby large numbers of common sore throats are thrown into the count and called diphtheria on the basis of the fallacious germ theory of disease. The serum and vaccine theory is based upon superstition—it is built upon unscientific theories; it is manufactured at the expense and the torture of sentient animal life and it is the greatest disgrace to the medical profession that the world has witnessed in the course of centuries."

Hog Cholera.

Bulletin No. 229, issued by the Agricultural Experiment Station of the University of California, tells us that hog cholera is caused by improper feeding, etc. Common sense should tell us that these causes with the addition of unsanitary pens and yards which are the rule most everywhere, could not all to knock out any hog. A law abolishing vivisection would tend to drive raisers of hogs to depend upon preventive measures. Sanitation, not vaccination, prevents human and animal diseases.

Vote Yes on No. 28 on the Ballot.

ROSEMONDE RAE WRIGHT.

ARGUMENT AGAINST PROHIBITING VIVISECTION.

The people of California defeated the anti-vivisection initiative two years ago by a majority of 254,000. Every county and every community of California voted overwhelmingly against such absurd and harmful legislation. Anti-vivisectionists, however, are not impressed by overwhelming evidence and are again insulting the intelligence of the people with a more vicious initiative.

Even people who irrationally place the rights of animals above the welfare of the human race can not intelligently vote for this anti-vivisection measure, because it would injure animals as much as man. Animals have received as much benefit from animal experimentation (vivisection) as have human beings.

This anti-vivisection initiative would prohibit the manufacture of serums and vaccines against hog cholera, anthrax, blackleg and other animal diseases, as well as serums and vaccines for the treatment and prevention of diphtheria, smallpox, hydrophobia and lockjaw. It would stop the production of certified milk, the standardization of dangerous drugs and the safeguarding of canned and other foods. It would close laboratories in medical schools and make it impossible to train students in modern scientific practice. It would completely cripple hygienic public health and veterinary laboratories, serum institutes and the Wassermann laboratories for the diagnosis of syphilis.

Effective measures used for the prevention of disease—sanitation, isolation, immunization—have been discovered and developed by animal experimentation. The practice of modern medicine is based upon it. The conquest of cancer, the prevention and cure of influenza, the cure of tuberculosis, pneumonia, infantile paralysis and many other diseases are dependent upon animal experimentation.

Two years ago anti-vivisectionists misled some people with tales of terrible torture and imaginary pictures of fiendish operations. They falsely claimed that such operations were inflicted upon little children in orphanages, the friendless poor in almshouses, prisons and other state institutions, and upon helpless animals

and human beings in universities, laboratories and hospitals.

The bad faith of those circulating such slander is proven by the fact that they have not invoked the law in a single instance to prevent or punish such alleged atrocious cruelty.

Present laws of California adequately protect animals and prohibit inhuman treatment.

There is no cruelty to animals in the laboratories of California. Much of the work is being done by refined young women, and all the scientific workers are devoted to advancing the welfare of man and animals.

This anti-vivisection act is directed against scientific education, scientific practice and scientific progress, and has no practical relation

to the protection of humane treatment of animals. It permits branding, trapping, wounding, dehorning, without anesthesia, but it prohibits scientific workers from performing any experiment on an animal, even under anesthetic or without pain.

Benevolent scientific methods for the promotion of health, the saving of life and the relief of suffering, for the study, prevention, cure and control of diseases that attack man and animals are practically prohibited by this preposterous initiative. It would injure the people, animals and resources of every community of California without benefiting anybody or anything.

Vote "No" and defeat this destructive anti-vivisection initiative.

WALTER V. BREM, M.D.,
Los Angeles.

LAND FRANCHISE TAXATION. Initiative measure amending Article XIII of Constitution. Abolishes present system of taxation; declares private property rights attach only to products of labor and not to land; defines franchises as special privileges granted by government permitting use or monopoly of land; requires that such franchises be assessed annually at their full rental value independent of improvements, and prohibits all other taxes and license fees; prescribes procedure for such assessments, decreeing forfeiture of franchise for non-payment thereof; requires that money derived from such assessments be apportioned between state and its subdivisions, and that all governmental expenses be paid therefrom.

YES
NO

Sufficient qualified electors of the State of California present to the secretary of state this petition and request that a proposed measure, as hereinafter set forth, be submitted to the people of the State of California for their approval or rejection, at the next ensuing general election. The proposed measure is as follows:

PROPOSED AMENDMENT.

(Proposed changes from provisions of present laws are printed in black-faced type.)

Article XIII.

Section 1. It is hereby proclaimed that private property rights attach only to products of labor and not to land; that the holding of land in private monopoly by virtue of a franchise or title deed is a special privilege; that the full rent of such privileges belongs to the people collectively; that paying such rent to the whole people is, in principle, not a tax, but a moral obligation for value received on the part of the holders of such privileges; and that to secure to all fully and equally their rights to life, liberty and the pursuit of happiness, it is the duty of the state to collect such rent in full and not violate the rights of private property by any tax on improvements, business, labor, or capital.

Sec. 2. Franchises are hereby defined to be special privileges granted by government permitting the use or monopoly of land. Titles to all special privileges to use land for any certain defined purpose are franchises.

Sec. 3. All franchises shall be assessed annually their full rental value.

Sec. 4. This rental assessment as made each year shall be paid in full each year by all franchise holders; in one payment or in installments as shall be provided by law; provided that where franchise rights to land are leased at a rental that is less than the assessment the difference shall be paid by the lessee, or forfeit lease; and, that that part of all contracts and leases requiring lessees to pay all taxes in addition to a certain fixed rental, is hereby declared null and void and against public policy; and no other tax or taxes whatsoever shall be levied, collected or paid, nor shall any fee or charge be made, collected or paid for any license or permit.

Sec. 5. This rental assessment shall exactly measure the advantage of the inequality of franchise rights and privileges, and is hereby defined to be an amount of money just sufficient to make the purchase price or selling price of the franchise, independent of improvements on the land held thereby, approximate zero, or only enough to wholly prevent the capitalization of the franchise.

Sec. 6. This assessment, if not paid by the time and in the manner required by law shall work absolute forfeiture of the franchise, and if there are improvements upon land held by the franchise so forfeited, shall constitute a lien upon same for the amount, and said improvements, if salable and of more than nominal value, shall be sold at public sale to the highest bidder, who shall thereby acquire possession of the franchise rights.

Sec. 7. On each separate and distinct piece of land held under a title deed franchise there shall be maintained by the assessor in a conspicuous place, a notice, that can be easily read, stating the names of those who hold the franchise to the land, the area or dimensions and assessment for the current year; also, after an assessment is due, if not paid, an additional notice stating that the franchise is forfeited, and if there are salable improvements, of more than nominal value, upon the land, announcing the date and the place of public sale of same, the conditions and specifications for these notices—also penalties for neglect or interfering with same shall be fixed by law.

Sec. 8. A franchise to unimproved land that has been forfeited for the nonpayment of the assessment may be acquired by anyone who offers the highest rent by sealed bid, conditions of which are to be fixed by law. Unimproved land is that without salable improvements of more than nominal value.

Sec. 9. The money derived from this single tax shall be apportioned by law between the state and all the subdivisions of the state and out of such apportionments shall all the expenses of the government be paid. Any surplus money or any other money that may be acquired shall be used to pay indebtedness or to make improvements, or distributed, or used for any purpose that the state or any subdivision thereof having such money shall by majority vote decide.

Sec. 10. The legislature shall pass all laws necessary to carry out the provisions of this article; and all laws and provisions of this constitution in conflict with this article are hereby repealed.

EXISTING PROVISIONS.

[All of the following provisions of the constitution will be repealed by the proposed amendment.]

Article XIII.

REVENUE AND TAXATION.

Section 1. All property in the state except as otherwise in this constitution provided, no exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law, or as hereinafter provided. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership; provided that a mortgage, deed of trust, contract, or other obligation by which a debt is secured when land is pledged as security for the payment thereof, together with the money represented by such debt, shall not be considered property subject to taxation; and further provided, that property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this state, or to any county, city and county, or municipal corporation within this state shall be exempt from taxation, except such lands and the improvements thereon located outside of the county, city and county, or municipal