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HORSE PROTECTION ACT OF 1970

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HEARING

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BEFORE THE

SUBCOMMITTEE ON

PUBLIC HEALTH AND WELFARE

OF THE

COMMITTEE ON

INTERSTATE AND FOREIGN COMMERCE

HOUSE OF REPRESENTATIVES

NINETY-FIRST CONGRESS

SECOND SESSION

ON

H.R. 14151

A BILL TO PROTECT INTERSTATE AND FOREIGN COMMERCE BY PROHIBITING THE MOVEMENT IN SUCH COMMERCE OF HORSES WHICH ARE "SORED," AND FOR OTHER PURPOSES (and identical bills)

H.R. 15261

A BILL TO PROHIBIT THE MOVEMENT IN INTERSTATE OR FOREIGN COMMERCE OF HORSES WHICH ARE "SORED," AND FOR OTHER PURPOSES (and identical bill)

S. 2543

AN ACT TO PROHIBIT THE MOVEMENT IN INTERSTATE OR FOREIGN COMMERCE OF HORSES WHICH ARE "SORED," AND FOR OTHER PURPOSES (and identical bills)

SEPTEMBER 21, 1970

Serial No. 91-72

Printed for the use of the Committee on Interstate and Foreign Commerce

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ORGANIZATIONS REPRESENTED AT HEARING

- American Horse Protection Association:
 - McCandless, Robert, counsel.
 - Twyne, Mrs. Pearl, president.
- American Horse Shows Association, Inc.:
 - Kirby, John O., judge.
 - McCandless, Robert, counsel.
- Animal Welfare Institute:
 - McCandless, Robert, counsel.
 - Stevens, Mrs. Christine, president.
- Columbus Girls' School, Columbus, Ohio, Miss Alice Wright.
- Friends of Animals, Inc., Miss Alice Herrington, president.
- Humane Society of the United States, John D. Larocque, field representative.
- Mid South Horse Shows Association, Sam Gibbons, president.
- Nashville, Tennessean:
 - Corn, Jack, photographer.
 - Rawls, Wendell, reporter.

Organizations represented at hearing—Continued

National Walking Horse Trainers Association:

Burns, James, counsel.

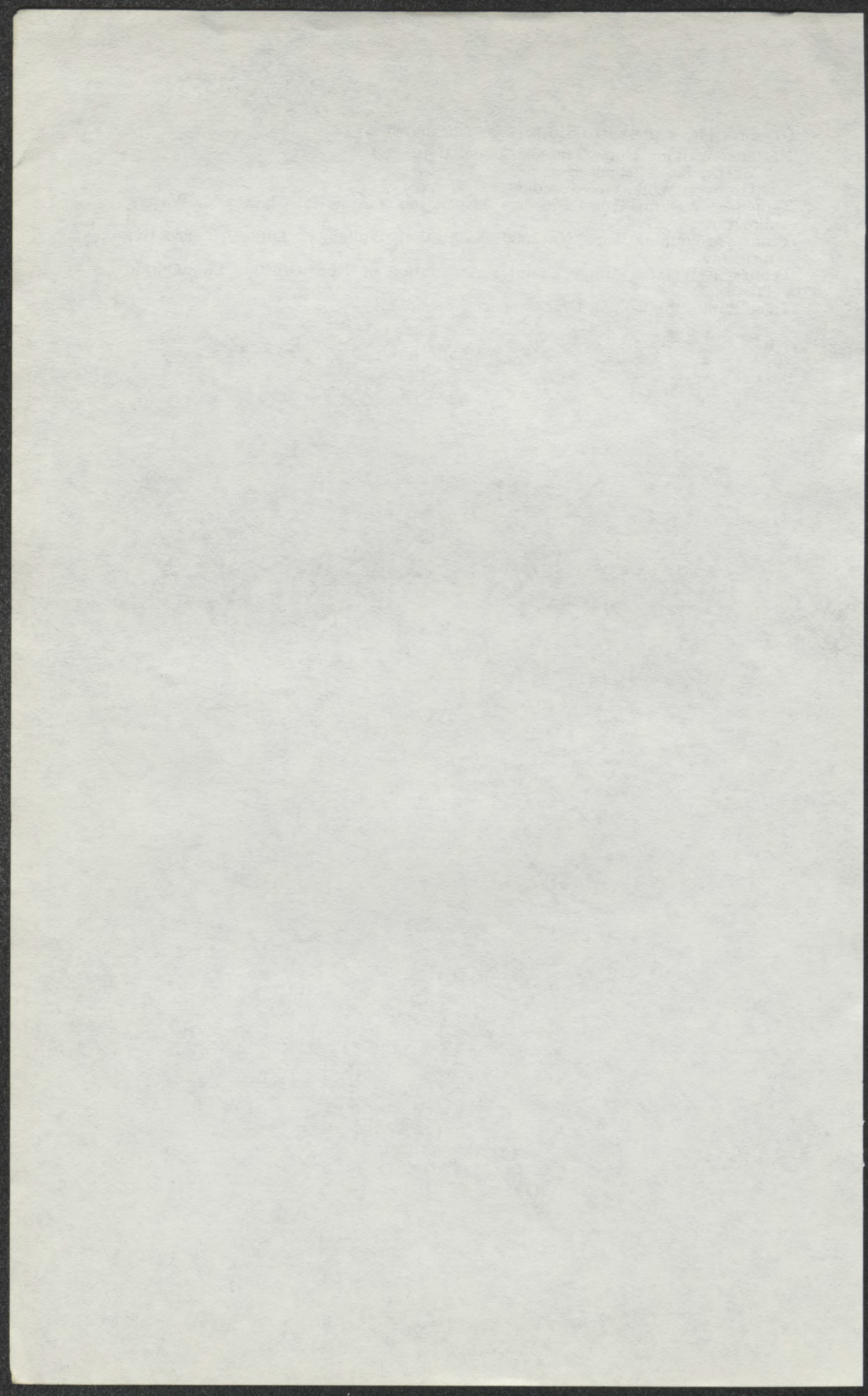
Groover, Wink, vice president.

Tennessee Walking Horse Breeders Association of America, Charles M. Waters, director.

Tennessee Walking Horse National Celebration, William C. Tune, Jr., executive director.

Tennessee Walking Horse Trainers Association of New Orleans, La., Gerald Pfister.

Voice Publishing Co., C. Bruce Spencer, president.



HORSE PROTECTION ACT OF 1970

MONDAY, SEPTEMBER 21, 1970

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:00 a.m., in room 2123, Rayburn House Office Building, Hon. John Jarman (chairman) presiding.

Mr. JARMAN. The subcommittee will please be in order: The hearings today are on H.R. 14151, which I introduced; H.R. 13784 by our colleague on the subcommittee, Mr. Kyros; H.R. 13979 by Mr. Springer; H.R. 14052 by Mr. Kuykendall; H.R. 14068 by Mr. Ottinger; H.R. 14145 by Mr. Devine; H.R. 14161 by Mr. Brotzman; H.R. 14230 by Mr. Tiernan; H.R. 14395 by Mr. Murphy of New York; our colleagues on the full committee, and numerous other similar bills by our colleagues in the House prohibiting the movement in interstate commerce of horses which have been sored. S. 2543, a similar bill, passed the Senate unanimously on December 18, 1969.

The bills would end the widespread practice of deliberately making sore the feet of Tennessee walking horses in order to alter their natural gait.

The proud, high-stepping gait of the Tennessee walking horse can be achieved through patient, careful training or, unfortunately, through deliberately making the front feet of the horse sore.

This method is a particularly cruel and inhumane practice, and the bills which we are considering are designed to put an end to this practice by making it unlawful to transport in commerce, for the purpose of showing or exhibition, a horse which has been "sored."

At this point there will be placed on the record the text of the bills before the subcommittee and the agency reports thereupon.

(The text of the bills and reports referred to follow:)

[H.R. 14151, 91st Congress, 1st session, introduced by Mr. Jarman on October 2, 1969;

[H.R. 12438, 91st Congress, 1st session, introduced by Mr. Whitehurst on June 25, 1969;

[H.R. 13784, 91st Congress, 1st session, introduced by Mr. Kyros on September 15, 1969;

[H.R. 13979, 91st Congress, 1st session, introduced by Mr. Springer on September 24, 1969;

[H.R. 14052, 91st Congress, 1st session, introduced by Mr. Kuykendall on September 29, 1969;

[H.R. 14068, 91st Congress, 1st session, introduced by Mr. Ottinger on September 29, 1969;

[H.R. 14145, 91st Congress, 1st session, introduced by Mr. Devine on October 2, 1969;

[H.R. 14161, 91st Congress, 1st session, introduced by Mr. Brozman on October 2, 1969;
 [H.R. 14230, 91st Congress, 1st session, introduced by Mr. Tiernan on October 7, 1969;
 [H.R. 14295, 91st Congress, 1st session, introduced by Mr. Burke of Florida, on October 9, 1969;
 [H.R. 14395, 91st Congress, 1st session, introduced by Mr. Murphy of New York on October 16, 1969;
 [H.R. 14412, 91st Congress, 1st session, introduced by Mr. Kleppe on October 20, 1969;
 [H.R. 14438, 91st Congress, 1st session, introduced by Mr. Boland on October 21, 1969;
 [H.R. 14482, 91st Congress, 1st session, introduced by Mr. Lowenstein on October 23, 1969;
 [H.R. 14488, 91st Congress, 1st session, introduced by Mr. Slack on October 23, 1969;
 [H.R. 14503, 91st Congress, 1st session, introduced by Mr. Howard on October 23, 1969;
 [H.R. 14520, 91st Congress, 1st session, introduced by Mr. Edwards of California on October 27, 1969;
 [H.R. 14604, 91st Congress, 1st session, introduced by Mr. Don H. Clausen on October 30, 1969;
 [H.R. 14625, 91st Congress, 1st session, introduced by Mr. Hathaway on October 31, 1969;
 [H.R. 14637, 91st Congress, 1st session, introduced by Mr. Schwengel on October 31, 1969;
 [H.R. 14662, 91st Congress, 1st session, introduced by Mr. Quie on November 4, 1969;
 [H.R. 14665, 91st Congress, 1st session, introduced by Mr. Rodino on November 4, 1969; and
 [H.R. 15203, 91st Congress, 1st session, introduced by Mr. Foley on December 11, 1969,
 are identical as follows:]

A BILL To protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Horse Protection Act of 1969."

SEC. 2. (a) A horse shall be considered to be sored if, for the purpose of affecting its gait, a blistering agent has been applied internally or externally to any of the legs, ankles, feet, or other parts of the horse, or if burns, cuts, or lacerations have been inflicted on the horse, or if a chemical agent, or tacks, nails, or wedges have been used on the horse, or if any other method or device has been used on the horse, including, but not limited to chains or boots, which may reasonably be expected currently (1) to result in physical pain to the horse when walking, trotting, or otherwise moving, or (2) to cause extreme fear or distress to the horse.

(b) As used in this Act, the term "commerce" means commerce between a point in any State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) and any point outside thereof, or between points within the same State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) but through any place outside thereof, or within the District of Columbia, or from any foreign country to any point within the United States.

SEC. 3. The Congress hereby finds (1) that the practice of soring horses for the purpose of affecting their natural gait is cruel and inhumane treatment of such animals; (2) that the movement of sored horses in commerce adversely affects and burdens commerce; (3) that horses which are sored compete unfairly with horses moved in commerce which are not sored.

SEC. 4. (a) It shall be unlawful for any person to ship, transport or otherwise move, or deliver or receive for movement, in commerce, for the purpose of showing or exhibition, any horse which such person has reason to believe is sored.

(b) It shall be unlawful for any person to show or exhibit, or enter for the purpose of showing or exhibiting, in any horse show or exhibition, any horse which is sored if that horse or any other horse was moved to such show or exhibition in commerce.

(c) It shall be unlawful for any person to conduct any horse show or exhibition in which there is shown or exhibited a horse which is sores, if any horse was moved to such show or exhibition in commerce.

SEC. 5. (a) Any representative of the Secretary of Agriculture is authorized to make such inspections of any horses which are being moved, or have been moved, in commerce and to make such inspections of any horses at any horse show or exhibition within the United States to which any horse was moved in commerce, as he deems necessary for the effective enforcement of this Act, and the owner or other person having custody of any such horse shall afford such representative access to and opportunity to so inspect such horse.

(b) The person or persons in charge of any horse show or exhibition within the United States shall keep such records as the Secretary of Agriculture may by regulation prescribe in order to enable the representatives of said Secretary to determine whether any horses were moved to or from such show or exhibition in commerce, the identity of the owner or exhibitor of any horse at the show or exhibition, and other facts necessary for the effective enforcement of this Act, and the person or persons in charge of any horse show or exhibition shall afford the representatives of the Secretary of Agriculture access to and opportunity to inspect and copy such records at all reasonable times.

SEC. 6. Any person who violates any provision of this Act shall be fined not more than \$500 or imprisoned not more than six months, or both.

SEC. 7. Whenever the Secretary of Agriculture believes that a violation of this Act has occurred and that prosecution is needed to obtain compliance with the Act, he shall inform the Attorney General and the Attorney General shall take such action with respect to such matter as he deems appropriate.

SEC. 8. The Secretary of Agriculture shall, in carrying out the provisions of this Act, to the maximum extent practicable, utilize the existing personnel and facilities of the Department of Agriculture. The Secretary of Agriculture is further authorized to utilize the officers and employees of any State, with its consent, to assist him in carrying out the provisions of this Act.

SEC. 9. The Secretary of Agriculture is authorized to issue such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

[H.R. 15261, 91st Congress, 1st session, introduced by Mr. Broomfield on December 15, 1969, and

[H.R. 15692, 91st Congress, 2d session, introduced by Mr. Collier on February 4, 1970,

are identical as follows:]

A BILL To prohibit the movement in interstate or foreign commerce of horses which are "sored", and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Horse Protection Act of 1969".

SEC. 2. (a) A horse shall be considered to be sores if, for the purpose of affecting its gait—

(1) a blistering agent has been applied internally or externally to any of the legs, ankles, feet, or other parts of the horse;

(2) burns, cuts, or lacerations have been inflicted on the horse;

(3) a chemical agent, or tacks, nails, or wedges have been used on the horse; or

(4) any other method or device has been used on the horse, including, but not limited to, chains or boots;

which may reasonably be expected (A) to result in physical pain to the horse when walking, trotting, or otherwise moving, (B) to cause extreme fear or distress to the horse, or (C) to cause inflammation.

(b) As used in this Act, the term "commerce" means commerce between a point in any State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) and any point outside thereof, or between points within the same State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) but

¹ H.R. 15692 reads "1970".

through any place outside thereof, or within the District of Columbia, or from any foreign country to any point within the United States.

SEC. 3. The Congress hereby finds (1) that the practice of soring horses for the purposes of affecting their natural gait is cruel and inhumane treatment of such animals; (2) that the movement of sored horses in commerce adversely affects and burdens such commerce; and (3) that horses which are sored compete unfairly with horses moved in commerce which are not sored.

SEC. 4. (a) It shall be unlawful for any person to ship, transport, or otherwise move, or deliver or receive for movement, in commerce, for the purpose of showing or exhibition, any horse which such person has reason to believe is sored.

(b) It shall be unlawful for any person to show or exhibit, or enter for the purpose of showing or exhibiting, in any horse show or exhibition, any horse which is sored if that horse or any other horse was moved to such show or exhibition in commerce.

(c) It shall be unlawful for any person to conduct any horse show or exhibition in which there is shown or exhibited a horse which is sored, if any horse was moved to such show or exhibition in commerce, unless such person can establish that he took all reasonable precautions to prevent the showing or exhibiting of such sored horse.

SEC. 5. (a) Any representative of the Secretary of Agriculture is authorized to make such inspections of any horses which are being moved, or have been moved, in commerce and to make such inspections of any horses at any horse show or exhibition within the United States to which any horse was moved in commerce, as he deems necessary for the effective enforcement of this Act, and the owner or other person having custody of any such horse shall afford such representative access to and opportunity to so inspect such horse.

(b) The person or persons in charge of any horse show or exhibition within the United States, or such other person or persons as the Secretary of Agriculture (hereinafter referred to in this Act as the "Secretary") may by regulation designate, shall keep such records as the Secretary may by regulation prescribe. The person or persons in charge of any horse show or exhibition, or such other person or persons as the Secretary may by regulation designate, shall afford the representatives of the Secretary access to and opportunity to inspect and copy such records at all reasonable times.

SEC. 6. (a) Any person who violates any provision of this Act or any regulation issued thereunder, other than a violation the penalty for which is prescribed by subsection (b) of this section, shall be assessed a civil penalty by the Secretary of not more than \$1,000 for each such violation. No penalty shall be assessed unless such person is given notice and opportunity for a hearing with respect to such violation. Each violation shall be a separate offense. Any such civil penalty may be compromised by the Secretary. Upon any failure to pay the penalty assessed under this subsection, the Secretary shall request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found or resides or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action.

(b) Any person who willfully violates any provision of this Act or any regulation issued thereunder shall be fined not more than \$2,000 or imprisoned not more than six months, or both.

SEC. 7. Whenever the Secretary believes that a willful violation of this Act has occurred and that prosecution is needed to obtain compliance with the Act, he shall inform the Attorney General and the Attorney General shall take such action with respect to such matter as he deems appropriate.

SEC. 8. The Secretary, in carrying out the provisions of this Act, shall utilize, to the maximum extent practicable, the existing personnel and facilities of the Department of Agriculture. The Secretary is further authorized to utilize the officers and employees of any State, with its consent, and with or without reimbursement, to assist him in carrying out the provisions of this Act.

SEC. 9. The Secretary is authorized to issue such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 10. On or before the expiration of thirty calendar months following the date of enactment of this Act, and every twenty-four-calendar-month period thereafter, the Secretary shall submit to the Congress a report upon the matters covered by this Act, including enforcement and other actions taken thereunder, together with such recommendations for legislative and other action as he deems appropriate.

SEC. 11. There are hereby authorized to be appropriated such sums, not to exceed \$100,000 annually, as may be necessary to carry out the provisions of this Act.

[H.R. 18595, 91st Congress, 2d session, introduced by Mr. Tunney on July 22, 1970;
 [H.R. 18643, 91st Congress, 2d session, introduced by Mr. Hechler of West
 Virginia on July 27, 1970;
 [H.R. 19167, 91st Congress, 2d session, introduced by Mr. Rogers of Florida on
 September 14, 1970; and
 [S. 2543, passed the Senate on December 18, 1969, and referred to the House
 Interstate and Foreign Commerce Committee on December 19, 1969,
 are identical as follows:]

AN ACT To prohibit the movement in interstate or foreign commerce of horses which are "sored", and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Horse Protection Act of 1969".

SEC. 2. (a) A horse shall be considered to be sored if, for the purpose of affecting its gait—

(1) a blistering agent has been applied internally or externally to any of the legs, ankles, feet, or other parts of the horse;

(2) burns, cuts, or lacerations have been inflicted on the horse;

(3) a chemical agent, or tacks, nails, or wedges have been used on the horse;

or

(4) any other method or device has been used on the horse, including, but not limited to, chains or boots;

which may reasonably be expected (A) to result in physical pain to the horse when walking, trotting, or otherwise moving, (B) to cause extreme fear or distress to the horse, or (C) to cause inflammation.

(b) As used in this Act, the term "commerce" means commerce between a point in any State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) and any point outside thereof, or between points within the same State or possession of the United States (including the District of Columbia and the Commonwealth of Puerto Rico) but through any place outside thereof, or within the District of Columbia, or from any foreign country to any point within the United States.

SEC. 3. The Congress hereby finds (1) that the practice of soring horses for the purposes of affecting their natural gait is cruel and inhumane treatment of such animals; (2) that the movement of sored horses in commerce adversely affects and burdens such commerce; and (3) that horses which are sored compete unfairly with horses moved in commerce which are not sored.

SEC. 4. (a) It shall be unlawful for any person to ship, transport, or otherwise move, or deliver or receive for movement, in commerce, for the purpose of showing or exhibition, any horse which such person has reason to believe is sored.

(b) It shall be unlawful for any person to show or exhibit, or enter for the purpose of showing or exhibiting, in any horse show or exhibition, any horse which is sored if that horse or any other horse was moved to such show or exhibition in commerce.

(c) It shall be unlawful for any person to conduct any horse show or exhibition in which there is shown or exhibited a horse which is sored, if any horse was moved to such show or exhibition in commerce, unless such person can establish that he took all reasonable precautions to prevent the showing or exhibiting of such sored horse.

SEC. 5. (a) Any representative of the Secretary of Agriculture is authorized to make such inspections of any horses which are being moved, or have been moved, in commerce and to make such inspections of any horses at any horse show or exhibition within the United States to which any horse was moved in commerce, as he deems necessary for the effective enforcement of this Act, and the owner or other person having custody of any such horse shall afford such representative access to and opportunity to so inspect such horse.

(b) The person or persons in charge of any horse show or exhibition within the United States, or such other person or persons as the Secretary of Agriculture (hereinafter referred to in this Act as the "Secretary") may by regulation designate, shall keep such records as the Secretary may by regulation prescribe. The person or persons in charge of any horse show or exhibition, or such other person or persons as the Secretary may by regulation designate, shall afford the representatives of the Secretary access to and opportunity to inspect and copy such records at all reasonable times.

SEC. 6. (a) Any person who violates any provision of this Act or any regulation issued thereunder, other than a violation the penalty for which is prescribed by

subsection (b) of this section, shall be assessed a civil penalty by the Secretary of not more than \$1,000 for each such violation. No penalty shall be assessed unless such person is given notice and opportunity for a hearing with respect to such violation. Each violation shall be a separate offense. Any such civil penalty may be compromised by the Secretary. Upon any failure to pay the penalty assessed under this subsection, the Secretary shall request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found or resides or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action.

(b) Any person who willfully violates any provision of this Act or any regulation issued thereunder shall be fined not more than \$2,000 or imprisoned not more than six months, or both.

SEC. 7. Whenever the Secretary believes that a willful violation of this Act has occurred and that prosecution is needed to obtain compliance with the Act, he shall inform the Attorney General and the Attorney General shall take such action with respect to such matter as he deems appropriate.

SEC. 8. The Secretary, in carrying out the provisions of this Act, shall utilize, to the maximum extent practicable, the existing personnel and facilities of the Department of Agriculture. The Secretary is further authorized to utilize the officers and employees of any State, with its consent, and with or without reimbursement, to assist him in carrying out the provisions of this Act.

SEC. 9. The Secretary is authorized to issue such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 10. No provision of this Act shall be construed as indicating an intent on the part of the Congress to occupy in the field in which such provision operates to the exclusion of the law of any State on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State so that the two cannot be reconciled or consistently stand together. Nor shall any provision of this Act be construed to exclude the Federal Government from enforcing the provision of this Act within any State, whether or not such State has enacted legislation on the same subject, it being the intent of the Congress to establish concurrent jurisdiction with the States over such subject matter. In no case shall any such State take any action pursuant to this section involving a violation of any such law of that State which would preclude the United States from enforcing the provisions of this Act against any person.

SEC. 11. On or before the expiration of thirty calendar months following the date of enactment of this Act, and every twenty-four-calendar-month period thereafter, the Secretary shall submit to the Congress a report upon the matters covered by this Act, including enforcement and other actions taken thereunder, together with such recommendations for legislation and other action as he deems appropriate.

SEC. 12. There are hereby authorized to be appropriated such sums, not to exceed \$100,000 annually, as may be necessary to carry out the provisions of this Act.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., September 17, 1969.

HON. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your letter of June 30, 1969 requesting a report on H.R. 12438. The bill is entitled "To protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are 'sored,' and for other purposes."

A horse is sored if, for the purpose of affecting its gait, a blistering agent has been applied internally or externally, or if burns, cuts, or lacerations have been inflicted on the horse, or if a chemical agent, or tacks, nails, or wedges have been used on the horse, or if any other method or device has been used on the horse, which may reasonably be expected to cause physical pain to the horse when moving or to cause extreme fear or distress to the horse. In administration of the bill, if enacted, we would consider that the presence of heat, swelling, redness, or other evidence of inflammation or loss of function of any part of the horse is evidence of the existence of physical pain in the animal within the meaning of subsection 2(a) of the bill. The practice has been identified with, but is not necessarily limited to, the Tennessee Walking Horse. The purpose of soring is to accentuate the natural gait of the horse and produce a high action of the forefeet.

Available information indicates that the practice of soring is conducted in most states where shows or exhibitions involving Tennessee Walking Horses are held.

Under the bill, it would be unlawful for any person (a) to ship, transport, or otherwise move, or deliver or receive for movement, in commerce, as defined in the bill, for the purpose of showing or exhibition, any horse which such person has reason to believe is sored; (b) to show or exhibit, or enter for the purpose of showing or exhibiting, in any horse show or exhibition, any horse which is sored if that horse or any other horse was moved to such show or exhibition in commerce; and (c) to conduct any horse show or exhibition in which there is shown or exhibited a horse which is sored, if any horse was moved to such show or exhibition in commerce.

For enforcement purposes, representatives of this Department would be authorized to make necessary inspections of any horses which are being moved, or have been moved, in commerce, as well as inspections at any horse show or exhibition within the United States to which any horse was moved in commerce. The owner or other person having custody of any such horse would be required to afford such representatives access to and opportunity to so inspect such horse. This Department would be authorized to prescribe regulations for the keeping of records by the person or persons in charge of any horse show or exhibition in this country and such records would be available for inspection and copying at all reasonable times. Criminal penalties would be prescribed for any violation of the bill. The Secretary of Agriculture would be authorized to utilize the officers and employees of any state, with its consent, in carrying out the provisions of the bill, and we would hope to rely heavily upon assistance from those states in which shows or exhibitions are held.

This Department has no objection to the enactment of H.R. 12438.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., November 26, 1969.

HON. HARLEY O. STAGGERS,
*Chairman, Committee on Interstate and Foreign Commerce, House of Representatives,
Rayburn House Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for views of the Bureau of the Budget on H.R. 12438, a bill "To protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are 'sored,' and for other purposes."

The Department of Agriculture is submitting a report which indicates no objection to the enactment of H.R. 12438.

This Bureau would have no objection to its enactment.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., September 30, 1969.

HON. HARLEY O. STAGGERS,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice on H.R. 12438, a bill "To protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are 'sored,' and for other purposes."

If enacted, this bill would prohibit the interstate transportation of any horse which is "sored", i.e., maimed for the purpose of affecting its gait. In addition, this bill would prohibit the exhibition of such horses following their movement in interstate commerce, and would further prohibit the conducting of any horse show which included such horses among its exhibits. Any violation of this Act

would be punishable by a fine of not more than \$500 or imprisonment for not more than six months, or both.

As to the need for this type of legislation, and the feasibility of the regulatory action authorized under it, the Department of Justice defers to the views of the regulatory agency which would be responsible for its administration, the Department of Agriculture.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

RICHARD G. KLEINDIENST,
Deputy Attorney General.

Mr. JARMAN. Our first witness this morning is the distinguished gentleman from the State of Illinois, the Honorable Harold R. Collier. Welcome sir. Proceed as you see fit.

STATEMENT OF HON. HAROLD R. COLLIER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. COLLIER. Mr. Chairman, I appreciate having this opportunity to appear before the Subcommittee on Health and Welfare in behalf of S. 2543, the Horse Protection Act of 1969. This legislation, which would prohibit the movement in interstate or foreign commerce of horses which are sore, is a most laudable effort to stop a very reprehensible form of cruelty.

I wholeheartedly indorse the provisions of the bill that passed the other body and which is under consideration by the subcommittee. The bill is similar to H.R. 15692, which I introduced earlier this year. As a former member of the Committee on Interstate and Foreign Commerce, I became well-acquainted with the magnitude of the important problems for which the committee must find practical solutions. It is my earnest hope that you will be able to schedule early action on the pending measure in order that it may become law during the present session of Congress.

Mr. Chairman, animals were put on earth by the Creator to provide food, clothing, and transportation for man, as well as for other useful purposes. They are also used to entertain man through such means as circuses, shows, and races. We are concerned this morning only with the exhibition of horses at shows.

Animals were intended for use, but not for abuse. While most people treat animals with kindness and consideration, for both humane and practical reasons, a small minority is cruel and inconsiderate in its dealings with dumb brutes. One wonders if the term brute is not sometimes applied to the wrong creature.

In order to protect animals, public-spirited citizens have formed organizations to prevent cruelty to animals, to regulate the practice of vivisection, and to make slaughtering of animals as humane as possible. Congress, State legislatures, and local councils have passed legislation to assist such groups to attain their worthy goals.

The Congress of the United States has, in recent years, passed legislation dealing with such matters as the stealing of pets for the purpose of providing animals for vivisection. It has also dealt with the problem of humane slaughtering.

Certainly butchering animals for meat ought to be conducted in as humane a manner as possible, but, in any event, an animal's suffering is soon over. In the case of the sore horse, however, the animal's

suffering begins at the time it is sore and continues as long as it can compete in exhibitions.

If the measure under consideration becomes law, only nonsored horses will be exhibited at shows, making it possible for them to compete for prizes on naturally acquired skills and not on such dexterity as is induced by vicious cruelty. Those who are presently in possession of sored horses will suffer some loss because they will not be able to exhibit them, but I will save my tears for nobler causes. In but a few years we should be able to end the practice of soring by making it pointless.

If this bill becomes law, some of the credit for its enactment will go to the women who have worked with such diligence and persistency. I am reminded of a book that was popular when I was a child. It was written by an Englishwoman, Anna Sewell, as a protest against the cruel practices that were prevalent among horsemen in the England of a century ago. Herself a cripple, but still able to ride horseback, she gave eloquent expression to her hatred of cruelty to horses and other animals by penning the classical autobiography of a horse—"Black Beauty." Its publication helped to put an end to a great deal of cruelty to horses.

Mr. Chairman, I again thank the subcommittee for its courtesy in permitting me to express my views on this important and needed legislation. I hope that the bill will be reported to the House of Representatives in time for final action before sine die adjournment.

Mr. JARMAN. Thank you, Mr. Collier, for sharing your thoughts with us this morning. Are there any questions? If not, then thank you again, sir.

Mr. COLLIER. Thank you, Mr. Chairman for affording me the opportunity of appearing before your subcommittee on this matter.

Mr. JARMAN. Our colleague on the full committee, the Honorable Donald G. Brotzman of Colorado, is our next witness. Welcome to the subcommittee, Mr. Brotzman.

STATEMENT OF HON. DONALD G. BROTZMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. BROTZMAN. Mr. Chairman, it is a privilege and an honor to appear before this distinguished subcommittee. As a member of the full Committee on Interstate and Foreign Commerce, I am well aware of the fine work done by the Public Health and Welfare Subcommittee.

H.R. 14161 and a number of similar bills presently before the subcommittee seek to eliminate the heinous and inhumane practice of soring Tennessee walking horses. It saddens me, Mr. Chairman, to think that there is a need for such legislation. I fondly recall my boyhood days in northeastern Colorado when I owned and cared for a horse. To this very day, I occasionally have the opportunity to enjoy a little horseback riding. From my own experiences, it is hard for me to imagine a person torturing a horse for the purpose of winning a blue ribbon or for any other reason.

Unfortunately, the practice of soring Tennessee walking horses has become all too common. Wendell Rawls, Jr., in an excellent series of articles written for the Nashville Tennessean, quotes one horseman as saying, "Everybody is against it, but everybody does it." This, I submit, is hardly a sound justification.

Under the provisions of my bill, a horse shall be considered to be sore if, for the purpose of affecting its gait, a blistering agent has been applied internally or externally to any part of the horse, or if burns, cuts or lacerations have been inflicted on the horse, or if a chemical agent, or tacks, nails, or wedges have been used on the horse, or if any other method or device has been used on the horse, including chains or boots which may result in physical pain to the horse or cause extreme fear or distress to the horse.

The bill goes on to make it unlawful for any person to move a sore horse in interstate commerce, or to exhibit in any show a sore horse which has been moved in interstate commerce, or for any person to knowingly conduct a show or exhibition in which a sore horse which has moved in interstate commerce is shown. Violators may be fined up to \$500 and imprisoned for up to 6 months, or both. The Secretary of Agriculture is delegated necessary authority and is directed to take appropriate steps to enforce the prohibitions contained in the bill.

Mr. Chairman, I have not heard of anyone who defends the practice of soring. Even those who engage in the practice deplore it, but they seem to fear that soring is necessary so long as competing horsemen sore their horses.

While the sheer cruelty of soring is sufficient reason for Congress to pass the Horse Protection Act, I believe there is another reason, an equally valid reason for congressional action. When a horse wins a prize its value increases significantly. Those who want to buy a horse for breeding naturally prefer an animal which has demonstrated its ability. However, when a horse's gait is the result of soring, and not ability, the purchaser is defrauded. At the same time, the owner of a legitimate Tennessee walking horse is wronged because his horse will not bring as much money on the open market as it would have, had it not had to compete with sored horses.

The Senate has already passed legislation to protect Tennessee walking horses and the members of the public who enjoy these magnificent animals. Let us in the House speedily do the same.

Mr. JARMAN. Thank you, Mr. Brotzman, your statement was brief and to the point.

Mr. BROTZMAN. Thank you, Mr. Chairman, for permitting me to speak on this important matter.

Mr. JARMAN. Our next witness is the Honorable G. William Whitehurst of the State of Virginia. Mr. Whitehurst has a statement he would like to present to the subcommittee.

Proceed, Mr. Whitehurst, as you wish.

STATEMENT OF HON. G. WILLIAM WHITEHURST, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Mr. WHITEHURST. Mr. Chairman, thank you very much for giving me the opportunity to testify on my bill, H.R. 12438, the Horse Protection Act.

Since I introduced this bill on June 25, 1969, the Senate has passed S. 2543, and at least 23 House Members have introduced companion bills. This indeed shows a depth of interest and concern over the cruel and inhumane treatment used in training the Tennessee walking horse, treatment referred to as "soring."

The walking horse class is probably the most graceful and beautiful event in a horse show. A well-trained Tennessee walker is poetry in motion and is a monument to the painstaking, time-consuming, and expensive breeding and training that produced it.

But for many of us, this last statement is based on memories only and does not stand up under present heavy scrutiny. The difference between a first-place and a second-place award in a horse show can be over \$10,000, and it is perhaps this fact, more than the pride of being a winner, that has caused the tremendous growth in the use of soring. Over the past 20 years soring has increased so rapidly that unless a horse is sore it stands little chance of winning, and thus those trainers and employers who do not employ soring are actually under a financial handicap. It is indeed unfortunate that cruelty is given such financial reward.

There are several methods used to "sore" a horse, and each trainer specializes in one or another. The most common method involves applying oil of mustard or oxide of mercury ("creeping cream") to the pastern area of the foreleg, the part just above the hoof. After the burning chemical has been applied, the hoof is further prepared by wrapping the area in chains or metal rollers. During a show, these are removed and replaced by a boot. The boot is ostensibly to protect the foreleg, but in reality it further heightens the pain and causes the horse to throw the forelegs forward, producing the desired walking gait.

Another method involves building up the front hoof with leather pads to the point that the horse is forced to put all his weight on the very tip of his hoof. This is equivalent to a human standing on tiptoe with only his toenails touching the ground. I need not describe the ultimate effects of this.

These are examples of the method used in soring a horse, and with a few others they are used to one degree or another on too many show horses.

Gentlemen, as cruel and widespread as this practice has become, we should not be led to believe that the methods are condoned by all those involved. Indeed, this practice has been condemned by the American Horse Show Association and the Tennessee Walking Horse Breeders and Exhibitors Association of America. State laws are also on the books, and my own State of Virginia has adopted a law very similar to the one we are considering today.

But all of this has been too little or no avail. Mr. Chairman, my legislation will stop, or at least substantially curtail, the practice of soring. The bill will give the Secretary of Agriculture the authority to fine not more than \$500 and/or imprison for not more than 6 months those found guilty of shipping a sore horse in interstate commerce for the purpose of exhibit or show.

Mr. Chairman, I feel that this legislation is urgently needed, and I certainly hope that the committee will give it favorable consideration. Thank you.

Mr. JARMAN. Thank you for taking time out of your busy schedule, Mr. Whitehurst, to share your views with us this morning.

Mr. WHITEHURST. Thank you, Mr. Chairman, it has been my pleasure.

Mr. JARMAN. Next we have the author of S. 2543, Senator Joseph D. Tydings of Maryland. Senator Tydings wishes to present a statement for the consideration of the subcommittee.

Welcome, Senator. It is a pleasure to see you this morning.

**STATEMENT OF HON. JOSEPH D. TYDINGS, A U.S. SENATOR FROM
THE STATE OF MARYLAND**

Senator TYDINGS. Mr. Chairman, I appreciate this opportunity to comment briefly on the Tennessee Walking Horse Legislation.

S. 2543 passed the Senate on December 18, 1969, with bipartisan support. Speaking for the administration, the Department of Agriculture stated that it had no objection to the bill's enactment.

S. 2543 differs from H.R. 14151 and H.R. 13979 in three important respects.

1. The Senate bill contains a new section 10 clarifying the relationship of the legislation to State law. In committee, Senator Howard Baker of Tennessee amended S. 2543 to provide for concurrent jurisdiction, an amendment I fully supported. Both State and Federal laws will thus apply to instances of soring. Concurrent jurisdiction provides the flexibility to permit the States to act should they desire to do so, yet it assures Federal action against soring should the State fail to move.

2. The Senate bill exempts an individual who conducts a horse show in which a sore horse appears from the penalties imposed by the bill if such individual "can establish that he took all reasonable precautions" to prevent the participation of sore horses. The walking horse legislation focuses on the horse show, and properly so. It is at an exhibition where USDA will be able to enforce an antisoring law. And it is the exhibitors who bear a large part of the responsibility for the practice of soring. Yet S. 2543 recognizes that it would be unfair to penalize those individuals who make a conscientious effort to exclude sore horses from their shows. Hence, the exemption.

3. The Senate bill revises the enforcement section of H.R. 14151 and H.R. 13979. Subsection 6(a) of S. 2543 provides a civil penalty of not more than \$1,000 to be assessed by the Secretary of Agriculture for each violation. Subsection 6(b) provides a criminal penalty of not more than \$2,000 or imprisonment of not more than 6 months, or both for each willful violation. The two House bills provide only for a criminal penalty of not more than \$500 or imprisonment of not more than 6 months, or both.

S. 2543's approach is I believe more flexible and effective. Establishing civil penalties for nonwillful violations will probably produce more frequent enforcement efforts than would imposition of a criminal penalty for a first violation. Additionally, authorizing the Secretary of Agriculture to assess civil penalties will not add to the work of already overburdened U.S. attorney offices. Yet stiff criminal penalties are still warranted. In instances of willful violations, criminal prosecutions by U.S. attorneys are necessary if S. 2543 is to be an effective deterrent. Rewards from soring in terms of stud fees and prizes can easily exceed \$100,000. Some individuals may well be willing to accept the civil penalties of Subsection 6(a) in order to have a winning horse.

Subsection 6(b) penalties, however, should cause such individuals to have second thoughts. Thus, in terms of the size of the penalty and method of enforcement, S. 2543 bears a more reasonable relationship to the nature of the violation and the need for effective enforcement than do H.R. 14151 and H.R. 13979.

Soring is a barbaric practice. That it must now at long last be terminated is incontestable.

The atrocity of soring can only be fully realized if the practice itself is clearly understood. Soring is deliberately injuring a horse's foot in order to alter its natural gait. The Tennessee walker is known for its high skipping gait or "walk." This walk is normally the result of careful breeding and patient training. Yet by "soring" the horse's front feet, the pain of touching the ground will force the Tennessee walker to kick his feet up and out, exactly the gait desired. A mediocre horse can thus be made to walk like a champion. That soring hurts the horse and eventually harms the breed does not seem to matter. The object is to win the blue ribbon. Soring is therefore practiced by the trainers, condoned by the owners, and ignored by the judges.

That it requires Federal law to end this cruel practice is indeed regrettable. In 1967, when I first became involved with this issue, I initially felt that soring surely was a matter for State and local jurisdictions. I asked myself, as perhaps members of the subcommittee have asked themselves, why is this a matter for the Federal Government? Can't the State handle it alone? The hearings on soring that I chaired last year convinced me that the answer is no. State and local governments appear unable or unwilling to stop soring. The pressure to win is too great. Since 1967, the practice has continued, as has the assurances of its practitioners that "given a little more time" soring will stop. But soring has not stopped nor will it without Federal law.

The need for Federal legislation was illustrated by the testimony last September of Dr. Francis Mulhern, Deputy Administrator of the Agricultural Research Service before the Senate Commerce Committee. In reply to my question about the adequacy of State antisoring laws, Dr. Mulhern stated:

Our position toward the bill in the last Congress was that this should be a State responsibility. After investigating and noting the evidence of the soring that was occurring, even in States where they had laws, we have removed our objection.

Only Federal action can stop this barbaric practice.

S. 2543 would be administered by the Department of Agriculture. USDA has stated that the additional workload for conducting the necessary inspections and enforcement activities would be carried out by the existing personnel of the Agricultural Research Service and with the assistance of State officials. Section 8 of the bill specifically calls for use of existing capabilities and encourages USDA use of State assistance. Section 12 of the bill modestly authorizes \$100,000 annually to cover expenses that may occur. The Tennessee walking horse legislation would not lead to the creation of additional Federal personnel nor would it create a great burden on our Treasury.

The purpose of this Federal legislation is to stop soring. This practice is cruel and barbaric. S. 2543 would achieve this purpose, simply and effectively, and call a halt to the systematic torture of Tennessee

walking horses. I therefore respectfully urge the subcommittee to act favorably on S. 2543.

Mr. Chairman, this concludes my statement.

Mr. JARMAN. Thank you, Senator Tydings, for presenting your views to us this morning. We will take them under consideration on this important matter.

Senator TYDINGS. Thank you, Mr. Chairman, I wish to express again my appreciation for the opportunity to present my views before the subcommittee.

Mr. JARMAN. Our next witness this morning, representing the American Horse Protection Association, is Mrs. Pearl Twyne, president of that association.

STATEMENT OF MRS. PEARL TWYNE, PRESIDENT, AMERICAN HORSE PROTECTION ASSOCIATION; ACCOMPANIED BY ROBERT McCANDLESS, COUNSEL

Mrs. TWYNE. Mr. Chairman and members of the committee:

I am very grateful to have the opportunity of appearing before you, with your busy schedule, to discuss this national disgrace, the soring of the Tennessee walking show horse.

With your permission I will submit my statement and summarize the highlights of what I would like to say.

Mr. JARMAN. The committee will be glad to receive the statement.

Mrs. TWYNE. The walking horse industry is a large interstate commercial business, national in scope. It is a highly competitive industry and today is based primarily on horses that are brutally trained and tortured.

The show standard for the Tennessee walking show horse is set at the Tennessee Walking Horse National Celebration at Shelbyville, Tenn., and trainers and judges in many States have told me that until the celebration cleans up the showing of sore horses, no reform other than Federal legislation can correct this national disgrace.

Several highly rated shows are dropping the walking horse class, and in some areas in these States the walking horse exhibitors and trainers are staying away from association shows, stating that they prefer to exhibit under their own rules.

The Madison Square Garden Horse Show at New York City dropped the class many years ago.

The soring of the walking show horse started about 15 years ago. Originally this animal, known as a Plantation Horse, moved with a natural graceful, flowing gait, and was a pleasure to ride.

One of the greatest champions of the breed, whose blood line is carried in many champions today was Merry-Go-Boy. The owner of this horse started touching up the forelimbs of Merry-Go-Boy, which caused him to move with more speed, which appealed to the public and made an unbeatable champion. Since then the "sore lick" or "big lick" as the unsound sore horse's gait is called, has become the show standard, and each year as the horse is made more sore, the gait becomes more exaggerated until the horse gives the appearance of walking on his hind legs with crouched strained hindquarters moving with excessive hock action—which is they crouch down and their hocks go like this (indicating), trying to support the unnatural gait of the

horse on the rear of the horse, which is contrary to the conformation of the animal.

I want to show you a picture that appeared in "The Sunday Journal," printed at Shelbyville, Tenn., which is advertised as the "Million-dollar Lick". This shows the horse crouch down like this, far over-reaching with its rear legs. This is the typical show standard.

Here is one picture—and it advertises the "Big Lick" or the "sore lick". I have several copies of similar pictures which I would like to submit for the record.

This soreness is induced by irritants applied to the pastern area of the forelimb. I have some material which I brought from Shelbyville.

One is Gilkey's Blister, which is a severe burning ointment. I was told by trainers this is largely what the trainers are using now, and it sets the horses on fire. It is ground up beetles from the southern part of Europe, which causes deep blisters, and lard or some other oil is recommended to be placed below and around the blistered area to keep the sores from spreading to unwanted tissues. The blister should only be applied one time. The result of the blister is horrible sores and scarring and blood running down the feet. The horses show every evidence of pain.

I think all of you gentlemen have a kit with a picture showing the results of the severe burning.

This soring is in the pastern area. The trainers apply a blister, and then they use chains, logging chains which weigh a pound a piece plus rollers weighing 2 pounds each, and these are put on over the blisters. They rub up and down until there are bleeding sores and the area is entirely raw and painful.

This causes ugly, swollen sores, and subsequent scarring.

There are many other crippling methods of soring, such as injecting irritants into the heel, cutting the soft tissue of the foot down to the quick, and burning with nails.

There are more subtle techniques such a shoeing the forefeet so that the heel is higher than the toe, which causes great stress on the joints, tendons, and ligaments of the affected forelimbs.

In the kit given to each member of this subcommittee I have a picture showing the gait of the show horse now. The first picture shows the normal gait of a horse that was not sore, and the very graceful way it moves.

The last picture is one I took at Shelbyville, Tenn., and which is typical of a tortured horse. It is crouched low in the rear quarters and is using excessive hock action in trying to take the weight off its aching forefeet. This makes the horse move with a great deal of speed and artificial grace.

The sore horses use the front feet only as a crutch to propel them on as they are moving.

Mr. McCANDLESS. Excuse me, Mr. Chairman. At this point in the record, could we have these illustrations inserted?

Mr. JARMAN. Would you identify yourself?

Mr. McCANDLESS. I am Robert C. McCandless, counsel to the American Horse Protection Association.

Mr. JARMAN. The committee will be glad to receive them.

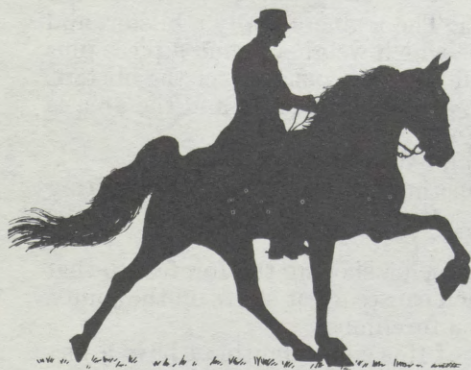
(The illustrations referred to follow :)



1. An illustration of the graceful natural gait of the walking horse before the development of the "big or sore lick."



3. Note the progress of the exaggerated sore lick. The horse is forced to over-stride in the rear to relieve the severe pain inflicted on both forefeet.



2. This is the beginning of the "sore lick" which gradually became the walking horse show standard. Painfully blistered front feet force the horse to over-reach.



4. This unsound horse illustrates today's popular show standard necessary for competition. No amount of training could induce a horse to move in this unnatural manner without suffering constant agony, which leads to permanent crippling. The sore lick has reached this extreme as a result of the greed and fraud of disreputable trainers, judges, exhibitors and owners. The knowledgeable trainers and horsemen who refuse to resort to these brutal methods are forced out of honest competition. Thus, only the sorest not the best horse can win which destroys the quality of the breed.

Mrs. TWYNE. Three years ago the walking horse industry vowed that they could clean up this unsavory business if left alone, without State or Federal laws.

In 1960, Tennessee Governor Ellington warned the Tennessee Walking Horse Breeders' Association that if it did not clean up the soring, outside interests would reject their shows and the industry would be in trouble.

Today the soring continues unabated at all horse shows unless there is a "Clean Horse Judge"—which is rare—to disqualify these horses.

I have seen these pain-racked horses stumble and almost fall in the ring from overwork and exhaustion from pain. I have seen these horses stand while they are being judged, with the sweat pouring off of them, their sides heaving and breathing very heavily from overwork and pain.

By getting a ribbon, these unsound horses, whether they are good horses or bad horses, can then become breeding stock and can undermine the quality of the walking horse.

In fact, I have watched the judging of these horse shows, and I have wondered whether the horses were being judged or whether it was the trainers for the ability to make the animals suffer.

At the Tennessee Walking Horse National Celebration in 1969, only eight horses out of more than 1,700 entries were disqualified for soring, although I estimate about 90 percent of the horses in that show were sore. I stood outside and watched them soring these horses, getting them ready for the ring.

According to the Tennessee law, these disqualifications must be presented for legal prosecution. The case was dropped because of a poorly drawn law. The assistant district attorney general, Fred B. Hunt, Jr., stated, as quoted in the Shelbyville Sunday Journal dated December 14, 1969, that the "Difficulty with the Tennessee law is that just because soring has been found there is not enough proof to cause an indictment to be returned.

"We found soreness existed, but we had no way to prove that it was intentional * * *." Mr. Hunt is quoted as saying "That the present Tennessee law is too weak and implied a stronger law is needed."

But a new law introduced with more strength never was acted upon.

Recently I covered a small show in a town in Virginia, where a strong State law is now in existence. The exhibitors intimidated the humane agents and with the assistance of local police officers forced the humane officers to leave the show.

Mr. JARMAN. Excuse me, did you identify the State in which that show was held?

Mrs. TWYNE. Virginia. The State law became effective on July 1. It is very similar to the Tydings bill and the bill that Mr. Rogers has introduced in the House.

Mr. JARMAN. What about the State of Tennessee?

Mrs. TWYNE. Tennessee has a law which puts the onus of this on the judges, or the steward, I guess it is. And the steward isn't going to record anything; he would never be a steward again if he did.

It is one of these insidious sort of things.

Mr. JARMAN. Tennessee has a law; it is simply a matter of enforcement?

Mrs. TWYNE. No; I think it is unenforceable. I would be willing to submit this paper in evidence, a report on those two bills, returned

for soring. This is 1969. I would be very happy to submit this for the record.

Mr. JARMAN. We would also be interested in what the State law is.

Mrs. TWYNE. I can furnish that. I do not have it with me.

Mr. McCANDLESS. We will furnish that, Mr. Chairman.

(The Tennessee State law and newspaper article referred to follow :)

CODE OF TENNESSEE

39-420. Misdemeanor. Horse shows—injuring front legs or hoofs of horse for competition unlawful: It shall be unlawful for any owner or exhibitor of horses to make the front legs and hoofs of such horses sore for the purpose of competition in horse shows and other similar events by inflicting burns, cuts, lacerations or other injury or pain upon the front legs or hoofs of said horses by the use of blistering compounds (commonly referred to as "scooting juice"), sharp-pointed instruments and other devices or drugs (acts 1957, ch. 66(a)1).

39-421. Disqualification of tortured horse at horse show—reports to manager and district attorney: It shall be the duty of all persons designated and acting as a ringmaster of any horse show or similar event to disqualify any horse determined by the ringmaster to be suffering from abuse or torture resulting from the causes set out in (a) 39-420 from further participation in said show and to make a report of the same, including the name of the horse, the owner of said horse, and the exhibitor of said horse, to the manager or chairman of said show, who in turn shall report the same in writing to the district attorney—general of the county wherein the incident occurred for appropriate action (acts 1957, ch. 66(a)2).

39-422. Violations by owners, exhibitors, ringmaster of any horse show or other event, or the failure of the manager or chairman of said show to perform the duties required of such officials by article 39-421, shall constitute a misdemeanor punishable by fine and imprisonment in the county jail or workhouse as in other misdemeanors (acts 1957, ch. 66(a)3).

[From the Sunday Journal, Shelbyville, Tenn., Dec. 14, 1969]

NO TRUE BILLS RETURNED FOR SORING

No true bills were returned by the Bedford County Grand Jury on eight cases involving horse owners whose animals were disqualified for soring earlier this year at the Tennessee Walking Horse National Celebration.

Asst. Dist. Atty. Gen. Fred B. Hunt Jr. of Fayetteville said he did not believe he could make a case against any of the horse owners before the evidence was presented to the grand jury, but that he believed it was up to the grand jury to decide for itself.

Hunt said no true bills were returned for:

Dawn Womble of Shelbyville, owner of Dawn's Moonlight.

Frances Douglas of Columbia, owner of Spirit's Chances.

Dr. and Mrs. E. John Felderman of Normandy, owners of Rambler's Rare Rose.

M. E. Humphries of Stuarts Draft, Va., owner of Go Boy's Shanango.

J. W. Renfroe of Troy, Ala., owner of Silver Dollar R.

Cathey Ellis of Meridian, Miss., owner of Master Charge.

Kay Davis of Melbourne, Fla., owner of Handshaker's Rebel.

E. V. Mahaffey of Atlanta, owner of Little Lu Lu.

"I thought we should present the evidence to the grand jury, but I felt like we could not make a case. We are the victim of a poorly drawn law.

"Unless a judge or law enforcement official can actually see somebody doing something to a horse, we can't make a case under the present state law. I think we are going to have to cure certain defects in the law before any prosecution can take place," Hunt said.

The assistant district attorney said all the horse owners had animals disqualified from competition by celebration officials because judges said they detected eight animals had raw areas on the front hoofs or legs.

Hunt said an extensive investigation was made by the Tennessee Bureau of Criminal Identification and that the report of the TBI probe was presented to the grand jury by TBI Agent Kenneth Shelton of Manchester.

In addition, Steve Hill, veteran horse trainer of Murfreesboro and one of three judges of Walking horse classes at this year's celebration, appeared before the grand jury. Hunt said statements by the other two 1969 celebration judges were presented to the grand jury.

Hunt said the difficulty with the Tennessee law is that just because soring has been found there is not enough proof to cause an indictment to be returned.

"We found soreness existed, but we had no way to prove that it was intentional. The judges had no way of knowing who did the soring and had no way of knowing when or where it was done.

"This is our problem with the law. We must be able to prove that soring took place in Bedford County if the case is to be considered by the Bedford County Grand Jury and we have to prove who did it.

"We just don't have enough people to stay in all of the barns to make sure that soring does not take place and that the party responsible for it is not observed in the act of doing it," Hunt said.

Hunt said the TBI prepared "an extremely thorough report" on the eight cases and that the celebration officials were cooperative in preparing the report.

"They provided us with the judge's scoring cards without question and gave us all the cooperation we asked for including the names and addresses of all the judges," Hunt said.

Under the state law, it is unlawful for an owner or exhibitor of a walking horse to make the front legs of a horse sore for the purpose of competition in horse shows or similar events through inflicting burns, cuts, lacerations or injury or pain on the front legs or hoofs of the animals.

The law also requires certain show officials to report evidence of soring to the show management which in turn must report the evidence to the district attorney general.

Successful prosecution of a soring case could lead to imprisonment of not more than one year in the county workhouse or jail and or a fine not to exceed \$1,000.

Hunt said the eight cases presented to the grand jury did not represent all of the animals disqualified from this year's celebration since other horses were disqualified for reasons other than evidence of sore hoofs or legs.

Mrs. TWYNE. Kentucky has a law similar to Tennessee's, but they are unable to enforce it, and to my knowledge, have never had an arrest under it.

Mr. Chairman, I could go on and describe the pain that I have seen these horses work in. I have seen these horses quiver when they put their forefeet down, I have seen them in great distress. And many trainers walk them to accustom them to the pain before they can even get on the backs of the sore horses.

But I will not go on, since we are short of time, and I think you can tell by the pictures and the mechanisms we have here that these horses are badly and brutally trained. Therefore, I pray that you will give a favorable report on a strong antisoring bill, and we highly recommend it in the public interest. I think it is very necessary to stop this brutality.

Thank you.

(Mrs. Twyne's prepared statement follows:)

STATEMENT OF MRS. PEARL TWYNE, PRESIDENT, AMERICAN HORSE PROTECTION ASSOCIATION, INC.

My name is Pearl Twyne. I am the President of the American Horse Protection Association on whose behalf I submit this statement. At the outset, I would like to state that we are not against the Tennessee Walking Horse as a breed when it is properly and humanely trained to accomplish its characteristic gait. We are here today to bring the Committee's attention the cruel, barbaric training methods which can benefit only the illegitimate trainers and breeders.

May I explain that my comments concerning the Tennessee Walking Horse refer only to the flat walk, cantor, and running walk competitive classes. The Plantation Horse and the Pleasure Walking Horse, although of the same blood lines, are not made sore and are shown with natural feet.

In discussing the soring of the Tennessee Walking Show Horse, we are not talking about a backyard horse show or even a State Championship show, but a billion dollar industry which is national in scope and is based on the excruciating suffering of helpless animals. Many important prestigious shows are dropping the walking horse classes, and the Madison Square Garden Horse Show dropped the class many years ago.

About ten years ago, I learned of the cruel methods used by unscrupulous Walking Horse breeders and trainers to change the natural gait of the horse by means of inflicting pain to create the "sore lick". This stimulous of pain, which produces this false gait, forces the horse to throw its weight and that of its rider onto its hindquarters and frees its front quarters to give the appearance of almost walking on its hind feet. To ease the pain on its sore forefeet, the horse crouches in the rear and twists its hocks to support his unnatural distribution of weight, thus throwing its forelegs in a stiff front motion. This soreness is induced by irritants and mechanical means applied to the pastern area of the forefeet, then heavy chains are wrapped around the pastern which rub the blistered area and beat up and down on the tender coronet band, thus bruising it and causing ugly swollen scars. There are, of course, many other crippling methods of soring, such as injecting irritants into the heel, cutting of the horn to the quick, burning with nails, etc. There are more subtle, ingenious techniques used under the pad, which make the horse equally sore, but leave no scars. In addition, the horse is shod so that the heel is higher than its toes which is contrary to the natural balance of the whole foot, thus making the tendons sore and compounding the misery.

I should like to show the members of the Committee several training devices used to sore these animals: 1) heavy metal chains which weigh over a pound; 2) a preparation known as Gilkey's blister, 4) "scootin' juice or oil of mustard which burns and blisters the horse's flesh (this substance can inflict severe burns if spilled on human tissue) and 5) a pair of boots, whose use is contrary to the rules of horse shows as well as the Tennessee Walking Horse Breeders and Exhibitors Association, often used in the show ring, weighing one and one-half pounds each. The American Horse Shows Association specifically states that each boot must not weigh over 16 ounces. (A.H.S.A. Rule Book, 1970, p. 240). These rules also state: "The inside of all boots must be smooth . . . and must not have any sharp edges or points which touch or rub any part of the horse's legs or feet. But, of course, rules are effective only if they are enforced, and too many horse shows are operated without any rules or regulations.

As a humane officer, I have attended numerous horse shows in Pennsylvania, Maryland, Virginia, the District of Columbia, West Virginia, Kentucky, North Carolina, and Tennessee. I have cooperated with local humane societies asking for my help throughout the United States in trying to stop this abuse, and my experience has shown that horse show officials done nothing to discourage these brutal training procedures; in fact, they have systematically encouraged and promoted this brutality by selecting walking horse judges who prefer the action of sore horses. The show committees could stop this soring if they would enforce their own rules. A clean horse judge is seldom selected for the prestigious shows. In almost every case the judge is a trainer or a breeder who is often a close friend of the exhibitors in the ring. This typical judge knows that he may be showing his own horse in another show at which one of the exhibitors may be judging him. Naturally, this creates great pressure on the judges, a fact especially true at important shows where the winner is guaranteed large profits from stud fees.

A humane officer who dares to enforce the law against cruelty to animals is harassed and ridiculed by the show committee and threatened by the exhibitors. Every effort is made to deter any investigation by this officer and his veterinarian.

In August-September, 1969, I attended the 31st Annual National Tennessee Walking Horse Celebration. I was accompanied by Mrs. William L. Blue, Vice President of the American Horse Protection Association, and Dr. William Porter, our Association's veterinarian. This seven day show attended by more than 100,000 people from most of the States in which more than 1700 horses are entered in competition, is the "World Series" of the Tennessee Walking Horse trade. THIS IS A BILLION DOLLAR INDUSTRY according to Mr. W. C. (Bill) Tune, Jr., President of the Tennessee Walking Horse National Celebration. It was an appalling sight to see the vast number of these noble animals most of which had been brutally soled for the sole purpose of greed and the mockery of a blue ribbon.

We made a thorough tour of the Celebration grounds where we watched horses being blistered and worked with heavy logging chains and metal rollers wrapped around the raw, bloody tissue of the forefeet. These horses were tortured with burning irritants which were easily available for sale on the Celebration grounds. After these cruel devices were applied, we then watched these pain-wracked animals forced by their trainers with spurs to perform the exaggerated gait of a "high stepping" Tennessee Walking Horse both in the exercise areas and in the exhibition ring. Most of the horses we observed in the Celebration were in obvious severe pain. The whole performance was barbaric.

We also attended an auction, called the "Sale of Show Ring Champions", in Shelbyville. We saw a young horse standing with its head drooping and its hind feet tucked under it, wearing two sets of heavy chains around the ankles. Both pastern areas of the forefeet were raw and bloody. The chains and the open wounds were partially covered by boots which only added to the weight and misery. The owner asked \$1,000 for this horse, a three-year old gelding, which was ridden into the auction ring and worked relentlessly. We bought the horse for \$500.00. As soon as possible, we moved the horse to a private stable, the owner of which is a well-known trainer in the area. He stated that in comparison to the walking horses entered in the Celebration, our horse "Papa Charcoal", was "relatively clean". When asked how such blatant abuses could be stopped, he stated there was no alternative to federal legislation because the walking horse industry, which is in operation throughout the United States, refuses to clean up its soring practices. He further explained that unethical trainers, who now form a majority in the trade, are interested in quick profits and prefer to apply pain stimulants, rather than taking the time and effort necessary to train their horses properly.

On September 17, 1969, hearing was held on S-2543 before the Senate Subcommittee on Energy, Natural Resources and the Environment. "Papa Charcoal" was a mute witness at the hearing. He was admired and pitied for the terrible scars on his feet that tapes made of him at the hearing appeared on three different television programs the evening of September 17. His picture appeared in the October 3, 1969, issue of *Life* magazine and in countless newspapers throughout the United States.

The only group testifying in opposition to S-2543 was the Walking Horse Trainers Association. In a statement prepared for the Senate committee by Mr. Vic Thompson, then the President of that organization, it was openly admitted that: "Most walking horse trainers have, at one time or another, used various chemical agents on the front legs of the horse . . . that) there have been extreme cases when the horses were ridden until bleeding sores developed. Many times these sores resulted in large scarred areas in the front pastern area". But the Trainers pleaded for more time, more understanding and *no* federal legislation.

Mr. W. C. (Bill) Tune, Jr., President of the Tennessee Walking Horse National Celebration, issued a statement at the opening of the 1969 Celebration that sore horses would not be "tolerated". But we did see a continuous procession of sored, bleeding, and tortured walking horses in every exhibition we attended at Shelbyville. Mr. Tune went a step further in his written statement to the Senate Committee while opposing S. 2543. He stated that federal legislation "will, in our opinion, ruin a billion dollar industry. This is a naked admission that the walking horse industry in its present form, cannot survive unless the horses are brutally trained. Contrary to Mr. Tune's statement, legitimate trainers have stated repeatedly that the horse can be humanely trained, but it takes time and ability.

During the last six months, our Association has been in close contact with reputable Walking Horse trainers, owners, exhibitors, judges, equine veterinarians and blacksmiths. Without exception they have indicated their frustration and discouragement because of the Tennessee Walking Horse Industry's callous indifference to the public's outcry against the brutalization of these horses. Important shows are beginning to drop walking horse classes. The Madison Square Garden Horse Show dropped the walking horse class several years ago.

The *Milwaukee Journal*, June 14, 1970, reported a statement made by Dr. A. A. Erdmann, of the animal health division of the State of Wisconsin, that "his vets saw many horses at the Milwaukee (Spring horse show in late May) that were in severe pain. He said that because of recent attention given the subject, including proposed federal legislation to outlaw the practice, methods had been developed that were more difficult to detect. These methods are more

inhumane that the former ones . . . (and) included the injection of a toxic fluid under the hoof to act as an irritant". Dr. Erdmann also said: "The Wisconsin Walking Horse Association four years ago promised to correct the situation but, in my opinion, no improvement has been made and the practice has even increased." We have had reports from other parts of the country giving the same information.

Bills to protect the walking horse have been introduced in several State Legislatures. Both houses of the Florida Legislature passed a bill to outlaw soring, but it was vetoed by Governor Kirk, who earlier this year took no action against a bill allowing bull fighting in that State, thus permitting it to become law. In Tennessee an anti-soring bill was killed by its own sponsors in the State Legislature. As staff writer, John Rosegen, wrote in the June 1970 issue of the *Kingsport (Tenn.) Times-News*: . . . "the walking horse interests succeeded in getting it killed. . . their victory was due in no small part to the fact that a considerable number of walking horse owners are influential in political circles; Governor Ellington is one of them."

In March, 1970, Mrs. Blue and I were invited to testify before the Ohio State Senate in favor of a bill patterned after S. 2543 to protect the walking horse in Ohio interstate commerce. The bill was introduced in the Ohio legislature by State Senator Harry Armstrong (R-Logan) at the urging of a remarkable sixth grade class at Columbus School for Girls. But before this bill could be brought to the floor for a vote in the Ohio Senate, members of the Tennessee Walking Horse Industry objected to the bill which "resulted in immediate disposal of the bill", so wrote William J. Lilly, in a letter-to-the-editor of the *Voice of the Tennessee Walking Horse*, May 1970.

We are pleased to announce that a "precedent" has been set in the State of Virginia, where the Legislature refused to be bullied by the Walking Horse industry, and passed the first strong state law to protect the Walking horse in exhibition. This law became effective July 1, 1970.

In order to evaluate how enforceable this new law H. 639 might be, I attended a very small horse show in Virginia. I was accompanied by Mrs. William L. Blue and Mr. Arthur Hale, a humane officer in the State of Virginia. This was the first time in fourteen years that this show was not held under the auspices of the Virginia Horse Shows Association which supported the passage of H. 639. Therefore there were no standards, humane or otherwise, to govern the showing of the horses. We found that the entries were small in number in the Walking horse class, but they were very sore in clear violation of the new State law H. 639. At the conclusion of this class, we went quietly to talk to the show steward (an accepted practice at recognized shows) to get the names of the horses and their riders. The show officials true to form refused to cooperate, and received the cooperation of the local sheriff to prevent any investigation of this class. We were harassed and had to obtain legal counsel for our protection. The harassment has continued to another nearby county where an unapproved horse show is scheduled.

I attended the 32d Tennessee Walking Horse National Celebration (August-September 1970) and saw that the horses were terribly sore. How sore, was merely a matter of degree. It was cruelly obvious that no attempt had been made by this industry to stop the soring; in fact, it seemed to have become even worse. The two year olds shown at the Celebration were extremely sore, and were worked relentlessly than I can remember, and for a greater length of time. In the three year old walking horse championship stake, the entries came into the ring at a flat walk with excessive hock action, a clear indication of a very sore and unsound horse. At least three of these horses in this class were so sore that they appeared in danger of collapsing in the ring. The call judge, who determines the gait the horses will follow, started the horses working without excusing any of the entries. He then forced the class into changing gaits around and around the ring. The results were that these sored, exhausted horses which had been lumbering through their paces in severe pain, were drenched in sweat, their flanks heaving, and blowing hard. This was hardly the graceful rocking chair performance of a sound walking horse. Two of the riders of severely sored horses asked to be excused from the ring. During the showing of this class, I overheard several of the spectators discussing the conformation and action of the various horses. They commented on the soreness of the entries and were heard to say that "this was the class that should be checked by the humane society".

During the judging of this class, the boots were raised, not removed, and the judges did not question the condition of the forefeet of these three year old horses. I followed some of these same horses back to the stable area. All the ones I saw had scars which were entirely evident at a distance of approximately six feet. The scarring of these three year olds is in clear violation of the Tennessee Walking Horse Breeders and Exhibitors Rules, to say nothing of the humane laws of every State in the Union.

While I was standing at the blacksmith's on the Celebration grounds, I observed a horse being led away limping on three legs, refusing to put its weight on the right forefoot. All the horses I saw being exercised on these grounds moved with the characteristic sore lick. I was able to buy there, without a veterinarian's prescription, a salve which I have been told by some trainers is now in general use in making the Walking horse sore. It is called Gilkey's Blisters and is known to cause excruciating pain to the horse. One Tennessee trainer told me it was guaranteed to "set the horse on fire".

The show standards for the Walking horse classes are set by the Tennessee Walking Horse National Celebration and are followed throughout the nation. Only when Shelbyville is forced to stop this sadistic abuse of these magnificent animals, will the soring be stopped elsewhere. There is no evidence that the Celebration will ever stop their lucrative business of showing the tortured horse until the Federal government forces them to stop. This is big business—not a small local show.

Because this disreputable business is well organized and widespread throughout the entire United States and involves interstate commerce, we pray that this committee will give favorable consideration to the bills under consideration to save these horses constant suffering.

Mr. JARMAN. Thank you, Mrs. Twyne. That was a very effective statement.

Mr. Nelsen.

Mr. NELSEN. Thank you, Mr. Chairman.

In a few minutes I will have to go over to the Rules Committee on our revenue bill, but before leaving I just want to thank Mrs. Twyne for her testimony. Speaking for those of us who have worked with animals—I happen to be a farmer and we have cattle on our farm and have had horses in years past—it seems to me that the story you told is one that could stand a good deal of attention. I appreciate the testimony, and I believe our committee will look with favor on some legislation that will move in the direction you seek.

Thank you very much.

Mrs. TWYNE. Thank you, Mr. Nelsen.

Mr. JARMAN. Mr. Kyros.

Mr. KYROS. Thank you, Mr. Chairman.

Mrs. Twyne, you did a great job in bringing this to the attention of not only this committee, but a lot of people who are interested in animals.

Let me ask you this question: At these shows, is it readily observable when a horse has been sored, no matter how much time has elapsed?

Mrs. TWYNE. Yes; I went to the Shelbyville National Celebration in 1970—I mention that because they set the standard for the whole United States, and "As Shelbyville goes, so goes the Nation".

I watched the judging of the 3-year-old horses, and according to the Tennessee Walking Horse Breeders' Association rules, no horse is supposed to have scars from soring, if it is under 5 or 6 years of age. I think that rule became effective in 1965, that subsequent years the horses should not be scarred.

I saw two young horses, 3 years old, trying to go around that ring and they were so sore that they reeled in the ring. They were not disqualified, they went around and around and around, and they were obviously in agony.

I heard some of the people standing near me discussing the conformation of the horses, also, the soring. And one man said, "This is a class the Humane Society should cover." The 3-year-olds were in agony. There is a picture in one of the National Tennessean showing the scars of these 3-year-olds. You can just stand up—from 6 feet you can see the scars on the horses and the callouses.

Mr. KYROS. Some of the material submitted here for us to consider indicates that you can get a fine Tennessee walking horse without inflicting this kind of soring?

Mrs. TWYNE. That is right.

Mr. KYROS. Is that a fact?

Mrs. TWYNE. I think so.

Mr. KYROS. Does it take longer?

Mrs. TWYNE. I think it takes ability and I think it takes time, and most of these trainers have a lot of horses in the stable and the owners want blue ribbons and never see their horses, so they do not care what happens to them. All they want is a blue ribbon to hang in their offices, a prestige thing. But they can be trained without that.

Mr. KYROS. Do you feel that the legislation to prevent any kind of soring would preclude any body in interstate commerce from using walking horses in that manner?

Mrs. TWYNE. Right.

Mr. KYROS. What is the current situation? Has the soring, because of publicity to the bill, stopped?

Mrs. TWYNE. It has not stopped at all. I covered a horse show a week ago in Virginia and I have covered horse shows in West Virginia, and I would say 90 percent of the horses that I see are soled, extremely soled.

Mr. KYROS. But I thought you said—perhaps I should be corrected—that there was a law in Virginia that—

Mrs. TWYNE. It became effective July 1st, but unless it is enforced it does not correct this bad situation.

At the Virginia show I went to, the regular people who usually showed horses were not there. There were only three horses in the championship class which was unusual for southern Virginia. It was a 3-year-old class. They were soled and staggering in the ring. They were awarded ribbons and there were no disqualifications.

Mr. KYROS. Of course, this bill only relates to horses which would be shown in interstate commerce, from one State to another. What about the horses shown in one State?

Mrs. TWYNE. Well, if one horse crossed State lines, the show would fall under the Federal law. There would be no purpose in soled only for local shows.

Mr. KYROS. Most of the show horses come from all over, from various States?

Mrs. TWYNE. I think so.

Mr. KYROS. Thank you very much.

Thank you, Mr. Chairman.

Mr. JARMAN. Mr. Preyer.

Mr. PREYER. Thank you, Mrs. Twyne, for a very interesting statement. In the interest of time, I will not ask any further questions. I think you covered your point very well.

Mrs. TWYNE. Thank you.

Mr. Chairman, I ask permission to insert into the record an article from the October 3, 1969 edition of Life magazine, entitled "Agony of the Walking Horse;" an editorial from the Long Beach, Calif., Press-Telegram dated July 24, 1970, entitled, "The Walking Torture;" and an article from the Nashville Tennessean, dated September 6, 1970, entitled "Clouds Still Darken Walking Horse Horizons."

Mr. JARMAN. Without objection, so ordered.

(The editorial and articles referred to follow :)

[From Life Magazine, Oct. 3, 1969]

AGONY OF THE WALKING HORSE

Practicing delicately, stepping high, the Tennessee walking horse is all grace nowhere in horsedom does the eye encounter elegance to match it. For the rider, the pleasure is greater still. The stride is upholstered, without jog, and floating. Yet precisely because of his distinctive gait, the walking horse is now the center of a raucous, bitter controversy. Traditionally, the gait is the result of breeding and years of careful training. But there are shortcuts, and today almost half of the country's 60,000 walkers are tortured into performing spectacularly. An accepted—and not basically cruel—technique involves rubber pads and weights placed on the horse's forelegs during training (*right*). Trainers have found it more effective, however, to use chains without pads, first raising blisters off the forelegs with chemicals. The result is a handsome, high step—and a horse in agony. "Soring," the quick manufacture of a Tennessee walking horse is called. A mustard compound known in the trade as "scooting juice" is applied to a horse's forelegs. The chemical burns, and a trainer wraps a chain around the forelegs to heighten the pain. Tacks or nails driven into the quick of the hoof increase the irritation, making the horse want to lift his tormented forefeet quickly and high—exactly as a walking horse is supposed to do. Congressman William Whitehurst of Virginia has introduced a bill into the House which would stop such torture. Washington's most determined friend of the walker, however, may be Maryland's Joseph D. Tydings, equestrian and senator, who has introduced a similar bill into the Senate. "Trainers are altering the natural gait just to win blue ribbons," says Tydings. "The really responsible breeders deplore the brutality of this but they ignore it." Nevertheless, other respected horsemen maintain that walking horse trainers at least do no worse by their animals than Thoroughbred trainers do by theirs—by forcing their horses to run full-tilt for long distances. Vic Thompson, who has been a professional trainer of walkers since 1946 and has employed mustard oil and chains himself, pleads simply for "additional time in which to continue efforts to improve conditions."

[From the Press-Telegram, Long Beach, Calif., July 24, 1970]

THE WALKING TORTURE

The Tennessee walking horse's proud, skipping gait can be achieved by training or by torture.

It is no tribute to trainers of the animals that they often favor the latter method, called "soring."

Blistering chemicals are applied to the horse's front feet and attached chains beat on the sore area. That forces the horse to lift his feet quickly and thrust them forward to ease the torment.

It is no tribute to congressional efficiency that it has taken three sessions for a bill aimed at stopping this barbarous practice to pass the Senate.

The bill is now before the House. It provides penalties up to a \$2,000 fine and six months' imprisonment for anyone who ships a sored horse across a state line, who exhibits such a horse in a show or who presents a show in which a sored horse participates.

We hope the House approves the legislation quickly, and we hope state legislatures enact similar laws to prohibit soring of horses that don't come under interstate commerce regulations.

[From The Nashville Tennessean, Sept. 6, 1970]

DESPITE BRIGHT SIGNS—CLOUDS STILL DARKEN WALKING HORSE HORIZONS

(By Wendell Rawls Jr.)

SHELBYVILLE—It was long after midnight and rain pelted barns and Cadillacs as a Tennessee Walking Horse trainer talked about the progress his industry is making in its battle to control its destiny.

This reporter visited the Tennessee Walking Horse National Celebration every night last week and observed that soring of walking horses was much less apparent and a less serious problem than in the 1969 celebration.

"But we're all still soring horses," said Jack Moorman, president of the Walking Horse Trainers Association, which has led the fight for cleaning up the industry from within—before stronger state and federal laws are enacted.

Trainers, breeders, exhibitors, judges and spectators acclaimed the rain-spattered show the cleanest celebration since before soring began about 1950.

Explanations about why the horses are "cleaner" are almost as numerous as the trainers who invaded the Middle Tennessee town to show their horses.

Some said the horses are better cared for after leaving the show ring.

"The irritants are cleaned away right after the show, rather than allowed to stay on the horse overnight," said Joe Urquhart, a vociferous foe of soring.

"The second-rate trainers are taking better care of their horses," said Joe Kelley, past president of the Tennessee Walking Horse Breeders Association. "And many of the less qualified trainers are now out of the business because of the crackdown against the practice."

Moorman contends that the trainers association has instructed its membership that the practice must be controlled, if not ceased altogether.

"I'm sure almost every horse, if not all of them, is sore to some extent when he enters that ring," Moorman said, "but they are not bleeding. We are getting rid of the bottle trainers one by one."

Nevertheless, the trainers realistically contend that the fans pay to see the "big lick" as the high-reaching, prancing stride is called in the business.

Walking horse enthusiasts, like the trainers, are a realistic bunch and the same people who laud the cleanliness of the horses' feet readily concede almost all the horses "have been touched up a little bit" with some kind of chemical irritant to help produce the exaggerated, fancy, climbing showgait more than 100,000 persons annually have come to expect.

"Sure we have a long way to go before we have the business cleaned up," Moorman said, "but we've come a helluva long way in a year."

Wink Groover, Etowah, Tenn., trainer of aged stallion champion Ace's Sensation, maintains trainers are more aware of their public image than ever before, and that they fear adverse public reaction more than being caught violating the laws against inhumanity to animals.

"I pulled a horse out of a class he could have easily continued in and probably won," Groover said. "And it was only because I was afraid of the public reaction."

"The horse cut himself high on the foreleg with his hoof and blood streamed down his leg, but the horse was not hurt."

"I just could not take the pressure of having 20,000 people think I was the most cruel s.o.b. in the world for soring my horse and making him bleed. The public doesn't know much about soring, but it is very blood conscious, now."

But Groover is candid about soring.

"I was always one of the worst trainers about soring horses," he said, "and you can quote me as saying I still do it—just not as heavily. We all have to make a living and you won't get 100,000 people to come out in the rain to watch pleasure horses shuffle around the ring."

The celebration judges were perhaps the most adamant that this year's horses were "cleaner than ever."

"You can tell they are not as sore this year because there are very, very few that come into the ring creeping and crawling and squirming in the rear end," said Charles Martin, Murfreesboro. "You can almost always measure the soreness of the horse by how much his rear end is scooted underneath the horse. There is not much of that this year, but that doesn't necessarily mean they are not sore to some extent."

Less than 10 horses were asked by the judges to leave the ring because of soreness, but at least two had blood on their pastern area and were not excused, according to judges.

Judge Berry Coffey, Grayson, Ky., said he marked the number of one horse Thursday night, "but the other two judges apparently didn't see any blood." Two judges must write down the number of a sore horse before he is disqualified from the class.

Judge James E. Cole, Jackson, Tenn., said he saw "a little blood" on a horse in the aged gelding class Thursday night, but "I thought it was a break that just happened. I started to write it down, but I let it go."

Moorman said cases such as those are the reason he asked celebration officials to sanction the trainers association.

"We could enforce our rules on the judges if we were sanctioned," he said. "We suspended the licenses of three judges after the Columbia Jubilee show April 4 because they did not disqualify horses that were sore enough to be obvious to the crowd as well as to what are supposed to be knowledgeable horsemen."

Clyde Orton, Caruthersville, Mo., Preach Fleming, Winter Garden, Fla., and Paul Smith, Ft. Oglethorpe, Ga., were suspended for a period of six months resulting from charges brought by Moorman himself.

"We cannot keep fooling the public," Moorman said.

Is the ultimate goal of the trainers association the elimination of all soring? "Oh, Lord, you have asked a bad question," Moorman said, and evaded it. "It is my goal."

Would he favor federal legislation if it were required to eliminate soring?

"Yes," Moorman said. "I would favor anything that would eliminate soring, but that is not our only problem."

Moorman said a meeting is planned with three men from each of the trainers associations, the Tennessee Walking Horse Breeders Association of America, and the board of directors of the celebration with an objective of setting uniform rules for all walking horse shows.

"It is not fair for a Virginia horse or a California horse to be subjected to rigorous soring rules all season—rules that are different from the ones used by Tennessee horses," Moorman said.

"Then they all come to the celebration where the rules are basically those to which Tennessee exhibitors are accustomed. That is not fair.

"All three associations will have a stack of proposals for rule changes and we will make them uniform if we have to meet for a solid week."

William C. Tune Jr., executive director of the celebration, as everyone else in the walking horse industry asserts that the soring problem is coming under control.

"We tell the judges the rules and tell them to enforce them," Tune said. "If they do not, there is nothing we can do. We allow authorized representatives of the federal government and the humane association which we recognize to check any horse on the showground, even in their stalls. We are hiding nothing."

The celebration retains official celebration veterinarians for the show, but they inspect no horses unless requested to do so by a horse's trainer or owner.

The use of five judges, from which three are picked by chance draw before each class has been enthusiastically received by the trainers and exhibitors.

"There is no way to know who will judge a class," said S. W. Beech Jr., long-time power in the industry from Belfast, Tenn. "There is much less chance for the judges to be gotten to, because all five would have to be approached."

The judges say they are approached, nevertheless.

"It is never an offer or bribe attempt," Coles said. "Generally it is simply a reminder that the man has a horse in a class and he would appreciate a close look at it."

At least in the area of judging practices, walking horse enthusiasts are less cynical this year.

Where the plaintive cry of "Tell the truth, Judge," once bounced from one side of the stadium to the other in every class, it is now a rarity.

But even with the glints of sunlight, dark clouds stubbornly hover over the industry.

There remains a struggle for power between rival factions within the breeders association, lawsuits and threats of lawsuits plague powerful members of both the breeders association and the trainers association.

Although the industry was successful in convincing state legislators they should have one more chance to "clean ourselves up," before state law takes on a more severe character, federal legislation remains a threat.

The (Sen. Joseph D.) Tydings bill prohibiting interstate shipment of sored horses unanimously passed the U.S. Senate in December 1969, and a similar bill in the House of Representatives is expected to face a committee hearing within the month and chances are considered good for House passage.

Significantly, one year ago almost every person remotely connected with the walking horse industry was bitterly opposed to any kind of federal legislation on soring.

In what apparently is mass reversal of position, the industry now prefers federal legislation to state legislation, if given a choice, apparently because they feel the federal law less likely to be strongly enforced, thereby allowing trainers to continue their light doses of "scootin' juice."

The late George Lenox, Memphis millionaire, who owned 1964 world champion Carbon Copy, likened soring to sin:

"Everybody is against it—but everybody does it."

The question is: Can the walking horse industry afford even a little sinning?

Mr. JARMAN. Our next witness this morning is Mr. John O. Kirby, judge of the American Horse Shows Association, Inc.; accompanied by Robert McCandless, counsel.

STATEMENT OF JOHN O. KIRBY, JUDGE, AMERICAN HORSE SHOWS ASSOCIATION, INC.; ACCOMPANIED BY ROBERT McCANDLESS, COUNSEL

Mr. KIRBY. I am a registered judge for the American Horse Shows Association.

Mr. JARMAN. Do you have a statement you would like to submit for the record?

Mr. KIRBY. Yes, sir; I have.

Mr. JARMAN. The committee will be glad to receive the statement in full and would be interested in any comment you would like to make.

Mr. KIRBY. Thank you, sir.

My qualifications are listed on the first page of the statement. I have judged 102 horse shows in 11 different States, including one world's championship and several State championships.

During that time I have judged the walking horses in 44 of the 102 shows.

While serving as a steward of the New Orleans Charity Horse Show, April 23 through April 27, 1969, it was my duty, along with the official veterinarian, to inspect all walking horses before they entered the show ring.

In the 2-year-old class, all three horses were disqualified.

Here is what we found on two of the four horses in the class for 3-year-old walking horses:

Horse A. A deep horizontal crack about two and a half inches long on the back of the pastern area on each front foot. The wound had bleached, whitish-colored new tissue growing into the bottom and sides of the crack. The lesion was about one-fourth inch deep along most of its length, counting the normal depth of the burn, plus the swelling along the edges. The cracks were visible from eye level, but looked much worse when opened and examined closely. Except for the cracks, this horse's pasterns were covered with hair. They were also covered with some kind of grease or salve. There was no blood. We disqualified horse A.

Horse B. Granulated tissue with most of the hair gone from the damaged area in the back of both front pasterns. There were two vertical tissue cracks about one-eighth inch deep and one and a fourth inches long on the back of both front pasterns in the granulated hairless area. The horse was solid black. The damaged area was covered with black shoepolish. This type of thing. In spite of the thick dried shoe polish,

two drops of red blood were visible in the outside tissue crack on the left front foot. In the light from my flashlight, this could be seen from a distance of 10 feet. When touched by the veterinarian, there was enough accumulated blood so it wet the inside of the end joint of both his thumb and forefinger. The other three tissue cracks were not bleeding at the time of our examination, but they were freshly agitated wounds that would bleed with very little outside disturbance. These four vertical cracks were uniform in size and location on a 3-year-old horse that was obviously in excellent health and condition. Were these four wounds not kept continually irritated, they would heal and close in a few days.

The owner of horse B had previously told me he had paid \$35,000 for his horse and could not afford to have him disqualified. I had answered him saying all horses would be qualified or disqualified in accordance with the rules.

We disqualified horse B. In addition, I preferred charges against the owner and trainer for cruelty, because of the bleeding sore. A hearing was held in St. Louis and the committee found the gentlemen not in good standing and barred them and any horses owned by them from showing or taking part in any recognized shows for a period of 90 days.

After I had filed charges against the owner and trainer of horse B, and before the hearing in St. Louis, I received two long-distance telephone calls. Neither of the callers knew me well, if they knew me at all.

One man is a professional trainer, well known nationally in the walking horse industry. He talked with me and tried to raise doubts about what the veterinarian and I had actually seen. He also asked me if I would like to judge some walking horse shows in his area. I told him I would enjoy judging some shows in that vicinity. However, that was over a year ago, and I have not as yet received any invitations from that part of the country.

The other caller is a nationally-known walking horse judge. He tried persuasion, mostly on the basis that nobody paid any attention to the rules in regard to cruelty, and that I was needlessly making it hard on the one horse. He said this kind of publicity was bad for the walking horse industry.

All of the 2- and 3-year-old walking horses at New Orleans last year were supposed to have been clean and without sores and scars on their pasterns. Yet, every single horse we examined showed abuse and a few of them showed very serious results from torture, even as young as they were. These seven young horses, some of them very high-priced stock, are another illustration of why I believe the horse show world is incapable of cleaning up the cruelty and torture of walking horses without outside help.

The rules and customs of the show horse world are all designed to save embarrassment to the owners and exhibitors. These are ladies and gentleman competing in a sport for fun and games. The attitudes and desires of most show managements and show officials are completely foreign to facing the difficult task of controlling the cancerous-like growth the torture and abuse of walking horses has developed into.

Previous to the New Orleans Horse Show, my services had been contracted to serve as Steward at another horse show. Following my

disqualifying six horses at New Orleans, I lost the Steward's job at the succeeding show. The show management quite frankly explained that they were afraid if I was the Steward they would not get enough walking horses to come to their show.

As early as 1965 I was losing shows to judge because the show management did not want to face the issue of judging walking horses by the rules. My name is on the program as the Judge for the June 18, 1965 Sixth Annual Walthall County Horse Show in Mississippi. However, on May 22, 1965, I received the following letter from the show chairman. I will read that letter :

I received your letter of May 18 regarding judging our show. I agree with you 100 percent the torture and cruelty of the horses should not be permitted. However, it seems some of our officials could not agree with that. After talking with the walking horses exhibitors, they seem to think it would adversely affect the attendance of our show to be too strict. The officials have come to the conclusion they should select another judge. I am sorry this has happened.

I sincerely appreciate your writing us and giving us your honest convictions. I agree the show should be conducted honestly and strictly according * * *. However, it seems not too many agree with me. I do appreciate very much your cooperation and I would like to have had you here as you did a good job before.

Signed by the Show Chairman.

I might add this is not the result, this curtailing my activity is not the result of any national movement or any organization; it is just some individual walking horse exhibitor being on the committee, selecting the judge, and the manager of the show decides it is to his advantage not to have a judge that is strict and enforces the rules on cruelty. It is just done on a very limited basis for that individual show.

Small, unaffiliated horse shows account for at least 95 percent of all horse shows. Even the Walking Horse Celebration held at Shelbyville, Tenn., which crowns the Walking Horse World's Champion is not affiliated with any horse association that I know of. Each unaffiliated show is free to make their own rules.

So you are faced with an extremely diverse series of organizations that really are not very closely brought together and the administration and control appears to be a matter of legislation, to correct this situation.

Showing a horse of this type that has been sored is dangerous. When the horse is so tortured, between the pain of the burn and the pressure from the rider, occasionally one will fall in the show ring, for no apparent reason. I guess collapse would be a better description.

Many amateurs and juveniles ride horses into the show ring, which have been so doctored by a professional trainer, without even being aware of the danger they are in. And the effect on a child, when they have been showing a horse for a pretty good length of time and then find that horse is being abused and tortured in order for them to show, is disastrous. I have seen this in several instances. Generally the child stops showing the horse, because they don't want to see the abuse.

There are many walking horse boots designed to aid this torturing of the horse. The skin is made sore or tender by chemicals and then the boot beats the tender surface to make those pasterns more sore.

I have two of those boots here. You notice how large the boot is in size. That means that it flops a great deal on the pastern area and these are lead bolts, stick up a half to three-quarters of an inch, to bring a hard bearing surface.

Here is another one the same way.

On the other hand, here are two boots that are designed to protect the horse. They stay in place closely on the horse's foot and they are absolutely smooth inside. Here is a smooth rubber boot on the inside, which is also narrow and stays in place on the horse's foot.

One thing that makes this practice so difficult to control is because it is very effective. It is an extremely effective shortcut and has become the standard way of producing young show horses in the walking industry.

Mr. JARMAN. How much faster is a humane training—than inhumane training?

Mr. KIRBY. I am not a walking horse trainer. My line of work is rackers and gaited horses, but in talking with my friends and based on my knowledge of getting the horses not reacting to the bit, I would say 4 or 5 or 6 months as against 2 years, to make a relatively capable show horse.

Mr. JARMAN. Training humanely would take a good deal more skill?

Mr. KIRBY. It takes a good deal more skill and a great deal more time.

Gentlemen, I appreciate very much the opportunity of appearing before you. From my limited knowledge and viewpoint, in my opinion Federal legislation is the only way this will be controlled.

Thank you, sir.

(Mr. Kirby's prepared statement follows:)

STATEMENT OF JOHN O. KIRBY, JUDGE,
AMERICAN HORSE SHOWS ASSOCIATION, INC.

Mr. Chairman, my name is John O. Kirby, I am—

A Registered Judge with the American Horse Shows Association, Inc. in eight divisions, including Walking Horses.

A Registered Steward.

An Approved Judge with the Appaloosa Horse Club, Inc. of the United States.

An Approved Judge with the Appaloosa Horse Club of Canada.

A Recognized Judge and a Recognized Equitation Judge of the Tennessee Walking Horse Breeders Association of America.

A competent farrier and a graduate of the horseshoeing course at the California Polytechnical Institute.

Since 1948 I have judged 102 horse shows in 11 different states, including one world's championship horse show and several state championship shows. During that time I judged the walking horses in 44 of the 102 shows.

I love good walking horses. They are a sturdy, substantial breed of good temperament and even disposition. If they were not so docile and well mannered, they would not take the abuse that they do. There is no way a walking horse can escape if his trainer is burning him. If a horse has a lot of courage and will stand pain well, the trainer merely applies a greater amount of the burning agent or leaves it on longer. Some horses have to stand the pain all night before a show, while others are burned for only a few hours before a show.

To my certain knowledge some people in the walking horse industry have been trying to curtail the soring of horses since 1960. Many of the professional trainers have been saying for years we will clean it up ourselves. Judging by what I see in the show ring, little if any, progress is being made.

While serving as a Steward of the New Orleans Charity Horse Show April 23 through 27, 1969, it was my duty along with the official veterinarian, to inspect all walking horses before they entered the show ring.

In the two year old class all three horses were disqualified for granulated tissue on the back side of the pastern area on the front feet. Disqualifying all of the two year olds upset many people. A crowd of about 200 gathered in the paddock area that night to watch the inspection of the three year old horses.

Many of them were very hostile. As a precautionary measure, and to keep the crowd under control, the show management provided two mounted patrolmen and four uniformed policemen for the inspection.

Here is what we found on two of the four horses in the class for three year old walking horses:

Horse A. A deep horizontal crack about $2\frac{1}{2}$ inches long on the back of the pastern area on each front foot. The wound had bleached, whitish colored new tissue growing into the bottom and sides of the crack. The lesion was about $\frac{1}{4}$ inch deep along most of its length, counting the normal depth of the burn, plus the swelling along the edges. The cracks were visible from eye level, but looked much worse when opened and examined closely. Except for the cracks, this horse's pasterns were covered with hair. They were also covered with some kind of grease or salve. There was no blood. We disqualified horse A.

Horse B. Granulated tissue with most of the hair gone from the damaged area in the back of both front pasterns. There were two vertical tissue cracks about $\frac{1}{8}$ inch deep and $1\frac{1}{4}$ inch long on the back of both front pasterns in the granulated hairless area. The horse was solid black. The damaged area was covered with black shoe polish. In spite of the thick dried shoe polish, two drops of red blood were visible in the outside tissue crack on the left front foot. In the light from my flashlight, this could be seen from a distance of 10 feet. When touched by the veterinarian there was enough accumulated blood so it wet the inside of the end joint of both his thumb and forefinger. The other three tissue cracks were not bleeding at the time of our examination, but they were freshly agitated wounds that would bleed with very little outside disturbance. These four vertical cracks were uniform in size and location on a three year old horse that was obviously in excellent health and condition. Were these four wounds not kept continually irritated, they would heal and close in a few days.

The owner of horse B had previously told me he had paid \$35,000 for his horse and could not afford to have him disqualified. I had answered him saying, all horses would be qualified or disqualified in accordance with the rules.

We disqualified horse B. In addition I preferred charges against the owner and trainer for cruelty, because of the bleeding sore. A hearing was held in St. Louis before the Regional Committee. I attended in order to present the facts in the case and the American Horse Show Association Rules involved. The owner and trainer of horse B also attended. The Region Committee referred the matter to the Hearing Committee. The Committee found the owner and trainer guilty of violating the rules of this Association at the New Orleans Charity Horse Show in that they attempted to show a horse with raw and bleeding sores around the coronet, pastern, and legs. The Committee voted these gentlemen not in good standing and barred them and any horse or horses owned by them from showing or taking part whatsoever at Recognized Shows from July 1, 1969 until October 1, 1969.

After I had filed charges against the owner and trainer of horse B, and before the hearing in St. Louis, I received two long distance telephone calls. Neither of the callers knew me well, if they knew me at all.

One man is a professional trainer, well known nationally in the walking horse industry. He talked with me in general terms about the pending case and tried to raise doubts about what the veterinarian and I had actually seen. He also asked me if I would like to judge some walking horse shows in his area. I told him I would enjoy judging some shows in that vicinity. However, that was over a year ago and I have not, as yet, received any invitations from that part of the country. Incidentally, this man is also quite active in the professional walking horse trainers association.

The other caller is a nationally known walking horse judge. He tried persuasion, mostly on the basis that nobody paid any attention to the rules in regard to cruelty, and that I was needlessly making it hard on the one horse. He said this kind of publicity was bad for the walking horse industry.

There were many differences of opinion regarding our actions. One Steward wrote the American Horse Shows Association, Inc. and asked if an official veterinarian could touch a horse's feet in the examination. I quote from the reply of Mr. James H. Blackwell, Executive Secretary dated 5/6/69. "In reply to your April 28th letter addressed to Mr. Cronan, it is not customary in this country for a Judge or a veterinarian to feel a horse or any part of its body or legs when being judged for conformation or soundness in the show ring. This applies to all breeds and would carry into the Walking Horse Division even though the inspection takes place outside of the ring. What a Judge or Vet-

erinarian cannot see with the naked eye when standing erect should not be counted against a horse."

The above statement of policy is in accord with the rules and customs of showing. It is one more illustration of why I believe the horse show world is incapable of cleaning up the cruelty and torture of walking horses without outside help.

All of the two and three year old walking horses at New Orleans last year were supposed to have been clean and without sores and scars on their pasterns. Yet every single horse we examined showed abuse and a few of them showed very serious results of torture, even as young as they were. These seven young horses, some of them very high priced stock, are another illustration of why I believe the horse show world is incapable of cleaning up the cruelty and torture of walking horses without outside help.

We received considerable criticism because the official veterinarians picked up the horses feet when they deemed it necessary to complete their examinations. From the standpoint of requesting a professional, expert opinion, the veterinarian must be allowed to gather the facts needed to render that opinion in the manner he deems necessary, proper and in accordance with the standard practices of his profession.

The rules and customs of the show horse world are all designed to save embarrassment to the owners and exhibitors. These are ladies and gentlemen competing in the sport for fun and games. The attitudes and desires of most show managements and show officials are completely foreign to facing the difficult task of controlling the cancerous like growth the torture and abuse of walking horses has developed into.

Previous to the New Orleans Horse Show, my services had been contracted to serve as Steward at another horse show. Following my disqualifying the six horses at New Orleans, I lost the Steward's job at the succeeding show. The Show Management quite frankly explained that they were afraid if I was the Steward they would not get enough walking horses to come to their show.

As early as 1965 I was losing shows to judge because the show management did not want to face the issue of judging walking horses by the rules. My name is on the program as the Judge for the June 18, 1965 Six Annual Walthal County Horse Show in Mississippi. However, on May 22, 1965, I received the following letter from the Show Chairman, and I quote.

"I received your letter May 18 regarding judging our show. I agree with you 100 percent the torture and cruelty of the horses should not be permitted. However, it seems some of our officials could not agree with that. After talking with the walking horses exhibitors, they seem to think it would adversely affect the attendance of our show to be too strict. The officials have come to the conclusion they should select another judge. I am sorry this has happened.

"I sincerely appreciate your writing us and giving us your honest convictions. I agree the show should be conducted honestly and strictly according. . . . However, it seems not too many agree with me. I do appreciate very much your cooperation and I would like to have had you here as you did a good job before."

Signed by the Show Chairman.

I have additional illustrations, in which I lost the judging assignments at shows, if the Committee wants me to read them.

In my opinion most walking horse people believe they buy their horses, pay for their training and keep, and if they want to torture them it is their right to do so.

There are many men judging horse shows that cannot afford to enforce the rules where cruelty is concerned. Most need the money. In addition the trainer they disqualify tonight might be judging them next week.

Small, unaffiliated horse shows account for at least 95% of all horse shows. Even the Walking Horse Celebration held at Shelbyville, Tennessee, which crowns the Walking Horse world's champions is not affiliated with any horse association that I know of. Each unaffiliated show is free to make their own rules.

Almost all of the walking horse shows in the strong walking horse country of Tennessee, Louisiana, Mississippi, Alabama, etc. are completely without any supervision of any kind as far as cruelty is concerned.

The one most important reason this practice of torturing walking horses is so widespread, and will be so difficult to control, is because it is very effective. The practice of deliberately making walking horses sore is a very effective training and showing tool. It requires no skill or effort to apply. It has been wide-

spread for more than ten years. Now it is the accepted way of mass-producing young show horses in the walking horse breed.

When a horse suffers pain in a foot or lower leg, he will try to avoid placing weight on the injured part. If both front legs are sore he will try to balance his weight on his hind quarters. This shifts the center of gravity toward the rear. When standing in the stall a horse with a fresh chemical burn on both front legs will stand with all four feet in almost one spot with his front feet barely touching the ground. Many horses are treated the night before a show and suffer this strain and torture all night and all day long. In small unsupervised shows, which account for over 95% of the horse shows, I have seen owners and trainers in broad daylight pouring caustic into open wounds preparing a horse to show. This is very common. After the horse is sore from the chemical burn he is very loath to move. Loose boots that flop on the pastern are placed on the horse to further irritate the sores. Several minutes before the class starts the horse is made to move by whips, electric spurs, etc. After a few minutes of walking the horse tolerates the pain, under pressure from the rider, so he moves well, but still with his center of gravity moved backward. This causes a long stride behind and a free-wheeling, light footed, high action in front. It is very effective and the horse puts on a better show.

However, this is dangerous. When the horse is so tortured; between the pain of the burn and the pressure from the rider, occasionally one will fall in the show ring, for no apparent cause. Collapse would be a better description. Many amateurs and juveniles ride horses into the show ring, which have been so doctored by a professional trainer, without even being aware of the danger they are in.

After several months or years of this abuse, particularly in the hands of lazy or incompetent practitioners, the affected tissue swells and becomes calloused and scarred. The pasterns of some of these horses are more than twice the size of a normal horse. This serious defacement in most cases is permanent. Just consider the inhumane hours upon hours of suffering a horse must have endured to end up with lower legs in this condition. Imagine the same people calling themselves horselovers and good sportsmen.

The American Horse Shows Association is doing what it can to stop the practice, as is the Tennessee Walking Horse Breeders Association, but it must depend on other horsemen to enforce its regulations. Many of these people are also responsible for the promotion of successful shows. Without the participation of walking horses the shows would not be a success. Also many show managers and directors are walking horse people caught up in the situation themselves.

I have previously mentioned that the practice is effective. It takes months of good riding and biting-rig work and lots of line driving to get a horse working well on the bit with a good roach at the poll and with his center of gravity tilted to the rear. A few drops of caustic overnight can tilt a horse's center of gravity backward. The walking horse industry in the interest of mass-production and turning out young horses, ready to show, in a short period of time has developed this short cut. It is inhumane and in violation of the rules, but it works.

There are many, many people in the horse show world that desire and are trying to correct the abuse of walking horses. However, progress has not been good. Two and three year olds, just starting out, are as badly abused as they ever were. Walking horses used to be brightly colored roans, white, etc. Now they are almost all black, or bays with black points, so the chemical burning practices can be done without detection.

The soring of walking horses gives a distinct advantage to those using the practice. The better trainers have, for years, been using the procedure without defacing their horses. When well done, the practice is very hard to detect in the ring. However, even when cleverly done, the effectiveness of the method is still based on pain and suffering for the horse. When soring is practiced by the lazy and incompetent exhibitor the results are obvious for all to see, and the defacement of the horse's feet is permanent. The person training and showing horses in accord with the rules, and in a humane manner, cannot produce as many show horses, it takes him longer to prepare a horse for the ring, it takes more skill, and his chances of winning in the show ring are reduced. Financially he can't compete with the trainer who takes advantage of the rules by abusing his horses. Actually, many of today's successful show horses, in the walking horse breed, cannot compete without soring.

Tennessee is a good example of how ineffective State Laws have been in combating this evil.

I recommend Federal legislation as the only apparent effective means of stopping the abuse of Tennessee Walking Horses.

Here are some exhibits, including horseshoe nails, protective boots and other items, which may be useful to you gentlemen. I will be honored to have the opportunity of answering any questions for which I am qualified.

Mr. JARMAN. Do I understand, then, that the soring of the horse is done during the training period, but then there is a soring process that is used before each show in which the animal appears?

Mr. KIRBY. Yes, sir; depending on the courage of the horse; if the horse can stand pain well, it takes more burning. Some horses are burned the night before and have to stand in one spot, you might say, with their weight balanced on their hind feet all night long. Some horses are burned a few hours before the show.

The better trainers put the caustic on before the show and wash it off before the horse goes in the ring. And the boots, rubbing on the tender part of the horse's foot, continues the irritation enough to make the horse bounce backward on its hind feet, to give the desired effect.

The best show trainers have been keeping the horses relatively clean for a good many years. In other words, they burn them and wash it off and take care of them, but the ones that are not, well, they are either lazy or do not know, are the ones that cause great suffering to horses.

But either way, it is based on cruelty and torture which I do not believe has a place in American life in sporting events.

Mr. JARMAN. It is not just the training period, it is a matter of soring the horse again each time the horse competes in the show?

Mr. KIRBY. That is correct.

Mr. JARMAN. Mr. Hastings.

Mr. HASTINGS. I do not know very much about walking horses. Is there any voluntary effort being made on the part of the association, the American Horse Shows Association, to eliminate this practice?

Mr. KIRBY. There is a great deal of effort being made in the show horse world. I might add there is a great deal of effort being made by the walking horse people, themselves, to clean this up. But in entering the competition, getting that blue ribbon, and the pressure of making a living, the pressure of making money, getting established in industry, men are oftentimes tortured by what they know is right, what they want to do and what they figure they have to do in order to compete for a livelihood.

The association rules all have for several years—5, 6, or 7 years, or longer—has had rules and regulations to control this. But they have not been effective.

Mr. HASTINGS. You say control it. Do these also actually prohibit the practice?

Mr. KIRBY. Yes, sir.

Mr. HASTINGS. And yet they continue to do it?

Mr. KIRBY. Yes, sir.

Mr. HASTINGS. So all of your efforts will not eliminate the practice.

Mr. KIRBY. No. You see what happens to a judge like me who tries. They just do not ask for your service.

Mr. HASTINGS. It is awfully disturbing that an association such as this, which has rules and regulations, has failed to live up to them. I always hesitate in these matters to make the Federal Government to be the arm of the judge. It seems the associations, themselves, should try to control it.

Mr. KIRBY. I agree that they should, but this practice has been going on for about 20 years. And since 1960 I know a great many people have been exerting a lot of continuous effort in trying to control it. From what I see in the ring, it is no better now than what it was.

I should qualify that. The horses are not as brutalized physically, but the practice is widespread.

Mr. HASTINGS. But you are convinced that this practice cannot be stopped other than by an act of Congress?

Mr. KIRBY. In my opinion, yes, sir.

Mr. HASTINGS. One further question: A walking horse properly trained can produce the desired results, without this practice; is that correct?

Mr. KIRBY. Yes; with some qualifications. There are a great many horses shown today that would not be able to put on as good a show as they do. For instance, at Etowah, N. C., I disqualified six horses at that show:

One for raw and bleeding sores, and five for illegal boots. Several of the horses went home. Several of them decided they would show in the championship. And they stripped the rough places out of the boots, stripped those balls and the ropes sewed in underneath, stripped those out of the boots and showed the smooth boots. And I very carefully—I judge by points—and the horse that won the championship was 15 percent less effective than he was with the illegal boots. Just the change of the boots reduced his effectiveness of showing by 15 percent.

Mr. HASTINGS. This practice is a shortcut toward producing the type of a gait—

Mr. KIRBY. Also, not only that, but it saves warming the horse up as much before a show, and they do put on a better show.

Mr. HASTINGS. Thank you.

Mr. JARMAN, Mr. KYROS.

Mr. KYROS. Mr. Kirby, you say in your statement, last page, "Tennessee is a good example of how ineffective State laws have been in combating this evil."

What is the current status of Tennessee law on this?

Mr. KIRBY. As I understand, sir; there have been no true bills found or anybody prosecuted under that law.

Mr. KYROS. It has been stated earlier this morning, that there are laws in Tennessee against the soring of horses? Is that so?

Mr. KIRBY. Yes, sir; that is true.

Mr. KYROS. Are you suggesting the laws are not enforced?

Mr. KIRBY. It has not been enforced to date, as I understand.

Mr. KYROS. I cannot quite understand that. You indicated that in the shows it is readily apparent when the horse has been sored, so I cannot understand why the law is not enforced. What is the reason for that?

Mr. KIRBY. Well, a great deal, as I understand our legal system, is based on the person protecting himself, and a horse cannot protect himself. If the horse's owner does not care what happens to the horse, there is not really anybody else going to take too much interest in it. I think that is the problem; there is just not a person who would take action under the law to see it is enforced.

Mr. KYROS. What about the Walking Horse Trainers Association, or Breeders' Association? It would seem to me they would have genuine interest in seeing that these horses are trained properly.

Mr. KIRBY. They have passed legislation, and have for a good many years. But there is no enforcement mechanism of the Tennessee Walking Horse Breeders' Association except through judges. If the judges report it, they could be taken off or suspended.

Mr. KYROS. When the horse grows older and you cannot use it as a show horse or Tennessee walking horse, what is the result or consequence of its being sore as far as the horse is concerned?

Mr. KIRBY. If the horse has, you might say, been very carefully and adroitly handled to where he does not have a lot of callus tissue and so forth, there would be none. He would be a normal horse. The horses that you see, though, oftentimes have pasterns that are the same size from the fetlock to the hoof; they are so full of scar tissue and so forth, they are very unsightly.

Mr. KYROS. Other than being unsightly, are they in any way permanently harmed?

Mr. KIRBY. Many of the horses are tilted when they show. Normally a horse's hoof is about 47 to 52 degrees with the ground, and many of these horses shown at 80 or 90 degrees, almost straight up and, of course, that does damage the horse.

The bone structure is all misaligned and a horse like that will only hold up a few years and then break down.

Mr. KYROS. Thank you.

Mr. JARMAN. Mr. Preyer.

Mr. PREYER. Thank you, Mr. Chairman.

I have no questions of Mr. Kirby, but I will say that you have shown a great deal of courage in your actions. You say at one of the inspections 200 people were counted and police were called in to make sure feelings did not get out of hand.

Mr. KIRBY. Some people call it stupidity.

Mr. PREYER. It takes some courage to take your stand.

Mr. JARMAN. Mr. Kirby, one final comment, since you have the courage to appear on this subject.

It has been argued by some who have opposed this that walking horse trainers at least do no worse by their animals than thoroughbred trainers do by theirs, by forcing their horses to run full tilt for long distances. Do you think this is a justified analogy?

Mr. KIRBY. No, sir; I do not. Because a horse is a wonderful animal, one of the most efficient pieces of muscle and bone mechanism we have, and running a mile and a third or mile and a quarter, whatever the length, is not for a well-conditioned animal an undue strain.

Mr. JARMAN. I wanted your reaction because we may well hear it in the course of the hearings.

Thank you very much.

Our next witness is Mrs. William Blue, who I understand has a statement by Mr. W. J. Urquhart, trainer and breeder of walking horses.

STATEMENT OF MRS. WILLIAM BLUE, ON BEHALF OF W. JOE URQUHART, COLUMBIA, TENN.

Mrs. BLUE. Mr. Chairman, in the interest of time, I think it best that I just submit his statement.

I would like to call to your attention and the attention of the other gentlemen here that he is one of the reputable trainers and I think that his statement speaks for itself.

Mr. JARMAN. The committee will be glad to receive the statement in the record.

(Mr. Urquhart's prepared statement follows:)

STATEMENT OF W. JOE URQUHART, COLUMBIA, TENN.

Throughout my lifetime I have been an owner, breeder, and trainer of Tennessee walking horses. The Tennessee walking horse has been for 30 or more years my principal interest and my means of livelihood.

I have been successful in this business without the necessity of using practices designed to unduly injure or punish the horse.

In September of 1969, I wrote to Senator Joseph D. Tydings in support of then pending legislation designed to protect the Tennessee walking horse from unscrupulous and heartless trainers who completely ignore the ethics of the profession by soring horses and otherwise torturing the animal for the sole purpose of winning or making the particular horse appear to be a better horse than he actually is.

Experience since the time of my letter to Senator Tydings indicates to me more than ever that Federal legislation is essential in order to put a stop to these cruel and inhuman practices. Attempts to enforce any set of rules or standards at the state and local level have continually failed.

I am convinced that the Whitehurst Bill is essential to the future of the Tennessee walking horse and the Tennessee Walking Horse Industry.

Enclosed under separate cover is a "legal boot" in the eyes of the Tennessee Walking Horse Trainers Association. One needs to but take a close look at this boot to imagine the pain and discomfort it causes the animal after having been sores with acid or other irritants.

The Tennessee walking horse is a recognized breed with natural abilities and under proper training conditions can perform as a creature of beauty, and it is in my judgment inexcusable that self policing has not been more effective, but the fact is that the unworthy practices of soring and punishing horses continues unabated, and if anything, is worse than it was a year ago.

It is true that bleeding has been curtailed to a considerable extent but this has been done with drugs and other medications designed to prevent bleeding, but without the slightest effect in reducing or otherwise making easier the pain of the Tennessee walking horse.

Many of us have tried diligently to prevent these practices, but our efforts have met with little success.

I urge strongly the enactment of the pending legislation, and its subsequent enforcement as the best and only effective means of preventing in the future the cruel and heartless treatment of a truly great and beautiful animal.

Mr. JARMAN. Thank you very much for being with us. I thought perhaps you had an additional statement.

Mrs. BLUE. I think in the interest of time it would be better not to.

Mr. JARMAN. At this point in the record, we will ask our good friend and colleague on the Interstate and Foreign Commerce Committee, Congressman Samuel L. Devine of Ohio, to introduce the next witness this morning.

**STATEMENT OF HON. SAMUEL L. DEVINE, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF OHIO**

Mr. DEVINE. Thank you. In addition to the chairman's introduction of H.R. 14151, I am a sponsor of H.R. 14145, an identical bill that is under consideration by the committee this morning. I would tell the Chair, this spring a group of students from the Columbus School for Girls in Columbus, Ohio, visited my district office, along with the office of Congressman Wylie, who represents the other half of the Columbus area, expressing deep concern about the soring of horses and the legislation that was pending.

Their teacher, Tom Olson, brought a delegation of about 25 of these students from the Columbus School for Girls. This committee is very generous in permitting one of these young ladies to become a witness before you this morning. She is Miss Alice Wright, 12 years old, and I have looked over her prepared statement and I am sure the committee will be impressed with her when they hear her go on as the next witness.

Thank you very much, Mr. Chairman.

Mr. JARMAN. Miss Wright, it is a pleasure to have you with us this morning.

**STATEMENT OF MISS ALICE WRIGHT, REPRESENTING THE
COLUMBUS GIRLS' SCHOOL, COLUMBUS, OHIO**

Miss WRIGHT. Good morning, Congressman Jarman, members of the committee. My name is Alice Wright. I am a seventh grade student at Columbus School For Girls, Columbus, Ohio. I am here this morning to urge you Congressmen to enact a strong Horse Protection Act. Since last September, my classmates and I, under the supervision of our history teacher, Mr. Thomas C. Olson, have been studying the cruel and inhumane practice of "soring." We have written letters urging Senators to vote for Senate bill 2543 and we were happy when the Senate passed Senator Tydings' bill. We wrote letters to many of you urging that hearings be held.

We circulated and sent to you petitions asking that legislation be enacted. Now, my classmates and I, hope that you will concur with the Senate and make this Horse Protection Act law.

Why should "soring" be outlawed? Besides hurting the horse's feet and natural ability, soring causes "moral deterioration, and it degrades the person who does it." Man's inhumanity to man is bad enough, but why must we take it out on animals?

A typical sore horse's feet are tucked under him and blood is running down the blistered hooves which look like beefsteak. Boots, which are required in shows, cover up the sores and rub the raw wounds—increasing the horse's pain. During a show, the horse's head is down, the ears are back and the rear is slanted because the horse is trying to avoid the severe pain.

The oil of mustard used to sore horses is publicly sold at horse shows and if spilled on humans, medical treatment may be required. Can you imagine the pain these animals must endure for the sake of a blue ribbon?

Not all trainers sore because they like to, but because they can't win in shows if they don't sore. Soring is even encouraged by some judges,

who prefer sored horses. This is because the judges think the sored gait is more beautiful than the one acquired by careful training.

After a season of being kept sore, the tissues in the pastern area are damaged so badly that after a little use the ankles bleed whether or not they are sored. There is a claim made that Tennessee walkers can work all day and are easy to ride. Unfortunately, the sored walker's feet hurt so much that after a little use the pain the horse must endure is almost unbearable.

The National Walking Horse Trainers Association has made rules against soring, even though they aren't enforced. Now they want more time to clean up the soring industry. How much time do they need? One year? Five years? Or do they need a lifetime? The association has had enough time to clean up, but sored horses are still being shown and crippled forever. Perhaps the man who represents the walking horse industry would like to tell this committee what they have been doing and what they have accomplished since Senator Tydings' bill was introduced?

Many people are against Federal legislation. They say this legislation would be easier to enforce on the State level. However, in order for these horses to be protected from unqualified trainers—all 50 States would have to pass horse protection laws.

My classmates and I know what a difficult job this is. We wrote a Horse Protection bill and had it introduced in our State Senate. After all our work, the bill was killed in the Rules Committee by the Walking Horse Industry, even though most of the members of the committee were in favor of our bill. The same fate occurred in other States where such legislation was introduced.

We need national legislation to protect the walkers from trainers that would resort to using chemicals rather than their skill as a trainer and the horse's natural ability. This bill would not eliminate the Tennessee Walking Horse Industry, but it would strengthen it by eliminating unqualified trainers and owners from competing. Trainers trained their horses with skill and affection 20 years ago; why can't trainers begin training this way again? Has our society lost something that stops us from treating horses the way we would treat ourselves? Soring is a relatively new practice; we should stop it before it becomes ever worse, that is, if it can become worse.

Soring is a highly profitable commercial enterprise, made to order for the benefit of greedy horse traders, and one that should be controlled in interstate commerce. These poor, noble animals have been sored for the greed and mockery of a blue ribbon. These pain-wracked animals shall continue to be needlessly tortured unless you do something about it.

Although we cannot completely stop these barbaric practices it will be one step in the abolition of the horses' misery and torture. These tormenting practices will almost be completely abolished with your help.

We must try to stop this heartless abuse of animals.

In addition to the testimony that I have just given, I would also like to enter into the records of this committee a paper that was circulated among members of the Ohio General Assembly by a walking horse person and my teacher's reply to this paper. The paper, entitled "The Phony Crusade" will show you to what extent these individuals will go to try and prevent this type of legislation.

Mr. JARMAN. The committee will be glad to receive the paper to which you refer, as part of this record.
(The documents referred to follow:)

INGLESIDE HOSPITAL, INC.
Cleveland, Ohio.

THE PHONY CRUSADE

The family fun of five thousand Ohio families and the livelihood of Walking Horse trainers have been jeopardized by the unsubstantiated testimony of two twelve year old girls from the Ohio State School for Girls, a wild-eyed natty do-gooder from the outlaw American Horse Protection Association and two newspapermen whose protracted crusade in Tennessee has become a cropper.

Appearing before the Ohio Agriculture and State Agencies Committee, this group delivered statements so wildly outrageous that only the ignorant or unintelligent would give them listening time . . . In twenty years of owning, showing, training and breeding of walking horses, I have never seen a trainer wrap barbed wire around a horse's pastern. Neither have I ever heard of horses having nails driven into the pastern or hog rings in the frog. No horse could endure this and remain on his feet let alone walk and show. But these wild, untrue stories are circulated and listened to with credence.

I can't imagine Congressman Wayne Hayes, a devoted Walking Horse fan and breeder, owning walking horses and standing idly by while such cruelties are perpetrated on animals in which he has thousands of dollars invested. Vernon G. Gochenauer, President of nationally advertised Fashion Two Twenty Cosmetics, has built a great business on his success in the walking horse classes. He has repeatedly won Horse of the Year awards from the prestigious American Horse Shows Association. He has shown from Florida to California, from New York to Texas, under the severest scrutiny, and not once been disqualified for having a sore or bleeding horse.

The list of owners of walking horses is dotted with the names of some of the most prominent people in business and the professions. Beginning with Victor Borge of the stage, Dr. Kenneth McFarland, head of General Motors speakers bureau, Dr. Ralph Baney, the famous archeologist, of Dead Sea Scroll fame, the list is a long one which includes doctors and business leaders. In Ohio, Dr. Charles Sawyer and his two daughters ride walking horses. Surely Ohio's first family of medicine cannot be included in the list of horse cripplers that these uninformed critics would want to interdict. The list of great and near-great who own, ride and show walking horses could go on an on.

It is apparent that this is a phony crusade. The fifty dollar plantation walker of the 1930's has become the darling of the horse shows, the favorite of Rotary, Kiwanis, Lions, 4-H and P-T-A committees who stage horse shows to raise money for charitable projects. The walking horse classes bring people to their shows. The people love the grace, beauty and speed of the walking horses and every person who rides one wants to buy one. The fifty dollar plantation walker now sells for \$10,000 as a two year old and as high as \$150,000 as a champion. But this money has come from the people who have abandoned the other breeds. Prices in the saddle horse, quarter, Morgan and Arabian breeds have fallen drastically. As problems increased in the owning and showing of the other breeds, people found it was easy to own a walking horse and win in the show ring. An owner could ride his own horse and win, even against professionals. This never happens among the other breeds.

So a phony crusade has been mounted, led in the United States Senate by Senator Joseph Tydings, a saddle bred owner and breeder. It struck at Middle Tennessee where a majority of the top stallions and mares are maintained. The legislation failed in Tennessee when 4-H clubs, P-T-A's and service clubs joined all horse people in pointing out that legislation could not be restricted to walking horses but would apply to all animals, even those housed for the use of children on a two acre plot.

The crusade has come to Ohio, repeating the weary, old cliches by people with no knowledge of the truth, and who carry the torch for those interested in salvaging their lost business. Unless the sponsors of this legislation are part of the same phony crusade, they may find the Pandora's box they open is replete with surprises. The great community benefits that accrue to cities like Dayton, Cincinnati, Youngstown, Portsmouth, Columbus, and towns and villages like Brecksville, Berea, Circleville, and a hundred others, may dry up with the failure

of hundreds of charity horse shows. The Phony Crusade will reap a whirlwind for those state senators and representatives who act without learning all the pertinent facts. There are rascals in all businesses and horse training is no exception. But passage of restrictive legislation against community show managers owners and trainers is worse than throwing out the baby with the bath water. It could bring down the wrath of every horse owner in Ohio. This adds up to twenty five thousand in Cleveland alone.

GEORGE HOLMES,
Chardon, Ohio.

COLUMBUS, OHIO, April 2, 1970.

Mr. GEORGE HOLMES,
Chardon, Ohio.

DEAR MR. HOLMES: My attention has been brought to your paper which you have called the "Phony Crusade" and have distributed on Ingleside Hospital, Inc. stationery (is this the hospital's viewpoint or have you borrowed it from the hospital to make your position look as if it had authority?) I do not understand why you are so upset. Senate Bill 549 is aimed only at those breeders and trainers who sore their horses in order to make people think they are champion walkers. If a breeder or trainer does not sore his horses, he should be extremely happy to see that something is being done to stop the invasion of inferior breeders and trainers and their inferior horses into the walking horse arena. It is most unfortunate that a situation such as the conditions under which these horses are shown should have to be brought to the attention of our national and state legislatures. It is not flattering to our American way of life when the government must be called upon to do what an association should do for itself. Vic Thompson, President of the Walking Horse Trainers Association, has made repeated pleas to the members of his association to enforce its own rules. "Each of us must put forth greater efforts toward doing away with horse soring. If we are judging a show, we must assume the responsibility for excusing horses which are not in proper condition . . . If we do not clean up our own industry, we can only look forward to having humane societies do it for us."

I found your article very interesting even though it was filled with name-calling "a wild-eyed natty do-gooder from the outlaw American Horse Protection Association . . ." incorrect statements—it is The Columbus School For Girls, not "the Ohio State School for Girls . . ." and even threats "Unless the sponsors of this legislation are part of the same phony crusade, they may find the Pandora's box they open is replete with surprises." Let me say that I find it difficult to understand how you can say that the testimony of these two young ladies, who are very intelligent and logical thinkers, was "unsubstantiated." You were not present at the committee meeting to hear their testimony and I'm sure you have not read their testimony, since it was not reproduced until very recently.

You have also branded anyone who has given these girls "listening time" and the others who testified on this issue as "ignorant or unintelligent." You must feel the members of the Ohio Agriculture and State Agencies Committee of the Ohio Senate, who not only gave them time but were very interested and impressed by the testimony, are also "ignorant or unintelligent." I cannot agree that Senators Tennyson Guyer, John W. E. Bowen, Harry L. Armstrong, Robert J. Corts, and others are "ignorant or unintelligent." Much of the testimony given to the above senators was also given to members of the Commerce Committee of the United States Senate. Certainly you would not say that Senators Joseph D. Tydings, Charles E. Goodell, Mark O. Hatfield, Jacob K. Javits, Gaylord Nelson, Abraham Ribicoff, Stephen Young, and many others are "ignorant or unintelligent?" I would be more inclined to adjudge "ignorant or unintelligent" those people who condemn others without adequate knowledge of what was said and done in these committee sessions.

I assume that your information about the hearings was derived from newspaper articles. Unfortunately, like your paper, the newspaper accounts were not entirely accurate. I have also never heard of trainers wrapping barbed wire or driving nails into the pastern. At the hearing before the Ohio Agriculture and State Agencies Committee, a question was asked if barbed wire was used. All the people who testified said, "No, barbed wire was not used." No mention was made of nails being driven into the pastern. However, the use of chains, oil of mustard, and illegal boots on the pastern was given as the most common methods of soring. Certainly you have seen in your "twenty years of owning, showing, training, and

breeding of walking horses" innumerable instance of the use of these methods to produce the high "lick."

As you point out, the monetary rewards of having a champion are great. You have also stated that ". . . people found it was easy to own a walking horse and win in the show ring. An owner could ride his own horse and win, even against professionals. This never happens among the other breeds." I agree that an unprofessional person can win with a horse that has been amply supplied with oil of mustard in his chain sored pastern areas. Why else would anyone sore one of these animals, except for money? I suppose the conscience of some unsure owners or trainers could be salved by the thought that money was also going to the benefit of certain charities. I wonder if the people who attend and promote these shows realize how these "beautiful" gaits are acquired? I think they might have different thoughts about attending and accepting the shows and the benefits if they knew how these animals were trained.

Your list of prominent people who own walking horses is irrelevant. Just because they are prominent business or professional men does not mean they do or do not allow their horses to be sored by their trainers. All owners of walking horses do not show their horses; if they are not to be shown, there is no point in soring them. It can also be noted that one must be prominent in a business or profession in order to have the monetary resources to own and or show these horses.

Your closing statement are clearly threats to the senators and representatives. "Unless the sponsors of this legislation are part of the same phony crusade, they may find the Pandora's box they open is replete with surprises. . . The Phony Crusade will reap a whirlwind for those state senators and representatives who act without learning all the pertinent facts. . . It could bring down the wrath of every horse owner in Ohio. This adds up to twenty five thousand in Cleveland alone."

Certainly someone who is so involved emotionally and otherwise, in this issue as you, Mr. Holmes, would be anxious to help these senators and representatives get "all the pertinent facts." You should volunteer your services in showing the senators and representatives the many horses you know of that are *unsored* champions of shows.

Sincerely,

THOMAS C. OLSON.

Mr. JARMAN. I think you made an excellent statement. How did you and your class get interested in the problem of soring of Tennessee walking horses; is there riding at your school?

Miss WRIGHT. Well, there isn't any riding at our school, but our teacher, Mr. Thomas Olson, brought up the subject of soring and had us write to Members of the Senate and later on we wrote to Representatives.

Mr. JARMAN. That is a very good statement.

Mr. Hastings.

Mr. HASTINGS. Alice, I have no questions, but an observation. I have heard corporation presidents before this committee, and I must say that none of them came across with the sincerity you have. You are to be complimented in your presentation in this day and age where so often the younger generation suspects Congress is not listening to some of the complaints they have. I hope you will find this subcommittee and the Congress will respond favorably to your request. Thank you.

Mr. JARMAN. Mr. Kyros.

Mr. KYROS. Thank you, Mr. Chairman.

Alice, on page 3 of your testimony, you say that you and your classmates wrote a horse protection bill, and apparently had it introduced into the Ohio State Senate. Was the bill something like those we have here today, which say you cannot use chemicals, or nails, et cetera?

Miss WRIGHT. Yes. We used the same form on the Senate bill but we changed the words to fit the State.

Mr. KYROS. Is this a problem in Ohio, where you come from?

Miss WRIGHT. Yes.

Mr. KYROS. People sore horses there, too?

Miss WRIGHT. It is a problem in every State.

Mr. KYROS. Do you find it a problem in your own State?

Miss WRIGHT. Yes.

Mr. KYROS. Have you gone to see any horses which have been sored?

Miss WRIGHT. No, but still I have heard a lot of testimony and seen a lot of good pictures on it.

Mr. KYROS. What are you going to tell your classmates when you go back to school tomorrow morning, about your testimony here?

Miss WRIGHT. Well, I don't know yet.

Mr. KYROS. Well, I think you ought to tell them it was very fine. I think it was a very excellent statement. I think it was very brave of you to come here, at your age, and tell us these things. We appreciate it very much.

Thank you, Mr. Chairman.

Mr. JARMAN. Mr. Preyer.

Mr. PREYER. Thank you, Mr. Chairman.

Alice, I certainly commend you and your classmates. I think you are the best argument I have seen to lower the voting age to 12 years old. Thank you for your testimony.

Mr. JARMAN. Alice, I am sure your own Congressman will be reporting to the classmates in your school what a very good witness you made.

The next witness this morning is Mrs. Roger Stevens, president, Animal Welfare Institute.

STATEMENT OF MRS. CHRISTINE STEVENS, PRESIDENT, ANIMAL WELFARE INSTITUTE; ACCOMPANIED BY ROBERT McCANDLESS, COUNSEL

Mrs. STEVENS. Thank you, Mr. Chairman. I appreciate being here. I know you are running late, so I will submit my statement for the record, with some attachments that may be useful, and just highlight a few points.

I think one thing that is terribly important to recognize is by the admission of the Tennessee walking horse owners and trainers, this is a billion dollar industry, and that is the reason it has been difficult to get State laws enforced and why we need the Federal law.

The Department of Agriculture can do a first-rate job of enforcement. It is a matter of interstate commerce and without Federal legislation there is absolutely no hope whatsoever—and I want to underline that—of getting rid of this abominable practice. It is the only way we can possibly do it, so we earnestly beg and plead with this committee to report out the bill—if possible, the Senate version, which would speed up action—just as soon as possible.

I would like to say I am speaking also for the Washington Humane Society which enforces the anticruelty law here, and which made an attempt, partially successful, to improve conditions at the Washington International Horse Show last year. My testimony goes into that in greater detail.

I am also speaking for the Society for Animal Protective Legislation in presenting the statement.

If there is anything you would care to ask me—I think that is all I would say.

(Mrs. Stevens' prepared statement and attachments follow:)

STATEMENT OF MRS. CHRISTINE STEVENS, PRESIDENT ANIMAL WELFARE INSTITUTE,
NEW YORK, N.Y.

On behalf of the Animal Welfare Institute I urge enactment of S. 2543 to prohibit the soring of horses. In my capacity as President of the Institute and as a board member of the Washington Humane Society I have had the opportunity to observe the results of this extreme cruelty unjustly inflicted on beautiful, intelligent animals who can be taught the various show gaits by patient and skillful training rather than by torturing them. Soring causes these animals long-drawn-out agony which they endure in different degrees throughout their entire lives as show horses. On this hideous practice an industry said to be a "billion dollar industry" now rests. With so much money and so many competitors for prizes, stud fees, and sales of horses, there is no hope of reform without federal legislation. Soring is done with the hope of profit. Unless all competitors operate under the same rules, it cannot be stopped.

Efforts have been made for more than a decade to end the practice through appealing to the American Horse Shows Association and through focusing hard-hitting publicity on the extreme pain inflicted on show walking horses. These efforts have not reduced the sum total of soring. Rather, it appears that during the past decade, the practice has intensified and new methods of soring have been developed to avoid the most obvious and easily detected sign—bleeding sores on the pastern area.

Fine sentiments are often expressed by those in the walking horse business to the effect that they will "clean up," or are cleaning up or have cleaned up. There is only one reason for such statements. They desire to avoid legislation that would effectively prohibit soring. On behalf of the Animal Welfare Institute, I earnestly request this distinguished Subcommittee to give a favorable report to S. 2543, passed by the Senate last year, approved by Secretary of Agriculture following careful scrutiny of the proposal and examination of the situation in the States, including consultation with the State Commissioners of Agriculture. The measure has received thorough study. There should be no delay in enacting it into law.

Unless the United States outlaws this barbarity it will continue to flourish, as has been demonstrated by the long struggle to stop soring without a federal law. Here in the District of Columbia the sorers go as far as they can each year at the International Horse Show. In a statement to the Senate Committee last year I detailed four consecutive years of efforts in which I was personally involved to prevent sore horses from appearing in the ring—each time frustrated by the broken promises of different members of the Show Committee. A copy of this statement is submitted for reference.¹

Last year, for the first time, the Washington Humane Society, chartered by Congress for the purpose of enforcing the Anti-Cruelty Code of the District of Columbia, requested help from the U.S. Attorney's Office. An Assistant U.S. Attorney called a meeting between representatives of the Washington Humane Society and the Washington International Horse Show. As a result of this meeting a warning announcement was issued to owners of walking horses who were scheduled to show their animals. A copy is attached.

An Assistant U.S. Attorney and two veterinarians of the U.S. Department of Agriculture, assisting him at his request, were present at all of the walking horse classes. The veterinarians examined the feet of the horses before they entered the ring. Unfortunately a legal technicality prevented their examining the horses after the performance though it had been expected that, wherever it was deemed necessary, they could do this.

Even this one-time inspection, inadequate though such a system is to eliminate soring, had a remarkable effect on the cancellation of showing of individual horses listed. On the first day 22 horses out of 52 scheduled to appear were "scratched". These horses, by dropping out, did not have to be examined by the U.S.D.A. veterinarians. They were trucked away without being viewed by any skilled, objective eyes.

¹ See statement of Christine Stevens, President, Animal Welfare Institute, pp. 101-108, hearings before the U.S. Senate Commerce Committee, Subcommittee on Energy, National Resources, and Environment, Serial No. 91-27, entitled "Horse Protection Act of 1969."

A Park Police horse van, parked outside the Armory, was visible proof that the U.S. Attorney's Office was prepared to impound any horse brought to the ring to be worked in a sore condition. However, the only law that could be invoked was the general anticruelty statute. Forewarned by the letter announcing inspection, owners did not risk soring horse just before this show at least by means which could cause bleeding. The bleeding feet at the Shelbyville Celebration held a month earlier were documented by photographs taken in the ring of the champion and the runners up. The photograph of the champion's feet appeared in *The Nashville Tennessean*. In Shelbyville, however, no U.S. Attorney, nor U.S.D.A. veterinarian could examine the horses, nor would they have had jurisdiction to act against the soring had they been there. Until S. 2543 is passed by the United States House of Representatives and signed by the President, the horses remain at the mercy of the exhibitors.

Only a minority who have a vested interest in soring oppose the legislation. Once it is passed they will have the alternatives of leaving the industry or adopting the humane training methods traditionally used until about 20 years ago when the oil of mustard to burn and the chains to beat on the burning flesh were introduced as a short-cut substitute for genuine breeding and training. It is the clear duty of our country to end this shameful abuse.

WASHINGTON INTERNATIONAL HORSE SHOW ASSOCIATION, LTD.,
Washington, D.C., October 20, 1969.

NOTICE TO EXHIBITORS IN WALKING HORSE DIVISION

There is attached a copy of a letter from the United States Attorney for the District of Columbia dated October 20, 1969 which is self-explanatory.

Pursuant to conferences with the United States Attorney's Office the following inspection procedures have been determined to avoid having any sore horses appear in the Walking Horse Division:

1. The United States Attorney will call upon the Director of Animal Health of the United States Department of Agriculture to nominate a veterinarian to inspect all walking horses in stabling areas together with the two Show Veterinarians, the Show Steward and Assistant United States Attorney John Clarke, and it is agreed that inspections of walking horses will be conducted by this team only, and no one else. A finding by any one veterinarian that a horse is "presently sored" will be sufficient for disqualification from the Show and possible prosecution.

2. A second inspection will be held at the in-gate within ten (10) minutes of the commencement of each class, in accordance with Rule XXXIII, American Horse Show Association, and any violations found in that inspection will be similarly dealt with.

3. Walking horses will be carefully observed during the performance of their class and any horse whose gate indicates possible present soring will be inspected immediately after the class. Any violations found in that inspection will be similarly dealt with.

The WIHS has been assured that the purpose of the above inspections is to prevent "presently sored" horses from appearing, and not to eliminate horses foaled before January 1, 1965 solely because of scars from the past. It is believed that the procedures above will prevent showing of any sored horses at this year's Washington International Horse Show and it was deemed appropriate that all Walking Horse Exhibitors be informed beforehand of the inspection procedures to be used.

We look forward to seeing you at the Show and we are confident that all sound Walking Horses will be fairly treated and properly judged.

Very truly yours,

AUSTIN H. KIPLINGER,
President.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE U.S. ATTORNEY,
Washington, D.C., October 20, 1969.

Mr. AUSTIN KIPLINGER, President
Washington International Horse Show,
Washington, D.C.

DEAR MR. KIPLINGER: We wish to inform you that this office and/or its representative will be present at the forthcoming Horse Show to be certain that there are no violations of the District of Columbia Code provisions pertaining to cruelty to animals. As you know, D.C. Code § 22-801 provides that whoever "tortures, tormented . . . or causes or procures to be tortured, tormented . . . any animal, and whoever, having the charge or custody of any animal, either as owner or otherwise, inflicts unnecessary cruelty upon the same . . ." shall be subject to a fine of up to two hundred and fifty dollars and or imprisonment of up to one year. That statutory provision would cover any soring of a horse in the District or forcing a sored horse to perform while still suffering from a recent soring. Therefore, if any horse is forced to perform in a painful, sored condition the rider and owner may be subject to arrest and the animal impounded. Also, if any horse is found to be presently sored, the owner and trainer may be subject to arrest and the horse impounded.

We would appreciate your cooperation in establishing inspection procedures.
Sincerely,

THOMAS A. FLANNERY, *U.S. Attorney.*

By: CHARLES R. WORK, *Deputy Chief, Court of General Sessions.*

Mr. JARMAN. We will be certainly glad to receive the statements in the record. We know of your long-time efforts on behalf of humane treatment of animals and the attention you are giving them and the benefit of your views on the subject.

Mrs. STEVENS. Thank you.

Mr. JARMAN. Mr. Hastings.

Mr. HASTINGS. Are you aware of what the law is in your State of New York in relation to this problem?

Mrs. STEVENS. No, I am not aware of it. I do not think there is a State law in New York State. But there are in a number of States, and they just have not been enforced.

Incidentally, the Secretary of Agriculture sent out a letter to every commissioner of agriculture because like you, his view was that this should be done by the States if possible. The result of the survey was it could not, and really was not capable of being done by the States.

Mr. HASTINGS. But to your knowledge, New York does not have a law?

Mrs. STEVENS. I do not think it does. But there are walking horse stables there. Really, to be fair to everybody, you see, the good trainers, the good owners, you must have an enforced standard; otherwise, the thing gets worse and worse. As Mr. Urquhart, that very experienced trainer, stated in his prepared statement, if anything, it is worse now than it was a year ago.

Mr. HASTINGS. I have just been advised New York has a statute, but not very well enforced.

Thank you very much.

Mr. JARMAN. Mr. Kyros.

Mr. KYROS. I would certainly like to welcome you to the committee.

On page 2 of your testimony you cite the instance where at the Washington International Horse Show there was some warning that sored horses would appear, and apparently you invoked the Anti-Cruelty Code of the District of Columbia. How did that come into effect? How could you use that law?

Mrs. STEVENS. What was finally done this last year—this was the first time—the U.S. attorney's office had a meeting with some of the directors of the Washington International Horse Show and a letter went out from him and then from the show to the people that were going to compete in these classes, warning them that the Department of Agriculture veterinarians and the U.S. attorney would see the horses.

At that time we understood it would be before and after each class. A legal technicality made that impossible, so this is one of the things that made it not 100 percent effective, but it certainly helped.

The anticruelty Law, in other words, could conceivably prevent soring, but it is very, very difficult for a general law of that kind to be invoked for a practice that is so widespread.

Mr. KYROS. Do you think that a Federal law applying to those horses moving in interstate commerce would be sufficient to take care of intrastate shows? Are the horses always shown interstate?

Mrs. STEVENS. There is a very large amount of interstate showing. A good comparison would be the Federal Humane Slaughter Act which has had a tremendous effect. Once the Federal Government acts, it is easier to pass State laws; and State laws—if there is a Federal law that is being enforced—will become far easier to enforce. I think the effect will be powerful.

Mr. KYROS. On behalf of the Animal Welfare Institute, have you had occasion to deal with the Tennessee Walker Breeders' Association or Trainers Association, and discuss cooperative methods without legislation in which they would see that the soring is not done?

Mrs. STEVENS. I have never had a roundtable discussion with them. However, we constantly receive information that the associations are going to take care of it. But they never do. In other words, we have tried, certainly I have tried, personally, to cooperate with the Washington International Horse Show, without success, and that is just one step away from the trainers and breeders' associations. They issue statements saying they are going to take care of it, but nothing changes.

Mr. KYROS. I do not want to lead you astray. I think animals, for most of our people and because of the influence of people such as you, have such an emotional appeal that we all must be up here to protect them. For example, there are the little baby seals in the sea.

I was down in Maine recently with some lobstermen. I asked what laws we have to protect the seals in Maine's harbors. They said, "Protect them, heck, they are the most vicious animals and they will nip at you if you catch them in your nets."

The lobstermen have a different view of them.

I want to make sure that in a cooperative and nonlegislative manner, this soring of horses, which certainly seems to be an incredible and cruel practice, could not be avoided.

Mrs. STEVENS. When I first started working on this, about 10 years ago, I thought, of course, this could be done. We have written to the American Horse Show Association over and over again. I personally attempted, year after year, to work with the Washington International Horse Show. There are constant press releases saying that things are getting better. But nothing happens. There just can be no question Federal legislation is the only possible way of getting rid of literal torture.

Mr. KYROS. You state that once this law is passed, the industry will have an alternative, and will have a humane training method of training these horses.

Is that other method humane, as far as you know?

Mrs. STEVENS. That is my understanding, that they would fall within the category of normal horse training methods. Maybe horses do not want to be trained at all, but that is getting into a very fine point that we are not discussing. We are discussing actual torture that goes on throughout the entire life of the show walking horses, repeatedly, over and over again, making the feet so sore they have to stand on their back feet to the greatest possible extent.

Mr. KYROS. Thank you, Mrs. Stevens. It is nice to see you again before the committee.

Thank you, Mr. Chairman.

Mr. JARMAN. Mr. Preyer.

Mr. PREYER. Thank you, Mrs. Stevens, for a very good statement. I have no questions, Mr. Chairman.

Mr. McCANDLESS. Mr. Chairman, I wonder if it might be possible to make a comment which might answer Congressman Kyros' question of a couple of times.

If this bill is enacted, if there is one horse that has been moved in interstate commerce, then it will affect the whole show.

And since the industry is so large, the small intrastate shows would soon dry up, without the interstate movement.

Mr. KYROS. Let me ask you this question: What will we do with the horses which have already been sore to be shown, trained to do this Tennessee walk, so-called, by soring? What will you do to those horses? Turn them out to pasture?

Mr. McCANDLESS. Hopefully, they could be put out to pasture, so that they could live out their lives for once in a peaceful, normal, untortured way.

Mr. KYROS. What would happen as a practical result, however? Do you know?

Mr. McCANDLESS. I would think that the industry that is here to testify will tell you that it would dry up the whole industry. We think that those trainers who will train the horses as you would normally train any animal, without torture, that there is room for such an industry. What will happen to those that have been already tortured and sore, we would just hope that they would come to a peaceful end.

You know, it has been said that the degree of civilization that a society reaches is best judged by how they treat their animals. We hope that through this legislation the world can see that the United States has reached a degree of civilization that we have not shown in this area.

Mr. KYROS. The horse has been forced into its walk by soring. Once that is done, it is trained that way. Can the horse then proceed to continue the Tennessee walk without continually being sore or treated with chemicals, or those weights?

Mr. McCANDLESS. I think that question Judge Kirby could better answer, and I think he said that he noticed 15 points difference after a horse had its boots removed. So I would think a horse that has been already sore could continue to be utilized as a Tennessee walking show horse. It probably would not have the enthusiasm it had under torture.

Mr. KYROS. Thank you.

Thank you, Mr. Chairman.

Mr. JARMAN. A number of the champion horses that have been sored that are retired from competition because of the necessity of crossing of State lines on this bill, could they be retired to stud?

Mr. McCANDLESS. That certainly would be my judgment.

Mr. JARMAN. Our next witness is Mr. John Seigenthaler, editor, National Tennessean. My understanding is Mr. Seigenthaler is accompanied by Mr. Jack Corn, a photographer, and Mr. Wendell Rawls, a writer.

**STATEMENT OF WENDELL RAWLS, REPORTER, NASHVILLE
TENNESSEAN; ACCOMPANIED BY JACK CORN, PHOTOGRAPHER**

Mr. RAWLS. Mr. Chairman, and members of the committee.

My name is Wendell Rawls; I am a reporter for the Nashville Tennessean and am appearing here today with another member of the staff, Jack Corn. Our assignments over a period of a year have included specific interest in the walking horse industry and its problems.

Mr. Seigenthaler, editor, was unavoidably detained late last night in Nashville and regrets he is unable to make a statement before this committee personally. A copy of his statement is included as a part of our presentation, and we would ask to make it our testimony.

Articles and photographs concerning these problems, which are numerous, have appeared in the Tennessean over the past year.

A series of articles written by myself accompanied by graphic photographs taken by Mr. Corn were published in our paper just a year ago and later these appeared in a booklet entitled "The Shocking Plight of the Tennessee Walking Horse."

I would like to make these articles and this booklet an exhibit to our testimony. The booklet also contains editorials published by our newspaper condemning the evils disclosed in the news articles.

We have brought with us some black and white photographs and some color slides which we would like to make available to you in support of this testimony.

Of particular interest to the committee, I think, are those parts of the articles dealing with the subject of the so-called practice of "soring" walking horses, and slides and photographs by Mr. Corn and another staff photographer, Mr. Jimmy Ellis, which document the soring, which in a real sense is a form of cruelty to these animals.

The committee should be aware we have based our knowledge of this industry upon long and extensive personal investigations. We have talked with hundreds of people in the industry—breeders, trainers, owners, riders, professional and amateur, from some 14 States. We have visited dozens of horse shows.

Our initial series of articles was published a year ago at the time of the national celebration in Shelbyville. This series was not designed to attack the celebration, but to provide those thousands of persons who come to Tennessee each year during one particular week with the benefit of the information our staff members had gathered.

This year we were again on the scene. Again we viewed the celebration as critical newsmen interested in fairly reporting the facts. We are happy to note that during a year of intensive scrutiny, while Federal legislation has been seriously considered, there have been some

improvements in the industry. The problems still exist. The evil of soring still exists.

When we appeared before the Senate committee a year ago, we offered the opinion that the situation was so serious and the problems so long standing that Federal legislation was needed to correct abuses. At that time most people in the industry disagreed with that. Now, there is a changing attitude among some people in the industry.

Some are honestly trying to correct evils from within. Others acknowledge that only Federal legislation will save the industry.

There are strong laws on the books of Tennessee dealing with "soring" of walking horses. But they have not been adequate.

We reported only last week that most key figures in the industry acknowledge privately—and some publicly—that soring exists. For this reason we believe that Federal legislation is needed. It is needed now.

We believe it may be our only chance to stop the pernicious practice of soring and the only chance to save a breed of horses, not to mention a multimillion dollar industry, which has become national in scope and which has brought great credit to our State.

One year ago, we appeared before the Senate Subcommittee on Environment headed by Senator Joseph D. Tydings of Maryland and presented the findings of a 4-months' long investigation.

We concluded at that time:

1. That soring is the rule rather than the exception in the Tennessee walking horse industry.

2. That the exaggerated gait or stride produced by soring is in reality unnatural to the horse and a fraud.

3. That though clearly in violation of Tennessee law and the laws of other States, soring is a common practice among professional and amateur trainers.

4. That many of these trainers candidly admit they sore horses, saying it is necessary for them to compete and necessary for the continued growth in popularity of the breed.

5. That soring results in continuing pain for the animal throughout his life as a show horse. It causes raw and bleeding wounds which in time become hardened, grainy calluses that often disfigure the horse permanently, and in some cases result in permanent injury.

6. That soring has been a major contributor to the growth of other industry problems and it is considered by many to be the root of all its evils.

Over the course of the past year as Federal legislation has been considered in Congress, there have quite honestly been some changes.

After a 6-night investigation of this year's Walking Horse National Celebration, I made the following observations which were published in September 6, 1970, editions of our newspaper:

1. The evidence of soring, while still obvious, was less blatant. Fewer horses seemed to be under intense strain on entering the showing.

2. Trainers and judges appeared to be more cognizant of bleeding and more concerned about growing public awareness of bleeding. At least one trainer asked that his horse be excused, even though he was bleeding high on the foreleg, the result of a freak accident, not soring.

3. Many spectators felt the show was the cleanest since soring became a serious evil about 20 years ago.

In addition, the Tennessee Walking Horse Trainers Association suspended for 6 months the judging licenses of all three judges at the Columbia Spring Jubilee Horse Show April 5, because they were allowing horses to participate which appeared sore even to the untrained eye of the casual spectator.

Nevertheless, with all the claims of cleaner horses, a better public image and attempts at cleaning up the industry from within, the week-long observation also revealed that:

1. Soring is still practiced by almost every trainer in the industry, and such influential trainers as Wink Groover, trainer and rider of champion walking horse of the world Ace's Sensation, and Jack Moorman, president of the Trainers Association, candidly told me they still feel they must sore their horses in order to compete.

2. Whatever improvement has been made toward controlling the practice apparently comes from the fact that trainers take better care of the horses after the shows by applying soap and water, alcohol, blood coagulants, skin tougheners, styptic powders and grease or cream smears to the burned areas; or by using less of the chemical irritants they freely applied a year ago.

3. The trainers are becoming more expert at hiding the physical evidence of soring by more careful application of the irritants.

4. Judges at this year's celebration saw blood on the pastern areas of the horses, but many sore horses were not disqualified either because another judge did not see the bleeding (it requires two judges to disqualify), or because the judge that saw the blood did not act. Judges freely discussed the problem for the first time, even though some bleeding horses were awarded ribbons. In fact, a bleeding horse placed eighth in one class and the judge explained he thought it was "probably a new crack so I let it go."

Perhaps the most interesting development of the past year is the apparent change of feeling among some industry leaders from total opposition to Federal legislation to a preference for a Federal statute over State legislation.

There appear to be three schools of thought in the preference for Federal legislation:

1. Those who feel the \$100,000 annual appropriation called for in the Tydings bill will not be adequate to provide a searching investigation or result in stringent Federal enforcement.

2. Others who feel Federal legislation will provide them a valuable crutch to lean on as they try to strictly enforce antisoring rules at shows. They feel Federal legislation will shift the responsibility for enforcing the law from the show management to the Federal Government and will enhance the public image of the industry.

3. Still others feel Federal law enforcement over the industry is the only way to save the breed—by providing continuity of administration of the law.

There still are many who oppose Federal laws.

Most walking horse trainers contend that their treatment of horses is no less humane than the treatment of thoroughbreds, which are

forced to run long distances at breakneck speeds; or the practice of using horses in movies. It is no less humane, they say, than making a horse fall into a ditch, leap over barriers or through a flaming hoop.

These trainers maintain that horse owners want their high-priced hobby animals trained quickly and trained to win. "If I don't train them," they say, "some other trainer will." These trainers maintain that by using soring as a training aid, the job can be accomplished in 2 years. Without it the job could take 5 years or more.

Though there are numerous methods used to "sore" a horse, our investigation disclosed that soring is generally accomplished by the use of a chemical agent marketed as "Oil of Mustard" which is applied with an eyedropper in varying amounts depending on the need. It is easily accessible. This agent can be purchased at drug stores and walking horse supply centers, or from some veterinarians.

Application of oil of mustard blisters the leg, producing a tender area. In training, rollers or chains of varying weights are attached to the sensitive areas. This results in constant rubbing which produces a first raw and then bleeding sore. In the show ring the chain is replaced by a "boot" or covering just above the hoof which aggravates the sore in the same manner as chains, producing pain with each step. This boot also adds weight to the foot of the animal, in his natural desire to throw off the boot, lifts his foot high and thrusts it outward, thus producing a prancing gait commonly known as the "big lick." This constant discomfort of the forelegs tends to make the horse shift his weight to the hind legs. In the language of the industry, it makes him endeavor "walk like a man." Because of the manlike walk which is produced, soring agents are commonly referred to as "scootin' juice."

Most professional trainers maintain inhumanity results only in the lack of care after the soring agent is used. They maintain that if they wash wounds thoroughly, apply creams and blood-stopping agents, Freezone, dyes, smears and other agents they combat both pain and the visible results of soring. Most of them have become more callous to the practice of "soring" than the very calluses the practice produces. Those in the industry who talk about stopping soring completely are few. Horses with the "big lick" are their livelihood.

Of course, this subcommittee is primarily interested in the inhumane aspects of soring walking horses and this is also of deep concern to us. Our editorial position opposing soring is based primarily on this factor. However, in terms of the proposed legislation, it should not be ignored that the Tennessee walking horse is the heart of multi-million dollar industry. It has become a national symbol bearing the name of our State and the finest pleasure horse in the world.

In the walking horse industry, soring entails more than sore or unsound horses. Creation of this artificial gait has definite and long-range effects which threaten the purity of the breed, encourage fraudulent breeding practices and false registration of walking horses.

The value of a walking horse increases with its success in the shows, hundreds of which are held annually throughout this country. World champions, which are crowned each year in Shelbyville, are all valued in excess of \$100,000 at sometime during their lifetime. They produce many times this amount in stud fees and are still in demand as sires 10 or 15 years after winning the championship. Stud fees range from \$50

to \$400 and sale prices of \$1,500 for a new born colt sired by a champion are not uncommon. Many new owners of these young horses expect them to become natural walking horse potential champions. If the sire won his title with a gait produced by soring, it is likely that the colt will have to be sored to produce a similar prize-winning stride.

The number of colts reportedly sired by price-winning horses is phenomenal. The owner of the late great stallion, Merry-Go-Boy, twice a world champion, recently testified in a California lawsuit that in 1963—at the age 19—Merry-Go-Boy was bred to 403 mares. This was 3 years before the Tennessee Walking Horse Breeders and Exhibitors Association, the industry's controlling body, authorized the practice of artificial breeding.

The owner of Go Boy's Royal Heir, the celebration champion in 1968, recently said that the stallion had already been bred to "about 500 mares in 1969." The chief aim is to produce foal and many breeders give little or no thought to selective breeding. As a result, natural walking horses are bred to inferior or sore ones and the purity of the breed suffers.

The monetary value of a colt with an impressive pedigree, regardless of whether its parents were natural or sore champions, is such that walking horse registration papers have become more valuable than the horse. Our investigation disclosed several instances of fraudulent registrations filed with the Walking Horse Breeders Association.

The value of prize horses puts a premium on training horses fast to win ribbons. It puts the horse at the mercy of the trainer who wants to produce a champion for an owner.

The end result, then, is that in most cases the value of a walking horse can be increased through soring—cruel and inhumane treatment.

Tennessee law, section 39-420, expressly makes the soring of a horse for exhibition a misdemeanor and applies to owners, trainers and exhibitors alike. A companion statute also makes it a misdemeanor for the ringmaster or the horse show management to fail to report violators to law enforcement officials. Despite this, none of the countless people in the walking horse business interviewed in our investigation could remember the law ever being enforced.

The pressure on judges to ignore sore horses is not limited to Tennessee. William Tune of Shelbyville, Tenn., president of the Walking Horse Celebration, says that while serving as steward at an Alabama show in 1969, he disqualified about half the entries in each of the first two classes. When asked by the show's management to overlook such violations, Mr. Tune refused, saying he would carry out his responsibilities as long as he was steward. Tune was replaced immediately and the show continued, presumably with sore horses.

In at least eight shows in Tennessee at which Tennessean observers were present, sore horses were allowed to participate without fear of disqualification. At seven shows, those at Belfast, Wartrace, Lawrenceburg, Goodlettsville, Madison, Tullahoma and an earlier show at Shelbyville, no inspections for soring were held. The reason given by some officials was that inspections were focusing attention on the problem of soring and that without these inspections the thought would not plague the minds of spectators.

At the opening of the past two celebrations at Shelbyville, Mr. Tune issued a statement that sore horses would not be tolerated and early

in the week each year several were disqualified. But as we observed sore horses were the rule at this year's world championship in Shelbyville. As you will see later in the slides and pictures accompanying this statement, virtually all finalists in an entire class on the last night of the 1969 celebration show some evidence of soring. There is the slide of the 1969 national champion. His trainer says the sores on his legs came from acid being thrown on the animal by a rival trainer the year before.

Many spectators question at these shows expressed concern about the showing of unsound horses. Some, of course, were unaware of the problem. Others turned their heads.

Despite its shortcomings, the Nashville Tennessean is proud of the Tennessee walking horse industry and wants it to thrive in an atmosphere free of suspicion. Like the representatives of the industry, the Tennessean would prefer to see regulations and control come from within the industry. But stronger State laws or enforcement of the present ones is not forthcoming. And certainly we have found no evidence that the industry will halt soring itself. This is why we support fully the walking horse protection bill, as legislation vital to the health of the industry. Our efforts to improve the plight of the Tennessee walking horse will continue, in hopes that further State or Federal regulation is in the making.

Thank you.

("The Shocking Plight of the Tennessee Walking Horse," referred to, follows:)

THE SHOCKING PLIGHT OF THE TENNESSEE WALKING HORSE

BY WENDELL RAWLS, JR.

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Horsemen Told Revise Industry Or It Will Die

By WENDELL RAWLS JR.

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The president of the Walking Horse Trainers Association has called on its members to clean up the industry or watch it die.

In a July 31 letter, Vic Thompson of Shelbyville wrote association members:

"I'M BEGGING YOU . . . think about this or we'll all be out of business . . . The general public is fed up with all the inspections, changing rules, sore horses and generally the conduct of walking horse people."

Thompson was expressing concern about a great industry, centered in Tennessee, that glitters on the surface but which is being dulled from within by rumor, suspicion and internal conflict.

● First of a Series.

In the last two months, THE NASHVILLE TENNESSEAN has taken a close look at the walking horse industry. This scrutiny disclosed:

- Numerous instances of fraudulent registration of horses.
 - Lack of control of artificial insemination which has raised grave questions about the purity of the breed.
 - That soring of show horses is a common practice among owners and trainers.
 - Charges of irregular judging practices which have prompted some trainers and owners not to compete in Tennessee shows.
 - Charges that control of the Tennessee Walking Horse Breeders and Exhibitors Association is maintained by a small group for their own personal gain.
- Thompson, considered one of the top trainers in the business, is now training and showing 40 horses and is one of the few men willing to speak openly and candidly about the industry which provides his livelihood.

But Thompson's concern about the present status of the business and its future is shared by many.

JAMES BLACKWELL, executive secretary of the American Horse Show Association, says flatly that Tennessee's walking horse people "are doing very well in destroying the walking horse industry."

A Pennsylvania owner-trainer, Charles Mullins,

said in a recent letter to Thompson that "dishonesty" in the walking horse industry will always prevent it from being "a clean sport" for the owner and good profession for the trainer.

California trainer Bud Franklin has such disdain for the way the business is run in Tennessee he refuses to compete in the state.

THESE MEN HAVE just cause for concern. In the last decade the industry has been beset with problems and internal strife, most of which was invited.

In 1966, a California horse breeder won a lawsuit he had filed against the Tennessee Walking Horse Breeders and Exhibitors Association of America, an organization that serves as the heart of the industry.

In ruling in the case, Judge Jesse W. Curtis of the Central California District Court made some startling disclosures:

The breeders association, he said, is guilty of "restraint of trade and acts of monopolization, boycott violations of the Sherman Act, and illegal activity motivated by the selfish, personal interest of certain officers and directors."

IN THE MIDDLE of that lawsuit, prominent Nashville Atty. Clarence Evans resigned as lawyer for the breeders association.

Says Evans of that action: "I was put in the position of having to defend something that should not and could not be defended."

The breeder who filed the powerful member of its board of directors. Attorneys for a California breeder sued, taking depositions in regard to that case.

Fulton, of Chapel Hill, was a principal witness in the first lawsuit. Shortly after the trial he was fired, though he had eight years on the job and a high employment record.

Fulton and the association are about to go to court in an effort to settle that dispute. In recent months, a Collier, Tenn. owner and breeder, charging the industry had written and verbal attacks on current industry practices.

McCLUNE NOT satisfied with the verdict, has filed a similar suit against W. Beech, Jr., a Belfast, Tenn. breeder who was then president of the breeders association and is presently a

"I resent it when a man buys a mare from me and sells a picked up colt with her and says the colt is by my stud," he said. "Especially when I know the mare was bred by a Tennessee breeder. They do not want anyone but Middle Tennessee folks to succeed in this business, but they'll take money from anyone anywhere."

The organization catching most of the criticism, the Tennessee Walking Horse Breeders and Exhibitors Association, was chartered 34 years ago with headquarters in Lewisburg "to collect, record and preserve the pedigrees of the strain of horses known as the Tennessee Walking Horse."

The breeders' association lists more than 800 members and registers more than 5,000 horses each year.

BOTH THE charter and a by-law stipulate that the association will maintain and publish a register called the Stud Book of the Tennessee Walking Horse.

The last of those publications was in 1947. The American Horse Show Association officials, is another who complains that the walking horse industry is hard to deal with.

"Those folks look you right in the eye to tell you they will do one thing, and then turn right around and do something else."

HIS EFFORTS, he says to place the walking horse classes in more sanctioned AHSAs shows is failing. One of the problems, he said, is the breeders' insistence in using a 2-inch boot, the protective covering around the front ankles, while the AHSAs require 3-inch boots.

He says, "The breeders' desire to inspect horses

pressure on the walking horse industry is squarely on sorting, and with the introduction of a bill in the U.S. Senate, has reacted to the problem of sorting by proposing a new national concern and intervention, as Thompson anticipated.

SEN. JOSEPH D. TYDINGS, D-Md., has introduced a bill designed to eliminate the sorting of horses by prohibiting interstate shipment of their horses until they have been exhibited for show purposes. Hearings on the bill have been scheduled next month.

Similar legislation has been introduced into the House of Representatives by REP. RICHARD M. ROBERTS, R-N.Y.

New legislation to control the walking horse industry might prove effective, at least concerning the sorting of horses.

Tennessee laws on the same thing have not been.

ALREADY ON state law books are statutes that provide one to three years prison terms and a \$1,000 fine for the fraudulent registration of horses.

The sorting of horses a mistake in the eyes of the industry means and is punishable by fine and imprisonment; a law making it a misdemeanor for show officials not reporting exhibitors who show sore horses; a law for horse owners who let their trainer demonstrate for horse owners or exhibitors, ringmasters and show managers not to display in a class and win on a horse that is so sore he quality and report persons doesn't want to move and then kick out a lesser-known trainer for the same reason.

THOMPSON SAYS: "He's exhibiting a horse who is in the list of complaints about Tennessee's walking horse industry."

The list of Tennessee laws on walking horses is long and steadily similar to the list of complaints about Tennessee's walking horse industry.

bility for excusing horses which are not in proper condition . . . If we do not clean up our own industry, we can expect to have to clean up humane societies do it for us."

FRANKLIN, the California trainer, says flatly he will never bring a horse to Tennessee because he does not want to be accused of selling sore horses and could not afford the expense.

"It is not worth the expense to take horses there when those people do not abide by the same rules we live with," he said.

Franklin who trains for the California Walking Horse Club, says McCleure would not allow a horse to be sorted. A check of every horse in the McCleure stable found only one horse with even as much as a tear in its skin.

The 19-year-old stallion McCleure purchased in Tennessee.

Many other trainers take the same position.

"UNTIL SOMETHING is done about the dishonesty we will never have a clean sport for the owner and a good profession for the trainer who knows how to train a horse and not just pour a bottle of medicine down its throat," says Mullins, the Pennsylvania horseman.

A judge has recently let a trainer demonstrate for horse owners or exhibitors, ringmasters and show managers not to display in a class and win on a horse that is so sore he quality and report persons doesn't want to move and then kick out a lesser-known trainer for the same reason.

THOMPSON SAYS: "He's exhibiting a horse who is in the list of complaints about Tennessee's walking horse industry."



Walking Horse Trainer Vic Thompson of Shelbyville
"If we don't clean up the industry . . . someone else will"

of the horse and ties according to who owns the animal or who is training or riding the horse," said Hicks. "One only has to mingle among the trainers to determine who is going to win with what horse."

HICKS BELIEVES these alleged practices have created a backwash of disappointment toward certain segments of the industry. "The image of the walking horse is that the judge in the ring often ignores the performance

outside the show ring, outside the public view. Blackwell says he's heard rumblings that some shows outside Tennessee are considering dropping what they call the "Tennessee" in the general conduct of the industry.

Thompson warned of this in his letter to members of the trainers association, mentioning specifically the Illinois, Indiana and Kentucky shows. However, no such action has been taken.

"We are going to have to do something about our boot rule, judging and several other things . . . We are bringing this all (public criticism) on ourselves. We are going to show starts to determine who is going to win with what horse."

Each of us must put joint effort into cleaning up the industry. The industry will never come until every segment of the industry agrees or is forced to.

The focus of any public

Merry Minnie Just Wouldn't Stay 'Dead'

By WENDELL RAWLS JR.
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Merry Minnie was a highly unpredictable walking horse.

In January, 1967, her Texas owner, Robert Berry, had her tested by a doctor to determine if she was in foal. The results—negative, not in foal.

But S. W. Beech Jr., a recognized expert judge of horseflesh from Belfast, Tenn., saw her, concluded she was indeed in foal, and bought her from Berry for \$200.

SEVEN MONTHS later, true to Beech's judgment, Merry Minnie foaled twins, much to the dismay of former owner Berry and the doctor, Lloyd Smith of Vidon, Texas, owner of the stallion to which Merry Minnie had been bred.

Naturally, the misjudgment of Berry and Smith subjected them to the jibes of the walking horse set

at Lewisburg which verified that the entry.

WHEN HE returned later to the association offices in the company of two others, Berry testified, he was told that the papers had been misfiled and could not be found.

Merry Minnie and her colt were never seen scratched together. They never scratched

Beech, president of the breeders association, testified during the lawsuit hearing in 1966 that Merry Minnie had not died in 1967 as Berry alleged. Instead, he said, she died two or three years before that.

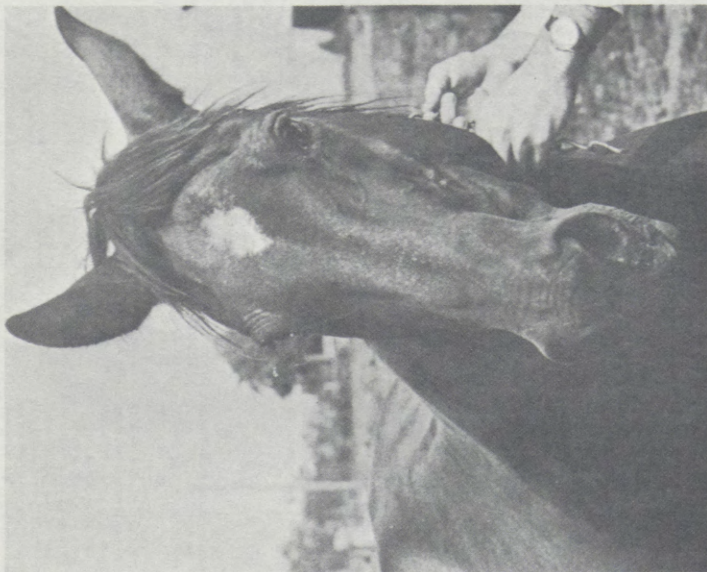
Beech said he did not remember if Merry Minnie had been entered in the 1964 futurity, or even if he had a mare named Merry Minnie in his barn in 1964.

ASKED ABOUT the incident last week, Beech said he did not remember Merry Minnie and that she had not died after the twins were foaled but three or four years later. He denied making an autopsy and blood tests performed on Merry Minnie.

The reason Merry Minnie was not there when Berry came to buy the colts, Beech said, was because "she was out in the field somewhere. He denied buying Berry the mare."

The strange case of Merry Minnie first came to light during a federal court hearing of a suit brought by a California owner against the Tennessee Walking Horse Breeders and Exhibitors Association.

It is one of several cited



Midnight Lena, a registered Tennessee walking horse, is owned by Jack Short of Shelbyville, who says he bought the animal in 1968.

by members of the walking horse community who complain that registration papers on a Tennessee Walking Horse may not mean he's a purebred.

ANOTHER IS the case of Midnight Lena, a registered mare who belonged to B. C. Baker's. Baker said that in 1959 fire swept through his horse barn, killing Midnight Lena. Joe Urquhart, a Columbia trainer, remembers working as an appraiser for the loss of Midnight Lena. A RECENT check by Ur-

quhart at the Tennessee Walking Horse Breeders and Exhibitors Association disclosed that Midnight Lena and her registration number are in fact "false and well" and owned by the late Charles Payne, director of the Walking Horse Trainers Association.



S. W. Beech Jr.,
Good Judge of horses

"Did you know Midnight Lena was destroyed by fire?" Short was asked.

"You're kidding," said Short. "She is out at Stallion Stables. Paid \$1,000 for her and another mare a couple of years ago."

According to Unghart and Baker, it is no doubt that Midnight Lena is dead and that Short is simply a victim of believing everything he saw on the pedigree.

Baker says he has no knowledge how the registration was transferred.

SHORT produced ownership papers showing the horse now registered as Midnight Lena passed through four owners before he bought her.

"I'm not surprised," said Short. "You can get papers on almost anything."
Magnum Magnuson, a

Pulaski trainer, tells a bizarre story that lends considerable weight to Short's statement.

Magnuson, who operates a horse auction, says one Tennessee trader, Charles Payne, ran a "draft horse" through his auction in October 1965.

Let Us Hear

This is the second in a series of reports based on a two-month investigation of the horse industry in NASHVILLE, TENNESSEE.

Anyone having information about irregular industry practices should contact TENNESSEAN sports-writer Wendell Rawls, Jr., at the Nashville office of the Tennessee Walking Horse National Celebration at Shelbyville.

Carl Hobbs, Southern Pines, N.C., bought it as a three-year-old walking mare.

"BY APRIL, she was very big," said Hobbs. "She had big feet and a very long head just like a percheron."

Hobbs called Magnuson to tell him that he had the papers he had did not go with the horse he had bought. Magnuson called Payne and asked him about the papers, then advised him to buy the horse back from Hobbs.

Payne said the papers he transferred to Hobbs were the ones the mare had when he bought her, and that there must have been some mixup.

Payne reimbursed Hobbs the sale price of the walking horse, about \$109. Hobbs' attempt to sell the horse through the winter.

IT WAS ONLY after registration papers were received on 30 to 40 mares for one owner one day in 1965 that the rules of the breeders association were changed to say that no horse could be registered after the horse was two-year-old.



Tennessee Walking Horse Breeders' Association of America

CERTIFICATE OF REGISTRATION

DUPLICATE

This is to Certify that the MARE named MIDNIGHT LENA

is duly registered on the Stud Book of the Tennessee Walking Horse Breeders' Association of America

by Allan F-1
Blair Allen F-38
Gertrude F-84
Allan F-1
Belle
Hunter's Allen F-10
Pete McCrady 001813
Bell Buckle
Daisy Mc
Allan F-1
Gertrude F-84
Allan F-1
Roll Pentecost F-3
Ross Allen F-38
Carter's Mollie
Giovanni 310291
Lena, 2nd
et aliam

Owner: B. C. Baker
Centerville, Tenn.
D. C. Baker
Centerville, Tenn.

Line: Midsouth, Tenn.
Reg. No. 410751

Name: MIDNIGHT LENA
Breed of Year Entry

Date: Walker's Merry Len
Reg. No. 410945

Sire: Red Bay
Middie

Blair Allen F-38
Birnie Messick F-80
Dennis's Allen 381007
Dana 310681
Ross Allen F-38
Merry Lena F-4
Allen Dec 391010
Lena, 3rd 002070
Lena, 2nd

Blair Allen F-1
Gertrude F-84
Allan F-1
Roll Pentecost F-3
Ross Allen F-38
Carter's Mollie
Giovanni 310291
Lena, 2nd
et aliam

Given under my hand and seal at Louisville, Tennessee,
this 1st day of October, A. D. 1957

Secretary

Midnight Lena's registration certificate. Her former owner, B. C. Baker of Centerville, says she burned to death in his barn in 1959, and that he doesn't know how the registration was transferred.

Magnuson says that the man papers on the mares and all and a fine of up to \$1,000 who willfully register or attempt to register, "forever be barred from registering any pedigree animal."

Article 14 of the bylaws of the breeders association says that "any person or persons canceled after the horse was two-year-old."

"We recognize that the registrations have been tampered with in so many cases they do not mean anything," says George Lenox, president of the National Walking Horse Celebration, Inc., the organizer of the show. "If a horse is not a walking horse and can walk better than the walkers, I guess he deserves to win." George Lenox, a Colterville



Joe Urquhart

Rec'd's Lena's death

If either the law or the bylaw is enforced, it has escaped the memory of knowledgeable industry sources.

QUESTIONABLE registrations are so frequent that the National Walking Horse Celebration does not require that an entry be a registered walking horse.

owner, says: "A man could get a mule registered as a walking horse if he knew the steps to follow. The only horses you can be completely sure about are the ones you breed yourself, but even then you never know what went on in the ancestry of either the mare or the stud."

ALARMINGLY, few people in the industry appear to be concerned about the fact that their horses might not be purebreds.

"The trouble comes," said Vic Thompson, president of the National Horse Trainers Association and past winner of "Horseman of the Year" in the industry, "when the man who has been cheated will not expose the fraud because to do so is to voluntarily lower the value of the fraudulently registered horse."

With the industry's eyes shut, the falsely registered horse is just as valuable as a true walking horse with equal ability. Many times the bilked owner sells his 'walking horse' as soon as he can so as not to take a serious financial loss.



Jack Short
'I'm not surprised'



Doubt Arises On Artificial Breeding Use

By WENDELL RAWLS JR.

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Although already rife with problems about fraudulent registrations, Tennessee Walking Horse breeders decided in 1966 to approve artificial insemination — a practice which raises even more questions about the purity of the breed. However, the practice could be controlled and supervised, they felt, if it could be strictly controlled by the industry. If not, it could destroy it, producing an overpopulation of inferior walking horses.

JOE URQUHART, a Columbia, Tenn., trainer and seller of walking horses, contends current practices heighten the possibility of fraudulent registrations, because of the presence of a few unethical breeders.

"The possibility exists for substituting the semen of one horse for that of another," he says. "Who can tell the difference if both, and the color is the same color and the colt is that color."

Harlin Hayes, manager of Harlindale Farms in Franklin where the great Midnight Sun stood at stud, says that top horses are bringing more money than ever, but adds:

"Breeders are losing money on the average walking horses because there are a lot more of them and not as many people wanting to buy."

ONE OF THE LEADING opponents of artificial insemination was John Amos, who until his death in 1966 was the most powerful force in the Tennessee Walking Horse Breeders and Exhibitors Association of America.

His chief concern was that artificial insemination would be difficult to control and that the demand for the bloodline of a particular world champion stallion could lead to an overpopulation of one strain.

Amos testified in a California lawsuit shortly before his death that artificial insemination and breeding were the chief taints on the industry.

"It was not until after Amos' death that the breeders' association, the heart of the walking horse industry, put its official stamp of approval on the practice."

BUT THERE are those in the industry who say artificial insemination was widely used long before the association's action.

George Lenox, a Collierville, Tenn. breeder, openly advertised his practice of artificial breeding even before the association was formed.

Hayes, the Franklin stable manager, says: "I bred an artificially bred colt in 1947 and we continued until his death in 1965."

Hayes said the association did not enforce any other rules so Harlindale Farms just "went about its business," "with 700 or so mares," each season.

LEONX, LIKE several other breeders, contends artificial insemination is good for two reasons:

"First, it is the surest way to deal. Second, it cuts down on the chances of infections in the mare."

But, he is quick to point out, its use must be accompanied by strict selectivity of mares. His principal stud, 1964 grand

They point to its successful use in the strain of thoroughbred race horses where it has been a practice for many years.

An average thoroughbred stallion breeds an average of 30 mares each season. Some breeders demand a fee in excess of \$20,000.

THE NUMBER of breedings by a top walking horse stud range from the 150 to 200 by Carbon Copy to the 403 by Merry Go. And the average Walking Horse stud fee ranges from \$50 to \$400.

Dr. Dewitt Owen, a Franklin veterinarian, testified in a California lawsuit in 1966 that the artificial breeding of horses was February through September.

HE SAID that the hypothetical optimum for natural coverages by a stallion during that period would be about 165.

but adds:

"HOW AM I going to turn down a friend if he has a \$100 mare and wants to breed her to one of my stallions?"

But said five black stallions are available for breeding year round, though some stables close their breeding season as early as Aug. 1.

The Belfast breeder was the only one quoted who disclosed the number of mares bred at his stables this year.

"That's nobody's business," he said flatly. "We've had a good year."

A STABLE hand at Beech's Belfast stable said, however, that 20 to 30 mares a day are bred by Beech's five stallions.

According to testimony by Merry Go Boy, the world champion, Merry Go Boy was bred 403 times in 1963 — when artificial insemination was against the rules. He was 19 years old at the time.

Beech says of the exceptional number of "natural coverages," "That's just a little more than one a day."

Most industry spokesmen who were asked about the use of artificial insemination say self-imposed controls by the breeders are the answer to the problem.

● Third in a series

Walking Horse Soring an Art—But Strictly Illegal

By WENDELL RAVELS JR.
is a violation of the law.
(Copyright 1919 by The
The MAHUVILLE TENNESSEAN)
Effective "soring" of walk-
ing horses is an art . . . strict-

● Fourth in a Series

ly an illegal art, but a very widely practiced art.

The delicate practice of this art depends to a great extent upon the skill of the trainer. The trainer must be able to recognize the signs of soring in the horse's feet in the early stages of the disease. He must also be able to advise the owner of the best method of treatment. In many cases, the horse must be put to rest for a long time. In some cases, the horse must be put to death.

According to them, the most accepted method of soring a walking horse is to deposit a chemical blistering agent called oil of mustard onto the feet of the horse somewhere between the coronet and hoof.

They follow the same method, either in front or in back depending on how the horse reacts.

WITH THE ankle tender from the "scootin' juice" or "hot stuff," as it is commonly called, the horse is then worked with a chain or roller, or both, around the ankle to draw the weight of the chain or roller across the foot.

The chain which varies in weight according to the rider and trainer apply the roller against the hide of the leg can remove the hair and cause a raw sore unless carefully treated after the work is over.

In the show ring, the horses wear a two-inch boot, supposedly to prevent injury to the feet from over-stirring of the back legs.

IN REALITY, the boots act about the same as a chain being applied to the feet of the horse while avoiding something for the horse to attempt to kick off.

manded by the public, which is a violation of the law. It is a violation of the law to draw without the excitement of a race.

There is some reason for this belief perhaps. But the fact is that walking horses can be trained to the proper stride without soring. Reasons for resorting to soring include:

● Some trainers don't want to spend the money required to train a walking horse without the bottle.

● Many trainers feel that they cannot compete with more established trainers unless their horse is sored for the attention of the judges.

● Unless all trainers stop the practice, no one man will initiate the action and go into the ring against other trainers whose horses have been sored for the big lick.

Vic Thompson, president of the Walking Horse Trainers Association (Telephone 255-1111, Nashville, Tenn.), said yesterday to complain that a number of statements attributed to him in this series of articles "have been wrong."

Thompson, who admitted he has been soring horses in order to make it clear he had not sored any of the horses of other breeders and that the reports attributed to him were taken from a letter he sent to other trainers.

In regard to soring practices, Thompson said, "I'm only talking about myself."

THOMPSON declined to comment on reports that threats have been leveled against him since this series began. Even though the rules of every walking horse association forbid soring, he said, "I'll do it all the same. It's the same rules or in the same

way. Many horse show managers feel that the soring of horses is a violation of the law. It is a violation of the law to draw without the excitement of a race.

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Ydings, a gaited horse enthusiast, terms soring practices an example of "man's inhumanity to animals," and will commence a Senate subcommittee hearing on the subject Sept. 17.

THE BILL carefully defines soring and declares it to be a "cruel and inhumane" failure of the manager or chairman of a show to perform the duties required by such officials shall constitute a misdemeanor punishable by fine and imprisonment in the county jail not more than \$50 and 11 months, 20 days maximum."

If the threat of law is not enough, the economic pressures of being unable to sell a Tennessee Walking horse for exhibition outside the state is expected to have the desired effect of halting the practice of soring horses.

Thus, owners will begin to be less interested in having their horses sored. They will not be able to show in their locality.

"I want to purchase my horses in Tennessee," said a California buyer, "but I cannot show them in California, why pay the price even if slipping them there has no effect on my tissue development. That is, illegal in most states, and supposedly against the rules for all two and three-year-olds throughout the industry.

"IT SHALL be the duty of all persons designated and acting as ringmaster of any horse show or similar event to determine whether the soring of horses is being practiced by the ringmaster or by anyone else connected with the show, and if so, to report the same to the proper authorities."

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'Soring' Necessity in Disagreement

By WENDELL RAWLS JR.
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"Soring" is the most openly admitted evil in the posh walking horse business, but there is wide disagreement among people in the trade just how necessary it is.

Ultimately, of course, the responsibility for the practice rests on the trainers. Some of the trainers say they have to do it, that the horses are to adopt the timing, phrasing and that with or without soring. The trainers might also say they can do just as well without it, with a little more careful training and a little more time to do it in.

BREEDERS, generally, don't like the practice, and some of them express fear that it will eventually ruin the carefully nurtured walking horse breed. As for owners . . . well, most of them like those ribbons and prizes, whatever it takes to get them.

"Soring" is the practice of using mechanical and chemical means—commonly, oil of mustard—to make a horse's feet tender so it will lift them high in the show ring . . . a gait prized by judges and spectators alike.

Tennessee law declares soring of horses with "sharp-pointed instrument" or any "blistering compounds or other devices or drugs" to be a misdemeanor, and provides for fine and/or imprisonment of any owner, rider, ringmaster, manager or show chairman responsible. Despite this, owner George Lenox compares soring to sin.

"Everybody is against it, but everybody does it," he said.

THE WALKING Horse National Celebration, Inc., at Shelbyville has vowed that sore horses will not be permitted to show, but raw and scarred horses were seen yesterday in both the workout ring and the blacksmith quarters where the 31st National Celebration is being held. Walking horse supply booths are shelved with smearing substances to cover raw places on horses' legs, and there is an ample supply of "freeze" applications.

The state law places the burden of responsibility for seeing that horses are not sored on the owner, as well as the rider. Under the illegality of the law, the ringmaster is responsible for reporting sored horses to the horse show managers or chairman, who are to take appropriate action for removing violators from the district. At the county level, the general of the county in which the violation occurs. In other states are being tight.

ended drastically, as these states react to pressures from outside the horse industry.

HORSES ARE being distinguished as "soring" horses, and E. Ward, California attorney, and buyers soon will be unable to exhibit Tennessee horses anywhere outside the state.

"When that happens," he predicted, "pressure in the breed book will help stop soring."

On the other side of the question, Bud Franklin, a California trainer, said he cannot bring a horse to Tennessee for exhibition, because he "refuses to sore."

"And you can't compete there if your horse isn't sored," he said.

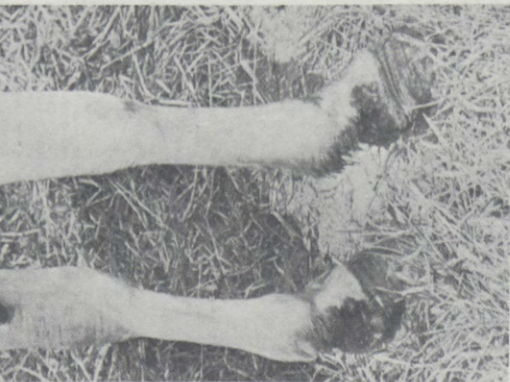
SOME TRAINERS from other states feel that the laxity in enforcement of Tennessee law is a benefit of Tennessee horses. If out-of-state trainers don't sore, their horses won't capture the big "lick" (stride) that Tennessee trainers accomplish with it.

So, if only Tennessee trainers can produce the exciting walk and the excitement of the "lick," which soring produces easier than any other method, he said, people will lose interest in walking horses. It is an analysis with which many trainers agree.

The owners want the sore lick, said one trainer. And, he said, the horse who enters the ring, I want him sore." Without soring, he added, the horse could not compete.

This viewpoint is by no means unanimous.

S. W. BEECH Jr., a powerful member of the Tennessee Walking Horse Breeders and Exhibitors Association of America, said his late, great



—Staff photo by Jack Carr

Effects of Application

This horse shows the effects of soring where the chains have rubbed the area behind the front pastern. Continued soring can produce a callosity which would have to be cut out for the horse to maintain a loose gait.

stallion, Merry Go Boy, won the world's grand championship twice "without either hot stuff or boots."

From this standpoint, soring is a time-saver in training horses, however, is that most trainers agree that soring will eliminate "stuffed" horses" without making any question boils down to the fact that they say they don't have time value of that "saved week" to this if they get a horse in January and the owner wants him ready to show in the ultimate damage to the horse — and the ultimate April.

Walking Horse Association Plagued by Lawsuits, Public Pressure

By WENDELL RAWLS JR.

Continued from page 10 of the Nashville Tennessean

Behind the Tennessee walking horse and his problems stands the Tennessee Walking Horse Breeders and Exhibitors Association of America—plagued by lawsuits, threatened by public pressure, split by internal conflict.

Adjudged three years ago to have violated anti-trust laws, the association is involved in another suit now. Its former president is faced with still another—both growing out of the original suit.

THE ORGANIZATION, which controls the Walking Horse Industry, is beset by public criticism over such practices as "soring" horses' legs to give them the prancing stride admired in the show ring. The practice, against the law in Tennessee and other states, may become the subject of federal legislation.

A rebel faction in the association, fearing to get two board members elected this year, charged the dominant faction with padding membership rolls in order to win.

On top of all this, two association members have questioned the registration of colts, claiming their parentage isn't what it ought to be.

In 1963, California member, R. Mitchell McClure, found himself unhappy with some of the words and actions of the association's executive secretary, Tom Fulton, and said so. A board of directors meeting was called at his request to discuss the matter, but McClure wasn't there. He said he couldn't get there because of illness.

THE BOARD suspended him from association membership. McClure promptly filed suit against the association, claiming a considerable loss of money as a result of his suspension.

In 1966, U.S. Dist. Judge Jesse Curtis, in a ruling issued in California, found the association guilty of monopoly, boycott, restraint of trade, conspiracy, and violation of the Sherman Antitrust Act.

He found such illegal activity "in part motivated by the selfish personal financial interests of certain of the officers, and directors of the association, including S. W. Beech Jr., who was president in 1963 and all the upper staff." Beech personally, who has won a reputation as a shrewd businessman, is estimated to own \$15,000, but this was his net worth at the time of the association continuously since his term as president. He filed a damage suit against

McClure's attorneys will begin taking depositions Sept. 15 in the case, which will be heard in U.S. District Court in Columbia.

Shortly after the 1966 ruling, the association discontinued the office of executive secretary, which Fulton held.

But Fulton maintains he still has eight years to go on a contract that paid him \$40,000 a year. He has filed suit in Marshall County, and a hearing on that case is scheduled for October.

With all of this fuss and furor going on about the way the board of directors will be handling things, George Overton, breeders' representative, says he is "loyal opposite" within the association.

HE BEGAN a campaign last January to elect two members to the board of the Blue Proxy group—as opposed to the association's dominant White Proxy.

It didn't pan out. Dr. Rob Womack and Donald Franks, the Blue Proxy candidates, ballooned 1,007 to 1,180.

Lenox and his adherents charged that "725 memberships were hastily added to the roll of the association shortly before the election. These took the annual meeting before the annual meeting, May 24, but were turned down. The membership fees and dues had been paid, and the ballots were ruled in order.

ONE OF THE things that made Lenox unhappy about all of the new memberships

was that the association by-laws do not require a walking horse in order to become a member.

State Sen. Joe T. Kelley of Columbia, president of the association, said he would favor changing the rules to require all members to own such a horse. He said such a rule change was brought up at the annual meeting.

"Oh, God, yes, we have problems, serious problems," conceded Kelley. "There are very many problems within the organization. I think many of Mr. Lenox's ideas are wonderful, but many appear to be harmful. I think he's helping us some, and hurting us some.

"The biggest problem, facing the breeders' association, is rather than try to be splitting apart."

"**WE NEED** directors who are not interested in the personal gain, but in the interest of the walking horse industry as a whole," was Lenox' comment on the matter. "I would never want either a director or an officer."

"I just don't want people to become discouraged from buying horses and entering the walking horse business for fear they must belong to an organization that has a bad image in many minds. I was involved in Lenox' rebel movement was a charge of incorrect registration of a colt, a charge which he said was not properly handled and patched properly." Lenox contended that a colt was registered as being by

his stallion, Carbon Copy, at his farm "trying to be bred at the time the colt is registered as foaling."

HE SUPPORTED his contention with a report from Dr. Cameron Shawi of Collierville, a veterinarian, saying that the mare had a breeding problem which required hormone treatments to correct. "The mare was part of an inventory at a gestation period of 11 months and 25 days, which she was about a month too long — was heard by the association board, but they judged the evidence "not sufficient" to invalidate the registration.

He has requested a rehearing, and also asked the board to honor his request that his notarized signature as owner of the sire be required on all applications for registration on colts by Carbon Copy.

LENOX WAS not the only one to complain of registration. Myer Woodbury put a complaint before the board that Milton Alexander of Readyville, Tenn., registered two colts as being by last year's grand champion, "Ryker," but actually they were by Myers' stallion, The Man of the Hour.

Myers said he sold Alexander two mares in foal to The Man of the Hour, and that the transfer slip shows his horse as the stud. "Myself and other members of the board," he said, "are not sure how both mares sold to C. L. Kline, and listed each mare as being 'open' — that is, not in foal — at

the time of transfer. Myers said he did not sell the mares to Kline. Efforts to reach Kline for comment were unsuccessful.

Mrs. Sharon Brandon, association secretary, said the board does not assume the responsibility for disputed cases, but must depend on "the integrity of the individual" in registering all horses. If the records are in order, "we must register the horse," she said.

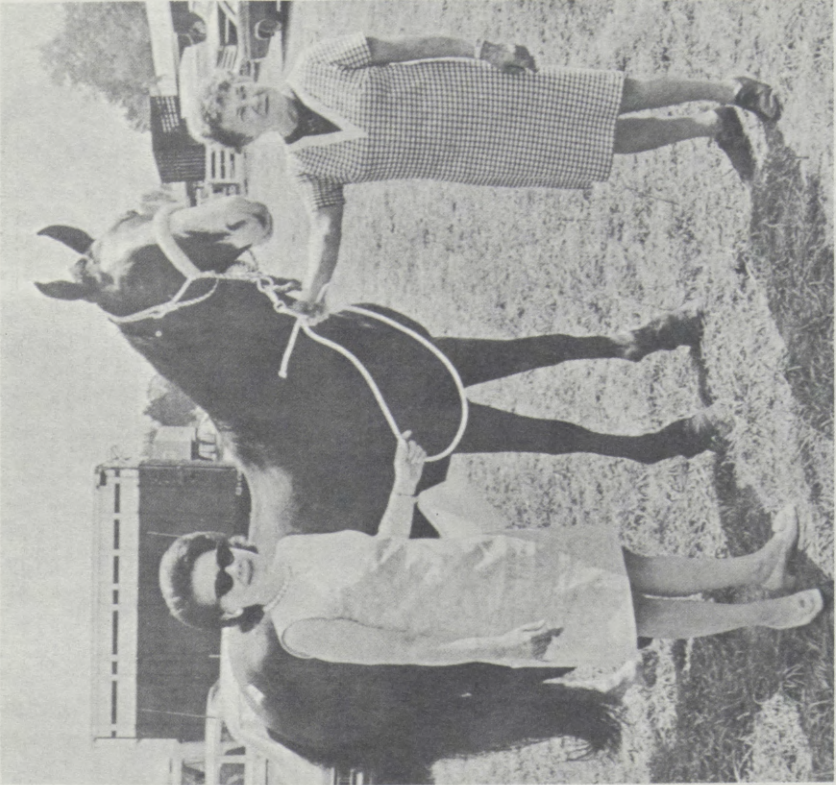
"**WHEN THE** court rules on either case, or any other," she added, "then the board will take appropriate action against the guilty party."

Kelley said that both cases are "in the hands of lawyers, ours as well as theirs.

"Our doors and records are always open to anyone who wants to come in. We opened them to Mr. Lenox and will open them to anyone who has a legitimate purpose for needing them.

"We are required by law to register a man's horse if the information he provides is in order. If we find sufficient evidence to cause us to register a man's horse, we want to rid ourselves of the guilty persons."

ONE OF Lenox' complaints is that the election of futurity judges is open to question. Futurity judges are elected by a vote of those members who pay a fee to enter horses in the future, but must be chosen from a list of licensed judges. Last year Lenox complained to the association that a total of 36 votes was "cast by nine



work."

IN THE EARLY 1960s, the late John Amos paid more than \$800 in membership dues for a group of 100 eastern Kentucky coal miners.

The meeting in question was in April 1961 and came to light during the California suit.

When questioned about the incident, Amos, once the association's most powerful member, said:

"There have been a number of years when these coal miners voted but that was the only year they had been transported by bus.

"THEY MADE a whole day out of the annual meeting, and visited the coal mines. I had no interest in Middle Tennessee, went over to Chattanooga, to Lookout Mountain, just look some time off on their own hook.

"I don't remember when it started, but it's been done for some years, up until 'proxy voting' was forced on the association."

Fulton, testified that the theory behind such action is: "You don't let in a dog if you think he will bite you."

The importance of membership in the association is that it is the licensing agent for walking horse judges, and he is the only one who can do that purpose. Some members contend that judges are thus placed under pressure to please the committee, which varies from year to year. Members contend they have to play "politics" in order to maintain their positions.

There are no "polls" as such in the association, according to Kelley, but he conceded that "there are many, many things wrong in it."

people. None of the ballots was signed." He based this charge on the opinion of a Memphis handwriting expert, Earl E. Davenport, who analyzed the futurity ballots and concluded that 30 of them were in the same handwriting. Five in one, another, four in another, three in another and two each in four other hands.

The voting regulations in the futurity election do not require signatures on the ballots, and Beech remarked: "Lenox used to send his ballot to me and I'm as pleased as before he got involved in this proxy thing."

EVERY NEW member of the board has to have a sponsor. Of the 295 members of the association, 53 were sponsored by E. A. Seif of Mobile, and 35 by C. M. Waters of Alexandria, La. In Alexandria, 23 members listed the same postoffice box number — 1749. In Mobile, 43 members listed only "Mobile, Ala." as an address.

Lewisburg has 69 members listed in its membership list. E. Fving St. member. This is the address of a printing office which handles an association account.

Other membership listings by towns include: Newbern, Tenn., 32; Woodbury, 17; Bradyville, six; Readyville, nine; Pukaaki, 24; Tullahoma, Nashville, nine; Shelbyville, five; Hartsville, 16; Harts, Mo., 11; Springfield, Mo., 13; and Clinton, Mo., 11.

Concerning the association's elections, Beech says: "It's just like electing a county road commissioner... you get behind your man and get your man and get your people to

\$\$\$ Ride On Judge's Decision

By WENDELL RAWLS JR.

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One of the most vulnerable practices in the Tennessee walking horse industry is judging—where one man's word means, not just ribbons and glory, but dollars . . . sometimes a lot of dollars.

It isn't just the prize money. Winning or not winning can mean a difference of \$10,000 in the price of a horse. Or more.

AND YET, the judge who determines the winning horse may be a trainer, who knows that one of those horses is ridden by another trainer who in turn may judge the show. Or, when the judge himself will ride the next night, the horses may be ridden by a very close friend who entered this show just because he is judging it.

Or the judge may be a breeder, and one or more of those horses may be from his own stallion's heritage. If such a horse wins, horse owners are going to be more inclined to want colts from that stallion.

THE JUDGE, whoever he is, finds himself in this situation, with a wide open decision, because a show decision rests on his judgment, and nothing else. In contrast to other sports, there can be no objectively clear-cut winner of a horse show. There is no finish line, no scoreboard.

With as much money as there is on the line, the judges—one or three—cannot but be conscious of the issue, whether it's a one-night horse show or the Walking Horse National Celebration in Seelyville. Winners of the National Celebration have sold for more than \$100,000.

IF THE JUDGES had seen things differently and the horses had finished much lower, their value could have dropped to as little as \$10,000. Breeders pay high fees for champions to sire their mares.

Even in smaller shows, if a horse that is for sale should win, he is worth much more than if he should finish fourth.

"The difference in the average horse can be as much as \$10,000," said one owner. "Many times the judge is appraised of the transaction, and called on for a little help."

VIC THOMPSON, president of the Walking Horse Trainers Association, contends that most judges place the horses as accurately as they can. But when one horse is only slightly better than another, the only criterion is the "human judgment" of the judge, who can only say: "That's the way I saw them."

Whether they're trying to favor someone or to avoid favoring someone, sometimes the judges make decisions that seem to the audience to be way off-base. The stands rose with a chorus of "boos" at the announcement of the winner of one recent Middle Tennessee show, and then cheered the second-place horse.

"I've seen many a man friend bet on the winner of each class as they entered the ring, and the patron won every time."

THAT DOESN'T necessarily mean such a show is "fixed," though, say horse people. They explain that always there is limited and always there is unlimited.

IN THE one-night show, the judge is generally a trainer who can be pretty sure their own horses are the best. The one horses seldom, if ever, compete except in the complete celebration itself.

Judges for that most prestigious of all walking horse shows are picked by a secret committee, according to William C. (Bill) Tune, president of the Celebration, and trainers who might have an interest aren't usually on the judging team — they're exhibiting in the ring.

"We pick three so that the pressure can't be leveled at one man," said Tune. "And we keep the committee secret so pressure can't be exerted on them about selection."

YET PRESSED from the crowd can have a great effect on judges. Many claim that they're "fixed" by the crowd. Sam's Show's Showman, a judge on his way to the world's championship in 1969, placed very low in subsequent celebrations and didn't finish in the top 12 in the Aged Stallion class last Wednesday night.

The matter of "soring" — treating the horse with chemicals or by mechanical means so the hiltus will respond to the judges, especially at the one-night show.

This year, judges in Tennessee were not required to inspect horses without their boots, the protective covering around the ankle. Since it wasn't required, most of them didn't.

IN THE FINAL analysis, the judges may not tie (place) many horses wrong, according to George Lenoir, owner of Collierville, Tenn., who'd like to see eventually "it" long for the day when an unknown trainer can bring a horse in from the woods and have it judged solely on the merit of the horse.

"When we reach that level, we can't breed enough horses and the trainers can't train enough horses to meet the demands of the people."

"People get discouraged from even entering the business, because of all the things they've heard about having to spend money."

• Seventh in a Series

Horse Acquired as Soring Exhibit

By WENDELL RAWLS JR.,
The Nashville Tennessean
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A Washington-based horse protection association purchased a Tennessee Walking Horse at a Shelbyville sale yesterday which the group says was used as a "blatant example of soring."

A veterinarian for the group said the horse, a three-year-old gelding, is "the most unsound horse" he has examined and that the horse's poor training practices have made him "worthless" as a walking horse.

"The horse is expected to be taken into the state with the Tennessee Soring Committee studying legislation that would make the soring of horses a federal offense. It is already unlawful in Tennessee.

The horse, a registered gelding named Papa Charcoal, was purchased for \$300 by Mrs. Jean Blue of Ashmead, Tenn. Dr. Porter said that the American Horse Protection Association, at an auction sale operated by S. W. Beech Jr. and Pete Yokley, two Tennessee horse breeders.

The sale, called the "Sale of Show Ring Champions," is said he will examine the horse being held at Shelbyville, further at a later date. He said he has been participating in the annual National Celebration show widely in walking horse circles. She frequently toured the show circuit challenging officials and demanding that shows be stopped and that sore horses not be shown.

"WE BOUGHT this horse as an example of blatant soring," said Mrs. Blue. "It is obvious that trainers and owners have contempt for the sufferings of the animals and are willing to trade, not in the animal or horse's sportsmanship."

Soring is the practice of check them very closely."

registration papers given to Mrs. Blue show the horse is the grandson of the great Merry Go Boy, a two-time world champion walker who died earlier this year. The papers show that through three owners before Davis, the last being Mrs. Patricia Gober, Prattville, Ala.

Mrs. Gober said she traded the horse in March 1988, and that he had passed through several traders before he got to the auction.

"THE HORSE WAS NOT sored while we had him," she said. "We never showed him." Mrs. Gober, who said she is opposed to soring, said the horse had not been gelded when she sold him. "I was wearing a wig and sunglasses," he was offered at the auction but that she was assured by stablehands the chain rubs were not serious.

Beech said he and Yokley were only the "agents" at the sale and that the horse's condition. He said a veterinarian had checked all the horses and informed new owners of their conditions. "It's not against the law to sell a sore horse," he said. "It's against the law to sode a horse or show a sore one."

THE CONDITION of Papa Charcoal is not surprising. For he is the product of an industry where the soring of horses is "legal" rather than Tennessee, especially, it has become an art, an illegal art but one which trainers say must be learned in order to compete.

In Tennessee, the fact that Tennessee law forbids it makes it punishable by fine and imprisonment means little. That law and a com-

panion statute requiring judges and horse show officials to report violations are seldom, if ever, enforced.

ALTHOUGH several of the leading trainers like Vic Thompson of Shelbyville and Joe Urquhart of Columbia are against soring, the "big boys" — the climbing, reaching stride of the professional walking horse. Without this "lick," they say, horse show stands will not be filled.

The ultimate responsibility lies with these trainers, but most are reluctant to stop unless all others do. Owners and breeders seem to be interested mainly in winning, even if the trainers have to "sore" to accomplish their goal. Getting little help from breeders, in fact, the Tennessee Walking Horse Breeders and Exhibitors Association, the organization which makes the rules for walking horse shows. We know of a horse with internal problems and outside pressures that the entire walking horse business is suffering.

CLOSE SCRUTINY of the walking horse business by THE NASHVILLE TENNESSEAN in the last two weeks has revealed a number of practices which are at best questionable.

Among them are numerous instances of fraudulent registration of horses, a practice so widespread many horsemen say it is threatening the purity of the breed.

Consider the case of "Midnight Lena," a registered quarter, the Columbia trainer, appraised the loss for an insurance company at the time and remembers certifying



—Staff photo by Jane Corn

'Blatant Example'

Marks on the legs of Papa Charcoal, a registered Tennessee Walking Horse, are the results of "soring" practices. The horse was purchased at a Shelbyville sale by representatives of the American Horse Protection Association.

ing the death of Midnight Lena.

MIDNIGHT LENA, or a horse with her papers, was found by **THE TENNESSEAN** in a village in Tennessee last week. The present owner, Jack Short, executive secretary of the Walking Horse Trainers Association, was surprised to learn Midnight Lena's history. She has passed through four owners before being purchased by Short.

The man who says Midnight Lena died in the fire, B. C. Baker of Centerville, says he has no knowledge of how the papers were transferred to the horse belonging to Short.

THE BREEDERS association, which controls registrations, is now embroiled in questionable registrations.

In one case a Memphis breeder is complaining that a colt was registered as being by his world champion stud who was not. In another a Woodbury man says that two colts by his stallion were registered with the association as being those of another.

Though plagued by such problems for years, the breeders association has added to its woes by approving artificial insemination. "It makes horse breeding easier but raises even more questions about the purity of the breed."

IF CONTROLLED, it could be a boon to the industry, but as practiced now it could destroy it. The presence of artificial insemination heightens the possibility of fraudulent registrations.

As one trainer said, "The possibility exists for substituting the semen of one horse for that of another. Who can

tell the difference if both studs are the same color?" Although the breeders association is not approving artificial insemination, many breeders acknowledge they have been using it for years. Some use it selectively, others do not.

BEECH, a Belfast breeder and a power within the association, points up the problem. How can you tell if he has a friend if he has a \$100 mare and wants to breed her to one of my studs?"

Testimony in a recent lawsuit disclosed that in 1963 Beech's late, great stallion, **Ge Boy**, was bred to 403 mares.

He was 19 years old at the time and artificial insemination was still against association rules.

Artificial insemination has become a major problem in the neighborhood horse industry. Among walking horses, a world champion stallion averages well over 100 breedings a season. The fee ranges from \$50 to \$400.

NEARLY 100 percent of the list of complaints about the walking horse industry is its system of judging, a system which puts the judge in a most vulnerable position.

Most horse shows have only one judge and no assistant. These men more often than not are close friends of the trainers and breeders with horses in the show. The judge knows well that he will be the next night in a show at which one of these men could be the judge.

The pressure is compounded because the value of a Tennessee walking horse is assessed with respect to show performance. Winning

can mean a difference of \$10,000 in the price of a horse, says Joe T. Kelley.

WITH THIS much money on the line, the judges—whether one or three—cannot but be conscious of who is riding the horse.

Whether trying to favor someone or not, the judges sometimes seem to the audience to be erratic. At one recent horse show, the crowd booed the winning horse and gave a standing ovation to the second-place horse.

The Walking Horse National Celebration at Shelbyville takes more pains in selection of judges than most shows and always has three in an effort to lessen the pressure on any one judge. The Celebration has a special secret committee to pick the judges.

UNFORTUNATELY, such safeguards are not common here throughout the industry.

Joe T. Kelley, a state senator and president of the breeders association, points out that the judges are licensed by the association but that "it is worth a little prestige."

Kelley says the license is not required by all shows. Of the breeders association, Kelley candidly admits "we've got problems."

THREE YEARS ago, the association itself was adjudged to have violated anti-trust laws when it agreed to meet in California to fight a suit of monopoly, boycott, restraint of trade and conspiracy.

In that lawsuit, a California horse owner was awarded \$15,000 for being wrongfully suspended from the association. Without saluting the breeder is now suing Beech,

the Belfast breeder who was then president of the association.

The association is also being taken to court by its former executive secretary, Tom Fulton of Chapel Hill, who claims he was fired with eight years remaining on a written contract.

WITHIN THE association, there are no reasons, association directors in mounting. Led by George Lenox, of Collierville, Tenn., the opposition complains about irregular association elections, a favoritism toward members of the dominant faction.

Some trainers, especially those outside Tennessee, complain that the association does not enforce its own rules as it should. Some refuse to compete in the state because they say they must "over-see" their horses. Others claim they are being disqualified for soiling while Tennessee trainers are not.

Vic Thompson, president of the trainers association and last year's horseman of the year, says the breeders are asking written several letters to other trainers to clean up the industry or watch it die.

THE AMERICAN Walking Horse Association is at odds with Tennessee-based associations over conflicting rules and for what an American association officially termed "walking horse people."

Public pressure is mounting in the form of protests and campaigns by humane associations and the threat of federal legislation, such as the bill introduced by Sen. Joseph Tydings, D-Md.

The pressure may become intense enough to force the industry to police itself. So far it has not.



—Staff photograph by Jack Corn

Worst Case in 21 Years as Veterinarian

Dr. William R. Porter, a Maryland veterinarian, examines wounds caused by soiling on leg of a Tennessee walking horse purchased by representatives of the American Horse Protection Association.

Tennessee Walking Horse Is In Deepening Trouble

THE Tennessee Walking Horse is in deep trouble. The reason for it is that many breeders, owners, trainers and judges have kept their heads in the sand while a tidal wave of adverse reaction has been sweeping over the industry. The sport, which has become a major industry,

criticisms echo from the halls of Congress to the courts of California, from the fairgrounds of the U.S. to the barns of owners who deplore the practices they know are going on, but seem to feel nothing can be done about them. Something must be done.

The procedures, which include fraudulent registration, "sorning" of feet of horses, lack of control over the purity of the breed, irregular judging practices, and a relaxed view of what constitutes a Tennessee Walking Horse could have been curbed by self-regulation in the industry.

The Tennessee Walking Horse has strict rules. Officials of the celebration, while delighted because the show has received international attention, are concerned because methods of regulation sometimes seem inadequate. Mr. C. L. Hines, president of the celebration, says that the industry has been commended for the support it has expressed for positive efforts to halt bad practices.

The Shelbyville Celebration brings horses and visitors from throughout the nation and even places outside the continental U.S. This is pleasing for the state. The sponsors of the celebration, however, are disappointed. They have no better time to bring a painful subject out in the open than while so many Tennessee Walking Horse fans are present. If all who are devoted to the industry will recognize the evils during this week-

end, Mr. Thompson is hardly unformed about things going on, and he has time to do so. He has time for bringing the subject up, evidently he is aware that the hand-

Sunday Morning
August 31, 1969

writing is on the wall unless something is done.

● A Federal judge in California has found the Breeder's Association guilty of restraint of trade and acts of monopoly. . . . Boycott in the sale, breeding, servicing and exhibition of the Tennessee Walking Horse.

● Sen. Joseph Tydings of Maryland has returned with new legislation to Congress to stop the cruel practice of "sorning" the feet of horses' front feet to force the animal to use an artificial gait. He now has the support of the Department of Agriculture, along with various humane organizations. The new measure, if passed, would prohibit exhibition of treated horses under penalty of fine or imprisonment.

● More and more exhibitors are turning reluctant to enter their horses in shows where "sorning" is even rumored to be allowed. The practice of "sorning" has been condemned by the Tennessee Walking Horse Breeders and Exhibitors Association of America and the American Horse Show Association, but little has been done to put an end to it, once and for all.

But the time has come for self-regulation by the industry, or the alternative of having it regulated by federal and state levels. That is the handwriting on the wall, and it ought to be clear to every breeder, horse owner, exhibitor and every admirer of the Tennessee Walking Horse.

After having struggled so long to win acceptance of the breed, it would be tragic to remove it from the public eye and from competitions because of the blind attitude of those who wink at practices that ought to be outlawed for all time.

Tennessee Walking Horse Needs a Win

September 5, 1969

THE TENNESSEE walking horse is an admirable animal but the industry and sport in which it competes have become mired in practices which are damaging to horse, industry and sport.

The problem areas include the human treatment to animals, commonly called "sorning" in walking horse circles, fraudulent registration, irregular judging procedures and the so-called purity of the breed.

This week the 31st annual Tennessee Walking Horse National Celebration is underway at Shelbyville. It is a time when the event have said clearly they want to help in any way possible to clean up these practices. There are walking horse shows all the year around—but the Shelbyville celebration is the granddaddy of them all.

At a time when walking horse fans are in this state from all around the world, attending a program whose sponsors are publicly committed to helping to stop bad practices, there needs to be honest and how they can be cured.

A series of articles by Wendell Rawls, president of THE NASHVILLE TENNESSEAN, has appeared in this newspaper during the last several days candidly discussing the criticism of the newspaper which has worked to develop support for the walking horse industry and for the breed and which is proud of the walking horse as an

animal of beauty and power and grace, is deeply concerned about the future. There is going to have to be stricter regulation and an enforcement of rules—even of laws, if the walking horse is to be saved. And as with everything else, if the public is to be protected, the walking horse business from the inside to clean it up, the crackdown surely will come from outside.

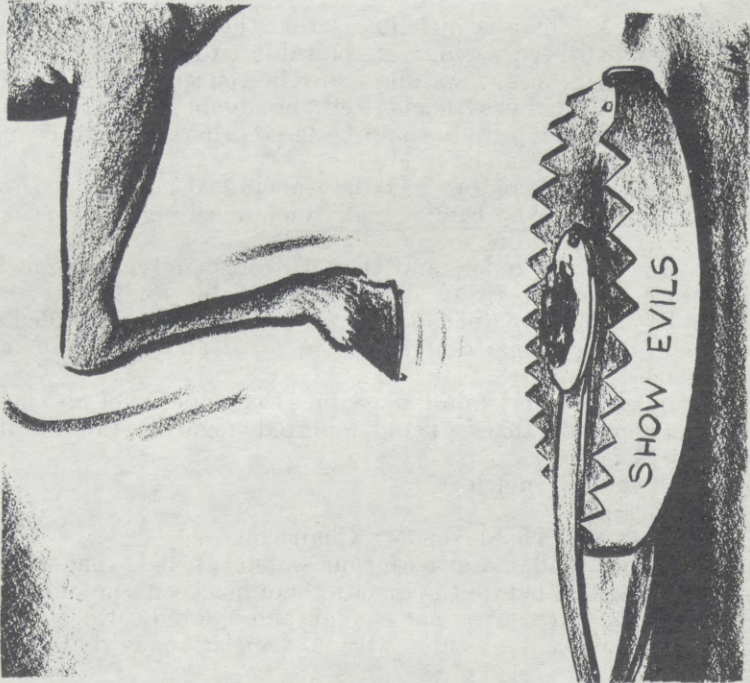
The walking horse is advertised as the world's best pleasure horse. But when a horse is ridden into the ring with front feet so sore he can't bear to touch the ground, the fancy dancing he does may be a pleasure to some who don't know or who don't think. But it certainly is no pleasure to the horse.

It is no pleasure for out-of-state breeders of walking horses when their horses are being run like a closed corporation for the benefit of a few. It is no pleasure to unsuspecting novices in the business when they find they have been bilked by some sharp "horse trader" or that pedigrees are so uncertain they can't be sure they are buying a walking horse or a common plow

horse. Not all owners and trainers are able to afford the means who are embarrassed the state and in the end will only hurt themselves. The walking horse, a champion by nature, needs to be treated with the care of a champion. Only then will the walking horse industry win.

Wendell Rawls Jr., Jack Corn, Jimmy Ellis and Margaret Lindsley Warden contributed expertise to this series of stories which was co-ordinated by Jim Squires.

Save the Tennessee Walking Horse



Mr. JARMAN. Thank you, Mr. Rawls.

The bills that have been introduced in both bodies, I think, deal entirely with making it unlawful for any person to ship, transport, or otherwise move, deliver or receive in movement of commerce for the purpose of showing or exhibiting any horse which such person has reason to believe is sore.

Do you think any legislation should be extended to cover all horses moving in interstate commerce that have been sored? I have in mind a good many people in the country are simply buying Tennessee walking horses because of a very pleasant rocking chair gait that you get. They buy them for private riding pleasure and not with showing in mind.

Mr. RAWLS. There is little doubt that the owner who would buy a horse that had been sored, were he subject to prosecution, federally, had bought a Tennessee walking horse in Tennessee and then had been arrested for the horse being sold, no doubt the word would get around and fewer people would be buying horses from Tennessee or anywhere else that had been sored.

The industry thrives on not the showing of horses but the sale of horses. Trainers who cannot make money selling horses can barely make a living training.

Mr. JARMAN. I understand that. Unfortunately, it is much easier because horses that are in shows are available for inspection, and it would be much more difficult to enforce the law that included all Tennessee walking horses that had been sored and moved in interstate commerce.

The question in my mind is whether that should not also be covered in the legislation that is being reported, regardless of the difficulty of enforcement.

Thank you very much.

Mr. Hastings.

Mr. HASTINGS. Thank you, Mr. Chairman.

If I understand the gist of your statement, it is that since a year ago you testified before the Senate there has been some improvement but that improvement is not enough and the indications are the improvement will not continue without legislation. Is that an accurate assessment?

Mr. RAWLS. I think that is accurate. The people have improved primarily under the duress or fear of imminent Federal legislation.

Mr. Jack Moorman, as I mentioned, who is president of the Walking Horse Trainers Association, I asked him if it was a goal of the Walking Horse Training Association to halt soring, and he said, "You ask me a bad question; it is my goal to halt soring," indicating it is not the goal of the trainers association.

As I mentioned, Mr. Groover, who rode the champion this year, mentioned the night before the horse won the world championship, "You can quote me as saying my horses are sored. People, 100,000 people won't come out in the rain to see pleasure horses shuffle around the ring." Which is about the effect of an unsored horse that has not been adequately trained.

Mr. HASTINGS. Then there is no doubt if they have a State law in Tennessee which prohibits soring, we have the association which has regulations against it, both of which are ineffectual; soring is still going

on even with the attempt being made by the industry itself. Therefore, it is not controlling, as it would be with Federal legislation.

Mr. RAWLS. Without a doubt.

Mr. JARMAN. Mr. KYROS.

Mr. KYROS. What about what I asked earlier; namely, once you have sored the horse and trained him to do that peculiar gait known as the Tennessee Walk, what then do you have to keep on doing to the horse? Do you have to keep on applying those creams to blister it, or applying weights to the front legs? Do you have to keep on doing that?

Mr. RAWLS. Yes; for adequate show performance you do that. It is generally applied 24 hours before each show.

Mr. KYROS. So no matter what champion you had, and even though you had broken the horse that way, every time you showed the horse, you had to do something to it to cause it to walk in that manner. Is that right?

Mr. RAWLS. Yes. I understand they do not break the horses or originally train them at the beginning of the training period; it is not accomplished by soring. They many times take horses and the young 2-year-old coming and walk them through high grass, things of this nature, where the horse has to pick up his feet and through continual training learn to do so. But soring is applied then mostly as he becomes older and enters the show ring, and they use the soring because depending on the problem the horse has, with pacing or trotting, what they do, they call it touching up with the soring, as I said, squaring him up, or whatever, so he is not pacing or trotting.

Many times when the soring wears off, the effects of the chemical wear off in the show ring, it is readily evident when the horse begins pacing around the ring, if the soring is not applied enough.

Mr. KYROS. If this legislation were enacted and would prohibit the showing of these horses or moving them in interstate commerce for the exhibitions, what will happen to those horses which have been sored in this manner? What will happen to that whole class of horses?

Mr. RAWLS. Those that are not naturally bred walking horses, with natural ability, would naturally not win ribbons and therefore would be taken off the circuit. Those with the ability—

Mr. KYROS. What about World Ace's Sensation, Wink Groover's horse? What would happen to horses like that?

Mr. RAWLS. Generally, when horses win the world championships, they are retired to stud, because that is when the profits begin rolling in. It has already been announced this horse was retiring to stud. And the horse actually leads a pleasant life after that. They are well taken care of as studs.

Mr. KYROS. You made a study of this industry, apparently.

Mr. RAWLS. Yes.

Mr. KYROS. What would happen to the industry as far as Tennessee is concerned, and other people legitimately interested in the Tennessee walking horse industry, if this legislation were enacted?

Mr. RAWLS. In my opinion, you would end up with the better horses still showing. The trainers would have to work longer hours by far, and they would be only allowed to train fewer horses in their stable.

In 1969 one trainer had 40 horses that he was training out of his stable. There is no way one man could do that and train a horse effectively. So you end up with few trainers and fewer better trained

horses. The better horses would be breeding to better horses and producing a stronger strain of walking horse, which is not now, today; because they will bring \$100,000 stud to a \$100 mare and produce a foal and he has no ability, they are still going to make a show horse out of him, of some type.

Mr. KYROS. So you have concluded that if this legislation were enacted, this industry would be stronger, better, more profitable than ever?

Mr. RAWLS. I think the premium on the Tennessee walking horse would be enhanced. I think the man would have to pay money to get a good walking horse like he does to get a good thoroughbred. If he does not win races he ends up not running. The same thing would happen to the walking horse.

Mr. KYROS. Thank you.

Mr. JARMAN. Mr. Preyer.

Mr. PREYER. Thank you, Mr. Rawls. I think your paper the Nashville Tennessean, is to be commended for all of the work that has gone on in those articles. It struck me, as did your testimony, as being very objective.

Mr. RAWLS. We have the photographer here, Mr. Corn, who took these photographs. I think you would be interested in them. You can see the effect of the sored feet.

(Photographs presented by Mr. Corn.)

Mr. JARMAN. One question. I understood earlier that Madison Square Garden has not had a walking horse class for a number of years. Do you understand the reason for not having the class; is it the soring of the Tennessee walker?

Mr. RAWLS. That is one reason for it. They have had some difficulty, I think, arriving at an understanding with the walking horse people as regards soring and possibly the conduct of some people who are disqualified because of soring. And their attitude was not to the liking of the Madison people, as I understand it.

Mr. JARMAN. Do you know any other show in the country where the class has been discontinued?

Mr. RAWLS. I am not personally aware of it. I understand there has been movement and are movements in Indiana and Illinois and some other places. As far as discontinuing, I do not know any which have been discontinued.

Mr. JARMAN. Unless there are further questions, thank you very much, gentlemen for being with us and contributing to the record.

Our next witness is Mr. Charles Waters, director of the Tennessee Walking Horses Breeders Association of America. I understand Mr. Waters is accompanied by Mr. Cebren Lee, Mr. William Tune, executive director, Tennessee Walking Horse National Celebration and Mr. Sam Gibbons, president, Mid South Horse Show Association.

Mr. Waters, if there are any prepared statements, the committee will be very glad to hear your comments.

STATEMENTS OF CHARLES M. WATERS, DIRECTOR, TENNESSEE WALKING HORSE BREEDERS ASSOCIATION OF AMERICA; WILLIAM C. TUNE, JR., EXECUTIVE DIRECTOR, TENNESSEE WALKING HORSE NATIONAL CELEBRATION; AND SAM GIBBONS, PRESIDENT, MID SOUTH HORSE SHOWS ASSOCIATION.

Mr. WATERS. Mr. Chairman, Mr. Lee is not here.

Mr. Chairman and members of the committee: I appear without a written statement, not to defend the soring of horses, and not to approve of what has been going on. My principal interest in the business, I am an exhibitor, breeder, I have my own breeding farm. I am a member of Walking Horse Breeders Association. It is our opinion that this industry does need improvement in the methods of training.

From my personal standpoint, I believe that the parts where the horse is abused with a blistering agent and anything that causes the skin to be abraded or bruised has got to stop, but I also believe that in parts of this bill, that I have in front of me, section 4, any other method or device, so forth and so on, this precludes a jockey being able to carry a whip in a race. You could not wear spurs, you could not use a riding crop.

I point these out hoping that a more comprehensive provision will be made in the bill to eliminate the real evils without just making an omnibus bill to eliminate everything.

The cruelty to a horse is not necessary to make him a good walking horse. Very often the better horses have no bruises or marks of any kind on them. I think this can be accomplished with the use of lightweight devices on the pastern areas to make him lift his feet without causing any harm. It does not hurt you to wear a wrist watch and I do not believe it would hurt a horse if he were carrying something that did not bruise him or irritate or cause the skin to become sore. All of us are against soring. This has gotten to be a practice that the trainer is in a very difficult position. He is employed to train a high-priced horse and he has to compete with the man next door who is employed to train a high-priced horse. I believe if this legislation is enacted and attention is given to section 4 of this paragraph, section 2(a)—I mean paragraph 4, section 2a—I believe that we can still have good walking horses without any abuse and the trainer will then have an opportunity to show his skill and would have a better chance of succeeding as a trainer.

Mr. JARMAN. Mr. Waters, what recommendation are you making as to the language in subsection 4?

Mr. WATERS. I do not feel myself qualified to write that section of the act, sir, but I believe that it is so broad that if you were to read it and enforce it exactly, you could not wear spurs; they cause pain. You could not use a whip; that causes pain. And threaten a horse. All horses are trained, all animals are trained with some degree of fear or they do not train. With a bird dog or any animal, the relationship between the trainer and the animal has got to be established where the trainer is the master of the animal. I just do not believe with the stricter interpretation of this law you could train any more animals.

Please do not take this as applying to the part of using irritants or blister or any of these inhuman things. But I do believe the section 4 could stand some expert attention, certainly on the panel with co-

operation of the members of the horse business like Mr. Kirby back here, who I have known for a long time. Mr. Kirby has judged some of my horses in an exhibit and I do not think he has ever seen one abused.

Mr. JARMAN. Let me ask this. You referred to subsection 4 of section 2a. Do you have the bill in front of you?

Mr. WATERS. Yes, sir.

Mr. JARMAN. If you look at section 3 on the same page, it says that Congress hereby finds (1) that the practice of soring horses for the purpose of affecting their natural gait is cruel and inhumane treatment of such animals.

If in the subsection to which you refer, which now reads "Any other method or device," if committee put in the words "Any other cruel and inhuman method or device" instead of the way it is written—the words "cruel and inhuman treatment" are emphasized in other parts of the bill, were included in the subsection to which you refer, would not that—

Mr. WATERS. That would make it much more practical, sir, yes.

Mr. JARMAN. I did not mean to interrupt.

Mr. WATERS. That is all right. Because I am going unprepared.

I wish that we could have a real thorough investigation and cooperation with somebody as to what should be done to allow a trainer freedom to do a good job without it being inhuman. I am just afraid the bill as presented just covers the whole waterfront and does not take into consideration the problems that would arise like Mr. Kyros has asked, what is going to become of all of those horses.

I do not know how many horses there are, and when you use the term "have been sored" in the past tense, does this mean if this legislation is passed from now on no horse that has any callous, or any indication of ever having been sored, cannot be transported from one State to another.

If that be the case, then the Tennessee walking horse is a defunct breed. Because most of them have some signs of soring. There are so many different degrees. There are so many things happening that are not germane to the real objective of the bill, and that is, to stop the inhumane treatment of horses.

Mr. JARMAN. Are you saying in effect some soring techniques are humane?

Mr. WATERS. I would not call it soring. I would call it—there are methods, there are things that could be used on the foot of the horse that would not cause him any pain at all, that would cause him to use his feet. This, I think, is humane. It has been my pleasure to see they use no inhumane treatment on my horses. These horses do all gaits well.

Contrary to what has been said, sir, a horse can be sored and put up and have absolutely no lasting effects of any kind. When they have been abused to such an extent that they do have some lasting callouses and things that are unsightly and they injure the horse, then this is a different thing. I think the cases that have been presented here are extreme cases. I know every trainer uses some method to make his horse perform.

Mr. JARMAN. Let me interrupt. We had testimony this morning to the effect when a horse has been trained in the gait through the soring process, that when each show comes in, an additional soring is done to the horse to make the horse perform.

Mr. WATERS. This is correct. But I say this same horse, though, if no other agent is ever used again, will come back to whatever his natural gait was. Some of them will be so pacy you cannot sit in the saddle and some will trot, but some of them will walk. And I do not think those horses should be just completely eliminated from competition from now on if they are not treated inhumanely anymore. This is the point I am making.

There is no physical damage to the average horse.

Mr. JARMAN. I can see though where there would be a difficult line to draw in respect to horses moved in interstate commerce as to just how recently they have been sored.

Would it leave any sores, any callouses, any marks?

Mr. WATERS. No, sir; it would not. There would be none.

But what about these horses that have had some small amount of abuse up to now? Is this to be a retroactive thing?

Mr. JARMAN. In the process of studying the language and studying the effect of the proposed language, we will be receptive to any recommendations you gentlemen make.

Mr. WATERS. We would like very much to make——

Mr. JARMAN. Off the record.

(Off the record discussion.)

Mr. WATERS. I have made the point I wanted to make personally and I would answer any questions you might have.

Mr. JARMAN. Let me see if I understand the position you take. You are not taking a position in favor of the soring of Tennessee walkers——

Mr. WATERS. I am taking the position I am opposed to the soring.

Mr. JARMAN. Opposed to the soring?

Mr. WATERS. Right.

Mr. JARMAN. You are raising the question as to what is to be done with horses that have been sored, as I understand it. You feel those horses should——

Mr. WATERS. That is right, sir. How would you determine whether they were going to be taken to a stud farm to be bred or whether they are taken to be exhibited?

I have a lot of brood mares I send to Tennessee for breeding purposes. Some might still have a callous on them.

Mr. JARMAN. Of course, in most instances I understand it, enforcement of this law would normally be done at shows across the country where you did have horses there.

Mr. WATERS. If you could confine it to that, the subject takes care of itself. Any veterinarian or most any steward, I know Mr. Kirby can look at a horse and see whether you can touch, you can press on the pastern area and the area behind and determine whether or not there has been any agency used or any abuse used any time within the last 6 months. I think that could be very easily determined.

Mr. JARMAN. And this same line of questioning, remember that I asked just a few minutes ago about whether it would not be wise to include in the bill all horses that had been sored because a good many owners buy the horses as Tennessee Walkers just for the pleasure of riding them. The position you would take would then be—as I understand the position you take is that all horses that are sored as of today should be excluded from the effectiveness or enforcement of this law?

Mr. WATERS. Yes, sir. Because I believe if you do not continue them they will eliminate themselves. I believe firmly if you just put them in a ring with none of the things that we want to avoid, I think they will eliminate themselves. I do not think they will be able to go on. But I do think they would make good pleasure horses.

Mr. JARMAN. My only additional comment on it would be it seems to me the enforcement of the law would be extremely difficult if we try drawing the lines between horses that had been sored in the past, as distinguished from horses that had been sored more recently and since the law came into effect.

Mr. HASTINGS. Just to be completely clear as to your organization, I take it you are against any future soring of horses that is inhumane?

Mr. WATERS. That is correct.

Mr. HASTINGS. And if the technical line could be worked out so as not to prohibit the interstate commerce of horses that have been previously sored but will not be subjected to soreness in the future under any circumstances, then you feel you would go on record in support of this legislation?

Mr. WATERS. I certainly would, sir.

Mr. HASTINGS. With the expertise of you people in the business, together with the adequate council this committee has, we certainly should be able to work out acceptable language so that in fact we could proceed toward the passage of effective legislation recognizing the problem that exists. However, at that point you would be in favor of the legislation?

Mr. WATERS. Yes, sir.

Mr. HASTINGS. Thank you. No more questions, Mr. Chairman.

Mr. JARMAN. Mr. Kyros.

Mr. KYROS. You know, we have had a lot of legislation recently about discrimination because of sex. Do you discriminate against these horses? Do you pick only on stallions that are sored?

Mr. WATERS. Oh; no, sir.

Mr. KYROS. What about the range of ages of horses that are sored and the training?

Mr. WATERS. I think first we must differentiate between sored as is the common practice and sored as is the extreme practice.

Mr. KYROS. I mean extreme practice.

Mr. WATERS. The extreme practice is the one you heard about today. The average practice has not been mentioned except briefly, that they are better taken care of, some agents used wash off immediately and the analgesic is spread to remove the burn and they have gone on.

Now, I would say that a good show horse would reach his peak about 7 years old. From then on he would go up or down.

Mr. KYROS. So the range would be from where to where?

Mr. WATERS. You show him first as a 2-year-old. Of course, they are babies. But a 4-year-old horse is beginning to reach maturity and a 7-year-old horse generally is at his best.

Mr. KYROS. The Chairman was asking this question: If we take the horses which have been sored, even the horses which have been sored by extreme methods but without undue scars, you would have a lot of Tennessee walking horses around right now. Let us assume that. Now, if this bill is enacted, is it necessary for each exhibitor to add soring agents to that horse to compete?

Mr. WATERS. I do not think it should ever be done.

Mr. KYROS. The bill as written would preclude any horses which had been sore prior to coming into interstate commerce.

On the other hand, I notice in the letter by the Agriculture Department, that they once said judgment will be exercised. We will take action on those cases where it is evident the horses were sore. I just wonder what would happen to those horses which had been sore and now no one does anything to their hoofs to harm them but it still shows. Is there such a class of horses?

Mr. WATERS. Yes, sir.

The good ones will still walk, the poor ones will not.

Mr. KYROS. What you are worried about is what you do with these horses; right?

I do not think they ever brought that point out in Senate hearings. Did they bring that out on the other side?

Mr. WATERS. No, sir.

Mr. KYROS. The other thing you mentioned was that you worried about the fact that the general clause at the end, where we define soring, says "any other method be used on the horse, including but not limited * * *" which may reasonably be expected to result in physical pain to the horse.

You said you applied a whip, or—

Mr. WATERS. Spurs, whip, belts.

Mr. KYROS. That could be said.

Mr. WATERS. But I think, Mr. Chairman, that Mr. Jarman has covered that fairly well by inserting the word "inhuman." I think if we can have a little time to study that and submit, shall we say, an industry version of that subparagraph 4—

Mr. KYROS. I think we are taking a very open minded and constructive viewpoint anyway, so I would not encourage you to do so. The chairman can best tell you about that and I would think your industry would come up with something. This legislation may not be retrospectively putting a lot of people out of business, but at the same time will see that the other horses are not hurt.

Mr. WATERS. I think a veterinarian could testify more expertly than I. This is a fun thing with me, but I am convinced that a horse that has recently been sore in any way can be determined just by pressing on the pastern of the horse. Could I ask Mr. Kirby would he agree?

Do you agree?

Mr. KIRBY. It is a question of degree. Some horses are more sensitive to touch. But I would like to add a comment that he does have a point. Mr. Kyros does, too, regarding good walking horses that show and compete when they are not blistered. He does have a point there.

Mr. WATERS. I have got one.

Mr. KYROS. Let me ask this question, too. In this bill we say it shall be unlawful for any person to ship, transport or otherwise move or deliver or receive for movement of commerce for the purpose of showing or exhibiting any horse.

What about moving in interstate commerce horses which you are going to use for personal riding?

Mr. WATERS. Well, nobody would sore a horse that he did not ride for pleasure. We do have some pleasure horses at home that are ex-Tennessee walking horses that are a pleasure to ride, they are fun,

sure-footed and they are, I think, the finest pleasure horse that is available to American public.

Mr. KYROS. So there are very few horses which people would move interstate for personal riding?

Mr. WATERS. They might move a few like are used a great deal in bird hunting and all. That would be readily discernible. I mean it would be pulling his horse, with a gun and all, to go birding. There would be few exceptions. But as a rule showing and breeding are the only two reasons.

Mr. KYROS. Have the Tennessee walking horses ever been used as school horses afterward?

Mr. WATERS. I do not know what you mean by school.

Mr. KYROS. Used in riding classes.

Mr. WATERS. Yes, they do. They make a fine equitation horse.

Mr. KYROS. Thank you.

Mr. JARMAN. Thank you very much.

Any further comments?

STATEMENT OF WILLIAM C. TUNE, JR.

Mr. TUNE. I have a statement I will file with the committee and for brevity will not present it.

I would like to agree with Mr. Waters to the extent I think the industry could work with your staff and try to come up with a better worded piece of legislation to do the same thing and not actually ruin the industry and also prevent soring.

Mr. JARMAN. It has been some time since the matter was heard in the Senate. Did you not suggest language at that time?

Mr. TUNE. Yes, sir.

Mr. JARMAN. Has your position changed?

Mr. TUNE. No. Some of the language was used and some of it was not.

Mr. JARMAN. Then you have the language now?

Mr. TUNE. I do not have it with me.

Mr. JARMAN. The committee will be receptive to any recommendations and certainly study any recommendation you make, but we are entering the final days, certainly the final weeks of this congressional session and this issue has been before the Congress for months. So I would certainly urge—

Mr. TUNE. In my written testimony there are some suggestions.

(Mr. Tune's prepared statement follows:)

STATEMENT OF WILLIAM C. TUNE, JR., EXECUTIVE DIRECTOR, TENNESSEE WALKING HORSE NATIONAL CELEBRATION, SHELBYVILLE, TENNESSEE

My name is William C. Tune, Jr., and I am Executive Director of the Tennessee Walking Horse National Celebration. Prior to this I served as Assistant Ringmaster and then Ringmaster beginning in 1948. I also showed American Saddle Horses for some 15 years over most of the country. I still judge several shows a year in the American Saddle Horse Classes. I have observed walking horses constantly for a period of some 30 years, and have been in the Celebration ring in an official capacity for the past 22 years.

The breeding, raising, training and exhibiting of Tennessee Walking Horses is one of the youngest industries in the sports field. The establishing of a Breeders Association for a place to register the breed did not take place until the late 1930s. The U.S. Department of Agriculture did not even recognize the Tennessee Walking Horse as a separate and distinct breed until the mid 1940s. Most of the horse shows for this breed have been established since 1940. Compared to most

any other sport, and particularly other breeds of horses used for racing, pleasure or showing, the Walking Horse is still just a youngster. As such, it is going through the problems and adjustment period which practically all spectator sports have gone through, particularly those that have become very popular with the public.

First is the problem of unscrupulous people getting in for quick fame and profit no matter what it takes to obtain it, and regardless of the effect on the industry as a whole. Secondly, the rapid growth of the Tennessee Walking Horse segment of the horse industry has captured an evergrowing amount of public support and investor interest to the dismay and dislike of exhibitors of other breeds.

Tennessee itself is the prime example of this development. In the early 1930s and 1940s, practically every show in Tennessee was centered around the American Saddle Horse with very few walking classes. The last class, which by tradition designates the "Big Class" of the show, was nearly always the Five-Gaited Stake, the pride of the American Saddle Horse Industry. During this same period, practically every county in the State had a one-half mile or one mile race track to hold at least a one week trotting and pacing meet each year. The Tennessee State Fair, held each year in the Capitol City of Nashville, featured Hunters, Jumpers and the American Saddle Horse. There were harness races five days a week, with auto races on Saturday.

This has all changed since the early 1950s. It is hard to find a show in Tennessee in which to enter an American Saddle Horse, or Hunter, or Jumper. At least 80% of the vastly increased number of horse shows are all walking classes. There are only two harness tracks in the entire State that hold meets, and one of these located in Lawrenceburg is just in its second year of an attempted revival of the sport in the area. The Tennessee State Fair Horse Show closed down about ten years ago due to a lack of spectator support for the Saddle Horse and Hunter Show. It reopened this year with the walking horse as the main course. Harness racing has been completely eliminated and replaced completely by auto racing. We are not saying these changes are all good, but we do say that this is the American way. If the public wants to see walking horses and race cars, then it is not a governmental function to try and eliminate the spectator supported events, partly urged on by the fanciers of the types that have lost spectator support. This will really not help the supporters of these other breeds.

The Committee should know that there are abuses worked on practically every breed of horse, and many feel this legislation is discriminatory against one breed. We oppose abuses of any breed, but wish you Gentlemen to be aware of training practices in most other breeds which can be equated with the so-called "soring" practice of some walking horse trainers. Among such practices are bumping the legs of a Hunter with a large, heavy board to teach him to jump; devices used to make a rodeo horse buck and kick; a race horse being nerved in order to race; the American Saddle Horse trainers using chains and the whip on the front legs of the walk-trot horses, known as high schooling, to obtain the desired gait; the use of strong stimulants and drugs to give the American Saddle Horse his "wild look" that is so much desired for show purposes.

We condemn all such abuses of animals, but these facts raise the question of why legislation should be limited to the Tennessee Walking Horse.

The practices I have just described in these other sporting areas are much older than the practice of training and showing Tennessee Walking Horses. Each had its rise in popularity, and abuses nearly always developed during the period of fastest growth. There then followed a period of self-regulation and/or State regulation, which has tended to reduce these abuses to a minimum. The Tennessee Walking Horse reached its period of fastest growth in 1961 and leveled off in 1967. This is the same period in which most of the bad practices by trainers became a problem. Much stronger self-regulation by trainers began to develop, some of it required by the larger shows.

Contrary to some unknowledgeable and prejudiced testimony at the Senate Hearings last year, there has been great improvement in clearing up the problem of soring walking horses. This is an almost unanimous opinion of those who are knowledgeable and involved in the industry. This includes most veterinarians who conduct primarily a large walking horse practice, the fanciers who have been showing horses for years, and the observers who have seen them regularly in the ring. I am among the latter, having observed every class in the ring of the Tennessee Walking Horse National Celebration for the past 22 years. I can personally state, without reservation, that the abuse of soring walking horses

has declined tremendously in the past five years when the rules were strengthened by the industry to prevent this practice. Unfortunately, the publication of the rules and their enforcement by the larger shows called a great deal of public attention to the problem. We used the method of elimination from our Show and announced publicly why the horses were being disqualified. While this practice has certainly reduced the abuses, it has given the opponents of the walking horse considerable ammunition with which to attack the industry. We are, and will continue, to fight the practice of soring and other practices we do not believe good for our industry.

Since 1965, we have worked with the American Humane Association, Inc., headquartered in Denver, Colorado. They have had "free run" of our Show. By our rules and endorsement, they may send as many representatives as they wish to our Show, and inspect any horse anywhere on our grounds. All exhibitors consented to these inspections, even in the stalls they rented from us, when they signed their entry form. We have never paid any of the fees, salaries, or expenses for these people, so there would be no chance of our influencing them by monetary considerations. The entire support for having from 3 to 5 people on our grounds during the Celebration each year has been from their membership. We are not a member. We have also encouraged the trainers to organize themselves into an association, and believe this is another step in the right direction.

We do not feel that Federal legislation is necessarily the answer. There has been no thorough investigation of the problems in the industry to support laws and regulations by the Federal government. Heretofore, the National Celebration has supported legislation at the State level to effectively administer controls over bad practices and abuses.

If this Committee, and the Congress in its wisdom, should decide that Federal legislation is necessary then we are concerned that the laws' working should be responsible and effective. The Senate-passed bill does not clearly place the responsibility for "soring" a horse on the people who have control of the animal. It is the position of the owners and exhibitors that any responsibility for abuses of an animal should lie with the individuals who have personal control over the horse.

The bill, as presently written, would place on exhibitors and owners/breeders a responsibility which they cannot meet. Prior to fixing this responsibility it would be well for this Committee to consider the rules and regulations that govern thoroughbred horses. At a racing track the only person responsible for a horse is the trainer. The rules of racing are uniform throughout the United States. For this Committee's edification, I have obtained a copy of the "Rules of Racing of the Maryland Racing Commission."

Rule 440 states—

"A Trainer shall be responsible for the condition of a horse trained by him."

Rule 445 states—

"Trainers having charge, custody or care of a horse or horses are obligated properly to protect the horses and guard against any violation of the Corrupt Practices Rules."

Rule 444-A states—

"Trainers—If a trainer is to be absent from the track where his horses are participating in races, he must obtain a licensed trainer to substitute for him during his absence. Such a substitute trainer must be approved by the Board of Stewards upon forms approved by the Racing Commission. The original trainer is the *absolute insurer* of the horse he has entered. The substitute trainer will then become the *absolute insurer* of any additional horses he may enter." (Emphasis supplied.)

Thoroughbred racing has been going on in the United States since George Washington's time, and has obviously acquired some expertise in the handling of betting, horse protection and bettor protection. In the thoroughbred business the trainer is singularly responsible for the welfare of the horse, and for protection against all abuses whether they be physical or designed to improve his chances of winning a race. When a thoroughbred horse is tampered with, abused, or otherwise illegally treated, there is no responsibility on the track authorities or on the owners; the only person held responsible is the trainer.

As representatives of exhibitors, we suggest that this Committee consider amending the law so that the responsibility for abusing or affecting the horse rests with the people who have individual, personal and responsible control over the animal, i.e., the trainer.

In summary, we are in complete sympathy with all of the critics of the industry who deplore abusing animals. At the same time, we feel that regulation of the Tennessee Walking Horse Industry can be best accomplished at the local or State level. If, however, there is to be Federal regulation, it should be directed toward the trainers, who have real and physical control over the animals.

STATEMENT OF SAM GIBBONS

Mr. GIBBONS. I am Sam Gibbons, president of the Mid-South Horse Show Association. Our headquarters of that association is Johnson, Tenn. We are the largest affiliate of the American Horse Show Association and except for this year, our rules were always American Horse Show Association rules. This year we use those rules except for walking horses, where we use the combined rules of the breeders association and the trainers association.

Our group is made up of people who put on horse shows for their community charity. We have parent-teachers associations, Lions Club, Rotary Clubs, Band Boosters. We are all a bunch of amateurs. We go at this as a community project, to put on a horse show to make a little money to repaint the schoolhouse or what the case may be.

These people shift these jobs from year to year, you burn a trail man out on a volunteer basis after 1 year, so that each year, we have brand new amateurs.

The think that we are worried about is in subsection 4(c), it should be unlawful for any person to conduct any horse show or exhibits in any way or show or exhibit a horse which is sore, unless all reasonable precautions to prevent this showing or exhibiting of such horses * * *.

These fine ladies and men who conduct these shows know how to run lumber companies and drugstores and they are good housewives; they are strictly amateurs on putting on a show. We are worried about what the word "reasonable" means. If we put in our announcement, "no sore horses are allowed" is that reasonable?

I would like to see that paragraph changed so that an amateur who knows nothing about a horse, but who has a good community spirit and is trying to put on his show, would not be penalized by something someone else had done and over which they have no control.

Some of these shows are all western horses; some are all gaited horses; though not as much as they used to be. Some are combinations of pleasure, gaited, western, and walking, and some are entirely every class for walking horses. But we have show members, each year we run from eight to nine in Arkansas, Mississippi, Alabama, Kentucky, Tennessee, the southern edge of Missouri and Illinois. We would like to see—we are not for soring, we are against the soring of the horses. We just want it so that these ladies and other amateurs who are conducting these shows as their community projects would not be penalized because of the actions of someone else.

Mr. JARMAN. Of course, Mr. Gibbons, we will have an investigation and conclusion as to whether reasonable precaution has been taken. I think certainly if your notice of show and contract with the trainers and owners who are bringing the horses in the show emphasized that no sore horses are to be exhibited, that would be part certainly of a reasonable precaution. Wouldn't most shows or all shows have a veterinarian who would be working with the show in taking care of the horses, or are there in case something happens to the horses?

Mr. GIBBONS. Not necessarily.

Mr. JARMAN. Who would be in a position to inspect horses in that class?

Mr. GIBBONS. There are a good many counties in Mississippi, Arkansas, or through the area, who would have a veterinarian who would be very qualified as a small animal practitioner or probably in swine or beef or cattle or dairy, but who does not practice on horses. I am not sure there would be a qualified veterinarian present; a resident of the county.

Mr. JARMAN. I can understand that. What constitutes reasonable or precaution—and the committee will certainly give that careful consideration.

Any further comments?

Mr. KYROS. I have a question for Mr. Tune, if I may.

I notice here in a letter to Senator Baker, the Deputy Administrator of the Department of Agriculture, has already said that in his opinion there would not be any retroactive action indicated if the Senate bill were passed. Judgment would have to be exercised regarding retroactive action, but enforcement is the problem.

So he did consider that.

Secondly, in regard to what Mr. Gibbons said, the Department of Agriculture apparently indicated that they were interested in protecting horse show management and that everything had been done, within reason, to keep the sores animals out of shows.

Mr. Tune, you first mention here as being against soring, and concerned about rules, and I commend you. In your written statement you point out the problem and how hard it is. Then after you talk about this problem, saying that everybody is against soring, quite surprisingly on page 3, you state you do not feel that Federal legislation is necessarily the answer.

Well, if Federal legislation is not the answer, I am sure everyone here wants to know what the answer is, quickly and concisely, in your best judgment. You are on record.

Mr. TUNE. My judgment is, if possible, local and State enforcement is best.

Mr. KYROS. Why hasn't that been done?

Mr. TUNE. They could not pass it.

Mr. KYROS. What makes you think you could pass it in the next 6 weeks or a year?

Mr. TUNE. I do not know if we can. I think it would be the best but I do not know that it is possible.

Mr. KYROS. I would like to see the States do it, as with meat, clean air, or drugs. However, you have to be realistic. Can you tell the committee that if the Federal Government did nothing, the States would clear this right up?

Mr. TUNE. No, sir.

Mr. KYROS. I think that is a fair and honest answer. When I read your statement I thought it was very good. I am sure we certainly do not want to have to legislate here, but we have heard about all of these problems this morning, and it seems to me that you gentlemen are in agreement that the problem does exist. As I understand, you go on record as being against the process of soring, and cruelty and pain used to train a horse to have a gait.

I want you to know that I think most members of this committee, besides all of their emotionalism and concern for animals—and there is plenty—feel that it seems to be a worthwhile industry.

I do not see any alternative to legislation, to tell you the truth. Besides close sponsorship of the bill, my judgment is that we should have legislation. However, I think we would be open in this committee to listen to any recommendations you have specifically regarding legislation.

Thank you, Mr. Chairman.

Mr. JARMAN. In line with Mr. Kyros' comments, I notice in your statement you say at the end of page 3, "the Senate-passed bill does not clearly place the responsibility for soring a horse on the people who have control of the animal."

The only way in which the Federal Government has jurisdiction is when that animal crosses State lines. It seems to be extremely difficult and not impossible for tracing back where the responsibility for what happened to the animal lies. The only approach the Federal Government has to come into, in line with Mr. Kyros' comment, the Federal Government has to come into it because the States will not clean up the problem, and the extent of our jurisdiction in Federal legislation is the crossing of that State line.

I do not see how it would be possible to reach out to the individual who might in the past have caused the condition in the animal.

Mr. TUNE. That is true and it is probably, from a legal standpoint, impossible. However, as you can readily see, an innocent truckdriver might be implemented when he knows nothing of the sores and would not know a sore horse if it was in the truck with him, which it would be.

Mr. JARMAN. It is certainly hoped the Federal Government does act in this field, but it might be some additional incentive for the States to go ahead and place responsibility where it should lie within the State where the animal has been sored.

Thank you very much, gentlemen.

Our next witness is Miss Alice Herrington, president, Friends of Animals, Inc., New York City.

STATEMENT OF MISS ALICE HERRINGTON, PRESIDENT, FRIENDS OF ANIMALS, INC.

Miss HERRINGTON. Mr. Chairman, gentlemen. If you will permit me, I would be glad to have my statement incorporated in the record on behalf of the 50,000 members of Friends of Animals, Inc.

I regret very much that our expert in this field is hospitalized today in Baltimore, but should the hearing be held another day he may be able to attend. He is Mr. Henry Berol of New York and Georgia, who has long been a breeder of Tennessee walking horses and who has always refused to participate in soring.

I think it is very significant that Mr. Berol feels he will never again show his Tennessee walkers in any official exhibit until a very strong measure has been passed by the Federal Congress.

We hope very much that you will pass the bill in the same form that the Senate did. The Congress is drawing to a close and protection is very urgently needed.

Thank you.

Mr. JARMAN. Thank you very much for your statement. In its entirety, the statement will be included in the record. We appreciate your being with us.

(Miss Herrington's prepared statement follows:)

STATEMENT OF MISS ALICE HERRINGTON, PRESIDENT, FRIENDS OF ANIMALS, INC.

A most impressive plea for the passage of the Tydings-Whitehurst Horse Protection bill comes from Mr. Henry Berol of New York City and Waynesboro, Georgia, one of Friends of Animals' experts on horses and horse shows. Regrettably Mr. Berol is hospitalized in Baltimore today and we therefore ask that his testimony be incorporated in the record as follows:

"There are more Tennessee Walking Horses in the horse shows today than any other breed of animal, and it is true they are a beautiful sight to see when they are paraded about the ring. My family and I will not participate in any form of cruelty and as a consequence we stopped showing Tennessee Walkers a few years before Senator Tydings' bill was introduced. After it was introduced, we again started out showing some young horses and now are on the verge of quitting once more. The mature horses which are being shown today are in the same state that they were in before all the publicity. Even on two- and three-year olds the front feet are burned with acids or any number of methods to get them to raise their feet. Thus, we are about to discontinue the show career of our young horses. However, we will leave them in the ring until we find out what action the Congress takes in the passage of this important bill."

The majority of people who Tennessee Walking Horses are not great friends of animals as is Mr. Berol. For the sake of a blue ribbon they are party to the torture of defenseless creatures. To better understand the artificial soring of horses' forelegs may we ask the honored members of the Congress to contemplate this analogy:

Most people at one time or another have had a blister and know the suffering this entails. It is not too difficult then to imagine that some devil scraped the blister raw, anointed it with a burning chemical, pounded a nail into the nerve, and then forced you to put on shoes and to walk on this mess of agony. Imagine further that speechlessness prevented you asking surcease from this torture.

The horse show organizers have proved incapable over the past twenty years of eliminating this horror and its violation of principles of fair-play in competition. Friends of Animals' 50,000 members plead with the Congress to end this barbarity. The protection of animals is one of the non-partisan matters before the Congress as was demonstrated by the overwhelming favorable vote for this measure by both parties in the Senate. We pray that all members of the House of Representatives will be given an opportunity by this Committee also to vote in favor of this protection for dumb animals.

Mr. JARMAN. Mr. KYROS.

Mr. KYROS. No questions.

Mr. JARMAN. Our next witness is Mr. John D. Laroque, field representative of the Humane Society of the United States.

**STATEMENT OF JOHN D. LAROCQUE, FIELD REPRESENTATIVE,
HUMANE SOCIETY OF THE UNITED STATES**

Mr. LAROCQUE. Thank you. I have just recently returned from an extensive field trip into the Southern States, and I will name them—Ohio, Kentucky, West Virginia, Alabama, Georgia, South Carolina, Maryland, and Virginia.

One of my interests was to observe and gain firsthand knowledge of the cruelties involved in the "soring" of Tennessee walking horses. I talked with trainers, breeders, owners, performers, stable hands, local prosecuting attorneys, humane societies, and various clubs about the subject.

"Soring" not only exists but it is a common practice that has been impossible to eliminate without proper legislation like the bills now before this committee. Unscrupulous trainers have used burning chemicals, chains, tight elastic bands, misshapen shoes, and weights to force the Tennessee walking horse to gait as desired. They have resorted to driving tacks into the quick of the hoof—an agonizing mutilation that is best compared to inserting bamboo shoots under the fingernails

of human beings. They often apply irritants like oil of mustard. These cruelties sometimes make the animal unsound to a degree that it cannot stand firmly on all four legs. Sometimes, too, the horse crouches to the ground in pain as a result of a "soring" technique.

Of course, the walking horse can be trained humanely to produce the gait which is known as the running walk. This is the proper way to train the animal, but it is a long and slow process, too long and too slow for money hungry and ribbon conscious owners and trainers. By greedily putting his urge to win above his compassion and respect for a living creature, the horseman has sorely damaged this magnificent animal.

What the unknowing public sees in a horse show is a spirited and beautiful animal gliding along on its rear legs, throwing forelegs high into the air with white boots flashing. They admire the horse and rider who, in the tradition of great American horsemanship and sportsmanship, cause this beautiful animal to perform in such a grand manner. The public doesn't know, however, that the horse is gliding along so gracefully because it cannot bear weight on its forefeet without excruciating pain. By greedily putting his urge to win above his compassion and respect for a living creature, the horseman has sorely damaged this magnificent animal.

For years, the Humane Society of the United States has investigated and protested the treatment of the Tennessee walking horses. Our investigations began back in 1957 and have continued to this date. We have accumulated extensive files on this subject and we would be happy to share our information with this committee.

It has been impossible to control the abuse of these animals under State or local anticruelty laws. We have taken legal action in past years under anticruelty laws only to find that nominal fines were levied and, indeed, appeals against the judgments were upheld.

There is also the difficulty of examining the horses and proving in a court of law who actually did the soring. You can well imagine, even though a horse may be seen in a ring with blood running over its feet, how difficult it would be to establish beyond a reasonable doubt who was directly responsible for the injury. To further complicate matters, concerned individuals like us here today have been refused entry to the show ring and stable area of most shows we have attended. In one case, in Alabama, where I recently attended a walking show, up to this point I thought it was a nonaccredited but nevertheless professional exhibition. I think Mr. Gibbons just recently said these were done for charity by amateurs. In this particular case, one of the horses shown went on to win in Shelbyville and so I am convinced they are not all amateurs.

The chairman of this particular show in Alabama also owned the majority of stock entered in the competition, all for the benefit of the local charity. The horsemen there were rather subtle. They seated groups of stable hands about me, and this did not make my day any more comfortable under the hot Alabama sun.

Even though the American Horse Show Association and the Tennessee Walking Horse Association have specific rules and regulations against soring, it has been impossible for them to control the vicious cruelty inflicted upon these animals. It has been difficult also for local humane societies to control this cruelty on their level.

S. 2543, introduced by Mr. Tydings, is a bipartisan bill and has passed the Senate. It would accomplish a task that humane and horse organizations have been unable to do. The Department of Agriculture with its network of veterinarians throughout the country would be able to enforce this law in the most economic and effective manner. That agency has the qualified personnel to handle a responsibility of this nature, and concurrent jurisdiction would allow for more immediate enforcement action on a local level.

Mr. JARMAN. Perhaps if I could interrupt that part of your statement, maybe we have the partial answer to the point Mr. Gibbons was making, the need for clarification as to what was necessary to show that reasonable precautions have been taken to prevent showing or exhibiting of such sores horses.

The Department of Agriculture, I would think if the Department were contacted and a veterinarian were to request it before the show that certainly would show reasonable effort in trying to meet the requirements of the law. Actually, the Department, under this bill, whether it is in or not, would send veterinarians to various shows in the country to enforce the provisions of the law.

Mr. LAROCQUE. I am in agreement. I think one thing, the Department of Agriculture should send to each and every show a veterinarian for the purpose of supervision and inspection. It is my personal experience that veterinarians very often own Tennessee walkers that are sores and they are in a capacity to supervise the care. So where do you go?

We would like to make one suggestion to possibly improve the effectiveness of this very strong bill. And I make this based on my past experience with Department of Agriculture concerning Public Law 89-544. It is that a subpena clause be written whereby the Department of Agriculture would have the authority to subpoena witnesses. As we are all aware, it is virtually impossible to conduct an expedient trial without having all of the principals available. This type of legislation would effect interstate commerce and the people are traveling from interstate very often. The show was here today, the horses are there tomorrow, 3 days later they are five States away. So I think this cause deserves some consideration.

In this day of violence and cruelty and suffering, we would like to think the Congress of the United States in all its wisdom, will pass favorable judgment on this bill. By so doing, the Congress will show the citizenry of this country that cruelty is not to be tolerated in this great country and that our Congress is opposed to it in any form.

Thank you for allowing us to be here today to present our views. We strongly urge, on behalf of our nationwide membership that you act favorably and quickly on S. 2543, House bill 14151 and House bill 13979.

Mr. LAROCQUE. I do have just one additional remark to make in support of Miss Wright. The State of Ohio and the youth of Ohio are extremely concerned and conscious of the Tennessee walkers. In Ohio, I spent considerable time going around talking to breeders and stable people. Also, I spoke to youth groups as part of our national program. And inevitably, the youth, ages 11 to 15, would bring up the point of Tennessee walkers.

So I was encouraged to enjoin their ideas to the Congress.

Mr. JARMAN. Mr. Kyros.

Mr. KYROS. Mr. Larocque, you heard the testimony and the questions we asked earlier. Take an already sored horse which has this peculiar gait. Can it then continue to be shown without soring? Do you know the answer to that?

Mr. LAROCQUE. I say not as effectively.

Mr. KYROS. You mean you have to keep on applying some agent to cause harm to the horse?

Mr. LAROCQUE. Right.

Mr. KYROS. You would have to use something that is cruel and inhumane?

Mr. LAROCQUE. In my opinion, soring is a cruel and inhumane practice.

Mr. KYROS. With a horse which has been already sored, trained to walk that way by soring, harsh soring, everytime you show it must you have to do something cruel or inhumane to it to make it go through its walk?

Mr. LAROCQUE. I would say it would have to be resored. I have seen it.

Mr. KYROS. Have you ever done this yourself?

Mr. LAROCQUE. No. I have seen where they would show a sored horse and a regularly humanely trained horse and the sored horse has by far out performed the other. And without it, I do not believe they would perform to that degree.

Mr. KYROS. No further questions, Mr. Chairman.

Mr. JARMAN. Thank you very much.

Our next witness is Mr. Wink Groover, vice president, National Walking Horse Trainers Association.

Mr. Groover, the committee will be glad to receive your statement in its entirety.

Would you care to identify the gentleman with you?

STATEMENT OF WINK GROOVER, VICE PRESIDENT, NATIONAL WALKING HORSE TRAINERS ASSOCIATION; ACCOMPANIED BY JAMES BURNS, COUNSEL

Mr. GROOVER. Mr. Jim Burns, the attorney for the National Walking Horse Trainers Association.

I would be glad to read this. In view of your time shortage, I will pass this up and go into what I have heard here today.

(Mr. Groover's prepared statement follows:)

STATEMENT OF WINK GROOVER, VICE-PRESIDENT, WALKING HORSE TRAINERS' ASSOCIATION, INC.

My name is Wink Groover of Etowah, Tennessee. I am vice-president of the Walking Horse Trainer's Association, Inc. I have been a professional horse trainer for many years. Although I have worked as a professional horse trainer in other places, I have lived and worked as a trainer for the last several years in Etowah. My experience as a horse trainer has been primarily with the breed known as the Tennessee walking horse. I have trained and shown several world champion walking horses, and recently was fortunate in winning the world grand championship walking horse stake and in receiving the award as the "horseman of the year" in the walking horse field.

There is no question that several years ago the training and showing of walking horses involved such rigorous training methods and such poor care of the horses that some corrective action needed to be taken. I must admit that at that time I was one of the worst offenders. Since the organization of the

Walking Horse Trainers' Association in 1968, there have been great changes made throughout the United States in improving the training and showing methods. Each year seems to have brought a greater improvement than the year before, with the greatest improvement having been made within the last six (6) months. I do not say that all of the credit for this improvement should go to the Walking Horse Trainers' Association. However, I do feel that the greatest amount of credit is due to the efforts of this association. For the first time, this organization decided that one of the essential elements to correct the "sore horse" problem was to try to see that some horses did not win at horse shows. To do this, the Trainer's Association thought the most practical solution was to license judges and educate them as to how to detect a sore horse and require that the judges excuse such horses from the ring and not place them among the winners. This procedure was followed and resulted in a great deal of success. The Trainer's Association plans to continue its efforts to cause judges to recognize sore horses, exclude them from the ring, and not tie them at any place among the winners. Horses have been sore in the past because this resulted in these horses being able to win ribbons. If sore horses cannot win ribbons at horse shows, horses will not be sore. The Trainer's Association will continue its efforts in this direction.

We feel that any unbiased person with knowledge of horses would state that there has been vast improvement of the sore horse problem within the past twelve (12) months. We hope that this committee will hear reports from such an unbiased person who knows the conditions over the past several years and presently by first-hand acquaintance with the situation. Such persons should be available to this committee from the Department of Agriculture. It is generally known that the Department of Agriculture has had some of its veterinarians checking into the so-called sore horse problem in various areas and particularly within the state of Tennessee. Therefore, witnesses should be available upon request of this committee who may not be subject to being classified as being prejudiced as I may be classified, or who may be classified as being prejudiced among the group which has been instrumental in seeking legislation to control the problem in question. Even the Nashville Tennessean, a newspaper which has had numerous articles over the last two (2) years concerning the sore horse problem, has admitted that the situation is greatly improved. It is almost impossible to achieve perfection in any matter. We doubt that perfection would be attained if this or any other legislation were to be enacted. Even if the statute were to be perfect, it must be enforced by imperfect men. Therefore, improvement is all that can be expected from any efforts by anyone. The Walking Horse Trainers' Association feels that such great strides have been recently made in improving this situation, that no legislation is needed at this time on a state or national basis. The Trainers' Association's position is that rapid and reasonable improvement has taken place, is taking place, and will take place by voluntary methods within the horse industry so as to make it unnecessary for regulatory legislation to be enacted by Congress or any legislative body.

If, in its wisdom, this committee and the Congress determine that the position of the Walking Horse Trainers' Association is in error and that legislation is necessary at this time, the Walking Horse Trainers' Association believes that it is imperative that such legislation be on the federal level as opposed to the state level. This conclusion is reached because of the many detrimental effects which appeared to develop from the possible passage of legislation in the state of Tennessee within the past year. It appeared that if Tennessee passed such legislation and other states did not pass similar legislation, that the practical result would be the eradication of the horse business in the state of Tennessee and the removal of same to other states. Thus, by the time the fly swatter reached the place where the fly had been, the fly would no longer be there to receive the blow.

The trainers' Association feels that there are several things which should be changed concerning Senate Bill No. 2543 which we understand to have been passed by the Senate in the first session of the 91st Congress. The Trainers' Association feels that this bill should be amended as follows for the reasons hereinafter stated: Line 21, page 2, of subsection (4) of Section 2(a) should be amended by inserting the word "currently" after the word "expected", and the word "extreme" before the word "physical".

The insertion of the word "currently" would have the effect of requiring that the soreness exist at the time in question, that is, at the time that the horse was being examined for soreness or at the time that the soreness of the horse is in question. The word "extreme" would prevent the application of this statute to any pain which was and has been considered normally and reasonably necessary in the control of horses for countless generations. It has been necessary

and will always be necessary to inflict some pain on a horse in order to cause that horse to obey the will of the rider. Oftentimes this ordinarily expected pain is necessary in order that the horse be made or caused to change his gait. Almost any pressure applied to the reins will cause pain. Almost any pressure applied by a spur causes pain. Almost any pressure applied by a whip causes pain. Therefore, without the insertion of the word "extreme", the type of pain which is normally and reasonably expected would be prohibited by the Act in question. Also, it should be noted that in the following clause (b), the word "extreme" is used to describe fear and distress. Certainly it would be consistent to apply this same term to the physical pain which is desired to be eliminated. In order that the Act clearly reflect that it is speaking of a sore horse at the time that the soreness is being questioned rather than at some time that the horse may formerly have been sore, the Association believes it will be necessary to insert the word "then" in several places in the Act. In order to accomplish this change, insert the word "then" immediately before the word "sored" on line 20, page 3, of section 4(a) and before the word "sored" on line 23 of the same page, section 4(b) and before the word "sored" on line 3, page 4 of section 4(c). Furtherance of this same purpose, section 4(c), page 4, should be amended by adding after the word "horse" on line 6 thereof, the following: "that is then sored" and striking the word "sored" immediately before the word "horse".

The Association also believes that it is important that the Act be restricted in its application to horses which are actually entered in the show or exhibition in question rather than being applicable to horses which may be present and not entered in such show or exhibition. Certainly it places an undue responsibility upon show management as well as others attending a show if they are not entitled to limit their responsibility to those horses that are permitted to enter the show. In order to effect this amendment, it would be necessary to amend section 4(b), page 3, on line 24, by inserting before the word "was" the words "is entered in such show or exhibition that" and also amending section 4(c), page 4, on line 3 before the word "was" by inserting the words "is entered in such show or exhibition that" and by amending section 5(a) on line 12 of page 4 before the word "was", by inserting the words "is entered in such show or exhibition that" and by further amending such sections (a) on line 14 of page 4 by inserting after the words "at such a show or exhibition" immediately after the word "horse". The Trainers' Association has serious question concerning the phrase "was moved to such show or exhibition in commerce" which appears on lines 24 and 25 of page 3 and in line 3 and 4 of page 4. The Association has similar question about the phrase "or have been moved in commerce" on line 9 of page 4 and the phrase "was moved in commerce" on line 12 of page 4. All of these references lack clarity as to when the movement took place or how long before the time in question the movement took place. Our question is whether the movement in question was one which took place immediately prior to the then location of the horse in question or the last movement of the horse in question, or to any previous movement in commerce no matter how far into the past that movement took place.

The Trainers' Association feels that any movement in commerce should be that movement directly associated with placing the horse in question at the location where the question of his soreness arises. For example, we do not feel that a horse which was at some distant prior time moved in commerce would be sufficient to be within the meaning of the phrase "moved in commerce" if a horse is later moved to a show or exhibition and that movement is altogether within the bounds of one state. The Trainers' Association believes that any regulations which the Secretary of Agriculture may prescribe pursuant to section 5(b) should be reasonable. Therefore, we believe that section 5(b) should be amended on line 22, page 4, after the word "regulation" by inserting the word "reasonable". The Trainers' Association feels very strongly that anyone who violates the Act in question should be punished by a criminal proceeding rather than a civil proceeding. We feel that any one who is prosecuted under this Act for a violation of this statute, should have a constitutional guaranty of a trial by jury which the violation of most other federal statutes would provide. Therefore, we feel that the entire section 6 should be deleted and a section inserted to provide for criminal prosecution from which would naturally flow the right for a trial by jury.

If these, or similar amendments, are not made, the Walking Horse Trainers' Association is convinced that the passage by the House of Representatives of Senate Bill No. 2543 would be so severe in its restrictions on what a person can do with a horse that it would effectively eliminate almost everything being done to or with a horse. Thus, if enacted, in its present form, the bill in question

would result in the elimination of the entire horse industry, not just the walking horse industry. We firmly believe that no legislation should be enacted at this time when such great efforts within the industry have resulted and will continue to result in improvements which will forthwith lead to the practical elimination of the sore horse problem in the United States. Therefore, we ask that this committee defer action on this matter or report an unfavorable recommendation as to the passage of Senate Bill No. 2543 of the 91st Congress.

Thank you.

Mr. GROOVER. To me, there is a simple solution to our problem, that being professional horse show judges, ruled over by a commission of judges and rules, this commissioner seeing that these professional judges obey all rules according to the show horse rules and regulations, including soring.

Mr. JARMAN. You mean a State commission and judges under the State commission?

Mr. GROOVER. I feel it can be done through our breeders and trainers association. There is no reason that we can't. And it can be policed through this commission.

Our problem, gentlemen, as I have seen it, I have been is the walking horse business for years, is that our judges for horse shows today are picked from the owners and trainers of the Tennessee Walking Horses. If we had professional judges, such as professional umpires, referees, then this professional judge would have to answer to no one in the horse business. He would have to answer to the commissioner of rules and regulations.

Mr. JARMAN. Who would finance the payments for those judges?

Mr. GROOVER. It could be financed without any trouble through the breeders and trainers association. There has been a plan submitted to the breeders association and I was very surprised it did not come out in Mr. Water's testimony. I hope it will come out before the day is over. That is for the professional judge.

It all stems on, of course, the question you get asked—How are you going to organize the horse show. And it all stems back to what you have heard testimony over and over today, that the national celebration in Shelbyville, Tenn., is the key to the whole situation. If the national celebration agrees to accept the professional judges, not let any horses show there except horses that have been shown before, professional judges through the year, you have the problem eliminated.

Mr. JARMAN. Of course, we are in the position of representative capacity of facing the problem along which this has not been done, and we have reached the point now where a bill has passed one body of Congress and is before us here. We went back to our record of enacting and even where there has been statutes on the books in States, State law, those laws have not been enforced.

So I can understand what you are saying, in theory, that something could be done, but, unfortunately, it has not been done. So we have to face up to the problem as it is and as realistically as we can.

Mr. GROOVER. The trainers association, in reading my prepared statement, goes on record as supporting Federal legislation if we have to have legislation. But we are definitely against legislation.

Mr. JARMAN. Mr. Kyros said a few minutes ago—I think the normal reaction of we who sit in the Congress is we wish to heaven so many of the problems that come to us on a national level were handled at a State level and it would not be necessary to pass Federal legislation.

But when problems are not dealt with at a State level for one reason or another, finally it is forced upon us as a national problem. I do not think there are many of us in the Congress who would argue that a State solution, carried out effectively and enforced, as so many of the problems that come before us, would be much more desirable than trying to approach it from a Federal standpoint.

Mr. GROOVER. I would like to read in part this statement. We are getting back into the Federal legislation end of it and the bill—

Mr. KYROS. May I ask a question. You did not bring World Ace's Sensation with you, that beautiful horse?

Mr. GROOVER. No, sir; but I would be glad to.

Mr. KYROS. I would like to talk to him and get it from the horse's mouth.

I understand that you said you had sored the horse slightly before you showed him.

Mr. GROOVER. No, sir; I did not say that. He did not quote me. He just said I said it.

Mr. KYROS. Was the horse sored?

Mr. GROOVER. No, Ace's Sensation was not sored.

Mr. KYROS. How did you train Ace's Sensation to become a walking horse? What did you do with him?

Mr. GROOVER. It started back several years ago.

Mr. KYROS. Just tell me how you did it.

Mr. GROOVER. The horse had been sored.

Mr. KYROS. How?

Mr. GROOVER. Through chains, rollers, boots—

Mr. KYROS. Did it hurt the horse?

Mr. GROOVER. It hurt him right at that particular moment. But Ace's Sensation—and I will be glad to bring him here and show you—he has no scars, no scar tissue on his feet. The horse has not been treated inhumanely in my opinion.

Mr. KYROS. You are a horseman. I imagine the first thing that you love, beside your wife, is horses.

Mr. GROOVER. She says I love the horses first.

Mr. KYROS. I doubt a man like you would ever inflict harm or cruelty on a horse. I am sure of that.

Mr. GROOVER. I cannot afford to do anything to a horse such as Ace's Sensation that will harm him, because he is what makes me a living. Without him I would be in trouble. Because I had been in the horse business all of my life. It is all I know how to do.

Mr. KYROS. But in the history of making him into a Tennessee walking horse, pain was inflicted on him; isn't that a fact?

Mr. GROOVER. Yes, sir. I think you will find my children have had pain inflicted on them, to grow up and become men and women.

Mr. KYROS. They are not dumb animals.

Mr. GROOVER. You find it in the bird dog or race horses, or saddle horses, jumping horses.

Mr. KYROS. Let me ask you this question, because I think you are an expert in this area. World Ace's Sensation does not have to be additionally treated with a chemical every time he goes out to be shown, does he?

Mr. GROOVER. No.

Mr. KYROS. So the testimony Mr. Larocque made is not correct, when he said a horse to really compete has to be sored each successive time for exhibition?

Mr. GROOVER. A horse of high quality does not. Our problem, if the horse is of poor quality, trying to compete with a horse of high quality.

Mr. KYROS. Well, I looked over your testimony while you were testifying in answering the chairman's questions, and I think there are a lot of good things in it.

Mr. GROOVER. The only thing—I hate to interrupt—the only thing I would like to point out not in the statement is we feel like the word “sored” should be amended to the word “sore” which is present tense rather than past tense.

Mr. KYROS. You are worried about that class of horses we talked about before, those already sored?

Mr. GROOVER. Including Ace's Sensation, and it was testified he has retired to stud, which is not true; he is retired but we plan to exhibit him all over the United States in the next 2 or 3 years.

Mr. KYROS. In your colloquy with the chairman, I felt that with your interest in the Tennessee walking horse industry, it seems to me to men like yourself, and the other gentlemen who testified, would have reached out strongly beforehand to preclude even coming this far.

Mr. GROOVER. We feel in the trainers association we have made strides. But we do not think we have cleaned it up completely. But if you will check the end of this thing, it is something that came up several years ago and we probably let the industry down by not organizing it years before. We just organized 3 years ago and we think we have made progress.

Mr. KYROS. Finally, where is World Ace's Sensation, so I can go out and see him?

Mr. GROOVER. Etuwah, Tenn., right now. But we will be glad to bring him to Washington, D.C.

Mr. KYROS. Thank you very much.

Thank you very much, Mr. Chairman.

Mr. JARMAN. One part of your testimony, that particular horse, don't you do some refreshing soring of that horse before each major competition in the horse show?

Mr. GROOVER. No, sir. We do have training techniques that I do with that particular horse and other horses. The other part of the testimony that I have heard today but I disagree with is on the boot situation. And the boots that Mrs. Twyne, I believe Mrs. Twyne presented to you, with the lead knockers in them, I do not feel are inhumane. Because they do not hurt the horse permanently.

Mr. JARMAN. Do you use those?

Mr. GROOVER. Yes.

Mr. JARMAN. The boots on this horse in the showing?

Mr. GROOVER. Yes.

Mr. JARMAN. What about the lead balls or lead knockers; do they hit an area that was tender and calloused from soring?

Mr. GROOVER. No, sir. If I might take just a minute and explain what the boot primarily was used for and what it was started for was protective measure around the corner area, which is the area between the hoof and the hairline on a horse's front feet. This area is very soft and if hit by the horse's foot or something, it is very easily cut, which causes extreme lameness.

The bell was originated to fit tightly around there to protect, such as a rubber foot that was presented. The walking horse industry found out that this boot would help make the horse pick his feet up and reach farther, and then the other type boot, with the lead rollers in it, tends to flop around the horse's ankle and with movement tends to make him reach higher and farther with his front feet. The object of the walk horse is to cover the most ground with the least amount of steps as possible.

It does not cause permanent injury to the horse. I believe if you as a human being would put it around your ankle, you will find it does not hurt you, but it does make you use your leg in a different manner than a leg without one.

I would like to call special attention to the amendments in my statement and would appreciate your looking over them and considering them.

Mr. JARMAN. I can assure you the committee will study them with care and we appreciate you gentlemen being with us. We have this afternoon on our list four more witnesses and we will convene again at 2 o'clock this afternoon.

(Whereupon, at 12:55 the committee recessed, to reconvene at 2 p.m. the same day.)

AFTER RECESS

(The committee reconvened at 2 p.m., Hon. John Jarman, chairman, presiding.)

Mr. JARMAN. The subcommittee will please be in order as we continue the hearings on H.R. 14151 and on other bills dealing with the subject of the soring of horses.

Our next witness is Mr. H. Karl Yenser, member, board of directors, Virginia Horse Shows Association, member, board of directors, American Walking Horse Association, and a judge of the American Horse Shows Association from Jessup, Md.

Mr. Yenser.

STATEMENT OF H. KARL YENSER, JUDGE, AMERICAN HORSE SHOWS ASSOCIATION

Mr. YENSER. Mr. Chairman and members of the committee, I appreciate the opportunity you have afforded me to testify here today. I am not going to read my prepared statement as it has been made available to the committee.

There are a few things, however, I would like to discuss in regard to Senate bill 2543. There is a portion of that bill which I believe is a little bit different than the House bill in that it provides for concurrent jurisdiction of both State and Federal laws. I believe this provision should be made a part of the House bills.

We have heard testimony this morning about State laws, very stringent State laws, as a matter of fact, which have been passed; State of Virginia, State of Tennessee; but these laws provide for concurrent jurisdiction. I think this would be a wise thing to consider in the House bill as it is presently proposed.

There was also a question this morning about the intrastate transportation of horses, and I think here again Senate bill 2543 does take care of intrastate showing of horses in that it provides that any horse

found to be sore will be barred from showing and will be subject to the provisions of the bill.

This provision, in my opinion, would cover the intrastate shipment as well as interstate shipment of horses.

Mr. Hastings, this morning, raised a question of controlling shows. There was a statement made by a previous witness that there has been a breakdown in the control of shows, that no association can really control these shows.

I would like to further elaborate on that. The American Horse Shows Association licenses approximately 1,000 shows a year. However, there are about 3,000 shows that are not licensed, and obviously the American Horse Shows Association does not have any affiliation with those shows, although many of those shows state American Horse Shows rules will apply.

I do feel that the rules of the American Horse Shows Association could, if they were followed by shows, resolve many of the problems which have occurred in the past. But recognizing that, on a basis of perhaps 3 to 1, there are many shows that are not recognized shows of the American Horse Shows Association. Therefore, I feel that Federal legislation is the only alternative that we have.

Our young lady, this morning, was mentioning shows where walking horse classes have been dropped, and I believe Mr. Kyros asked the question of the young lady, did she know what shows these were, and she was unable to give him any specific show.

I do happen to know some shows, major shows of the country where walking horse classes have been dropped. In Ohio, as a matter of fact, Cincinnati and River Ridge dropped walking horse classes this year. Lexington, Ky., one of our major saddle horse shows which formerly included walking horses in their program, dropped walking horses. The Kansas City Royal has dropped walking horses. I feel that this was primarily done because of the problems which have been created over the past years regarding the showing of walking horses. I merely want to substantiate the statement which she made that there were many shows which had dropped walking horse classes. She was just unable to give any specific show at that time.

One other thing that I would like to bring to the attention of the committee. There seemed to be some question about the showing of sore horses, or the continued showing of horses which had been sored. One of the questions Mr. Kyros asked was, "Well, what happens to these horses after you have shown them? Does it do any permanent damage, so on and so forth?"

Actually, the showing of sore horses is the main problem that we are concerned with in this bill. What happens to a horse after he is retired and used for pleasure is not really of concern. The concern is the sore horse, and the methods which have been used to make him sore.

I would like to point out that in formulating the American Horse Shows rules—there was a question about the initial soring of horses and the scarring of them. In the American Horse Shows rules for the showing of walking horses we did try to correct this problem several years ago when we put as one of the first provisions in the walking horse division rules this particular statement:

Horses foaled after January 1, 1965, with any scar, callous or granulated tissue on the pastern or coronet areas must be excused by the judge from the class entered.

The reason this provision was put in the rules was to give people a chance to clean up the horses, and also that young horses being trained would not be scarred; that the training methods which were being used would no longer be used. It was hoped that in approximately 5 years most of the horses would be clean. They would not have scar tissue on them because they hadn't had that particular method of training applied to them in their early training.

We have had a lot of objection to this particular rule, and there are people who feel that what has happened to a horse before is not of any material issue. I feel however that if this rule had been followed, we would be out of the woods. The old horses who have scars would continue to be allowed to be shown. It would only be horses that have raw or bleeding sores in the pastern or coronet area from either old or new scars or chain sores which would be disqualified for the balance of the show.

If a horse is entered with an old scar that isn't raw or bleeding or sore, he is still allowed to show. We felt that gradually we could phase out the horses that had the severe training methods applied to them and the young horses coming on would be clean horses.

I do want to point out that the American Horse Shows Association tried to do something to correct the problem but again because of the comparatively small number of shows which are licensed and controlled, we failed to resolve the problem.

If the committee would have any questions they would like to ask at this time, I would be very happy to answer them.

(Mr. Yenser's prepared statement follows:)

STATEMENT OF H. KARL YENSER, JUDGE, AMERICAN HORSE SHOWS ASSOCIATION

My name is H. Karl Yenser. I am a resident of Howard County, State of Maryland. I feel that I am qualified to present testimony before this Subcommittee on the basis of my background and experience with horses in general, and Walking Horses, specifically. My experience in the show ring as a rider and exhibitor covers approximately 40 years, during which time I trained or exhibited the following breeds of horses and ponies: American Saddle Bred, Tennessee Walking Horses, Arabians, Western Horses, Shetland Ponies, Harness Ponies and Standard Breds.

I am currently a recognized Judge of the American Horse Shows Association. I am licensed to judge twelve different breeds, or divisions of horses. I am also licensed as a Judge by the Tennessee Walking Horse Breeder's Association. I judge approximately 15 to 20 shows a year and have judged many of the major shows in the United States. My judging experience extends over a period of 25 years.

I am a member of the Board of Directors of the American Horse Shows Association, a member of the Board of Directors of the American Walking Horse Association, a member of the Board of Directors of the Virginia Horse Shows Association, and a member of the Tennessee Walking Horse Breeder's and Exhibitor's Association. I am a past President of the American Walking Horse Association. While I do not currently exhibit Walking Horses, I have owned and exhibited them over a period of 30 years. At the present time, I own several Walking Horse colts.

The problem of the soring of Walking Horses as a practice in showing, dates back approximately 20 years. One of the methods used in training of Walking Horses is to attach chains around the pastern area of the horse's front feet, and then ride him in either soft ground, such as a ploughed field, or in high grass. A combination of the footing, plus the chains, causes the horse to lift his feet higher and reach forward farther.

While there is nothing basically wrong with this particular training technique, when the horse reaches the show ring, it tends to lose a portion of the action which it had when the chains were fastened to the pastern area. It was discovered that if an irritating substance such as Oil of Mustard or Iodide of

Mercury, was applied to the pastern area, it would produce the same type of action in the show ring as chains produced in training. This practice became so widespread and abused that it finally resulted in Walking Horses being shown with bleeding pastern areas as the general rule, rather than the exception.

The irritant is usually applied the day before the show so its full effect will be felt when the horse is being shown the following day. A boot is generally placed around the pastern area. The boot was originally designed to be a protective device, but is used many times to cover the sore condition of horses. The boot, which is fastened rather loosely around the pastern area, further aggravates the irritation created by the irritant applied to the horse. This continued irritation results in scar tissue being built up on the pastern area of the animal's fore legs. Because of the unsightly condition created by the irritant, other devices have been used in lieu of the irritating substances. These devices included wedges driven into the frog of the horse's hoof, pressure plates applied to the soles of the hoof, and screws turned into the sole of the horse's hoof.

For the past ten years, I have campaigned among the Walking Horse Exhibitors and Walking Horse Associations for the elimination of practices which have resulted in the exhibiting of sore horses. Owners, trainers, and exhibitors alike, shift the blame for showing sore horses on each other. All agree that it is a despicable practice, but state that in order to win, they must continue to show sore horses.

I sincerely believe that the Tennessee Walking Horse is capable of exhibiting the speed and action desired by today's standards without being made sore. This however, is not an over-night process and requires knowledgeable training. Many of the so-called trainers today rely on irritants to produce the desired effect for two reasons:

First, they lack the knowledge and ability to train a horse without the use of these aids, and second, they wish to produce a horse capable to show as quickly as possible in order that they may have a quick turnover of their stock.

I believe that Federal legislation is necessary to control the practice of soring horses, as self-policing methods and state laws prohibiting the soring of horses have failed. The rules of the American Horse Association on the exhibition of Walking Horses, if properly adhered to and administered, could control to a large degree, the inhumane practices which have been followed by Walking Horse trainers and exhibitors. The American Horse Shows Association is most sincere in its efforts to eliminate soring of horses and takes punitive action when violations of rules are brought to the attention of the Enforcement Committee. However, the American Horse Shows Association licenses approximately a thousand sanctioned shows throughout the United States annually, but there are about twice that number of shows which are not sanctioned. The majority of these shows unfortunately, are in the South where the Tennessee Walking Horse is most popular. For example, in the State of Tennessee, there are less than six shows which are sanctioned by the American Horse Shows Association. Mississippi, Alabama, Georgia, and South Carolina all have very few shows which are licensed and sanctioned by the American Horse Shows Association, and yet there are a large number of shows in these respective states.

It is obvious that since the American Horse Shows Association has no control in these States, trainers and exhibitors can practically "write their own ticket" as to how they show their horses.

The cost of administration and enforcement of this Bill would be relatively inexpensive as the Department of Agriculture already has personnel capable of conducting necessary examinations and control.

The practice of soring is still widespread. At the National Walking Horse Celebration which I attended on September 4th and 5th, one of the leading contenders for the title of World Champion Walking Horse was so sore it could hardly stand upright. This horse still was awarded one of the top place ribbons.

Federal legislation would remove the stigma of partisan politics now levied against States having laws concerning the showing of sore horses.

Mr. JARMAN. The one question I think I would like to ask would be a little more clarification on your comment on interstate. You were referring to intrastate and interstate?

Mr. YENSER. Yes. Intrastate as well as interstate.

Mr. JARMAN. Yes. Would you mind—

Mr. YENSER. In other words, I feel the Senate bill covers the intrastate shipment of horses as well as the interstate, because it merely says that any sore—let me see if I can quote it correctly.

Mr. JARMAN. You refer to—

Mr. YENSER. It provides that any horse found to be sore will be barred from showing.

Now, in my opinion this meant that regardless of where he came from, he would be barred from showing.

Mr. JARMAN. Where are you reading, in which bill, may I ask?

Mr. YENSER. This was in the Senate bill 2543.

Mr. JARMAN. And where in that bill?

Mr. YENSER. I don't have the bill here.

Well, if we take this particular House bill—

Mr. JARMAN. Let me just add this, though: If you are referring to subsection (b) of section 40, page 3, that subsection ends with those words, "if that horse or any other horse was moved to such show or exhibition in commerce." And then the earlier definition of commerce would establish the interstate aspect of the definition as I understand it.

Mr. YENSER. I see.

Well, on page 2 of H.R. 14151, section (b) says, "As used in this Act, the term "commerce" means commerce between a point in any State or possession of the United States * * * or between points within the same State." So as to the question of interstate or intrastate, I think both are covered in the bill. I don't think we are absolving one particular type of commerce from the other.

Mr. JARMAN. Well, we will certainly give consideration to the coverage.

There are words in that same subsection to which you referred—if you had continued reading, there the words, "But through anyplace outside thereof, or within the District of Columbia, or from any foreign country to any point within the United States."

I don't understand that we would have Federal jurisdiction over the shipment of horses within the boundaries of any given State. Unless you get into interstate shipment, my own understanding is that we would not have Federal jurisdiction.

Mr. YENSER. I see.

Mr. JARMAN. But we will check that out very carefully.

Mr. YENSER. All right, sir.

There was one other point I wanted to make. On the question of walking horse boots, you have had several examples of walking horse boots submitted to you this morning, one of which had what are known as knockers. These are lead weights attached to the inside of the boot. And the question was whether these boots were inhumane or whether they were not.

I would like merely to refer to a situation which occurred at the board of directors meeting of the American Horse Shows last January. We had the three types of boots that were proposed by the Walking Horse Trainers Association on the table, and we had the president of the Equine Practitioners Association of America sitting at the table. The boots were referred to him for his considered opinion. He stated that in his opinion, the boot with the knockers would definitely be injurious to a horse.

Mr. JARMAN. Dr. Carter.

Mr. CARTER. I notice that you are a member of the American Saddle Horse group as well as the Walking Horse group, is that true?

Mr. YENSER. Yes, sir. I am.

Mr. CARTER. On saddle horses, don't you use boots also?

Mr. YENSER. Yes, sir; we do.

Mr. CARTER. What is the difference in the type of boots?

Mr. YENSER. The five-gaited saddle horse boot is a linked boot. The bottom is fastened to the hoof. The top is a bell-type boot with the front portion open approximately an inch or two, depending on the way the boot is placed on the horse.

Now, you can have a heel weight in the saddle horse boot, but you do not have the weight striking the pastern or coronet area. The bell portion of the boot is not weighted. Now, with the loose bell boot which is primarily used for walking horses, the boot is fitted rather loosely, and as the horse reaches out and throws his leg and comes down with it, this boot hits on the coronet band area of the horse. This does not happen with a saddle horse boot.

Mr. CARTER. I know that there is a difference in the two. I have seen both of them. I would think though there would be not too much difference in either of them.

What about weighting? That is a common practice in horses, isn't it?

Mr. YENSER. I am sorry.

Mr. CARTER. Weighting. As you know, they build up the front feet of a walking horse so that—every one of them have their front feet built up.

Mr. YENSER. Well, the bill wouldn't prevent a horse from having a built-up hoof.

Mr. CARTER. Well, what is weighting?

Mr. YENSER. You can take a hoof and build it up with leather.

Mr. CARTER. Yes. I know you can do that. That is weighting, is it not?

Mr. YENSER. Well, I don't think so. Technically speaking, I suppose you could say it was. Two or three ounces of leather, leather pads under a foot would not be considered to be weighting for the purpose of weighting. It would be considered as a protective device or used in the actual elevation of the foot when you don't have the natural hoof there.

Mr. CARTER. What is the purpose of wedging or building up the horses' feet? What is the purpose of it?

Mr. YENSER. It is actually to assist in the way of going of the horse to give him more action, either folding or reaching action.

Mr. CARTER. Yes, sir. And you wouldn't oppose wedging then?

Mr. YENSER. No, I don't think that weights are the problem.

Mr. CARTER. Wedging, I say. You wouldn't oppose building up the feet of the horse?

Mr. YENSER. Well, I would oppose it if it built the foot up where it would not conform with the natural way that a horse should go. As a matter of fact, one of the rules in the American Horse Shows Association rule book last year was done for this specific purpose. We stated that the normal angle of a foot is approximately 45 to 50 degrees. Maximum 50 degrees. Any good blacksmith will tell you, you get over 50 degrees and you are injuring the horse. So American Horse Shows Association came out with a rule which stated that the heel must be 1 inch lower, measured from the ground to the top of the heel, than the length of the toe. This would let an angle between the toe and the heel. But some walking horses are built up where the heel is higher than the toe. This obviously is injurious to the horse.

Mr. CARTER. That is true. And so far as that is concerned there are no walking horses that I know of, or have ever seen exhibited, and I have seen many, I assure you, but I have never seen one that didn't have built-up front feet. All of them are built up, the hoofs are.

Mr. YENSER. Oh, yes.

Mr. CARTER. It takes an excellent blacksmith to do this, but it is done. Now, weights, of course, are used on saddle horses, too, are they not?

Mr. YENSER. That is correct.

Mr. CARTER. All right, sir. Well, are they inhumane or not?

Mr. YENSER. As I said earlier the weight in itself is not inhumane; no, sir.

Mr. CARTER. How are the chains applied on a walking horse?

Mr. YENSER. How are the chains applied?

Mr. CARTER. Yes; do you know?

Mr. YENSER. Well, in the training methods generally used the chains are fastened rather loosely around the pastern area, and as the walking horse moves these chains slide up and down and hit the pastern area and the coronet area as they move up and down.

Mr. CARTER. Is it the sliding of the chain or the weight of the chain that really helps the gait of the horse?

Mr. YENSER. Well, it is a combination of the both really.

Mr. CARTER. Combination of both? In applying these chains, are they applied directly to the horses pasterns or around the hock of the horse, or is there something underneath them as the usual thing?

Mr. YENSER. Usually, no. They are just a chain fastened together and applied around the pastern area of the horse.

Mr. CARTER. Well, I don't think that is always true. In fact most people have a rubber protective band underneath that and the chain applied over the rubber.

Mr. YENSER. I wouldn't say most people have that, Mr. Carter. I happen to have done a little training myself, and I would say the majority of the people don't use a rubber cover under there.

Mr. CARTER. Well, I used it, and I have them and I raise them.

Mr. YENSER. Well—

Mr. CARTER. I don't think I am an unusual person. I believe that most people try to protect their horses, equally as much as you do your saddle horses. And I have had both.

Thank you, Mr. Chairman.

Mr. JARMAN. Mr. Kyros.

Mr. KYROS. Thank you, Mr. Chairman.

I understand from your testimony, sir, that with the experience you have had, you are in favor of the legislation before us. Is that right?

Mr. YENSER. Yes, sir.

Mr. KYROS. I am glad to see here in your testimony that you believe that the Tennessee walking horse as an industry is apparently still going to survive even without cruel and unusual methods of compelling the horse to obtain that particular gait.

Mr. YENSER. I believe so; yes, sir.

Mr. KYROS. I think that is welcome testimony, and I appreciate hearing your statement. Thank you very much.

Thank you, Mr. Chairman.

Mr. JARMAN. Would you comment as to any knowledge you have of why the Madison Square Garden show has dropped the Tennessee walking horse class.

I understand for some years they have not had that class in the Madison Square Garden show.

Mr. YENSER. Yes, sir.

Well, I can't really pinpoint the exact reason for that. I have heard—and I am only quoting what I have heard now—I have heard that the problem really arose more from the standpoint of argument among the walking horse exhibitors creating problems for show management than it was from any soring of the horse which occurred at that time. As a matter of fact, this was so far back that soring was not the problem then that it has been up until this time.

Mr. JARMAN. I understand.

Mr. YENSER. As a matter of fact, Paul Whiteman showed the last walking horse at the National Horse Show in New York. That has been quite a few years ago.

Mr. JARMAN. Do you know of any other shows that have eliminated the class?

Mr. YENSER. Oh, yes, sir.

Mr. JARMAN. Because of the soring of the horses.

Mr. YENSER. Yes; and because of the problems which are created between the exhibitors and show management.

Mr. CARTER. Mr. Chairman.

Mr. JARMAN. Dr. Carter.

Mr. CARTER. Do you know Sam Pascal?

Mr. YENSER. Yes, sir.

Mr. CARTER. He has ridden three world champion walking horses, is that correct?

Mr. YENSER. That is correct.

Mr. CARTER. Did he sore his horses or not?

Mr. YENSER. Yes; he does.

Mr. CARTER. Yes, sir?

Mr. YENSER. Now, I base this statement on a specific case.

Mr. CARTER. Were you one of the judges down at Shelbyville?

Mr. YENSER. No; I was not.

Mr. CARTER. Yes, sir.

Mr. YENSER. Let me tell you why I said Sam sores his horses. A few years ago, we bought one of the greatest walking horses, natural walking horses that I had ever seen. Now, this horse showed with a 4-inch foot, an 8-ounce shoe and no soring, and he was a great natural horse. Mr. Pascal asked me to take the horse in training. He said I will make him the next world champion. I went to the other two gentlemen who had assisted in purchasing the horse and convinced them that we let Sam have him. I said if we took him up to Virginia or Maryland, he would not get the publicity that he needs if we are going to really do something. And we bought him as an investment primarily.

I said now, Sam, OK, you can have the horse, but remember he has got an 8-ounce shoe, a 4-inch foot and that is it. He said, "Yes, Mr. Karl. That is the way it will be."

That was in May. In September I went to Sam's stable on my way to the celebration. I walked in, I walked back and found my horse. He was standing there with both pastern areas completely chewed up, open, raw sores. He had an 8-inch foot on him. He had about a two and a half pound shoe, and I said to one of the stable men there, "What kind of horse is this horse in this stall?" He didn't know me. He said, "Mister, I will tell you, that's the greatest horse for the first 5 minutes

in the ring and then he will go under the fence, through the fence or anyway he can go to get out of that ring."

I had the horse loaded and taken back to Virginia. Also, he had two quarter cracks, one in each front foot which took a year of putting the horse out to pasture until he healed.

Mr. CARTER. Quarter crack?

Mr. YENSER. Quarter crack.

Mr. CARTER. Cracks, you say?

Mr. YENSER. Yes, quarter cracks.

Mr. CARTER. That is around the top of the hoof.

Mr. YENSER. Generally, starts at the coronet area and works down.

Mr. CARTER. Yes, sir. Whenever they get that they are—so far as usefulness, you just can't ride them anymore.

Mr. YENSER. That is right. You have to grow practically a whole new hoof.

Mr. CARTER. That is quite true. Well, I bought a horse from Sam, too. I have one now called Little Bit of Trouble. I think he placed in the Celebration in the Pony Class—

Mr. YENSER. That is correct.

Mr. CARTER (continuing). A few years ago.

Mr. YENSER. I know the pony.

Mr. CARTER. And I am glad to say that he wasn't sore and his ankles are beautiful and I mean to keep them that way.

Thank you.

Mr. JARMAN. Thank you, Mr. Yenser, for adding to our record.

We have two important witnesses. We have had another rollcall, bells for the start of another rollcall vote and we will have to attend.

I would hope that both witnesses could submit their statements for the record and comment on any highlights that they would care to emphasize, particularly anything that has not been brought out in the hearing to date.

Our next witness is Mr. Bruce Spencer with the Voice Publishing Co., Chattanooga, Tenn.

STATEMENT OF C. BRUCE SPENCER, PRESIDENT, VOICE PUBLISHING CO.

Mr. SPENCER. Mr. Chairman, members of the committee, my approach to the horse business by virtue of being publisher of our national breed magazine is somewhat different from that of the various people that you have heard today. I would like to compliment those people who have testified. We have heard some excellent testimony, both for and against this legislation.

I think the motives of these various people have been sincere. I think they are honest in what they hope to accomplish.

From my vantage point as being publisher of a national magazine it is not my position to become involved in the details involving various organizations and this type of thing.

I would like to say that I think, as I said, we see the whole situation somewhat different from most people.

Now, with regard to the proposed legislation, I am opposed to it as it is now written. This bill will not solve in my opinion a single problem that we have got. It is designed to eliminate the so-called sore horse, and this in my opinion is not our problem. Our problem is, as

has been pointed out, the complete lack of authority and control in the horse business as we know it. Quite a few people that have appeared before us today have pointed out that what we need is some authority to enforce the rules and regulations which we now have.

The existing organizations in the walking horse business have the capability of solving all of our problems if they will just get together and do it. This is something we have discussed and tried to work on for a long time. And in the past year each of these organizations have made their own individual effort to cure the ills of the walking horse business? In order to solve our problems, these various organizations must submit to the control of a central authority. This authority should be empowered to control all horse shows involving this breed from coast to coast. This authority must be all-inclusive and it must include exhibitors, judges, and horse show managers alike if it is going to be effective.

It has been my experience that as many rules are broken by managers and judges as there are by trainers and exhibitors.

State legislation will not suffice. In order to be effective, our rules and regulations must apply to all States.

For example, Tennessee represents only 16.54 percent of our breed activity, while the eight States which border Tennessee—and I have got a map attached to this which pretty well outlines the horse activity in the United States involving our breed—these eight States which border Tennessee represent 38.95 percent of our activity, and note that there is some activity involving our breed in almost every State.

The walking horse industry can and should solve our own problems. If, however, the responsible authorities refuse to work together for the best interest of our breed, then I will have to support Federal legislation as a last resort.

Such legislation in my opinion will have to be much broader than it is at the present in order to be effective.

Thank you. That is the end of my statement.

(Mr. Spencer's prepared statement follows:)

STATEMENT OF C. BRUCE SPENCER, PRESIDENT, VOICE PUBLISHING COMPANY

My name is C. Bruce Spencer. I am President of the Voice Publishing Company, Chattanooga, Tennessee, which publishes the VOICE of the Tennessee Walking Horse national magazine. The VOICE has the largest circulation of any publication reaching this market and while purposely not allied with any organization, is generally considered the breed publication of the Walking Horse industry.

Due to my past and current involvement in the affairs of this breed, I consider myself uniquely qualified to present testimony to this subcommittee. My background is basically advertising, public relations and journalism, however I have been active as an exhibitor, breeder and owner of Tennessee Walking Horses for ten years. Since purchasing the VOICE magazine in 1963 I have not personally shown horses in competition because of an obvious conflict of interest, however my children show pleasure walking horses and walking ponies. My involvement with this breed has been extensive and has included almost every phase of activity except judging.

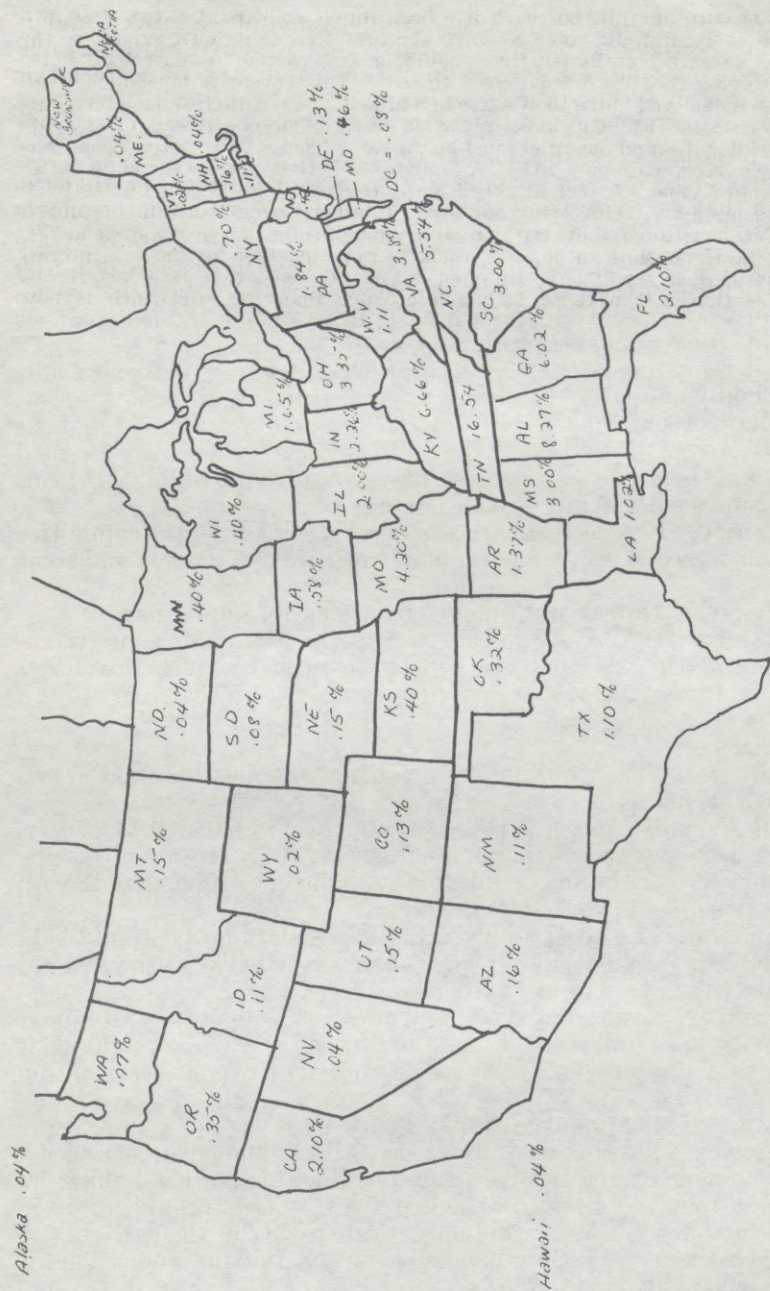
With regard to the proposed legislation (Horse Protection Act S. 2543) I am opposed to it as it is now written. This bill will not solve a single problem of the Walking Horse business. It is designed to eliminate the so-called sore horse and this, of course is not our problem. Our problem is the complete lack of authority in our horse show activity. We now have adequate rules to effectively handle the sore horse situation, but we have no authority to enforce these rules.

The existing organizations in the Walking Horse business have the capability of solving all of our problems if they will work together for the best interest of the breed at large. These organizations, in the past year, have each made

an effort to cure our ills, but each has been intent on looking after their own special interests first. In order to solve our problems, they must submit to the control of a central authority that should be empowered to control all horse shows involving this breed from coast to coast. This authority must include all exhibitors, judges and horse show managers alike.

State legislation will not suffice since, in order to be effective it must apply equally to all states and our rules must be the same from state to state. Tennessee, for example, represents only 16.54% of our breed activity, while the eight states which border Tennessee (see attached map) represents 38.95% of our activity. There is some activity involving our breed in almost every state in the union.

The Walking Horse industry can and should solve its own problems. If, however, the responsible authorities refuse to work together for the best interest of the breed, then I will have to support Federal legislation as a last resort. Such legislation will have to be much broader than the bill which is now proposed.



Research has indicated that the activity of the Tennessee Walking Horse industry is generally in proportion to the circulation of the VOICE magazine, Horse ownership, breeding, horse shows and other indications of breed activity parallel this criterion. The percentages on this map indicate the readership of the VOICE based on approximately 6,750 subscribers. This can be considered a fair representation of the overall activity of the Tennessee Walking Horse industry.

Mr. JARMAN. I understand your testimony would—I think I understand your testimony. Would you agree that we have waited a sufficient length of time for the walking horse industry to correct this problem, and since the State legislatures and State authorities have not stepped in to solve it, since the industry hasn't, would you agree that the time has come for Federal legislation?

Mr. SPENCER. No, sir; I would not agree, for this reason, that the efforts in the last 2 years of some of the people in this room, the efforts of the Nashville Tennessean, some of the efforts on my part to create an awareness, to put as they say the fear of God in these people who are guilty of this, they have now become aware of the fact that something must be done. And as has been pointed out, in the last year we have made tremendous strides.

Now, it is my hope that as a result of what is taking place, here now we can finally effectively get across to these three organizations—now, I am talking about the Celebration, the Trainers' Association and the Breeders' Association—that if they will put aside their own personal interest and their own self-interest, they can solve the problems of this horse business without any trouble at all.

Mr. JARMAN. It is necessary to answer this rollcall, so the committee will stand in recess for a few minutes until we can answer and come back.

Mr. SPENCER. Do you want me to come back for questions?

Mr. JARMAN. If you will, please, because in particular your recommendation at the last that the legislation must be much broader, I would like to have some more detailed testimony on that.

Mr. SPENCER. Very good.

(Short recess.)

Mr. JARMAN. The subcommittee will please be in order as we continue the hearings.

I think the only other question the Chair would have, Mr. Spencer, would be in reference to that final statement of yours that if legislation, that the legislation would have to be much broader than the bill now before us. Could you enlarge on that?

Mr. SPENCER. Yes, sir. I am thinking of legislation that would help us to establish a commission, if such a thing is possible, at the Federal level. This basically is what I had in mind.

Mr. JARMAN. Now, what type of commission do you have in mind?

Mr. SPENCER. Well, a commission that would be all-powerful, as it were, with regard to horse shows dealing with Tennessee walking horses.

Mr. JARMAN. A national commission?

Mr. SPENCER. Yes, sir; now, like I say, I don't know whether such a thing is possible or not, but if it were possible this is what I think we would have to have, provided of course that the major organizations in the walking horse business absolutely refuse to do this themselves.

Now, whether such a thing is possible or not, I do not know. That is basically what I had in mind.

Mr. JARMAN. I don't think I have any further comment on it or questions.

Dr. Carter.

Mr. CARTER. Let's see now. I don't know whether I have a copy of his testimony here.

Mr. JARMAN. Here it is.

Mr. CARTER. Yes, sir.

What do you think about this Senate bill?

Mr. SPENCER. What do I think about the Senate bill?

Mr. CARTER. Yes, sir.

Mr. SPENCER. Well, I think from the standpoint of being effective in eliminating sore horses, it would probably be effective, but it would also tend to eliminate our breed as we know it.

Mr. CARTER. A Tennessee walking horse. What is a Tennessee walking horse anyway? How did the breed originate?

Mr. SPENCER. Well, this breed dates back to the period right after the Civil War when the northern calvary horses and your southern plantation horses were merged to produce a breed that could do what we call running walk, a flatfooted walk. Over the years, the farmers and breeders in Tennessee developed this breed quite by accident really until they found out what they had.

Mr. CARTER. Well, it is a cross between a, really the standard breed and pacer, as it were?

Mr. SPENCER. Right, all of those particular blood lines. The Narragansett pacer and all of that was paramount in the background of our foundation horse which was Allan F-1.

Mr. CARTER. How many gaits does the walking horse have?

Mr. SPENCER. The walking horse has three gaits, all natural.

Mr. CARTER. Three gaits. And what are they?

Mr. SPENCER. The flatfooted walk, the canter, and the running walk.

Mr. CARTER. All right, sir. And what was the purpose of its development?

Mr. SPENCER. What was the purpose of the development?

Mr. CARTER. Yes.

Mr. SPENCER. Well, of course, when the breed first got started it was for easy riding. And they tell the stories of the doctors that had found these horses that could do these gaits and they could saddle all day long without wearing them out.

Mr. CARTER. That is an easy gait.

Mr. SPENCER. Right.

Mr. CARTER. And what is the disposition of the horse?

Mr. SPENCER. Well, the disposition of the Tennessee walking horse generally is a very gentle, very willing animal.

Mr. CARTER. That is quite true. In almost all the cases it is a very gentle horse, isn't it?

Mr. SPENCER. Yes, sir.

Mr. CARTER. All right. Do the boots used on the Tennessee walking horse usually hurt it or not?

Mr. SPENCER. No, sir; they do not, unless, of course, some of the severe techniques which have been described here are employed such as chains in the boots and this type of thing.

Mr. CARTER. Yes, sir.

How is the gait of the Tennessee walking horse made so spectacular?

Mr. SPENCER. Well, it is like Mr. Groover said this morning, the object is—for our show horses now, this is what you are referring to?

Mr. CARTER. Yes.

Mr. SPENCER. To cover as much ground in as few steps as possible, and the running walk as we now know it is an extension of the natural gait which this horse can do. Now, 10 years ago—

Mr. CARTER. What do they do to the front feet of the horses in order to gain this gait?

Mr. SPENCER. What do they do to the front feet?

Mr. CARTER. Yes.

Mr. SPENCER. Well, all of this has been covered, just about all day.

Mr. CARTER. Build them up.

Mr. SPENCER. It is a matter of enhancing the natural capabilities of this particular horse. It has got to be different from one horse to another. They start them out usually with keg shoes on and no pads, and as he begins to settle into his gait, they add a few pads to lengthen the foot somewhat, and sometimes add weight. They work the horses with the rollers and the chains, and as the horse develops they go on into the show ring procedure, put boots on.

Mr. CARTER. Is oil of mustard used extensively?

Mr. SPENCER. There was a time when it was used extensively. I do not believe it is used quite as extensively as it used to be.

Mr. CARTER. Is it permitted at Shelbyville?

Mr. SPENCER. Is it permitted at Shelbyville?

Mr. CARTER. Yes.

Mr. SPENCER. No, sir; it is not.

Mr. CARTER. What about the iodides of mercury, are they permitted there?

Mr. SPENCER. You mean by show management?

Mr. CARTER. Yes, sir.

Mr. SPENCER. No, sir; it is not. That is why they have the Humane Society and the Department of Agriculture people there to check this type of thing.

Mr. CARTER. If a horse is shown with a bloody pastern, what happens to it?

Mr. SPENCER. He is dismissed.

Mr. CARTER. Dismissed?

Mr. SPENCER. Not just there, but most everywhere in the country to date he is dismissed.

Mr. CARTER. All right, sir. Certainly, I think that we, many of the things may be a little bit exaggerated but there is no doubt but what certain rules and regulations must be established. Of course, I think you have got to have a humane type of boot. I feel like that would—the saddle horse people, of course, use them, too.

Mr. SPENCER. Yes.

Mr. CARTER. And the use of irritants such as oil of mustard and iodides of mercury, things like that, continuously are bound to cause sores on horses.

Mr. SPENCER. I believe they would.

Mr. CARTER. And I believe the use of that must be discontinued.

Mr. SPENCER. I think so.

Mr. CARTER. But certainly the Tennessee walking horse is a very beautiful horse and its action is most notable and we want to see it flourish in its normal state, beautiful all over with beautiful ankles and feet, too.

Mr. SPENCER. Right.

Mr. CARTER. Yes, sir.

Mr. SPENCER. Well, I am convinced we can have our horse and our honor too if we can just get the forces together in the walking horse business to do it.

Mr. CARTER. Thank you, Mr. Chairman.

Mr. JARMAN. Thank you.

Mr. SPENCER. Mr. Chairman, I left a copy of our magazine up there in case you may want to see it.

Mr. JARMAN. Yes. I have that.

Mr. SPENCER. Thank you.

Mr. JARMAN. Our final witness today is Mr. Gerald Pfister, Tennessee Walking Horse Trainers Association of New Orleans, La.

STATEMENT OF GERALD PFISTER, TENNESSEE WALKING HORSE TRAINERS ASSOCIATION OF NEW ORLEANS, LA.

Mr. PFISTER. Thank you, Mr. Chairman, members.

I am also appearing as an owner and breeder, friend of trainers and a committeeman for the new rules and regulations which are being studied right now by the Tennessee Walking Horse Breeders Association. If I may take a few seconds to give you some background, I have owned horses all my life and have had some farm experience.

Today, I owe my business to the sale of a Tennessee walking horse colt that I sold some 8 years ago. With the proceeds from this sale I started the business and now accommodate many of the Nation's leading national tenants. In supplement to this obligation that I have to the Tennessee walking horse, my children and I both enjoy for pleasure and breeding purposes the raising of these fine animals. We own only two mares which we secured in approximately 6 years, but they are typical walking horse mares and natural in every way. Their colts are born sound and start walking the first day that they hit the ground, and I am talking about a natural walk. I have pictures of them and I am sorry I didn't bring them, but I will send them to you to supplement my testimony.

The first thing that concerned me when I saw the Tydings bill was, if I may refer to line 2—excuse me—it is page 2 line 12, “blistering agent has been applied.” There are blistering agents that are used by thoroughbreds which I am familiar with and which I exercised as a high school student to inflame the horse's tissues in order to make him well, to improve a pulled tendon or to file a leg that has been damaged or swollen. And this is for health purposes. And I think there would be terrible repercussions from the thoroughbred industry if the bill was allowed to pass as it is there.

Mr. JARMAN. Well, now, of course, may I interrupt to say that at the beginning of that section it says, “a horse shall be considered to be sored if, for the purpose of affecting its gait: (1) a blistering agent”, et cetera.

Mr. PFISTER. Yes, sir. Well, if the blistering is used to affect his running, and I would think that that could be considered a gait from walking or trotting, and it is strictly enforced, you could say that that horse that has been blistered because he had an injury to make him well. And if there are definite signs of the blistering and the firing that is used on these thoroughbreds, then there could be repercussions from that part of the business.

Also, horses are burned that have * * * in their mouth, and it is not my intention to go into that because I am not a veterinarian, but I just want to point out that the way it is drawn it impressed me as being very loose and needs to be corrected or supplemented. It impresses me that on

page 2, line 17, it also says nails and tacks. If strictly enforced you could not use shoes on a horse because it takes nails and tacks, and there are so many different kinds of shoes.

Mr. JARMAN. Well, now, you understand, everything, all four subsections to section 2(a) are qualified by that first sentence dealing with the purpose of affecting its gait.

Mr. PFISTER. Well, heavy shoes will affect a gait, as will wedges, as heavy pads will to some degree affect the gait. I am sure many of you have seen the races where the jockey after he finishes a race will stand up in the saddle and exert pressure on the mouth, and this exerts some pain on the horse and he has to in order to stop him. And this could be a problem in my opinion and in the opinion of many people that I have discussed this with.

Mr. JARMAN. There is also at the end of those four subparagraphs the wording which reads, "which may reasonably be expected (A) to result in physical pain to the horse when walking, trotting, or otherwise moving, (B) to cause extreme fear or distress to the horse, or (C) to cause inflammation." So the lead sentence and then the final part of the paragraph of this section are all qualifying, it is all qualified phrasing with reference to the four sub items that are in that paragraph.

Mr. PFISTER. I had in mind at the time something such as, for example, in line 21, after the word expected, "or extreme physical pain." For example, in a race in order to stop a horse, you have to exert some pain on his mouth in order to get him to stop. It is true of any horse that is ridden.

Mr. JARMAN. The subcommittee will certainly give consideration to the concern you have expressed.

Mr. PFISTER. The next thing I wanted to bring up was in reference to these boots that I have heard so much about. Many of you as children and even today as adults wearing galoshes, when you have the oversized shoe on over the boot, you tend to pick your feet up higher in order to move from one position to the other, and this in my opinion is what a lot of these trainers, good trainers are doing. The idea of the boot as it fits over is not to cause pressure or weight on the horse, but merely to give him the action of stepping up out of the boot and forward and picking up his leg higher. And if it is done with care and with a certain amount of consideration, certainly there shouldn't be any harm to the animal.

I heard it said today that if the Celebration didn't clean up the horses, then we should have Federal legislation. I don't think there is any doubt about that. In fact, the Celebration, the breeders and the trainers, are joining together now in order to bring about their own rules and regulations.

The reason that has been questioned as to why the time element has been so long before these people have done anything themselves I think can be best answered by saying that everyone jumped on their horse and rode off in a different direction and only now are coming together. There is very definite positive progress being made in cleaning up this business.

And I think and so do many of my friends, trainers and people in the association, that it is best to be done by ourselves. There was a show recently in which 88 walking horses participated in Washington. There was a Department of Agriculture man there examining the horses.

There was not one horse refused showing, one horse impounded or one horse excused from the show ring, which is again proof that it can be done the correct way.

The expression of the Tennessee Walking Horse Breeders Association is if you ride one today, you will own one tomorrow. And I assure you all this is true, because I had my pick of the type of horses I would own. And it was only after I had ridden one that I wanted it for myself and my children. I also assure you there are more people who love these horses than there are those who want to win blue ribbons.

Also, I want you to please consider that the walking horse business has very definitely taken away classes and funds and entertainment from the gaited horse people, and I own both. There are gait horse classes being canceled and being replaced by walking horse classes. You have also heard that the fault belongs to the owners, the exhibitors, the show managers as well as the trainers. They are all in this thing together and you can't lay the blame on any one group.

Mr. JARMAN. Mr. Pfister, let me ask you, did you have some slides that you intended to show?

Mr. PFISTER. Definitely.

Mr. JARMAN. Well, now we have had the first bells on another record vote and I think we can terminate the hearings. If you can touch on any highlights that we need to hear very briefly—

Mr. PFISTER. All right, sir.

Mr. JARMAN (continuing). And show your pictures, I think we can terminate with your testimony, but we do have time pressure.

Mr. PFISTER. I would like to introduce into the record a plan that is now being considered and that is under study by the breeder association which they are supposed to decide on in this October, and in my opinion it is a very workable plan. And I would like to introduce this into the record.

Mr. JARMAN. A plan to deal with the problem of the soring of horses?

Mr. PFISTER. Yes, sir. A professional judge plan where we have a commissioner just as the football people have, hired judges that are not allowed to own horses or train them or have anything to do with them. They are on a salary basis. And it is a very strict plan and a very fine plan, and many people have devoted time and effort into putting this thing together. The problem is getting the trainers and the celebration people and other concerned parties to approve it and to go from there with it.

Mr. JARMAN. If you could submit that to the committee, we will then make a decision as to whether it can be included in the record.

(The document referred to follows:)

TENNESSEE WALKING HORSE TRAINERS ASSOCIATION PROPOSED PLAN FOR JUDGING AND SANCTIONING SHOWS

Our goal is to make adequate and fair rules governing competitions by members of the TWHAA and shows recognized and sanctioned by the TWHAA.

These rules will be strictly enforced for the common benefit.

Our proposal for accomplishing this goal is as follows:

The Board of Directors of the TWHAA will hire a Commissioner of Judges. It will be the Commissioner's responsibility to select nine men qualified to judge Walking Horse shows, following criteria established by the Board of Directors, including passing a test. These tests will include both actual judging performance and a written test. After carefully considering all applicants, the Commissioner

will submit his recommendations to the Board of Directors. The Board of Directors will vote on each man being recommended. A majority of the Directors must agree before an applicant can be hired as a Judge.

The next step will be that the TWHAA must sanction all shows where these Judges appear. During the show season, each Judge (including the Commissioner of Judges) will officiate at an average of two shows per week. During the remainder of the time, Judges will attend training sessions, will help train Judge Trainees, will visit members and prospective members, and in general promote the Walking Horse breed and membership in the TWHAA.

Each judge will be a full-time employee of the TWHAA, and will be paid a salary of \$200 per week, plus expenses.

The Commissioner or Judges will be paid an annual salary of \$15,000, plus expenses.

Each show will pay the TWHAA for the services of a Judge, at the following rates:

Class "A" shows: \$200 per night, plus Judge's expenses.

Class "B" shows: \$150 per night, plus Judge's expenses.

Class "C" shows: \$100 per night, plus Judge's expenses.

Each judge should be able to judge from first of April to end of October, or a period of 30 weeks. Assuming that shows will average Class "B", at two shows per week= $\$150 \times 60 = \$9,000$ of the \$10,000 that he will be paid. In addition to this, each show will pay for sanctioning at the following rate: \$25 application fee. $\$25$ application fee $\times 60$ shows per judge equals \$1500. for a total of:

Judging fee.....	\$9,000
Application fee.....	1,500
Total income per judge.....	10,500

To start the first year, we recommend a total of 10 judges. Using the above figures, this means that the Association will be able to straighten up the judging and advance the Tennessee Walking Horse to his rightful position in the quickest possible time, plus possibly make a profit. However, even if it cost the Association \$50,000, it certainly would be a worthwhile contribution and well worth the expense.

The Commissioner of Judges will be responsible for the training of all Association Judges. This will be accomplished by regularly scheduled seminar meetings and work shows in which the judge will be graded by his peers. We recommend that the Association purchase from the Trainer's Association all material, films, and training aids pertaining to judging. This will allow the association to train their own judges and keep the trainers out of the judging business.

The qualifications of a prospective judge should include an excellent technical knowledge of the Walking Horse and an honest character. No person will be considered that has a background that might bring discredit on the Association.

KNOW THE RULES

A knowledge of the rules of any sport is required of each participant, and the exhibitor at a Recognized Show is in no way exempt from this responsibility. A complete knowledge of and compliance with the rules are essential and the exhibitor must be fully cognizant of all the rules as well as class specifications in the Divisions in which he shows.

It is obvious that, however complete rules may be, they never can cover all possible situations which may arise. If a matter cannot be solved by interpreting the rules to the letter, the solution to be adopted by those responsible should lie in a principle which follows as nearly as possible the spirit of the rules.

CLASS DEFINITIONS AND GENERAL PROCEDURE

Open classes.—An "open class" is one which is open to all horses of any age, size, or sex, irrespective to the ribbons previously won, and in which there is no qualification for the rider.

Height classes.—The "height" of all animals shall be stated in hands instead of inches. A hand is four inches (4"). Maximum height shall be reckoned as "over" a given number of hands. Horses must be over 14.2 hands; ponies 14.2 hands and under.

Age classes.—Individuals. For horse show purposes, the age of an individual on January 1st shall be maintained throughout the entire year. Persons born on January 1st shall assume the greater age of that date.

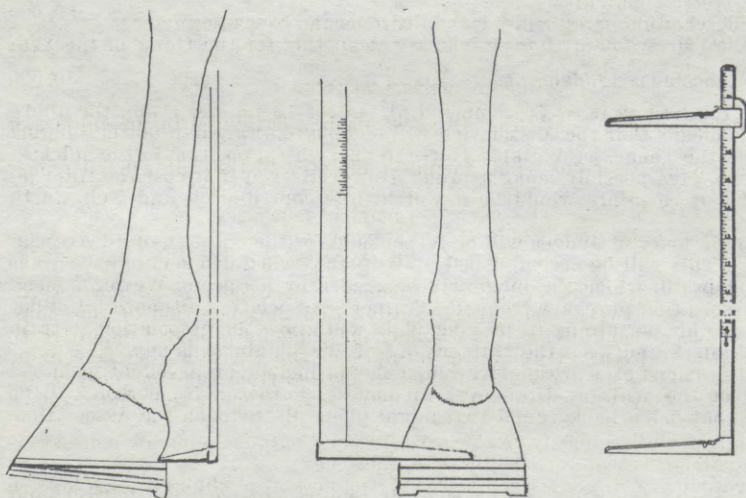
Age.—For horse show purposes any horse shall be considered to be one year old on the first day of January following the actual date of foaling.

Definition of "horse" and "pony".—(a) The term "horse" as used in these rules denotes either a horse or pony. (b) When the term "horse" or "pony" is used or intended in prize lists and catalogues of Recognized Shows where height is one of the qualifications of the class, the word "horse" shall designate animals over 14.2 hands. (c) It may not, however, compete as a horse in one class and a pony in another class at the same show.

Measurement of entries.—(a) Stand the animal on a smooth, level surface, in such a position that the front legs are vertical and the back of the hocks is in a vertical line with the point of the horse's quarter. The head is to be held low enough to reveal the highest point of the withers to the ground. The arm of the measuring standard shall be placed over the highest point of the withers and no measurement taken at any other part of the horse's body shall count. The standard is perpendicular from withers to the top of the heel pad, or wedge, and the cross piece is parallel with the ground surface. (See drawing of the Tennessee Walking Horse measuring stick on next page).

Placement of standard

Tennessee Walking Horse measuring stick



SANCTIONING OF SHOWS

To obtain official sanctioning and recognition by the TWHAA, the following requirements must be met:

1. Secretary must apply annually to the Association for recognition of his show.
2. 30 days must elapse between date of application and the actual holding of the show.
3. If the show requires a veterinarian, veterinarian must be a qualified member of the American Association of Equine Practitioners.
4. Show must forward to Association: the judges fee, plus 10 cents per mile both ways using AAA, plus \$25/day expenses.
5. Application fee of \$25.
6. Use of Association Judges is required.

Judge's fees per day are as follows:

Class A.....	\$200
Class B.....	150
Class C.....	100

SHOW CLASSIFICATIONS

Show will be categorized by "class" as follows:

Class A, minimum number of class 6, prize money, \$1,800.

Class B, minimum number of class 4, prize money, \$600.

Class C, minimum number of class 2, prize money, \$200.

Classes to be judged by Association Judges:

1. Weanling.
2. Yearling.
3. Conformation.
4. Performance.
5. Equitation.

Any show that does not use Association judges will not be recognized or sanctioned.

BENEFITS OF BEING SANCTIONED

Once official sanctioning is obtained, the show enjoys many privileges and *benefits* such as:

1. All TWHAA members are notified in the "Walking Horse News" that the show is recognized and are urged to support it. This means that between 4000 and 4500 members are made aware of your show.
2. The show is conducted under a standard and fair set of regulations.
3. All shows are judged by highly qualified and honest judges.
4. Booklet "How to Run a Horse Show".
5. Advertising and press releases.
6. Subscription to Association Publications and News Letters.
7. Show draws many horses that are competing for the Horse of the Year awards.

SHOW OFFICIALS DUTIES

Show officials.—The attention of all show officials is invited to the subject of violations.

The term "Show Officials" shall include and refer to the following persons:

Directors	Stewards
Officers	Technical delegates
Chairman of the show committee	Veterinarians
Judges	Timekeepers

Board of directors.—The Board of Directors of a Recognized Show, or the governing body in charge, shall be responsible for the operation of the show. They may act as a Committee of the whole or may appoint a Show Committee, to act in executive capacity. It shall be the duty of the Directors or their Show Committee to enforce all the rules of the Association from the time entries are admitted to the show grounds until their departure. Particular reference is made to the following:

- (a) To appoint and identify in the prize list and catalogue one or more stewards, who shall be present at each session of the show.
- (b) To provide during all scheduled performances an ambulance or a station wagon equipped with a stretcher plus a registered nurse or qualified first aid personnel. It is recommended that a physician be present at all shows.
- (c) To see that animals required to be measured shall be correctly measured by the rules. The decision of show officials shall not be reviewable by this Association. If the Steward feels that an injustice is done at the show he shall report the same to the Association.
- (d) To eliminate, without waiting for a protest to be made, a contender who has made an entry of horse or rider that is ineligible.
- (e) In the event that any person participating at a show shall commit an offense or violation described in the Rules, the Directors of the Show may in their discretion disqualify such person from further participation in their show only. Any such offense shall be reported to the TWHAA for whatever further action is deemed necessary.
- (f) To pay premiums and other indebtedness of the show. Failure to do so subjects a show to penalty.

Show secretary.—(a) The Secretary shall apply annually to the Association for dates for his show. In case of conflict, the Executive Committee shall arbitrate and make decision.

Thirty days must elapse between the date of application and the actual holding of a show.

(b) The Secretary must file three copies of the prize list with the Association immediately on publication. It is suggested that extra copies be forwarded due to the many inquiries received by TWHAA for copies of prize lists.

(c) The Secretary of each Show must forward within 7 days of the Show a marked catalogue indicating the winners, post or other added entries, scratches and corrections in all classes including the names of horses and owners. This material is needed in order that the winnings of exhibitors may be included in the Association's permanent records.

(d) In event that the Secretary fails to file complete results within thirty days of the closing of the show, the Association shall levy a fine of \$100. If the fine is not paid it shall be added to the amount of dues for the ensuing year, and future show dates shall not be awarded until both penalty and dues have been paid.

(e) The Secretary of each Recognized Show shall have a copy of the current Association Rule Book available for reference at all times during the show.

(f) The Secretary shall report in writing to the Association any Rule violation.

(g) Judge's decision as to the soundness of a horse shall be accepted for the purpose of excusing a horse from the show ring.

(h) It shall be the duty of the veterinarian, judge, or steward, to measure any animal requiring measurement in accordance with the rules of the Association.

Show employees.—The term "Show Employees" shall include and refer to the following persons: Manager; Announcer; Ringmaster; Gate Attendants; Ring Clerks; and Farrier.

Manager.—(a) Recognized Shows should exercise extreme care in the selection and appointment of a show manager for the mutual benefit of committees, exhibitors, and spectators. A thorough knowledge of the rules of the Association shall be one of the prerequisites of a person serving as a show manager.

(b) Any show manager, who violates or knowingly permits violation of the rules of the Association at his show shall be subject to a fine and/or show not sanctioned.

(c) A manager may not serve as a Judge or Steward of his own show, nor may he be an exhibitor, rider, or driver.

Farrier.—Every show which has an "A" rating must have a farrier available during all performances. He shall report promptly when called to the ring to make repairs during a class. Other shows should have a farrier available at all times. A farrier may not officiate in any class in which he is an exhibitor.

Ringmaster and ring clerk.—A ringmaster or ring clerk may not officiate in any division of a show in which he or a member of his family is an exhibitor.

(a) The Secretary shall furnish the Judges in each class a score card with each entry listed in numerical order and containing exact specifications as shown in the catalogue, or amended if in conflict with the Rule Book. Judge must turn back in and card should be posted, after each class, in a promote place.

(b) The Secretary shall provide a number card for each competitor, which shall be worn on the rider's back or in a conspicuous place, clearly visible at all times when in competition.

(c) The Secretary shall provide appropriate badges for Judges and Stewards.

(d) The Secretary of a show having a closing date for entries shall acknowledge all entries received by that date.

(e) The Secretary shall be responsible for all matters in connection with post entries.

(f) The Secretary shall notify the Association of any retirement ceremony held at his show.

(g) It shall be the duty of the Secretary to insure that no entry shall compete until or unless said exhibitor or his representative has signed an entry blank, including all post entries.

(h) The Secretary shall have available applications for amateur status. In the event a rider or driver in Amateur classes does not possess a current Amateur Card, the Secretary shall require the individual to complete the necessary application.

(i) At the earliest possible moment, the Secretary shall notify interested exhibitors if a class does not fill and is cancelled.

Veterinarian.—(a) Each Recognized Show should have a qualified veterinarian present throughout the show.

(b) A veterinarian may not officiate in any division of a show in which he or a member of his family is an exhibitor.

(c) The official veterinarian shall insure that he or a qualified associate is on duty during the hours of showing and shall be prepared to handle all duties in the ring or on the ground.

The examination and treatment, except when requested by the judge, of all other horses in the show shall be on a "private practice" basis.

The veterinarian shall assist horse show management in all matters pertaining to the health and welfare of the animals in the show.

(d) The official veterinarian's decision, if requested by the judge as to the serviceable soundness of a horse (i.e. whether the horse shows evidence of lameness, broken wind, or impairment of vision), shall be final for the purpose of awarding ribbons in the class for which he has been called. If he is not immediately available or not called upon, the judge's decision as to the serviceable soundness of a horse shall be final.

(e) The official veterinarian if called upon by the judge shall act as a consultant in regard to structural faults, defects and blemishes in areas which might impair a horse's activity and durability. Having received the benefit of the veterinarian's consultation, the judge will then place the horses in question at his own discretion based on their relative merits in light of the entire class specifications.

(f) Only the Judge may call a veterinarian during a class but is encouraged to do so if his opinion necessitates the disqualification of an entry. The judge shall give the numbers of the horses in question and the veterinarian shall render his finding.

(g) The veterinarian shall immediately, after leaving the ring, file a statement of his finding with the Show Secretary setting forth therein the number and title of the class, the number of the horse, the date and time of day. The veterinarian shall have his certificate of finding read and signed by the judge of the show on duty during the particular class.

(h) No exhibitor may procure and use a veterinarian's statement to contradict the decision of the judge or official veterinarian with respect to his own horse.

(i) Examination of a horse in the ring by a veterinarian shall be done as inconspicuously as possible and in such manner as not to draw public attention thereto. Cooperation of judges to this end is required.

(j) If the veterinarian is not immediately available, the judge's decision will be used.

RETIREMENTS, TROPHIES, AND RIBBONS

Retirement ceremony.—(a) In the event that a retirement ceremony shall be allowed at the request of the owner of a horse, said horse shall not be permitted to compete at the show. Any horse thus officially retired at a Recognized Show shall be barred for life from further competition at Recognized Shows, except by special permission of the TWHAA.

(b) The Association shall give necessary publicity to all official retirement ceremonies and shall notify all Recognized Shows.

(c) Any ceremony announcing an exhibitor's retirement from competition is prohibited.

Challenge trophies.—(a) A challenge trophy is a trophy, donated to or offered by a show, which must be won a specified number of times under specified conditions. When originally placed in competition, it becomes the property of the show committee, and cannot be withdrawn by the donor.

(b) The conditions of a challenge trophy shall not be changed without the consent of the trophy donor or his legal representative and of all who have qualified as potential winners of such trophy, except in the event that the conditions stipulated are in conflict with the current rules of the Association. In such an event the show committee shall confer with the Association as to procedure.

(c) The winner of a leg on a challenge trophy in competition is entitled to possession of such trophy for a period of 11 months from date of winning unless a show stipulates that it shall remain in its possession. He shall be responsible for protection and care of the trophy if it has not been won outright. Failure of exhibitor to return the trophy shall constitute a violation of a rule and shall render the exhibitor subject to penalty. If in competition at more than one show per year, the committee may elect to keep the trophy in its possession.

If a trophy is destroyed, stolen or lost and thus it cannot be returned, the exhibitor in whose possession it was shall pay to the show the cost of replacing it with a trophy equally suitable and satisfactory to the show committee. Such replacement of a lost trophy, if completed before the next competition, shall exempt the exhibitor from penalty.

(d) Should a show or class be discontinued or not held for any period of time, any unretired challenge trophies offered at such show must be returned at the expiration of eleven months to the last active show committee. This committee shall determine the disposition of such trophies, but they may not be placed in competition at any show unless the provisions of (b) are met.

(e) In the event of the death of an exhibitor who has won one or more legs on a challenge trophy a member of such exhibitor's family may include such previous winnings in any further competition for such challenge trophy in which they may engage.

(f) In the event that a challenge trophy is competed for and won under a farm name and the farm is thereafter sold to another person who retains the farm name, legs won on the trophy by the first owner shall not be counted by the subsequent owner of the farm in his competition.

(g) For refusal of entries in challenge trophy classes, exhibitor will forfeit first place winning money and ribbon in other classes.

Perpetual trophies.—A perpetual trophy is a trophy donated to or offered by a show, which never is awarded permanently to an exhibitor but remains the property of and in the possession of a show, which may at its discretion present to the annual winner a replica or souvenir trophy. The conditions of such trophy are identical with those of a challenge trophy insofar as moving from one class to another, etc. are concerned, except that previous winners need not be consulted when and if specifications are changed.

Prize ribbons—Color of ribbons.—At all Recognized Shows the prize ribbon shall be the following colors and to encourage participation it is recommended that shows offer six ribbons if entries warrant:

Grand Champion: Blue, Red, Yellow, and White.

Reserve to Grand Champion: Red, Yellow, White, and Pink.

Champion: Blue, Red, and Yellow.

Reserve Champion: Red, Yellow, and White.

First Prize: Blue.

Second Prize: Red.

Third Prize: Yellow.

Fourth Prize: White.

Fifth Prize: Pink.

Sixth Prize: Green.

Seventh Prize: Purple.

Eighth Prize: Brown.

Ninth Prize: Gray.

Tenth Prize: Light Blue.

TWHAA HORSE OF THE YEAR AWARDS

The Association offers annually Horse of the Year Awards in all classes.

Purpose of these awards is to encourage participation at sanctioned shows. In making the awards, the Association in no way implies that the winners are the best in their respective classes (although they may well be), but it certifies that these animals received the highest number of points in their class.

Eligibility.—To be eligible for an Award, a horse must be registered with the TWHAA and its owner an individual member in good standing. No points will be credited before a horse is registered and its owner becomes an individual member.

Transfer of ownership.—Ownership of a horse may be transferred during the year without affecting the animal's score, the award being made to the owner as shown in the TWHAA recording files at the time the horse wins its last point in the competition.

Terms of competition.—(a) Winners shall be those horses which score the highest number of points in their classifications in Recognized Shows from January 1 to Starting date of the World Championship.

(b) No credit will be given for classes whose specifications are not in accordance with TWHAA rules.

(c) No credit will be given in classes with less than three entries.

(d) Credit will be given for the first four place ribbons only, regardless of the number of ribbons offered.

Point value.—(a) Points in all other classes except open championship stakes and those noted below will be scored as follows :

	Min. entries	1st	2d	3d	4th
A rating.....	8	20	12	8	4
B rating.....	6	10	6	4	2
C rating.....	3	5	3	2	1

CHAMPIONSHIPS

	Min. entries	Champion	Reserve	3d	4th
A rating.....	6	40	24	16	8
B rating.....	4	20	12	8	4
C rating.....	3	10	6	4	2

Where the term "Championship" is omitted from a class title, the class that is open to all horses that has the required specifications will be counted as the championship.

Tabulation of points.—Scores of all horses will be kept in the TWHAA office. Marked catalogues from sanctioned shows shall furnish the sole basis upon which the scores are figured and the Association tally thus derived shall be final authority in determining the winners. The TWHAA will use every care to achieve accuracy in compiling the score but shall not be liable for failure of a show to file a properly-marked catalogue, nor for errors and omissions in the marking thereof, nor responsible beyond the point of accurately figuring scores as furnished by the proper authorities of each show.

Ties.—In the event of a tie, the Horse of the Year Award will be awarded to each competitor.

Disputes.—Any question or dispute in connection with the competition will be referred to the TWHAA Board of Directors whose verdict will be final.

Presentation.—Presentation of the TWHAA Horse of the Year Awards will be made at the World Championship Show on the last night at 6:00 p.m.

There will be a Horse of the Year Award for the following classes: 1. Weanling; 2. Yearling; 3. Two-Year Old; 4. Three-Year Old; 5. Junior Walking Horse; 6. Aged Mare; 7. Aged Gelding; 8. Aged Stallion; 9. Amateur; 10. Juvenile; 11. Ladies; and 12. Championship.

Prizes and awards for Horse of the Year Award.—\$1,000.00 for Classes 1–11, and \$2,000 for Class 12. In addition, there will be a Permanent Award Plaque, engraved with the following: 1. Year; 2. Class; and 3. Name of Horse, Rider, and Owner.

Recording of horses.—The TWHAA maintains the only official record of winnings of horses at all Recognized Shows. To keep these records complete a horse should be recorded in the same name under which it is being exhibited.

Transfer of Ownership.—When a recorded horse is sold a transfer of ownership must be effected by submission to the Association office of the original recording certificate, properly endorsed. If the original certificate is lost a proper bill of sale from the seller to the purchaser may be presented with the request for transfer. There is a charge for transfers of \$5.

Horse of the Year Awards.—No points will be credited to horses toward a Horse of the Year Award until they are recorded and unless they are entered under their official recorded names. The responsibility for such recording shall rest entirely with the exhibitor.

Qualification for world championship.—Points for competing in World Championship may be accrued as follows :

	1st place	2d place	3d place	4th place
Class A show.....	20	12	8	4
Class B show.....	10	6	4	2
Class C show.....	5	3	2	1

Any horse that has accrued 20 or more points will automatically be eligible to compete in World Championship classes, without qualifying. (Points may transfer with ownership).

To be eligible to participate in Qualification Class, a horse must have been shown in a minimum of 10 recognized shows since last World Championship. To enter in World Championship shows, horse must finish in the top *ten* of the Qualification Class.

A "Horse of the Year" or "Competitor of the Year" award will be made, at the World Championship, to the horse that has accumulated the most points in each class.

World championship judges.—All three officials at the annual celebration will be chosen by the Board of Directors and the Commissioner of Judges.

It will be the Commissioner's responsibility to make any necessary changes in judges while the World Championship is taking place.

PRIZE LIST AND CATALOGUE

General.—The prize list and catalogue of every Recognized Show must contain the following:

Prize list and Catalogue.

(a) List of officials;

(b) Names of the officiating judges with the division in which they will adjudicate, and the names of the stewards, provided they have accepted to serve.

(c) Show rating for Horse of the Year Awards.

(d) Association page. This must occupy one full page in a conspicuous position in the prize list and catalogue of each Recognized Show. (On a 4-page or less prize list, notice requires only a half page.) Each show is urged to instruct its announcer to invite the attention of the spectators to this page at each session.

"The----- is operated in accordance with the current rules of the TWHAA Association."

Every person who participates in the show is responsible for a knowledge of and is subject to the Association Rules. Spectators will better enjoy the show by knowing them. Members receive a copy of the current Rule Book and "Walking Horse News" and are entitled to participate in the Annual Horse of the Year Award Competitions.

No points will be counted toward the Annual Horse of the Year Award Competitions before membership dues have been paid and horses have been recorded with the TWHAA.

TWHAA

TENNESSEE WALKING HORSE ASSOCIATION OF AMERICA,
Post Office Box 286,
Lewisburg, Tenn.:

I hereby apply for ----- membership and enclose payment for \$-----
(Membership expires December 31).

Life, \$250; Contributing, \$25; Senior, \$15; and Junior (under 18 years), \$7.50.

Juniors give date and year of birth -----, 19----- (Dues include \$1 for subscription to "Walking Horse News".)

Name -----
(Print name)

Address -----
(Street)

City, State, Zip Code -----

Registered stable or farm name.—Entries may be made in the name of a stable or farm, provided such stable or farm is registered with the Association.

RULES FOR JUDGING, EXHIBITING AND HORSE SHOW MANAGEMENT

General.—Horses exhibited must be registered with the TWHAA and must be entered under their full registered name. Exception: Walking Ponies.

1. Numbers. A number will be assigned to each Rider at the time of making entry, which number will stand for the entire show and must be displayed whenever the horse is shown.

2. Within the discretion of the management of a show, a period of not more than five minutes may be allowed during which horses shall be permitted to enter the ring. At the expiration of this period, gates shall be closed and no other horses shall be permitted to enter.

3. A total of seven minutes in aggregate shall be allowed each exhibitor for replacement of a shoe or broken equipment, but no more than 2 times in a class.

4. No one shall directly or indirectly sore or cause to be sore any horse, by any manner, mechanical or chemical; and any sored horse which may be exhibited shall be disqualified. Any person responsible for any such soring shall be subject to any and all penalties provided by the Rules. Owners as well as exhibitors of such horses shall be held responsible for all such soring.

5. All Tennessee Walking Horse judges are responsible for the enforcement of all rules as promulgated by the TWHAA.

Horses foaled after January 1, 1969, with raised granulated tissue that can be detected from eye level with persons standing erect which will not produce hair on the pastern or coronet areas are ineligible for competition and must be disqualified by the judges. A petroleum may be used in the pastern or coronet areas that will make the boots more comfortable for the horse, as long as it does not alter the natural color of the hair. Horses having raw or bleeding sores in the pastern or coronet areas from either old or new scars or chain sores shall be disqualified by the judge for the balance of the show and the owners, trainers, and riders are subject to further penalty under the provisions of the rules.

The toe of the front hooves of the horse including shoe and pad must be at least one inch (1") longer than the height of the heel measuring from the ground to the hairline. Horses with heels exceeding this standard must be excused.

Horses equipped with any artificial appliance except an inconspicuously applied tail brace, switch or humane tail, turn-buckles and boots shall be excused by the judge. If boots are used they must be of the types listed below:

Boots must be two inches (2") or more overall in width or height. Any type boot may be used as is best suited for the particular horse so long as the lining of the boot is smooth leather or felt and there are no loose objects or chains in or attached to the boot.

While any standard walking horse bit may be used, severe bits are discouraged and bleeding of the mouth or muzzle must be penalized in the final judging.

If an entry is excused from the ring for an infraction of the rules the entry is eligible to show in a succeeding qualifying class, if the infraction can be corrected. A disqualified entry is disqualified for the balance of the show.

Drugs and medications.—(a) No horse shall be eligible for competition at a Recognized Show if it has been administered orally or by injection any forbidden substance which would affect its temperament, courage, or manners in competition.

(b) A person who authorizes or administers to a horse in competition any forbidden substance for the purpose of affecting its temperament, courage, or manners shall be subject to penalty under the rules.

(c) Horses in competition at a Recognized Show are subject to examination by a licensed Veterinarian who must be appointed by the Association. This examination may include saliva and urine tests. Refusal to submit a horse in competition for examination by an authorized Veterinarian shall constitute a violation.

(d) If a protest or charge is made, the show committee, after verifying that a forbidden substance has been administered orally to a horse or a substance of any nature has been administered by injection, shall disqualify all horses under the same ownership or management, for the balance of the show and all of their entry fees and winnings shall be forfeited.

Failure to file a statement with the Show Secretary is a violation of the rules. Such violations must be reported by the Show Steward to the TWHAA for such further action as may be deemed appropriate.

Exhibitors are cautioned against the use of medicinal preparations and tonics of any kind the ingredients and quantitative analysis of which are not specifically known, as many of them contain a forbidden substance.

Cruelty.—(a) Cruelty to or the abuse of a horse by any person at a Recognized Show is forbidden, constitutes a violation of the Rules, and renders the offender subject to penalties. The Show Committee shall bar violators from further participation for the remainder of the show. It shall be the duty of the show officials and any properly constituted humane organization, to report to the Association any person who indulges in this practice for such further action as may be deemed appropriate.

The Association may appoint a veterinarian to inspect any animal in competition. Refusal to submit an animal for examination by an authorized veterinarian after due notification shall constitute a violation.

Show Committees are encouraged to contact the American Humane Association, 896 Pennsylvania Street, Denver, Colorado, 80201, which will provide experienced humane inspectors to work with them in eliminating cruel practices.

(b) The following acts are included under the words "Cruelty" and "Abuse" but are not limited thereto:

1. Excessive use of a whip on any horse in a stall, runway, warm-up area, show ring or elsewhere on the show grounds, before or during a show, by any person.

2. Rapping the legs of a horse with the butt end of a riding crop or other implement.

3. Inhumane treatment of a horse in a stall, runway, warm-up area, show ring or elsewhere on the show grounds, by any person.

4. Showing a horse with raw or bleeding sores around the coronets, pasterns, or legs.

Soundness.—All animals, except stallions and mare in breeding classes, must be serviceably sound for horse show purposes, i.e., such animal must not show evidence of lameness, broken wind, or impairment of vision.

JUDGING

1. Good judging depends upon a correct observance of the fine points and the selection of best horses for the purpose described by conditions of the class. A Judge serves three interests: His own conscience, exhibitors and spectators. He should make clear to the audience that the best horses win. Onlookers pay to get in, and they want to know what happens.

2. A Judge obligated to adjudicate each class in conformity with the Rules and Specifications of that class as they appear in the Association Rule Book. He is expected to be proficient in each class and to possess a thorough knowledge of the Rules of the TWHAA.

3. No exhibitor shall approach a judge with regard to a decision unless he first obtains permission from the Show Committee or Steward, who shall arrange an appointment with the Judge at a proper time and place.

4. A Judge must order from the ring any unruly horse or one whose actions threaten to endanger other exhibitors or their entries.

5. A Judge, his wife, or the minor child of a Judge, shall not own, exhibit, ride, train, board, sell, trade or in any way engage in the showing or training of Tennessee Walking Horses during the time of his employment as a Judge by the TWHAA.

6. A Judge shall not adjudicate in any show in which a member of his immediate family is competing.

Family.—For horse show purposes the term "immediate family" shall include the following: husband, wife, parent, child, stepchild, brother, sister, half-brother and sister, in-laws of the same relations as stated above, and grandparents.

7. A Judge shall not, during the period of a show at which he is judging, be the house guest of a person who is exhibiting at such show, or whose family is exhibiting at show.

8. No rider may compete in any class before a Judge by whom he or she has been instructed, coached, or tutored, with or without pay, within three months of the date of the show. The conducting of clinics or assistance in approved group activities, unless individual instruction is given, will not be considered as instructing, coaching or tutoring.

9. Failure of a Judge to attend a show to which he is committed, to perform his duties, and to officiate in the classes to which he is assigned shall constitute cause for disciplinary action, except in cases of extreme emergency.

10. A Judge shall not discuss the purchase, sale, lease, or breeding of any horse during a show at which he is officiating.

11. Any Judge who shall officiate at a show which has not been recognized by TWHAA shall automatically be debarred from officiating at Recognized Shows.

12. All remuneration and expenses paid to a Judge shall be paid by the TWHAA. Any Judge found to have accepted cash or gifts from any other source shall automatically be debarred from officiating at Recognized Shows.

13. Judging Card must be posted after each class.

Judging procedure.—All horses shall enter the ring at the flat walk, shall go to the right, which is the left way of the ring, and shall continue at the flat walk until the class is closed, after which the Judges shall call for performance gaits in the following order:

Two complete rounds at a flat walk.

Two complete rounds at a running walk.

One complete round at a canter.

Reverse and repeat.

The judge will use the first horse to enter the ring as the key or call horse to determine how many rounds horses are being worked.

Workout.—The horses will show one round at a flat walk, one round at a running walk. Reverse and repeat.

Judge will use the first horse to take the rail and pass by between judge and rail as the key or call horse to determine how many rounds horses are being worked.

Boots will be dropped or removed for inspection in the ring after the class is worked, and at the same time horse is lined up and judged for conformation.

Only one attendant per horse will be allowed inside the ring, except during stake classes.

If an exhibitor voluntarily removes a horse from the ring without official permission of a judge, the exhibitor and all animals of the exhibitor shall be disqualified from all future classes at that show by the show committee and shall forfeit all prizes and entry fees for the entire show.

There shall be no changing of boots or changing of curbs or bridles after the exhibitor has entered the show ring, except in the event of breakage of equipment. In the event of breakage of equipment, an exhibitor is entitled to request suspension of judging for a period not to exceed a total of seven minutes in aggregate, but no more than two times in a class, in order to repair the damage. The exhibitor must go to the center of the ring for any repairs or for replacement of a shoe. If the exhibitor pulls to the center of the ring, it will constitute a time out. Time shall be taken from the moment the exhibitor goes into the center of the ring except in the event a horse casts a shoe, in which case the time out will not start until the farrier reaches the horse. The judge will be held responsible for the timing unless an official timer is designated.

Minor adjustments to bridles or curbs which are momentarily made by an exhibitor without dismounting and with no assistance, when horses are being reversed in the ring shall be allowed. When a "time out" is requested, if it is determined by the Ring Master or Steward that no breakage of equipment or justifiable cause is involved, the exhibitor will be excused from the ring. Exhibitors shall be excused from the class if they voluntarily dismount without official permission.

No trainer, handler, or groom will be allowed in the ring unless called by the judge.

No horse shall be allowed to enter the ring after the judge has called for the first gait.

As the horses enter the ring, the judge will observe their way of going, in accordance with the specifications "Gaits" and excuse horses immediately which deviate from the standards.

Gaits.—The qualifying gaits are:

(a) The Flat Walk, true, square and flat with a cadenced head motion. Stiff legged front or rear leg motion and twisting of the hocks, especially when entering the ring are typical of the movement of a sore horse and the judge must immediately excuse horses exhibiting this type of motion from the ring.

(b) The Running Walk, a smooth, gliding, overstepping, four-cornered gait, the horse having stride and head motion. The running walk should be a free and easy gait. Horses exhibiting an exaggerated hesitating way of going, with a tendency to point or to strike the ground heel first, are not in form. Twisting of the hocks or stiff legged front or rear leg motion shall also be considered a deviation from true running walk and horses exhibiting these ways of going must be excused from the ring.

(c) The Canter, smooth and straight on both leads, not walking behind but cantering on both ends with a rolling motion, comfortably in hand.

Judges shall penalize all entries out of form. "Exaggerated pumping" of the horse is not considered good form. At all gaits, the horse should be flexed at the poll with the muzzle slightly tucked. A tendency to rack, pace, slow-gait, or any other deviation from the true walking horse gaits shall be penalized.

When over 40 horses or riders are entered in a performance class in which horses compete together, a Judge must divide the class and work it in groups of less than 40. Unless individual tests are required in the class routine, he shall bring the top contestants from each group back into the ring for final adjudication. Once a class has been divided, it is unnecessary to redivide.

Conformation.—In general conformation the Tennessee Walking Horse should have an intelligent and neat head, well shaped and pointed ears, clear, alert eyes, and a tapered muzzle. The neck should be long and graceful. The shoulders should be muscular and well sloping. The back should be short with good coupling at the loins. The chest should be of good proportion and width. The body should be deep in the girth and well ribbed. The croup is generally sloping. The hips should be well muscled and this development will usually extend well down toward the hocks. Legs should be flat and cordy. Except as to walking ponies, which shall be 14.2 hands and under, the horse should be from 15 to 16 hands in height with an occasional individual over or under and from 1000 to 1200 pounds in weight.

Breeding Classes—Breeding.—Entries shall be led into the ring wearing a show bridle and be lined up at the discretion of the judges. Horses to be shown in hand at a flat walk, unruly or ill-mannered horses to be excused from the ring. Emphasis shall be placed on type, conformation, substance, and quality. Transmissible weaknesses and/or unsoundness to be counted strongly against breeding stock. Tail brace, switch, or humane tail is allowed. Boots are prohibited. Shows may divide classes by age and/or sex.

Model.—Entries shall be led into the ring in bridle, to be judged on conformation and finish only. Way of going shall not be considered. Boots are prohibited. Shows may divide classes by age and/or sex.

Class Specifications.—The following classes may be divided according to sex or into not exceeding 15.2 hands and over 15.2 hands. Stallions are prohibited in Ladies and Junior Exhibitor Walking Horse Classes but are permitted in Walking Pony Classes.

Two-year-old walking horses.—To be judged 40% for flat walk, 40% for running walk, and 20% for conformation.

Three-year-old walking horses.—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation.

Junior walking horse (four years old and under).—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation.

Age walking horse, five years old and over.—To be judged 25% for running walk, 25% for flat walk, 25% for canter and 25% for conformation. Three or Four Year Old Horses may be exhibited in Age Classes.

Novice walking horse.—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation.

Walking horse, mares, and geldings to be ridden by a lady.—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation.

Walking horse to be ridden by an amateur.—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation.

Walking horse, stallion, mare, gelding, open.—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation.

Walking horse championship stake.—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation. To be eligible horses must have been entered, shown and judged in one other class in this division. Nominations to be made in entry blank. (or) Horses need not be named until ---- hours before time of class, at which time names and descriptions of entries must be made in writing by owner or his agent.

Walking horses, mares, and geldings, to be ridden by a junior exhibitor.—To be judged 25% for running walk, 25% for flat walk, 25% for canter, and 25% for conformation.

Walking horse, ladies, junior exhibitors, amateurs, owners, amateur owners.—To be judged 25% for flat walk, 25% for running walk, 25% for canter, and 25% for manners, conformation, and quality.

Walking horse, open, stallion, mare, gelding, which shall not exceed 15.2 hands and must be over 14.2 hands.—To be judged 25% for flat walk, 25% for running walk, 25% for canter, and 25% for conformation, quality, and manners.

Walking horse amateur championship.—To be eligible horses must be entered, shown and judged in any other amateur class in this division. Nominations to be made in entry blank. (or) Horses need not be named until ---- hours before time of class, at which time names and descriptions of entries must be made in writing by owner or his agent. To be judged 25% for flat walk, 25% for running walk, 25% for canter, and 25% for manners, conformation, and quality.

Walking horse championship.—To be eligible horses must be entered, shown, and judged in any other class in this division. Nominations to be made in entry blank. (or) Horses need not be named until ---- hours before time of class, at which time names and descriptions of entries must be made in writing by owner or his agent. To be judged 25% for flat walk, 25% for running walk, 25% for canter, and 25% for conformation, quality, and manners.

Walking pony.—Open to stallions, mares, and geldings 14.2 hands and under ridden by a Junior Exhibitor. To be judged 25% for flat walk, 25% for running walk, 25% for canter, and 25% for manners, conformation, and quality. No animal may be shown in a performance class restricted to ponies unless the owner possesses a current measurement card issued by the Tennessee Walking Horse Association of America. A current measurement card will be issued before a pony is shown and must be remeasured each year until the animal has reached six years of age. At that time a permanent card will be issued. Applications for measurement cards must be made to the Tennessee Walking Horse Association of America, and signed by a licensed veterinarian. When the application is returned, the measurement card is then issued by the TWHAA.

Park walking horse, open, stallion, mare, gelding, ladies, junior exhibitors.—To be ridden by an amateur. A Park Walking horse is defined as a lady's or gentlemen's mount for park pleasure riding. The horse should typify the ultimate of the Walking Horse Breed for a personal mount. To be judged 25% for flat walk, 25% for running walk, 25% for the canter, and 25% for manners, quality, and suitability of horse to rider. Set tails, braids, and boots are optional. Horses competing in these classes are ineligible to compete in any other classes in the Walking Horse division at the same show in which the performance of the horse is deciding factor.

Plantation pleasure walking horses, open stallion, mare, gelding.—To be ridden by an amateur. To be shown with light rein at the flat walk, running walk, and canter. To stand quietly and back readily. To be judged as a pleasure riding horse with true road and trail qualities; disposition, mouth, manners, responsiveness to rider, soundness and conformation to be considered. Set tails, artificial appliances and boots are prohibited. Pads are permitted. Entries shall be plain shod as for trail and pleasure riding. Horses competing in these classes are ineligible to compete in any other classes in the Walking Horse division at the same show in which the performance of the horse is a deciding factor.

JUDGE'S CARD AND HOW TO USE

The following Judge's card will be used by all Association Judges. The show secretary will list all entries in the left margin in numerical order. The Judge will then note all the horses by giving one point to the best horse, two to the second best horse, and so on. The total points will be found by adding to the right. The entry with the lowest number of points will be declared the winner; the second lowest number, second place, and so on.

If a horse breaks, Judge marks X under gait on which horse is being judged. When show secretary adds up the points, X counts as last place.

This system will allow for fewer ties and give a truer picture of performance. In case of a tie, or need to look further, horses will be asked to make another workout.

The Judge's Card will be posted in a prominent place after each class.

The Judge will use the first horse to enter the ring as the key or call horse to determine how many rounds horses are being worked.

Horses will enter the ring at a flat walk. When the last horse enters the ring, the show begins. The first horse to enter the ring will be used as the key horse, or call horse, and the show starts.

The horses will show two rounds at a flat walk, two complete rounds at a running walk, and one complete round at a flat walk, and one round at a canter.

Reverse and repeat.

Workout. The horses will show one round at a flat walk, one round at a running walk. Reverse and repeat.

Judge will use the first horse to take the rail and pass by between judge and rail as the key or call horse to determine how many rounds horses are being worked.

Ties.—In case of a tie, when the Judges' cards are added up, the horses who tie will be asked to make a workout. Before they are asked to work out, the Judge will announce what place the horses are being worked for.

Shows with three judges.—The same rules apply in shows with three (3) Judges, except that all three judges' cards would be added together to determine the winner (or ties).

INTERRUPTION OF PROCEDURE

(a) In the event that a show is stopped while in progress due to storm or other emergency, the decision as to its continuance shall rest with the Show Committee.

It shall also be within the committee's province to make such awards for classes not held as in its judgement is warranted and called for. No championship, awarded on points, under this ruling shall be made in any division, however, unless more than 50% of the scheduled classes in that division have been held. Any action thus taken by the show shall not be referable to this Association, inasmuch as the matter is one of discretion and not regulation.

(b) A class in operation at the time of the stopping of a show shall cease and no placements involving Horse of the Year Awards shall be made.

(c) In the event that a class in which horses compete individually is stopped while in progress due to storm, accident, or other emergency, the following procedure shall govern:

If the class is continued during the same session, it shall go on from the point where it ceased and scores already credited shall count.

If the class is continued at a succeeding session of the show, it shall be held over in its entirety and no scores credited in the first session shall count.

(d) If classes are postponed to a day not included in the original show dates, exhibitors are entitled to a refund of entry fees in the classes postponed and are relieved of any obligation to show back in postponed classes.

Prompt entrance of ring required.—Due notice will be served upon all exhibitors as to the time classes will be called, and all horses must be ready and waiting so that they may enter the ring promptly when called. When the gates are closed upon any class and the Judge has started to work, no exhibitor who is late will be admitted to the ring.

Equipment breakage or lost shoes.—In the event of equipment breakage, casting of a horse's shoe, boot, or band, or similar accident, an exhibitor is entitled to request suspension of judging for a period not to exceed seven (7) minutes in aggregate (but no more than two times in a class) in order to repair the damage or replace the shoe, boot or band. Time shall be taken from the moment of announcing the temporary suspension of the class (Time Out) except in the event of a horse casting a shoe, time shall not start until the farrier reaches the animal. If at the expiration of this time (seven minutes) the animal is not ready to compete, the contestant may take the rail and complete the class or be excused and shall be eliminated in the class.

No animal shall be permitted more than two such exemptions in a class. The Ringmaster, Steward, or Judge shall be held responsible for timing unless an official timer is appointed.

There shall be no changing of boots or changing of curbs or bridles after the exhibitor has entered the ring, except in event of breakage of equipment, which shall be allowed only two times per each exhibitor. Any exhibitor who violates such ruling and any horse being stopped for such adjustments, except with permission, shall be disqualified in the class. Minor adjustments to bridles or curbs which are momentarily made by the exhibitor, without dismounting, while horses are reversing in the ring shall be allowed.

If a horse competing in a qualifying class is excused by a judge, has equipment breakage, or asks to be excused, that horse cannot compete in a Championship Class.

If the horse is eligible to compete in another qualifying class, it can, by competing and qualifying, be entered in a Championship Class.

EXHIBITORS STATUS

Professional.—A person is a professional, for horse show purposes, when:

(a) He engages in breeding, boarding, schooling, buying, selling, dealing in, or hiring out horses as a principal means of his livelihood;

(b) He accepts remuneration for employment in connection with horses in a show, livery, or boarding stable or riding academy;

(c) He accepts remuneration for exercising, schooling, riding, driving, or giving instructions therein (persons acting as counselors at a summer camp who are not hired in the exclusive capacity of riding instructors are excluded);

(d) He rides in horse shows any horse for which he or a member of his immediate family accepts remuneration for boarding or training for a person outside of the immediate family;

(e) He accepts remuneration for employment in any capacity and rides in horse shows, horses which his employer or a member of the immediate family of such employer owns, boards, or trains;

(f) He accepts remuneration for the use of his name, photograph, or other form of professional association as a horseman in connection with any advertisement or article to be sold.

(g) Any member of a professional's family who has reached his 18th birthday, is a professional if he aids or assists in the activities which make the aforesaid a professional. The doing of clerical work of itself or the giving of financial aid of itself shall not be deemed "aiding and assisting".

(h) The writing of books or articles for horse show purposes, or the acceptance of remuneration for judging or stewarding at a horse show, or the reimbursement of the rider for expenses without profit or the acceptance of a small token of appreciation, other than money, for riding, shall not affect amateur status.

(i) The Question of whether a person is professional or amateur shall be determined by a hearing of the Board of Directors, TWHAA.

Amateur, juvenile, and ladies.—An Amateur, for the purpose of the show, is one who rides for the love of the sport, not as a professional or for a livelihood, and who does not receive any monetary consideration for his or her services, and is not professionally interested in the purchase, sale, or trading of horses.

(a) Ladies' Classes. Girls who have reached fifteen (15) years of age may show in either Juvenile or Ladies' Classes, but will not be permitted to show in both classes at one show.

(b) Juvenile (Junior Exhibitor): An exhibitor is classified a Juvenile or Junior if he has not reached his eighteenth birthday prior to January 1st. The age of the individual on January 1st shall be maintained throughout the entire year.

(c) Stallions shall be barred from any class the conditions of which specify that a lady or juvenile is to ride.

(d) Ponies under saddle shall be ridden only by Junior Exhibitors.

Any change in status from professional to amateur, or vice versa, shall be published in the next succeeding issue of "Walking Horse News".

Any person who under these rules is a professional and shall knowingly and falsely represent himself as an amateur in order to ride in amateur classes, and any person who violates any of the provisions of this rule shall be subject to disciplinary action.

HORSEMANSHIP AND EQUITATION FOR THE TENNESSEE WALKING HORSE

General rules regarding walking horse equitation classes

1. Walking Horse Equitation should come under the "Equitation Division" in all shows.

2. Walking Seat Class to be judged by the Equitation Judge—(Class to be judged by a Walking Horse Judge ONLY if he has a license to judge Equitation).

3. All riders in Equitation Classes must conform to the conventional rules for personal appointments, or be eliminated by the Judge.

4. Walking Horse Boots are not to be removed in the ring as the rider ONLY is being judged.

5. In all classes preliminary to Championship Classes, (or if only one class in a show) Judges must require riders to back horses.

6. Either a horse or a pony should be acceptable in Equitation Classes. Stallions are prohibited.

7. Equitation Classes are for Juvenile Riders 17 years or younger. The age of the individual on January 1st shall be maintained throughout the entire year.

8. The fall of horse and rider shall eliminate the contender.

9. Any rider not having his mount under sufficient control shall be dismissed from the ring and shall be disqualified from that class.

10. Riders must remain on the same mount throughout all phases of the class until the judge requests a change.

11. No rider shall be asked to perform a test on another mount before he has performed the same test on his own.

12. No attendant shall be allowed in the ring except at the request of the Judge.

13. When additional tests are desired, the Judges instructions to the riders shall be publicly announced.

14. Soundness—Unsoundness shall not penalize a rider unless it is sufficient to impair the required performance.

15. Prize Money—Offering of money prizes in Equitation Classes is forbidden, since under the rules covering international sport, a competitor accepting money prizes thereby becomes a professional. In Equitation Classes the individual is the competitor and wins the award, whereas in other classes the horse is the competitor.

16. Ribbons—The awarding of six or more ribbons is recommended in Equitation Classes, including Championship Classes.

Walking seat equitation

Seat and hands

A. General.—It should be impressed that the required Equitation Walking Seat is a natural, coordinated and comfortable riding position and should in no way be rigid or exaggerated.

A rider should convey the impression of effective and easy control, with the general appearance that he would be able to ride for a considerable length of time with pleasure. To show a horse well he should show himself to the best advantage. Ring generalship shall be taken into consideration by the judges. The appearance, presentation and alertness of the rider and his mount make the over-all picture of utmost importance.

B. Mounting.—The horse should be in "parked" position with weight on all four feet. Mounting should be done quietly so as not to startle the horse. With practice one should be graceful and agile, causing no displacement of the saddle, and with reins properly collected in the left hand for control.

To mount, stand at left side of horse by saddle, facing either shoulder or barrel. Gather reins in left hand, with proper bite to control horse if he steps either forward, backward or away from rider. Use left hand to grasp withers or pommel. Grasp stirrup in right hand, turn toward foot, insert left foot in stirrup with toe slightly down. Avoid touching side of horse with toe. Place right hand on pommel or cantle, grasping crest with left hand. Spring up lightly from the right foot, but avoid hopping. Use a slight simultaneous pull of both hands. Keep body close to horse and quickly throw right leg across croup, fairly straight. Sit down gently. Feel for right stirrup. Check base of support by rising on irons slightly, and square saddle. Assume correct basic position.

C. Dismounting.—With horse in "parked" position, arrange reins in the left hand on crest of withers, with right hand on pommel. Take right foot from stirrup. Swing right leg quickly and across croup, with bodyweight supported by left foot and leg. Keeping body over the horse, step onto right toes, disengage left foot . . . (or if horse is large for rider) with legs together, disengage left foot and lower both feet to the ground using hands to support drop. Do not jump down and away. Keep hands in place until ground is reached. Spread reins on pommel. Hold horse by reins, close to bit, standing by head.

D. Hands.—The hands should be held in an easy position, waist or elbow high, over pommel, with palms downward, slightly turned toward body, wrists rounded slightly. The hands should be in unison with the horse's mouth, showing adaptability as well as control. How and where the horse carries his head determines the height the hands are held above the horse's withers. Hands and wrists should be flexible and not held extremely separated. (From the rider's view the hands should be in a V shape, close enough for thumbs to touch. The fingers should be closed over reins, firm but not rigid. Pressure between thumb and index fingers to secure ends. Closed (or crossed) reins shall be used, with both hands on the reins, and the bight of the rein should be on the off side.

E. Basic position.—To obtain proper position rider should sit comfortably in the middle of the saddle and find his center of gravity by sitting with a slight bend at the knees, without use of the stirrups. While in this position have stirrup leathers adjusted to fit so that irons will be under the ball of foot with even pressure on entire width of sele and center of iron. The foot position will be natural and comfortable if the knee and thigh are rolled inward and the heel is slightly lower than the toes. From the front or rear view, the lower leg will be held naturally away from the horse, depending on the anatomy of the rider and size of the horse. Knee against saddle.

F. Position in motion.—The position in motion should be natural, coordinated and graceful, attained only with practice. From the side view a straight line can be drawn perpendicular to the ground through the rider's head, neck, shoulder, hip and ankle. The rider's toe should never be any more forward than his knee, thereby keeping his center of balance directly above his feet and ankles. Upper arms should fall down naturally from the shoulders toward the hip bones, and should be flexible, never clutched to the body, extended forward, or spread

away from the body. Hands should be in a comfortable waist-level position, depending on how and where the horse carries his head. The use of the hands should be smooth and gradual, without jerking or pumping at any of the gaits, or jerks on the reins when parked.

APPOINTMENTS

A. Personal.—Entries are judged on ability, but with neat and properly fitted riding habits all exhibitors enhance their appearance in the show ring. The following requirements are based on simple, good taste which is always in style and correct at all times.

JUDGES SHALL ELIMINATE THOSE CONTESTANTS WHO DO NOT CONFORM

1. Riding habit of inconspicuous solid color, such as black, blue, brown, grey or dark green, with matching soft snap-brim hat.

2. Clean off-white gloves, in preference to a darker color or a glaring white.

3. White shirt with a neat collar well in place, and a tie suitable to style and color of habit, held in place by an inconspicuous tie clasp.

4. Clean jodphur boots, with pants held in place by jodphur straps of matching color.

Miscellaneous.—The use of small, English type spurs and/or a small whip depends upon the horse. Large spurs and long whips do not belong in an equitation class as they are for schooling the horse.

B. Tack.—

Bridles.—Should be of type commonly used by Walking Horses, with single pair of reins. Brow bands decorated with rhinestones, etc. do not belong in Equitation classes. Clean well-kept bridles and shining silver bits are far more attractive. Martingales or similar tie-downs are prohibited.

Saddles.—Should be of the flat, English-type, and of the correct size for the rider. Forward seat or western saddles are prohibited.

Boots.—Clean, white boots of proper weight and design should be well fastened before horse enters ring. Boots are not removed during class as horses are not being judged. Boots may or may not be used.

Braids.—Neatly attached at forelock and mane. Color should blend well with rider's habit and brow band.

All tack should be neat and clean, in good condition, and fit correctly on the horse.

Class routine.—Enter ring at the flat-walk, turning to right and proceeding in counter clockwise direction. The class shall proceed at least once around the ring at each gait, and on command reverse and repeat. Riders may reverse mounts either forward or away from rail. The gesture of stopping, leaning forward in the saddle and feeling of the curb chain is permissible if necessary, but certainly not desirable, and should be avoided. Entries shall line up on command and any or all riders may be required to execute any tests listed.

TESTS FROM WHICH JUDGES MUST CHOOSE

Tests may be performed either individually or as a group, and should be asked for after the entire class is lined up after performance both directions of the ring.

1. *Address Reins.*—A quick check on muscular control and sensitivity of hands.

2. *Backing.*—Must be required, as a check on hands, arms, thighs, knees and lower legs, feet, and voice commands.

3. *Dismount and Mount.*—To be done quietly and as gracefully as possible.

4. *Group performance around ring.*—To check on maneuverability, ring generalship, etiquette and sportsmanship.

5. *Individual performance on rail.*—Any or all gaits and tests may be required, including change of canter leads. See rider in motion from both front and rear at all three walking horse gaits.

6. *Ride without stirrups.*—Any or all gaits may be requested.

7. *Change canter leads down center of ring.*—Change leads, stopping at each change.

8. *Figure eight at center on correct lead.*—Full stop required on each change of lead. Pattern to begin at center of two circles so as to show one lead change.

Movement

1. *Start.*—Should be gradual, smooth. Use necessary leg aids with slight release of rein and tip of shoulder. Use voice command.

2. *Flat Walk*.—Should be a true, square flat-footed walk with up and down head motion. Use light bit pressure, which voice command and required leg aids for correct speed. Close seat with very little motion in saddle. Hands flexible, but showing no obvious movements.

3. *Canter*.—Should be smooth, slow and straight on both leads, with a rolling motion with chin well tucked, comfortably in hand. From flat-walk turn horses head slightly to rail and lift as he brings inner leg forward for next step. Apply leg aid if necessary, give voice command and release rein pressure simultaneously. Lean slightly and look toward inner shoulder. Collect reins with rise of horse, using fingers, wrists and forearms only if necessary. Obvious "pumping" motion with hands or body is objectionable. Close seat, going with roll of horse. Very little motion of rider necessary.

4. *Running walk*.—A smooth gliding, over-stepping four-cornered gait, with head motion and stride. Reins must be collected for proper bit pressure for individual mount. Voice command and a close, steady seat with required leg aids. Rider should be motionless but alert when horse is in correct four-cornered gait.

5. *Stop*.—To be gradual and easy on both horse and rider. No jerks. Voice command. Increase rein pressure evenly, keeping weight well down in saddle, with legs steady, light foot pressure applied on irons.

6. *Park*.—Horse to stand on all four feet with head up, neck crested, jaw flexible. Stretched one or two steps from normal. Feet even, front and rear. Lift head lightly, gently apply leg aids. Light finger pressure on bit, not to drag on mouth.

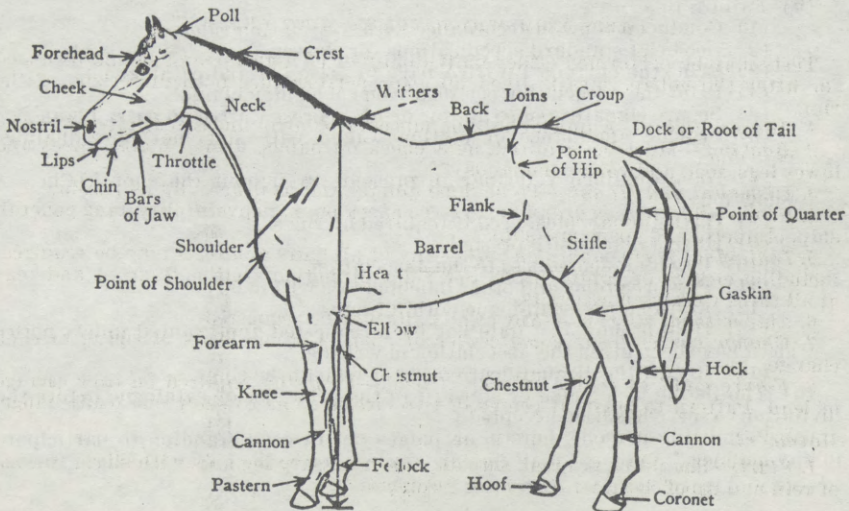
7. *Back*.—Should be smooth, quiet and straight. Back three or four steps. Step horse forward from parked position with very light use of leg aids with voice command of "Back". Draw evenly on reins, releasing alternately with pressures. Use flexible wrists and sensitive finger pressures instead of arms to pull. No clucking or vigorous use of hands or leg aids.

8. *Reverses*.—Toward center of ring, or toward ring, or toward rail. To be done smoothly with reins well collected. Positive, direct rein signals. Well collected reins so as not to lose mouth contact. Light pressure applied with legs when turning. Even, rein pressure after turn, setting head in correct position for gait requested.

9. *Execute serpentine at a canter on correct lead*.—A series of left and right half circles off center of imaginary line where correct lead change must be shown.

10. *Change horses*.—Use as a last resort in a close decision between riders mounted similarly. Not recommended for younger children.

11. *Answer questions*.—Three identical questions should be asked of each rider—one each about anatomy, tack, and equitation. Questions should be asked after an individual performance is completed, while rider is away from other exhibitors.



VIOLATIONS

Individuals.—The provisions of this rule shall apply to any Recognized Show to the following persons: owner, exhibitor, agent, trainer, manager, rider, show official, show employee, or member of the family of the above, individual member of TWHAA, or delegate or any person who acts in a manner in violation of the rules of the Association or deemed prejudicial to its best interest.

Any act at a Recognized Show in violation of the Rules by a member of the family of a person participating in the show who is described in the previous sentence, may be deemed to have committed by such person and subject him to penalties.

A violation is any act prejudicial to the best interests of the Association, including but not limited to the following:

- (a) Violation of the rules of the Association.
- (b) Disqualification by a Recognized Show.
- (c) Penalization by another Horse Association, Humane Society, or Court of Law for violation of Association Rules.
- (d) Acting or inciting or permitting any other to act in a manner contrary to the rules of the Association, or in a manner deemed improper, unethical, dishonest, unsportsmanlike or intemperate, or prejudicial to the best interests of the Association.
- (e) Any act committed or remark made during the show considered offensive and/or made with intent to influence or cast aspersions on the judging.
- (f) Failure of a Judge to perform his duties at a show in accordance with the rules.
- (g) Failure of an exhibitor or his representative to sign the entry blank of a show in which he competes.
- (h) Physical assault upon a person and/or cruelty to a horse.
- (i) No one shall directly or indirectly sore or cause to be sored any horse, by any manner, mechanical or chemical; and any sored horse which may be exhibited shall be disqualified.
- (j) Judges must disqualify any horse having raw or bleeding sores around the coronet, pasterns or legs from either old or new scars or chain sores.
- (k) Any horse foaled after January 1, 1969, with scars, or that hair will not grow in the coronet or pastern areas, is ineligible for competition.
- (l) Drugs and Medications. No horse shall be eligible for competition at any recognized show if it has been administered, orally, or by injections, any forbidden substance. A forbidden substance is any substance which would affect a horse's temperament, courage, manners or stamina in competition, or affect the circulatory, respiratory, or central nervous system.

Recognized shows.—The provisions of this rule shall apply to all shows.

Violations.—A Recognized Show shall be subject to penalty by the Board of Directors for violation of the rules. Violations shall include, but are not limited to, the following:

- (a) Failure to—
 - (1) Conduct a show in accordance with Association rules.
 - (2) Use brief standard specifications for classes.
 - (3) Print the current TWHAA page in prize list and catalogue.
 - (4) Print the Association certificate on each entry blank.
 - (5) Secure signature of exhibitor or his representative on entry blank.
 - (6) Provide ambulance or station wagon with stretcher plus qualified personnel.
 - (7) Have qualified veterinarian present throughout the show. (Class A Show only)
 - (8) Have animals measured if required by rules.
 - (9) Have a blacksmith present.
 - (10) Pay its indebtedness to the Association.
 - (11) Pay premiums and other indebtedness within 60 days.
 - (12) File a marked catalogue within 7 days.
 - (13) Hold a show if a date has been requested and granted unless notice shall have been given the Association in writing.
 - (14) Report the disqualification of a person at the show.
- (b) The listing of a judge or steward in the prize list or catalogue before the invitation to serve has been accepted.
- (c) Permitting persons, horses, or judges not in good standing to participate in any manner.

- (d) Permitting acts which are improper, intemperate, dishonest, unsportsmanlike or contrary to the rules of the Association.
- (e) Acting in a manner prejudicial to the best interest of the Association.
- (f) Failure to disqualify anyone found guilty of the following violations:
- (1) No one shall directly or indirectly sore or cause to be sored any horse, by any manner, mechanical or chemical; and any sored horse which may be exhibited shall be disqualified.
 - (2) Failure to disqualify any horse having raw or bleeding sores around the coronet, pasterns, or legs from either old or new scars or chain sores.
 - (3) Failure to disqualify any horse foaled after January 1, 1969, with raised granulated tissue that can be detected from eye level by persons standing erect which will not produce hair in the coronet or pastern areas.
 - (4) Failure to disqualify any horse at any recognized show if it has been administered, orally, or by injections, any forbidden substance. A forbidden substance is any substance which would affect a horse's temperament, courage, manners, or stamina in competition.
- (g) Failure of a show to notify the TWHAA of any disqualifications.

PROTESTS AND CHARGES

A protest may be made to the Board of Directors or to the Show Judge by an exhibitor, an agent or the parent of a Junior exhibitor for any violation of the Association. The protest must be:

- (a) In writing.
 - (b) In duplicate.
 - (c) Signed by the protestor.
 - (d) One copy addressed to the Board of Directors, second copy addressed to the Commissioner of Judges.
 - (e) Accompanied by a deposit of \$50. (This sum shall be forfeited to the TWHAA if protest is not sustained.)
 - (f) Mailed within 24 hours of the alleged violation.
- If the protest involved cruel or inhumane treatment of an animal, it must also be accompanied by four signed affidavits, obtained from:
1. Judge.
 2. At least one show official.
 3. Show veterinarian (Class A Shows).
 4. At least one witness.

A charge may be made to the Board of Directors or to the Commissioner of Judges by an official of the show or by an officer of the TWHAA for any violation of Association or Local Show Rules. Procedure for filing charges are same as above.

A protest or charge must state the full name and address of the accused and contain a complete and definite statement of the acts which constitute the alleged violation. Precise details regarding a violation of the rules are necessary.

The maker must be prepared to substantiate the protest or charge by personal testimony at a hearing or by sworn statements, witnesses, or other evidence.

A charge or protest against a Recognized Show shall be referred to the Board of Directors of the Executive Committee.

A protest with respect to the height of a horse may only be made to the Committee of the Show. Remeasurement shall take place immediately. The decision of show officials shall not be reviewable by this Association. For method of measurement and rule pertaining to ponies see Measurement Rule.

If the charge or protest involves drugs or medications, the horse in question will be taken immediately to a stall, where the Show Veterinarian will obtain a urine sample for chemical analysis. Failure to permit urine sample will be considered an admission of guilt.

In all cases of rule violations the exhibitor is held responsible. If the exhibitor is a minor, the parent or guardian is responsible.

PENALTIES

After proper examination of evidence, the Board of Directors shall, by a majority vote, have the authority to levy fines or penalties upon offending Association Members or Recognized Shows. Fines or penalties, or combinations of both, may include, but are not limited to, the following:

If found guilty, the accused shall be subject to such penalty as the Hearing Committee may affirm, including but not limited to:

(a) *Probation.* A vote of Probation shall be reported to the Members of the Association and listed under the defendant's name in the Secretary's Record of Penalties. If found guilty of a further violation the defendant shall be subject to a heavier penalty than for a first offense.

(b) *Suspension* of such persons for any period from showing or having others show or exhibit for him. A suspended person is forbidden for the time specified in the sentence to hold or exercise office in the Association or in any Recognized Show or from the privilege of taking any part whatsoever in any Recognized Show.

(c) *Suspension* for any period of the horse or horses, completely or in part owned, leased or of the stable of such person. The Board of Directors may at a later date remove the suspension of said horse or horses if a sale thereof is made in such manner as to be a bona fide transaction and not with the intention of relieving the suspended owner of penalty.

(d) *Suspension* for any period of any volunteer or any employed person who rides or exhibits for the benefit, credit, reputation or satisfaction of the person disciplined.

(e) *Expulsion* from all Recognized Shows.

(f) *Expulsion of suspension* from membership in the Association.

(g) *Forfeiture* of trophies, ribbons and prize money won in connection with the offense committed.

(h) *Suspension* of Judge from office.

(i) *Dismissal* of Judge.

If any person is found guilty of soring, or causing a horse to be sored, he will be subject to:

First offense: 6 months suspension, \$500 fine, or both.

Second offense: 1 year suspension, \$1,000 fine, or both.

Third offense: Permanent suspension.

Any person found guilty of administering a forbidden substance will be subject to same penalties outlined above.

In addition to the above, all evidence collected will be turned over to the Humane Society for possible criminal prosecution.

Penalties—Judges.—If a judge is found to have violated the rules or shown favoritism he will be dismissed immediately.

If a judge is found to have been inconsistent or incompetent, his qualifications and past performance will be thoroughly reviewed by the Board of Directors and a decision will be made accordingly.

A Recognized Show found guilty of a violation shall be subject to penalty including, but not limited to, the following:

(a) Fine.

(b) Probation. A vote of Probation shall be listed under the defendant's name in the Secretary's Record of Penalties. If found guilty of a further violation the defendant shall be liable to a heavier penalty than for the first offense.

(c) Suspension for any period from the list of Recognized Shows.

(d) Remove recognition to sanction show by TWHAA.

Notification.—The Secretary of the Association shall notify the management of every Recognized Show of the penalizing of any person or Recognized Show and of the period thereof. Any Recognized Show which allows a suspended or expelled person to participate is itself liable to suspension or expulsion.

An officer of the Association may report disciplinary action taken by the Association to another association if in their opinion such course is advisable for the protection of mutual interests.

Reciprocity.—On receipt of official notice that disciplinary action has been taken by a Horse Association, Humane Society, or Court of Law against a person for an act which may be a violation of Association rules, an officer of this Association may make a charge against such person, and the Association after a hearing of such disciplined person under the provisions of Rules, and may take such action as it deems in its own best interests.

NONPROTESTABLE DECISIONS

If the official show veterinarian or the show Judge finds that a horse is not sound, that decision is nonprotestable.

A Judge's decision, representing his individual preference, is non-protestable, unless it is alleged to:

1. Be in violation of the rules.
2. Show favoritism.
3. Be inconsistent.
4. Be incompetent.

HEARINGS

Any person or show against whom a protest or charge is filed shall be entitled to a hearing. Such hearing shall be after ten days' notice to the accused, except that a Show Committee may hold a hearing during or within 48 hours of a show after reasonable notice.

Notice of hearing shall contain a brief statement of the facts constituting the alleged violation and shall specify the time and place at which the hearing is to be held.

Accused persons may attend the hearing at their option and may bring witnesses in their own behalf.

Hearings—Judges.—Any judge against whom a protest or charge is filed shall be entitled to a hearing before the Commissioner of Judges and Board of Directors. Such hearing will be held after proper notification by the Commissioner.

REHEARING

Upon the discovery of new facts not presented at a hearing a party may request a rehearing before the Board of Directors. Such requests shall be in writing and shall contain a statement of the new facts upon which it is based.

APPEAL DECISION OF SHOWS

Either party to a protest or charge may appeal the decision of the officials of a Recognized Show. Appeal shall be made to the Board of Directors of the TWHAA.

On such appeal, the Board of Directors shall carefully examine all available evidence, and will determine whether or not the rules were properly interpreted and applied.

Mr. PFISTER. All right, sir.

I would like to, if I could, get a feeling from your people as to the possibility of our group getting together within the next 2 weeks and submitting this plan formally, adopted and accepted by all different factions of the breed.

Mr. JARMAN. Well, of course, we would be receptive to any proposal that you submit to the committee, but I will emphasize again that this bill has already passed the Senate. We are concluding today the hearings on this bill in the House committee, and it will be submitted to the full committee very soon for decision. So it would take—there is a real time factor because we are into the home days, the home stretch of this congressional session.

Mr. PFISTER. Would 2 weeks—

Mr. JARMAN. I don't think there is a 2 weeks' period possible; no, sir. I mean as soon as you are ready, by all means submit it to us. Any action that we can take on legislation now is going to have to be done within the next few days.

Mr. PFISTER. Yes, sir. This plan that we have I feel confident and I have reasonable certainty to believe that it is going to be adopted by the Tennessee Walking Horse Breeders Association.

Mr. JARMAN. I think the difficulty there though is whether the plan is adopted, there are State laws on the books, it becomes a matter of enforcement. And the laws have not been adopted in the various States, so rules and regulations that are on the books or plans that are accepted as policy, if they aren't enforced are not a solution to the problem.

Mr. PFISTER. Yes, sir. But these plans will be enforced. They will be enforced by professional people and not by one brother against another or trainer against a friend.

Mr. JARMAN. We will be glad to study it if you submit it to us.

Now, may I suggest if you have something to show to us, you better do it because when the bells ring a second time we are going to have to go back to the floor.

Mr. SPENCER. Mr. Chairman, these are just brief movies of Ace's Sensation, the world champion, and Mr. Groover thought you would like to see them.

Mr. JARMAN. Before we see that, I don't want to cut you off as far as any emphasis on any other comment.

Mr. PFISTER. I will submit it later. I want to thank all of you for the sincerity in which this meeting was conducted.

Mr. JARMAN. We appreciate your being with us.

Dr. Carter?

Mr. CARTER. No questions. Let us go ahead with the film.

Mr. JARMAN. All right.

We need the lights out.

(Showing of film.)

Mr. SPENCER. This is Sugar Hill Farms in Atlanta, Ga., and that is Mr. Groover on his horse down there in the ring.

This is the home of Ace's Sensation. Now, this is the show horse run and walk—I mean a flat-footed walk. He is doing a flat-footed walk right now, and you will notice that with every step he takes he shakes his head, helps back up off the bit. He has a lot of style and bloom. Notice the rider sits in the saddle very comfortably without any bounding or excessive movement.

For those who may not know, the Tennessee Walking Horse must shake his head in order to walk. Fifteen years ago, this gait was considered to be 8 to 12 miles an hour. Today these horses sometimes extend to 25–27 miles an hour in the run and walk and can do this for extended periods of time in the show ring.

Now, here is a canter. Now, our horses must canter on two leads, a left and a right lead. He is taught to lead with whichever foot is on the inside of the ring depending on which way he is going.

Now, this is called the rocking chair canter and is a very comfortable natural gait for the Tennessee walking horse.

Now, he has reversed his horse, going the other way, and when he canters him in this way he will also do it on another lead going the other way.

Again, notice the horse shaking his head with every step. Notice he is stepping up, reaching up very far, with his back limbs walking just like a human being walks.

Now, here he is going run and walk. You will notice he doesn't snatch his back end. He is not snatching his hocks. He is reaching and walking with every step. And I would say he is going about 20, 25 miles an hour right there.

And here is your canter on the other lead. Now, I saw this horse last Tuesday. I purposely checked his feet. We have pictures made by a professional photographer in Shelbyville, Tenn. His feet are in superb condition. He has no callouses. He is in excellent shape and he is a wonderful representative of our breed today.

Mr. JARMAN. He was sored to establish the gait originally?

He was sored to establish the Tennessee walking gait originally, was he not?

Mr. SPENCER. I am sorry. I can't hear you.

Pardon me.

Mr. JARMAN. I am sorry. I didn't mean to interrupt the showing.

Mr. SPENCER. That is all right.

Mr. JARMAN. But the horse was sored originally when he was trained to establish his Tennessee walking gait, was he not?

Mr. SPENCER. Well, you have to ask Mr. Groover.

Mr. JARMAN. I think we did ask him, and so as I understand he was sored in the establishment of the gait, but you have not found it necessary to do that before each show, is that correct?

I am sorry to interrupt.

Mr. SPENCER. That is all right. That is all.

Mr. JARMAN. Is that the end of the film?

Mr. SPENCER. That is it.

Mr. JARMAN. Dr. Carter, any comment?

Mr. CARTER. No.

Mr. JARMAN. Ladies and gentlemen, we appreciate your participation in the hearings and your assistance in making the record on this important legislative subject. The subcommittee will stand adjourned. (The following statements and letters were received for the record:)

STATEMENT OF M. R. CLARKSON, D.V.M., EXECUTIVE VICE PRESIDENT, AMERICAN VETERINARY MEDICAL ASSOCIATION

Mr. Chairman and Members of the Committee, the American Veterinary Medical Association appreciates this opportunity to present its views on the proposed legislation.

S. 2543, as passed by the Senate, contains a definition of the conditions under which a horse shall be considered to have been "sored"; it contains a finding by the Congress that the practice is cruel and inhumane; and it contains a declaration that it shall be unlawful for any person to move any horse that has been "sored" in commerce for the purpose of showing or exhibition, to show or exhibit such a horse that has moved in commerce for the purpose, or knowingly to conduct a show in which any such horse moved in commerce is exhibited. Penalties of not more than \$500 or imprisonment for not more than 6 months or both are prescribed for those who violate any provisions of the Act, and the Secretary of Agriculture is authorized to promulgate regulations for enforcement.

The "soring" of horses for show or exhibit purposes is a cruel practice. It is an unnecessary and objectionable substitute for selective breeding and competent training. The American Veterinary Medical Association unhesitatingly condemns the practice.

The following comments are related to S. 2543 as passed by the Senate. Similar suggestions would be in order with respect to H.R. 14151 and H.R. 13979.

1. The wording of Sections 2 and 3 of the bill should be sufficiently clear to exclude therapeutic treatment by veterinarians from the definition of "soring." We noted that Senator Tydings' statement, in introducing S. 2543, made it clear that the author of the bill did not intend that the prohibitions would extend to horses given therapeutic treatment by a veterinarian. Also, we note that Report No. 91-609 of December 15, 1969, from the Committee on Commerce to accompany S. 2543 contains the following sentence with regard to Section 2 of the bill: "In addition, the committee would emphasize that the secretary is to exercise his discretion in interpreting this definition so as not to apply it to beneficial therapeutic treatment by a veterinarian which is designed to relieve pain or lameness or to restore a lame or disabled horse's normal gait."

In order to avoid any misunderstanding, it is requested that the opening phrase and the first subparagraph of Section 2(a) be amended to read as follows:

Sec. 2. (a) A horse shall be considered to be "sored" if, for the purpose of affecting its gait—

(1) a blistering agent has been applied internally or externally to any of the legs, ankles, feet, or other parts of the horse, provided, however, that therapeutic treatment by a veterinarian shall not be considered "soring";

This change in language would make it plain that treatment by a veterinarian in an effort to relieve pain or lameness or to restore a lame or disabled horse's normal gait would not be prohibited.

2. We are pleased to note the provision in Section 4(c) to recognize the efforts by persons conducting horse shows or exhibitions to take all reasonable precautions to prevent the showing or exhibiting of "sored" horses.

3. The appropriation of sufficient funds to enable the Secretary to carry out his responsibilities under the Act is authorized under Section 11. This is an important inclusion in the bill, since the enforcement of the Act will be a new activity to the Department of Agriculture. Effective administration of the bill cannot be achieved without sufficient operating funds.

Mr. Chairman, we thank you and the members of the Committee for this opportunity to present the views of this Association.

STATEMENT OF JO V. MORGAN, JR., WASHINGTON REPRESENTATIVE, AMERICAN HUMANE ASSOCIATION

I am Jo V. Morgan, Jr., 815 15th Street, N W., Washington, D.C., the Washington Representative and Counsel of the American Humane Association, the national association of SPCAs, Humane Societies and Animal Welfare societies. On behalf of more than 800 of such societies throughout the nation, we urge the passage of the "Tennessee Walking Horse Bill", already passed by the Senate. As indicated by the copy of a letter of November 4, 1968 from our president, Mr. Thomas C. Justice of Columbus, Ohio, to Senator Tydings, urging the reintroduction of the bill in this Congress, the American Humane Association at its 92nd Annual Convention in 1968 endorsed this legislation. We felt then, and feel now, that it is needed to cure all the abuses found to exist, despite honest efforts of many to cure them voluntarily, and trust this important legislation can be passed during this Congress.

AMERICAN HUMANE ASSOCIATION,
Columbus, Ohio, November 4, 1968.

HON. JOSEPH TYDINGS,
*Senator from Maryland, Senate Office Building,
Washington, D.C.*

DEAR SENATOR TYDINGS: At our 92nd Annual Convention in San Francisco the Board of Directors of The American Humane Association adopted the following resolution:

Resolved, That the Board of Directors of The American Humane Association urges the reintroduction of S. 3338, the Tennessee Walking Horse Bill early in the 91st Congress.

May I add also my personal request that you reintroduce this important bill, and express also the appreciation of our Association for your interest and action in this matter.

Very truly yours,

THOMAS C. JUSTICE, *President.*

ANIMAL FRIENDS, INC.,
Pittsburgh, Pa., January 17, 1970.

HON. HARLEY O. STAGGERS,
*Chairman, House Interstate and Foreign Commerce Committee, House Office
Building, Washington, D.C.*

DEAR SIR AND FRIEND: Animal Friends Inc. support the measure to prevent the "soring" of Tennessee Walking horses. We would ask your favorable consideration of this proposal to outlaw this unnecessary, obscene and obnoxious cruelty to horses.

The bill was introduced by Senator Tydings and Representative G. William Whitehurst; it has been approved on December 18th.

Congress has reconvened and we hope that you will schedule the bill for hearings as soon as possible. You may make this letter of support a matter of public record.

Best personal wishes,
Sincerely,

EDWARD J. BLOTZER, JR., *Director.*

ARABEST STUD FARM,
Waukesha, Wis., July 31, 1970.

HOUSE COMMITTEE ON INTERSTATE FOREIGN COMMERCE,
Washington, D.C.

In re Soring of Tennessee Walking Horses.

SIRS: I have been asked to comment on what I have seen as a judge in various Tennessee Walking Horse classes at shows.

While I was not judging in that particular division, I have many times had occasion to observe these classes, and it is my opinion that many of the horses I have seen were extremely sore and lame, and barely able to continue performing.

As a judge and as a horseman, I believe something must be done to halt this abuse, and the bill before your committee is the first step forward.

W. J. TRAPP,
American Horse Shows Judge and Steward.

COLORADO TENNESSEE WALKING HORSE ASSOCIATION,
Colorado Springs, Colo., September 8, 1970.

HON. HARLEY O. STAGGERS,
Chairman, House Interstate and Foreign Commerce Committee, House of Representatives, Washington, D.C.

Re Bill No. S. 2543, "Horse Protection Act of 1969," Introduced as, "Tennessee Walking Horse bill."

DEAR SIR: From recent communications with Senator Joseph D. Tydings and Representative G. William Whitehurst, it is my understanding that the above-named bill has been approved by the United States Senate, and is now before your committee for action on the part of the House of Representatives. Senator Tydings was kind enough to send me a copy of his bill in November, 1969 before it was approved by the Senate.

Senator Tydings' wording of the bill, in its entirety, is quite accurate, and his approach to put an end to ALL inhumane methods used to train a Show Tennessee Walker by placing the thrust of the bill to focus upon horse shows, rather than simply the interstate shipment of sored animals to provide the Secretary of Agriculture with a legal vehicle that can be administered without unreasonable difficulty, is apparently THE ONLY MEANS LEFT to end, once and for all, this national—and generally accepted, though highly unnecessary—practice.

Not knowing whether or not you are a horseman, I will have to assume that you are not, and to help you understand the reasons for today's severity of this soring problem, allow me to give you some facts on the Walking Horse breed itself, which I feel bears most importantly on the entire situation. These facts are based upon my careful study through reading and personal experience from owning a Pleasure Walker, a trip through Tennessee in June, 1970, attending two large horse shows there, seeing and riding Show Walkers, and my ultimate purchase in August, 1970, after much deliberation, of a Show Walker, three year old gelding; a top-breed, natural-going animal, raised and trained properly over a period of time, without a blemish on him.

Senator Tydings' prefacing remark in his bill "hits the nail right on the head," quote: " * * * Man's inhumanity to man is both well known and widely evident * * * Man's inhumanity to animals is equally well known yet perhaps less evident * * *." Man's craze today to make the show walker lift his front feet higher and higher and reach out further and further, beyond his natural ability, even with careful training, is, in my opinion, deplorable, and of such national scope as to warrant Federal intervention making it unlawful to use any inhumane method to train Tennessee Walking Horses, before the breed, itself, is exterminated. By this, I mean the nation's top breeding stock sored to win championship titles will not, I feel, in the long run lend to better natural-gaited colts.

The Tennessee Walking Horse breed is rather a conglomerate result of crossing several light horse breeds, from which selected individuals were carefully bred to produce the specialized gaits of the Walker, i.e.: (1) a flat-foot walk, which by nature is more extended and ground-covering than in any other horse breed; (2) a running walk, which is essentially a much faster flat-foot walk, but maintaining the consistent four-beat gait of the flat-foot walk; and (3) a slow canter, rolling and smooth, known as "the rocking chair canter."

Light horse breeds involved in the evolution of the Tennessee Walker are Thoroughbreds, Morgans, Arabians, and Standardbreds, but, in large part, by breeding individuals exhibiting multiple gaits, springing in large part from American Saddlebreds and Canadian and Narragansett pacers. All Walking Horses have multiple-gaited tendencies, but top-bred colts often do not exhibit the trotting gait, but rather a running walk or a tendency to pace, traveling about the pastures. Indeed, it would seem that a mere hundred years or so of selective breeding is scarcely enough time to produce the ultimate of perfection in gaits and conformation in such a specialized animal as the Tennessee Walking Horse! Considering this short time element, it would appear continued emphasis should be placed upon careful selective breeding programs to produce more top colts with these specific natural gaits.

It should also be remembered there are TWO types of Walkers: (1) The Pleasure Walker, shod with ordinary light-weight shoes to protect the hoof, who travels with essentially the same gaits as the Show Walker, but with not as much high front leg motion or extension of legs, and (2) The Show Walker, shod with weighted shoes and pads on the front feet, which, in itself, and in addition to careful training over a prolonged period of time, will make the horse pick his front feet up higher and extend his front legs out further, and, at the same time, scoot his hind legs further up under him—thus producing the classic Show Walking Horse action. (This same difference can be seen in other light horse breeds in the Pleasure and Show Horse.)

I believe the Show Walking Horse should be shown in the show ring to demonstrate what the breed actually is: An easy riding, nontrotting, comfortable mount that can move out and cover ground with little effort on the part of the horse, exhibiting a smooth, gliding action in its fabulous running walk, moving essentially *parallel* to the ground—instead of both parallel action and perpendicular action that the public demands today. This is beyond the animal's natural ability (consider the laws of gravity involved here!), but it apparently is what the public wants and will pay for. I feel this degree of exaggerated action, parallel and perpendicular at the same time, *requires* the use of inhumane methods of training Show Walkers, with very few exceptions, to get the much-coveted "big lick" action. In my opinion, and based upon my personal observations, the "big lick" Show Walker is *almost without exception* the "SORE LICK" Show Walker.

But, as we see in so many businesses today, the name of the game is "instant results," and there seems to be little place in many businesses, including the Walking Horse business, for the old-time craftsman, who took the necessary time to produce a quality product from quality material. Also, the trainer is in business to make a living, and the horse owner expects results in a relatively short time, as it is costing him (horse owner) money; thus, many trainers feel compelled to produce, let's say, a high school facsimile in the first grade. Training a young horse of ANY breed can be related to educating a young child; there is no such thing, in my opinion, as a "60 day or six months" wonder performance horse. As with anything of lasting value, it takes time, and the young horse should be brought along slowly, *commensurate with his age, natural talents and learning ability*, which varies as much among horses as it does among people. One year of a horse's life equals about three years of a man's life; therefore, a two year old horse mentally has about the attention span and learning ability of a six year old child, so to speak. Physically, his bones are not mature or hard enough at that age to withstand constant, hard work. A grown, mature horse is one about seven or eight years old, and a top show horse of any breed is often this age, or older.

In view of the fact that all measures taken heretofore to end soring practices and inhumane methods of training the Tennessee Walking Horse have obviously failed, it is sincerely hoped by me and many others in Colorado—though this message does not necessarily represent the sentiments of all persons interested in our state Walking Horse organization—that the House of Representatives, and your committee, sir, approve unanimously Bill No. S-2543, introduced by Senator Joseph D. Tydings.

Sincerely yours,

Mrs. ELIZABETH SLABACK, *Secretary.*

VOICE FOR ANIMALS SOCIETY,
Brooklyn, N.Y., September 16, 1970.

Re statement for the record.

SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE,
Interstate and Foreign Commerce Committee, Rayburn House Office Building,
Washington, D.C.
(Attention Committee Clerk).

GENTLEMEN: Voice For Animals Society strongly urges the immediate banning of the soring of horses and any and all methods used to force horses to perform in any manner not natural to horses. Voice For Animals Society strongly urges the immediate banning of the transporting of animals so abused.

The very thought that Americans permit such cruelty to exist, to continue, in our country is repugnant, because we Americans purport to be the *most* civilized of the civilized. The infliction of pain on a helpless animal belongs to the barbaric practices of the Middle Ages.

Every humane person knows that an animal responds to gentleness, to kindness, to love. If a trainer does not know how to teach a show horse via such methods, then that trainer and the animal's owner and exhibitor should not be permitted to transport and/or exhibit their animal(s). Voice For Animals Society strongly urges that persons guilty of maiming or inflicting pain on animals be penalized with stiff fines and imprisonment, on the charge of assault and abuse of a living creature.

When Man will learn to respect the rights of other forms of life, *then* Man will learn to respect the rights of his fellow man.

Voice For Animals Society is registered with the Attorney General of the State of New York and with the U.S. Internal Revenue Service.

Yours very truly,

MIRIAM BROOKMAN, *President.*

MIKE MOBLEY FARRIER SERVICE,
Shakopee, Minn., August 3, 1970.

To the House Committee on Interstate and Foreign Commerce:

I wish to make a statement in favor of the Horse Protection Act S. 2543.

My name is Mike Mobley. I have been a farrier for 24 years.

I think the American Walking Horse is one of the better type of show horse being shown when they are in their natural state. I would not like to see them abolished from the show ring but they should be made to conform to certain rules.

In my 24 years of showing I have seen horses badly mutilated and tortured to the point that I have refused to shoe walking horses that have been mistreated.

There are different ways to sore a horse such as different acids, screws put through the pads into the lamina, nails driven into the same area on purpose, horses deliberately foundered to get the similar affect. The practice of now raising the heels to a very high angle to create soreness in the feet and this creates great pressure on the coffin bone.

There are other practices too numerous to mention that are just as bad or possibly worse.

Sincerely,

MIKE MOBLEY.

(Whereupon, at 3:30 p.m., the committee adjourned.)



