

**EXPERIMENTATION ON LIVING  
ANIMALS; HEARING BEFORE THE  
COMMITTEE ON AGRICULTURE AND  
FORESTRY, UNITED STATES SENATE;  
SIXTY-FOURTH CONGRESS, FIRST  
SESSION ON S. 3737, JUNE 19, 1916**

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United States Senate; Sixty-fourth congress, first session on S. 3737, june 19, 1916 by Various

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# **VARIOUS**

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# **EXPERIMENTATION ON LIVING ANIMALS**

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## **HEARING**

*U.S. Congress. Senate* BEFORE THE

COMMITTEE ON AGRICULTURE AND FORESTRY,  
UNITED STATES SENATE

SIXTY-FOURTH CONGRESS

FIRST SESSION

ON

**S. 3737**

A BILL PROVIDING FOR AN INVESTIGATION INTO THE  
EXTENT AND CONDITIONS OF THE PRACTICE OF  
EXPERIMENTATION ON LIVING ANIMALS

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JUNE 19, 1916

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Printed for the use of the Committee on Agriculture and Forestry



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## EXPERIMENTATION ON LIVING ANIMALS.

MONDAY, JUNE 19, 1916.

UNITED STATES SENATE,  
COMMITTEE ON AGRICULTURE AND FORESTRY,  
Washington, D. C.

The committee met, pursuant to call, at 10.30 o'clock a. m. in the committee room, Capitol, Senator Thomas P. Gore presiding.

The committee proceeded to the consideration of the bill (S. 3737), which is as follows:

A BILL Providing for an investigation into the extent and conditions of the practice of experimentation on living animals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture be, and hereby is, authorized and directed to examine into the extent and conditions of the practice of experimentation on living animals in laboratories for research, and in hospitals or other establishments, and in commercial production of serums and vaccines for sale, for the purpose of ascertaining whether such experiments and practices are attended with unnecessary and preventable suffering arising from useless repetitions of experiments, want of proper skill in the experimenters, nonuse of anesthetics, and the absence of proper care of the animals upon which such experiments or operations are conducted; and to report the results of such examination and investigation to the Congress of the United States.

SEC. 2. That the sum of \$20,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the expenses of such examination and investigation, to be disbursed under the direction of the Secretary of Agriculture.

SEC. 3. That the experts, special agents, clerks, and stenographers employed under this appropriation shall be selected from persons eligible on any civil-service register.

The CHAIRMAN. The committee will come to order. We will first hear Rev. Dr. Smith.

STATEMENT OF REV. DR. C. ERNEST SMITH, RECTOR OF ST. THOMAS PARISH, WASHINGTON, D. C.

DR. SMITH. Mr. Chairman, this bill that we are asking your committee to report favorably is supported by the New York society, the Vivisection Investigation League. I am the president of our society here in Washington, the National Society for the Humane Regulation of Vivisection. This bill, which, with its amendment, was introduced by Senator Gallinger—and, by the way, Senator Gallinger has expressed his regret that he could not be here this morning to advance its interests—is a bill that has already been favorably supported and advocated by no less than 10 of our governors. It has also been supported by no less than 20 of our bishops,



both Protestant and Catholic, among them Archbishop Ireland, one of the most influential prelates of the Roman Catholic Church. Then there are no less than 54 doctors of medicine—and I am not the least bit surprised that the doctors of medicine are in favor of it. I would be very much surprised to find that there is a single doctor of medicine who is not in favor of it, for this reason: We are not asking for any restriction whatever, for any legislation whatever, but we are asking for an investigation into a condition of things that a large number of people believe obtains, and which they believe should not obtain. They are not asking that vivisection be done away with, but they are asking for a simple, calm investigation into the truth or untruth of these allegations.

For my part, I can not understand any man in these days objecting to that. The whole tendency of these days is to let in the light. I need not remind you of that. All public corporations to-day are rather welcoming letting in the light. We do not believe in the methods of two or three hundred years ago.

That is all we are asking for. If everything is going on well, as our good friends, the medical men, affirm, that is all right. That will simply satisfy the minds and the consciences of the people in this country. I think we have a right, therefore, to expect that all the medical men at least shall be in our favor. They say, "Why, certainly, there is nothing wrong, and everything is going on satisfactorily. What we are doing is open and aboveboard."

Now, let me say, Senator Gore, that what we are asking for was adopted by Great Britain 40 years ago. I take it we are not back numbers as compared with Great Britain. Forty years ago she adopted this very measure we are now advocating. Furthermore, 10 years ago a royal commission met to see how the thing worked. They were not satisfied to know that there were no complaints, apparently; they wanted to see how the thing was working. Had it interfered with scientific research? No. On the contrary, it had done a good deal of good. They saw the necessity for making one or two changes in the law in deference to public opinion, and the thing has been going on working harmoniously ever since, to the great satisfaction, as I understand, of the medical men of that country.

I do not wish to consume time unnecessarily, but I know there are medical men here to-day who will testify that this is a perfectly proper thing. And we have the support of representative bodies of citizens all over the country. We represent as many as 93 humane societies. Only this morning there came in, without any suggestion from us, a petition from a humane society to your honorable committee, urging the passage of this bill. It is all over the country, and we are simply asking you gentlemen to say that this is a proper thing. Let in the light, and if there is no harm done we want to know it; if there is harm, we want to know that.

The CHAIRMAN. Before you conclude, Doctor, I wish you would state for the record whom you represent.

Dr. SMITH. I am rector of St. Thomas's parish in this city. I am president of the National Society for the Humane Regulation of Vivisection. I call your attention, Mr. Chairman, that it is the National Society for the Humane Regulation of Vivisection. That

is all they are urging. I am frank to say that, as far as I am concerned, I would urge the complete doing away with vivisection. We are not urging that, and there are a great many men and women in our own society who do not think as I do; but please note that our society is a society for the humane regulation of vivisection, a thing, I suppose, nobody would object to.

The CHAIRMAN. How many States have regulated vivisection, Doctor? Can you tell us that?

Mr. M. J. WHITTY (field secretary Vivisection Investigation League, New York City). There is not one State in the Union, so far as we are aware, that has any regulation, Senator.

The CHAIRMAN. I was wondering about these governors whom you cited here as authority. Have they taken any steps in their States to recommend regulation of vivisection?

Dr. SMITH. Not that I know of. That is, of course, a different thing. We are not talking about restricting or legislating against it. All we are asking for is a very simple, elementary thing: We want to know if there is any wrongdoing going on.

The CHAIRMAN. You do not know of any wrongdoing that is going on?

Dr. SMITH. We believe there is a great deal, a vast amount.

The CHAIRMAN. About these governors that you mentioned, have they taken a great deal of interest in it? I was wondering whether any of them had recommended to their legislatures that they regulate vivisection.

Dr. SMITH. That I could not tell you.

The CHAIRMAN. If you find out, I wish you would let me know, so we can put that in the record.

Mr. WHITTY. I could read you what they say, Senator, but it would take too long.

The CHAIRMAN. I would not care to know that, unless it comes in their messages to their State legislatures. I know how easy it is to get them to say things about an abstract proposition that does not concern them, but if they made recommendations to their legislatures that would, of course, show a degree of interest that would command respect.

Now, Doctor, you say that 40 years ago Great Britain did this?

Dr. SMITH. Forty years ago Great Britain had an investigation.

The CHAIRMAN. And then again 11 years ago?

Mr. SMITH. Again 11 years ago, to see how the thing worked.

The CHAIRMAN. Are those reports available?

Dr. SMITH. They are.

The CHAIRMAN. Did they find that there was abuse?

Dr. SMITH. I believe they did, and they had far less reason to find it than we have, for the reason that only about 80,000 animals were used in Great Britain in 1913. There were 60,000 in one institution in New York used last year.

The CHAIRMAN. Do you have any estimate of the number in the whole country?

Dr. SMITH. Nobody knows that, because any young, callow fledgling of a doctor can go to work and do all he wishes.

The CHAIRMAN. What are the principal varieties or species of animals used?

Dr. SMITH. Dogs, I am sorry to say, are one of the favorite animals they operate on—probably more so than any other. They use guinea pigs, frogs, rabbits—everything they can get hold of except the larger animals.

The CHAIRMAN. Now, you have reason to think, Doctor, that there is a good deal of abuse going on?

Dr. SMITH. Personally, I believe implicitly there is a great deal of abuse.

The CHAIRMAN. Did England adopt legislation based on those reports?

Dr. SMITH. Precisely.

The CHAIRMAN. What was the character of the legislation?

Dr. SMITH. Just what we have here.

The CHAIRMAN. What was the character of the legislation passed by Parliament based on those reports?

Dr. SMITH. Perhaps Mr. Whitty might better speak on that.

The CHAIRMAN. You think Congress might pass a law regulating this?

Dr. SMITH. In the District of Columbia it could, where they have Federal authority.

The CHAIRMAN. Certainly, in the District of Columbia, but not over the United States?

Dr. SMITH. No; that is not sought. We are not asking for that.

The CHAIRMAN. How many State legislatures have you had hearings before?

Dr. SMITH. I have had a hearing before none. This is my first offense.

The CHAIRMAN. The committee will hear Mr. M. J. Whitty.

#### STATEMENT OF MR. M. J. WHITTY, FIELD SECRETARY OF THE VIVISECTION INVESTIGATION LEAGUE, NEW YORK, N. Y.

Mr. WHITTY. The law in England, as I understand it, is this: The secretary of state gives permission for experiments by the applicants. The experimenter has to be licensed, and returns of the experiment have to be made. Also, their laboratories and places are subject to inspection. The Government inspectors can go in at any time and see that things are properly done and the animals being properly cared for. Those are the principal points of the law.

The CHAIRMAN. Has any State in the Union passed laws of that sort?

Mr. WHITTY. No, sir. The State of California passed a bill last year with only one dissenting vote in one house and two in the other, but it was vetoed by the governor afterwards.

The CHAIRMAN. How many State legislatures have you had hearings before?

Mr. WHITTY. I have had hearings before the New York State Legislature for quite a number of years, asking an investigation, but we have failed each time. Once it was voted out of the committee. We have also had bills asking for regulation, but our opponents said that was not necessary, that their regulations were adopted in all hospitals and in all laboratories. We then embodied those regulations in a bill asking that they be legalized, and again we were defeated.