

THE CHRONICLE-HERALD

The Chronicle-Herald

Nova Scotia, Wednesday, May 16, 2001, p. A1

Dogs were cold, hungry, vet testifies

Brian Medel
Yarmouth Bureau

Digby - A Digby County veterinarian who urged the SPCA to seize three dogs from a backyard last November said in court Tuesday that an adult female dog and at least one of two pups were hypothermic and emaciated.

Gail Benoit and Dana Bailey of Marshalltown, near Digby, are charged under the provincial Animal Cruelty Prevention Act after the dogs were taken from their yard Nov. 23 and driven to a Digby animal hospital for immediate medical attention.

A brightly coloured sign by the couple's home on Highway 101 advertised pups for sale, court was told.

Ms. Benoit and Mr. Bailey are on an undertaking not to sell dogs while this matter is before the court.

At the couple's trial Tuesday in Digby provincial court, Dr. Neil Pothier, the veterinarian who accompanied SPCA investigator Bill Hilden to the home on the cold November day, said the first dog he examined was an adult female pit bull-type of dog.

She had lost most of her muscle mass, was emaciated and likely on the verge of starving, said Dr. Pothier, a veterinarian for 16 years.

No food could be seen and water in a bucket had frozen solid, he said.

The dog's tether was wrapped around a bush or a tree so it could not reach a doghouse, court was told.

The dog's temperature was 37.4 degrees. A normal range is 38.5 to 39.5.

"Anything below that (38.5) is hypothermic," he said.

The dog was shivering, and pale mucous membranes indicated its blood circulation had been compromised, Dr. Pothier said.

The dog had fleas but no worms. Blood work and a biochemistry profile all indicated the dog was normal and had no major organ diseases.

But the dog was hungry.

"It was ravenous. It dove into the food," Dr. Pothier said.

At Bayview Animal Hospital, where the animals were taken, the adult dog weighed in at 37.2 pounds, Dr. Pothier told the court. The dog should have been in the 50-pound range, he said.

On cross-examination, Dr. Pothier said the dog now weighs close to 55 pounds in a foster home.

At the Marshalltown property, Dr. Pothier next checked the pups. They were in a small enclosure with a doghouse.

The smaller of the two pups was quiet and had fleas and biting lice. It was also hypothermic, shivering and had a distended abdomen, often associated with intestinal worms, the vet said.

The second pup seemed to be stronger but also had worms.

After the pups were dewormed at the animal hospital, their cages began to fill up rapidly with worms, hundreds of which were expelled, Dr. Pothier said.

The adult dog was the most hypothermic of the three and might have lasted only another day or two if not attended to, he said.

"I told (Mr. Hilden) in my professional opinion we should take all the dogs," he said.

Mr. Hilden, an SPCA special constable, testified that he knocked repeatedly on the door of the home while two RCMP officers looked on. No one came to the door.

Mr. Hilden paused and wiped tears away as he looked at photos of the dogs that an RCMP officer took that day at the animal hospital.

While court was in session, notices reading Stop Puppy Mills were placed under the windshield wipers of about 30 vehicles in the parking lot.

Defence lawyer Michael Power asked Judge Robert Prince to order a publication ban until the trial has ended because of the emotionally charged nature of the proceedings.

Judge Prince denied the request, stating the media must be informed of such an application in time to respond.

Mr. Power said he will apply on June 21, when the trial resumes, and asked for an interim publication ban in the meantime. That request was also denied.

© 2001 *The Chronicle-Herald - Halifax. All rights reserved.*

Document number: news-20010516-HH-0044

PUBLI-C news-20010516-HH-0044

This certificat is issued to **Joan Sinden** for personal and temporary display.

Date of issue: **2008-01-30**

The present document and its usage are protected under these international copyright laws and conventions.