In the open square of the old Norman city of Falaise, in the year 1386, a vast and motley crowd had gathered to witness the execution of a criminal convicted of the crime of murder.

Noblemen in armor, proud dames in velvet and feathers, priests in cassock and cowl, falconers with hawks upon their wrists, huntsmen with hounds in leash, children of all ages and even babes in arms were among the spectators.

The prisoner was dressed in a new suit of man's clothes, and was attended by armed men on horseback, while the hangman, before mounting the scaffold, had provided himself with new gloves and a new rope.

As the prisoner had caused the death of a child by mutilating the face and arms to such an extent as to cause fatal hemorrhage, the town tribunal had decreed that the head and legs of the prisoner should be mangled with a knife before the hanging.

This was a medieval application of lex talionis—“an eye for an eye and a tooth for a tooth.”

The criminal was not a human being, but a sow, that had indulged the evil propensity of eating children on the street.
To impress a recollection of the scene upon the memories of the bystanders, an artist was employed to paint a fresco on the west wall of the transept of the Church of the Holy Trinity.

For more than four hundred years, that image could be seen and studied, until it was destroyed in 1820 by the carelessness of a whitewasher.

We, in detestation and horror of the said crime, and to the end that an example may be made and justice maintained, have said, judged, sentenced, pronounced, and appointed that the said porker, now detained as a prisoner and confined in the said abbey, shall be by the master of high works hanged and strangled on a gibbet of wood nearest to the gallows of the high place of execution.

In 1906, E. P. Evans, an American scholar, journalist, and historian, presented this history to the world by writing *The Criminal Prosecution and Capital Punishment of Animals*, the only comprehensive book ever written about this legal absurdity.

In 1858, Evans had moved to Germany to pursue his studies and remained a fixture at the Royal Library in Munich. He eventually returned to America, where he became professor of modern languages at the University of Michigan. His research, and time spent in archives all over Europe, is unprecedented, and we note him as the father of the animal trial.

Evans surmised that animals were put on par with Old Beelzebub in bearing their full share of persecution during the witchcraft delusion. Pigs suffered most in this respect, since they were assumed to be oddly attractive to devils and therefore particularly liable to diabolical possession.

The major chest and abdominal muscles found in humans are present in the pig. The hind limb, the major thigh muscle groups: quadriceps femoris and the hamstrings. The stomach, spleen, bile duct system, small intestines, kidneys, bladder, thymus. However, this part is much larger than most people expect. The urethra, ovaries, uterine tubes, labia, mesenteries, testes, epididymis, vas deferens, inguinal canal, and prostate gland are no different in the pig than in the human.

There were two kinds of animal trials: criminal proceedings against creatures accused of individual crimes, such as our sow of Falaise, and ecclesiastical tribunals to prosecute vermin: mice, locusts, weevils, caterpillars, and so on.
Inanimate objects, such as knives and statues, and even entire orchards were placed in front of a judge.

The beasts were tried and issued a date by which they had to leave town or face the unspecified disapproval of the righteous.

Termites, those bulbous white ants, plagued the Franciscan friars of the cloister of St. Anthony in Piedad do-Maranhão in Brazil in 1713.

The insects devoured the food, destroyed the furniture, and even threatened to undermine the physical structure of the monastery.

The friars filed an application to the Bishop, and the accused were summoned to appear before an ecclesiastical tribunal.

The lawyer appointed to defend them urged the usual plea about their being God’s creatures and therefore entitled to sustenance and made a good point in the form of an argumentum ad monachum by praising the industry of his clients, the white ants, and declaring them to be in this respect far superior to their prose- cutors, the Gray Friars.

He also maintained that the termites were not guilty of criminal aggression but were justified in their hunger-stricken behavior by the right derived from priority of possession.

Inasmuch as they had occupied the land long before the monks and, therefore, the monks had encroached upon the termites’ domain.

The judge ordered that the termites and the friars cohabitate. However, each must remain in opposing corners of the property—victorious vermin to the east, forever haunting the friars who were relegated to the west.

In the chronicles of the cloister, it is recorded that no sooner did the judge proclaim his decree, did the termites march out of their hills in columns to the place assigned.

The friars regarded this performative appearance as conclusive proof that the Almighty endorsed the decision of the court and accepted their fate.

Property may bestow upon the subject the power to exclude.
Only by making the violation of enclosed ground a sacrilege was it possible to prevent encroachments upon it.

Sortez, sortez d’ici, mulots! Get out, get out of here, mice!
Ou je vais vous bruler les crocs! Or I will burn your fangs!
Quittez, quittez ces blés! Quit, leave these fields of wheat!
Allez, vous trouverez Come, you’ll find
Dans la cave du curé In the cellar of the priest
Plus à boire qu’à manger. More to drink than to eat.

INANIMATES IN EXILE

BOOK III. - NO. XVII.

The childish disposition to punish irrational creatures and inanimate objects has left a distinct trace of itself in that peculiar institution of English law known as deodand. If, therefore, a cart-wheel were to run over a man and kill him, not only is the wheel, but also the whole cart to be declared deodand, because the momentum of the cart in motion contributed to the man’s death. But if the shaft fall upon a man and kill him, then only the shaft is deodand, since the cart did not participate in the crime.

If a lifeless thing shall deprive a person of life, it shall be put beyond the boundaries in the same manner as if it were an animal. This sentence of banishment, then regarded as one of the severest that could be inflicted, was pronounced upon a sword, which had killed a priest, the wielder of the same, being unknown.

Inspired by Jewish and Germanic traditions
Used in English Common Law until 1846.

Deodand

A sword or any other object by which a human had been slain was regarded as impure.

Impure

Such a weapon must be banished from the village lest it taint its inhabitants with its magical and malicious influence.

Heretics

Banished, expiated, set apart as sacrifice.

A boat is beached, from which a fisherman had been drowned cursing it for its misdeed and letting it dry and fall to pieces.
During the court proceedings, it was shown that the cock, having copulated with the devil, birthed eggs that were of use in mixing magical preparations, which sorcerers were therefore eager to acquire. *L’oeuf coquatrix* was supposed to be the product of a very old cock, and therefore used to furnish the most active ingredient of witch ointment.

When hatched by a serpent or a toad, or by the heat of the sun, it brought forth a cockatrice or basilisk, which would hide in the roof of the house—and, with its baneful breath and death-darting eye, destroy all the inmates.

The Cock’s lawyer contended that the laying of the egg had been entirely unpremeditated and involuntary, and that consequently the occurrence was not punishable by law, and further, that his client was innocent since no records could be adduced to show that said cock had copulated with evil spirits.

Precedent was set by the prosecutor based on the case of a certain Johannes Alardus, who had kept a Jewess in his house in Paris and had several children by her. He was convicted of sodomy and witchcraft on account of this relation and burned together with his paramour.

On this argument, the unfortunate fowl, suspected of laying an egg in violation of its nature, was feared as an abnormal, inauspicious, and therefore diabolic creature.

The fatal cockatrice, which was supposed to issue from his egg when hatched, caused such a cock to be dreaded as a dangerous purveyor to His Satanic Majesty.

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_Sodomy always signifies beyond itself; it has never been viewed as merely a behavior or an act. Sodomy has been understood not only as a problem of polity, discipline, social order, inclination or innate depravity, but also as a particularly racialized behavior._

In 1474, the magistrates of Basel sentenced a cock to be burned at the stake for the heinous and unnatural crime of laying an egg.
On the sixth day of June, at precisely one o’clock after midday in Erwin, I invite you to witness the most astonishing circus act for a fee of one single nickel.”

A giant crane was transported into the town square from a nearby construction site. Topsy was shackled and elevated four feet off the ground before the weight of her body gave way to the destruction of the machine.

Seizing this opportunity, a young Edison, who was at the time conducting trials with electricity, rushed in to offer his services.

Parading the power of his direct current, he jolted Topsy in front of the masses.

By titillating the crowd with this electrical experiment, the cunning entrepreneur knew he could pioneer a brand-new market, powering homes and businesses across the newly industrialized world.

The magisterial prosecution of animals, resulting in their excommunication by the Church or their execution by the hangman, had its origin in the common superstition of the age, which has left such a tragic record of itself in the incredibly absurd and atrocious annals of the judiciary.