

MARCH 25, 1949.

HON. A. W. MAGEE, *Director*,  
Att: HON. WILLIAM J. DEARDEN, *Deputy*,  
*Division of Motor Vehicles*,  
State House.

## FORMAL OPINION—1949. No. 15.

DEAR SIR:

This will acknowledge receipt of letter from your division dated March 7th.

You have asked the opinion of this department as to what constitutes a "humane society" so that you may determine whether or not applicants may be entitled to "no fee" registration plates for motor vehicles.

I have checked authorities and find as follows:

*Words & Phrases, 5th Series.*

The word "humane" necessarily carries an implication of compassion for men or animals in their sentient needs and feelings. 200 At. 815, *Seymour vs. Attorney General of Conn.*

*Words & Phrases, 2nd Series.*

The foundation of the humanitarian doctrine is the principle that no person has the right knowingly or negligently to injure another, when he knows, or should know if he is reasonably careful, that his fellow is in danger of injury at his hands, and he possesses the means of removing that danger. *Ross vs. Metropolitan St. Ry. Co.*, 112 S. W. 9, 12, 132.

*Webster's International Dictionary*

Pertaining to man, human; having the feelings and inclinations creditable to man; having, showing or evidencing, a disposition to treat other human beings or animals with kindness or compassion. "Humane" was at first but a variant spelling of human but during the 16th and 17th centuries became more and more restricted to the senses involving moral qualities.

I have been unable to locate any reported cases in which the courts of New Jersey have defined "humane society."

It is the opinion of this department that a "humane society" is an organization which provides for the care and comfort of humans or animals who, by one reason or another, cannot provide such for themselves.

Yours very truly,

THEODORE D. PARSONS,  
*Attorney General*,

By: JOHN J. KITCHEN,  
*Deputy Attorney General.*