

or by trial before any justice of the peace in and for the county where the offense occurs, and jurisdiction original and concurrent with the said courts having criminal jurisdiction is hereby given to the said justices of the peace, and they shall have power to issue all processes and do all acts which may be necessary for the exercise of said jurisdiction, and may try and determine all such cases and may pronounce judgment and impose sentence therein to the same extent as the aforesaid courts having criminal jurisdiction could do in such cases, if such cases were tried before such court without a jury; provided, however, that if any person, when brought before any such justice having jurisdiction of the case, shall, before the trial for the alleged offense, pray a jury trial, or if the State's attorney for the county where the offense occurs shall, before the trial of such alleged offense, pray a jury trial on behalf of the State, it shall be the duty of such justice to commit such alleged offender for trial, or to hold him to bail to appear for trial in the court having criminal jurisdiction in the case, at its then or next session, and to return said commitment or recognizance, with the names and residences of the witnesses for the prosecution endorsed thereon, forthwith to the clerk of such court; and the justice of the peace before whom the accused is brought for trial shall inform him seasonably of his right to demand a trial by jury].

§ 63. Arrests by officers of humane society.

Any officer of any society or association incorporated for the prevention of cruelty to animals, duly incorporated under the laws of this State, shall upon his own view of any misdemeanor in relation to cruelty to animals make arrests and bring before any [magistrate or justice of the peace] *commissioner or District Court* offenders found violating the laws of this State in relation to cruelty to animals.

§ 67. Care of mistreated and neglected animals.

Whenever the owner or custodian of an animal is convicted of any act of cruelty thereto, the judge [or magistrate as the case may be] may use his own discretion in ordering the removal of said animal or animals for their protection at the time of conviction. If said animals are not removed from the custody of the owner or custodian at the time of conviction, and subsequently it becomes necessary, in order to protect said animal from further neglect and/or cruelty, any officer of an animal humane society or any police officer may take possession of it. When an animal is impounded, yarded or confined and continues without necessary food, water or proper attention and the owner or custodian thereof cannot be found, any officer of an animal humane society or any police officer may enter into and upon any place in which the animal is impounded, yarded or confined and supply it with necessary food, water and attention so long as it there remains, or, if necessary, for the health of the animal, may remove such animal, and not be liable to any action for such entry. In all cases the owner or custodian of such animal, if subsequently located shall be notified of such action by the person taking possession of the animal. If the owner or custodian continues to be unknown and cannot with reasonable effort be ascertained for a period of thirty days, such animal shall be held to be an stray and be dealt with as such, provided, however, that nothing in this section shall be construed as permitting the entry into a private dwelling.