

that he had good reason for not bringing suit before a justice of the peace; and in all cases of appeals whatsoever from judgments of justices of the peace in Baltimore city, costs shall be allowed to plaintiff or defendant, in the discretion of the court; provided, that in all cases involving the title to real estate, wherein the verdict or judgment is for the plaintiff, he shall be allowed his costs.

Repp v. Berger, 60 Md. 1.

CRUELTY TO ANIMALS.

P. L. L., (1860,) art. 4, sec. 190.

241. If any person shall wilfully cause or procure any bull-baiting, cock-fighting or the fighting of dogs, in the city of Baltimore, or shall wilfully and wickedly kill, cripple or commit acts of cruelty upon animals in said city, or any of the streets, lanes or alleys thereof, every such person and those aiding therein shall be liable to prosecution and punishment in the criminal court of Baltimore as for other misdemeanors.

1880, ch. 129.

242. Whoever shall unnecessarily overdrive, overload, overwork, torture, torment, deprive of necessary sustenance, cruelly or unnecessarily beat, cruelly mutilate or cruelly kill, or cause or procure to be so unnecessarily overdriven, overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly or unnecessarily beaten, mutilated or killed, any horse, ox or other animal, shall be punished by a fine of not less than five dollars, nor more than twenty dollars, to be recovered on complaint of any member of the society for the prevention of cruelty to animals, or by any other person, before any justice of the peace in Baltimore city, or before any justice of the peace or judge of any court in any county in this State.

Ibid.

243. Every owner, driver or possessor, or person having charge or custody of a maimed, disabled or diseased horse, mule or other animal, who shall cruelly work the same when unfit for work, or cruelly abandon the same, shall be punished in the same manner as provided in section 242.