

Department retired under the provisions of this section. There shall be no provision in the law under which a member of the paid Fire Department may apply for retirement or be retired at a certain age limit.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1949.

Approved April 29, 1949.

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CHAPTER 596

(House Bill 604)

AN ACT to add a new section to Article 27 of the Annotated Code of Maryland (1939 Edition), title "Crimes and Punishments", to be under a new sub-title to be known as "Demurrer Prayers in Criminal Cases", said new section to be known as Section 655A, to follow immediately after Section 655 thereof, providing for demurrers to the evidence in criminal cases, and an appeal from rulings of the Court thereon to the Court of Appeals of Maryland.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That a new section be and it is hereby added to Article 27 of the Annotated Code of Maryland (1939 Edition), title "Crimes and Punishments", to be under a new sub-title to be known as "Demurrer Prayers in Criminal Cases", said new section to be known as Section 655A, to follow immediately after Section 655 thereof and to read as follows:

655A. In the trial of all criminal cases, the Jury shall be the Judges of Law, as well as of fact, except that at the conclusion of the evidence for the State the accused may request an instruction that the evidence is insufficient in law to justify his conviction. If the instruction is refused, he may offer evidence on his own behalf without having reserved the right to do so, but by so doing, he withdraws his request for such instruction. The request for such an instruction may be renewed at the end of the whole case. If such an instruction is refused the defendant may appeal from such ruling to the Court of Appeals of Maryland.

SEC. 2. *And be it further enacted*, That this section shall take effect upon the adoption by the legal and qualified voters of this State of the amendment to Section 5 of Article 15 of