

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.

SEC. 6. *And be it further enacted*, That Section 593 of Article 27 of the Code, title "Crimes and Punishments", sub-title "II. Venue, Procedure and Sentence", sub-heading "Procedure", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

593.

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 *a motion for judgment of acquittal on one or more counts, or on one or more degrees of an offense, may be made by an* [the] accused [may request an instruction] *on the ground that the evidence is insufficient in law to justify his conviction as to any such count or degree. If the motion* [instruction] *is denied* [refused], he may offer evidence on his own behalf without having reserved the right to do so, but by so doing, he withdraws his *motion* [request for such instruction]. The *motion* [request for such an instruction] may be made [renewed] *at the close of all the evidence whether or not such motion was made at the conclusion of the evidence for the State* [end of the whole case]. *If the motion is denied* [such an instruction is refused] the defendant may appeal from such ruling to the Court of Appeals of Maryland.

SEC. 7. *And be it further enacted*, That Sections 607, 609 and 616 of Article 27 of the Code, title "Crimes and Punishments", sub-title "II. Venue, Procedure and Sentence", sub-heading "Indictments", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

607.

[All indictments for offenses forbidden by any statute or statutes, or for offenses the punishment of which is contained in the same clause of any statute with the prohibition of the offense, may conclude as for offenses at common law, and w] Where any offense which is a misdemeanor at common law may have been made a felony by statute the misdemeanor shall not be merged in the felony,