

## ARTICLE 31A.

### UNIFORM DECLARATORY JUDGMENTS ACT.

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| <ol style="list-style-type: none"> <li>1. Scope.</li> <li>2. Power to construe.</li> <li>3. Before breach.</li> <li>4. Executor, etc.</li> <li>5. Enumeration not conclusive.</li> <li>6. Discretionary.</li> <li>7. Review.</li> </ol> | <ol style="list-style-type: none"> <li>8. Supplementary relief.</li> <li>9. Jury trial.</li> <li>10. Costs.</li> <li>11. Parties.</li> <li>12-15. Construction and interpretation.</li> <li>16. Short title.</li> </ol> |
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1939, ch. 294, sec. 1.

1. (Scope.) Courts of record within their respective jurisdictions shall have power to declare rights, status, and other legal relations whether or not further relief is or could be claimed. No action or proceeding shall be open to objection on the ground that a declaratory judgment or decree is prayed for; nor shall the existence of another adequate remedy preclude a judgment for declaratory relief in cases where it is appropriate. The declaration may be either affirmative or negative in form and effect; and such declarations shall have the force and effect of a final judgment or decree.

This Article applied in rendering decree holding restrictive covenants in deed still in effect. *Levy v. Dundalk Co.*, (Judge Lawrence, Circuit Court for Baltimore Co.), Daily Record, Aug. 15, 1939.

Declaratory decree construing Art. 56, Sec. 183, was issued in Baltimore City Court, Nov. 24, 1939. *Baltimore v. State*, Daily Record, Nov. 29, 1939.

1939, ch. 294, sec. 2.

2. (Power to Construe, etc.) Any person interested under a deed, will, written contract or other writings constituting a contract, or whose rights, status or other legal relations are affected by a statute, municipal ordinance, contract or franchise, may have determined any question of construction or validity, arising under the instrument, statute, ordinance, contract, or franchise and obtain a declaration of rights, status or other legal relations thereunder.

1939, ch. 294, sec. 3.

3. (Before Breach.) A contract may be construed either before or after there has been a breach thereof.

1939, ch. 294, sec. 4.

4. (Executor, etc.) Any person interested as or through an executor, administrator, trustee, guardian or other fiduciary, creditor, devisee, legatee, heir, next of kin, or *cestui que trust*, in the administration of a trust, or of the estate of a decedent, an infant, lunatic, or insolvent, may have a declaration of rights or legal relations in respect thereto;

(a) To ascertain any class of creditors, devisees, legatees, heirs, next of kin or others; or