

1888, art. 16, sec. 29. 1888, ch. 478.

29. Contingent characters or rights may be the subject of such a declaratory suit and decree if they are actually disputed, but not otherwise.

Plaenker v. Smith, 95 Md. 398.

Ibid. sec. 30. 1890, ch. 64.

30. No declaratory suit can be brought nor decree passed to establish a fact or facts that are without legal consequences, and wherever the court shall be of opinion that there is a question or questions involved in such suit, which a party or parties may be entitled under the constitution, to have submitted to a jury, the court shall, if such party or parties require it, direct an issue or issues to be made up and sent to any court of law convenient for trying the same, and the issues shall be tried in the said court of law as soon as convenient without any continuance longer than may be necessary to procure the attendance of witnesses, and the power of the courts of law and the proceedings thereto relative shall be as directed by law respecting the trial of issues from chancery, or the orphans' court as to proceedings therein, thereon and thereafter, but nothing herein contained shall be so construed as to prevent the equity courts of Baltimore city from summoning a jury to try such issue or issues pursuant to the provisions of section three hundred and twenty-three (323) of article four (4) of the Code of Public Local Laws, title "Baltimore City," sub-title "Courts." The order granting or denying such issues shall be subject to appeal.

Pennington v. Pennington, 70 Md. 430. *Wahl v. Brewer*, 80 Md. 243.

Ibid. sec 31. 1888, ch. 487.

31. A declaratory decree made under the five foregoing sections shall be binding only on the parties to the suit and persons claiming through them respectively; and where any of the parties are trustees, on the persons for whom, if in existence at the date of the decree, such parties would be trustees, and the court may, in its discretion, make a declaratory decree as to the respective rights and legal characters of all or any of the parties to the suit.

Pennington v. Pennington, 70 Md. 418. *Wethered v. Safe Deposit Co.*, 79 Md. 163. *Wahl v. Brewer*, 80 Md. 243.

Ibid. sec. 32. 1888, ch. 487.

32. Such decree shall be subject to the same right of appeal as other decrees of courts of chancery.