

“Declaratory Decrees,” be and the same is hereby repealed and re-enacted with amendments so as to read as follows, viz: Repeal.

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 court of laws 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 one hundred and seventy-four (174,) 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. Issues.

SEC. 2. *And be it enacted,* That this act shall take effect from the date of its passage. Effective.

Approved February 28, 1890.

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## CHAPTER 66.

AN ACT to amend the charter of the Washington and Cumberland railroad company, a corporation formed under article twenty-three of the Public General Laws of the State, title “Corporations.”

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That the Washington and Cumberland railroad company, a corporation formed under the provisions of article twenty-three of the Code of Public General Laws of this State, title “Corporations,” in addition to the powers possessed by it under its certificate of corporation as prescribed by said article of the Code of Public General Laws, shall have full power and authority to construct, complete, maintain, equip and operate by steam or any other power, a railroad with one or more tracks upon and along the tow-path or bed of the Chesapeake and Ohio canal, or both, in its discretion, or upon land of the Chesapeake and Ohio canal. Railroad.