

References to trusts and administrative rules and regulations are added to rectify an obvious omission in the present statute. Trusts and administrative proceedings are frequent subjects of a declaratory judgment; see also Art. 41, §§ 249 and 250, a part of the Administrative Procedure Act, dealing with declaratory judgments as to certain agency rules and regulations.

The only other changes made are in style.

SEC. 3-407. CONSTRUCTION OF CONTRACTS BEFORE OR AFTER BREACH.

A CONTRACT MAY BE CONSTRUED BEFORE OR AFTER A BREACH OF THE CONTRACT.

REVISOR'S NOTE: This presently appears as Art. 31A, §3. The only changes made are in style.

SEC. 3-408. PERSONS ENTITLED TO DECLARATION OF RIGHTS OR LEGAL RELATIONS IN RESPECT TO TRUST OR ESTATE OF DECEDENT.

ANY PERSON INTERESTED AS OR THROUGH A PERSONAL REPRESENTATIVE, TRUSTEE, GUARDIAN OR OTHER FIDUCIARY, CREDITOR, DEVISEE, LEGATEE, HEIR, NEXT OF KIN, OR BENEFICIARY OF A TRUST, IN THE ADMINISTRATION OF A TRUST, OR OF THE ESTATE OF A DECEDENT, A MINOR, DISABLED PERSON, OR INSOLVENT, MAY HAVE A DECLARATION OF RIGHTS OR LEGAL RELATIONS IN RESPECT TO THE TRUST OR THE ESTATE OF A DECEDENT IN ORDER TO:

(1) ASCERTAIN ANY CLASS OF CREDITORS, DEVISEES, LEGATEES, HEIRS, NEXT OF KIN, OR OTHERS;

(2) DIRECT THE PERSONAL REPRESENTATIVE, GUARDIAN, OR OTHER FIDUCIARY OR TRUSTEES TO DO OR ABSTAIN FROM DOING ANY PARTICULAR ACT IN THEIR FIDUCIARY CAPACITY; OR

(3) DETERMINE ANY QUESTION ARISING IN THE ADMINISTRATION OF THE ESTATE OR TRUST, INCLUDING QUESTIONS OF CONSTRUCTION OF WILLS AND OTHER WRITINGS.

REVISOR'S NOTE: This section presently appears as Art. 31A, §4. The term "beneficiary of a trust" is substituted for "cestui que trust". It is believed that the former is