

is only in cases where equity would have jurisdiction if some specific or ultimate relief were asked, that these sections apply. *Pennington v. Pennington*, 70 Md. 430; *Wethered v. Safe Deposit Co.*, 79 Md. 163.

This section does not confer upon a court of equity any jurisdiction which it did not theretofore have, such as that to determine matters properly cognizable at law before a jury. *McCoy v. Johnson*, 70 Md. 492.

Where property is devised for life with remainders over, the court will not during the life of the life tenant entertain under this and the five following sections, a bill to decide whether the remainders are vested or contingent. *Wahl v. Brewer*, 80 Md. 243; *Pennington v. Pennington*, 70 Md. 430.

This and the five following sections have no application to a bill filed by the leasehold owner of property praying the direction of the court in the exercise of his right of redemption, the plaintiff not having given the required notice of his intention to redeem. *Plaenker v. Smith*, 95 Md. 398.

A bill to determine the amount of a mortgage claim may not be amended by adding a prayer for a declaratory decree under this section. *Getz v. Johnston*, 143 Md. 549.

Cited but not construed in *Livingston v. Hall*, 73 Md. 393.

An. Code, sec. 28. 1904, sec. 27. 1888, sec. 27. 1888, ch. 478.

29. No court shall make any such declaratory decree where the plaintiff being, in the opinion of such court, able to seek further relief than a mere declaration of title, omits to do so.

See notes to sec. 28.

An. Code, sec. 29. 1904, sec. 28. 1888, sec. 28. 1888, ch. 478.

30. A trustee of property is "a person interested to deny" a title, adverse to the title or rights of some one who is not in existence, and for whom, if in existence, he would be a trustee.

As to trustees, see sec. 247, *et seq.*

See notes to sec. 28.

An. Code, sec. 30. 1904, sec. 29. 1888, sec. 29. 1888, ch. 478.

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

See notes to sec. 28.

An. Code, sec. 31. 1904, sec. 30. 1888, sec. 30. 1890, ch. 64.

32. 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