

Court of equity has no power to award permanent custody or guardianship of an infant. *Alston v. Thomas*, 161 Md. 617.

In action by father to secure possession of his seven-year-old boy who had for most part lived with his father's brother since the death of his mother, three weeks after his birth, held that the natural rights of parents to custody of their children entitled the father to the boy; the interest of the boy paramount consideration. *Kartman v. Kartman*, 163 Md. 21.

Cited but not construed in *Backus v. Reynolds*, 159 Md. 604.

See notes to sec. 41.

This section referred to in holding that at common law, it was obligation of father to support minor child and that obligation continues notwithstanding divorce unless decree orders otherwise. Unless authorized by statute, minor child cannot sue parent for nonfeasance as to performance of moral duties of support or for neglect. *Yost v. Yost*, 172 Md. 133.

This section referred to in construing Art. 42, Sec. 21 and Art. 16, Sec. 41. *Tull v. Tull*, 172 Md. 215.

Custody of child adopted under Secs. 78-84 is of permanent nature and not affected by provisions of this section. *Spencer v. Franks*, 173 Md. 85.

### Injunction.

An. Code, 1924, sec. 81. 1912, sec. 78. 1904, sec. 74. 1888, sec. 63. 1785, ch. 72, sec. 28. 1876, ch. 224.

**86.** If any person against whom an injunction has been issued shall violate the same after service thereof, or shall permit or connive at the violation thereof by any other person, the court, on notice of such violation, may issue attachment for contempt against such person; and if on proof the party be adjudged guilty of the contempt, he may be fined or imprisoned, or both, in the discretion of the court.

This section referred to in upholding the power of an equity court to punish the violation of injunctions; distinction between criminal and civil contempt. *Kelly v. Montebello Park Co.*, 141 Md. 205.

For a full note on injunctions, see *Salmon v. Clagett*, 3 Bl. 125.

As to mandatory injunctions, see sec. 220, *et seq.*

As to injunctions in case of the appointment of a trustee to complete the collections of sheriffs or tax collectors, see sec. 111.

As to injunctions to stay mortgage sales, see art. 66, sec. 17, *et seq.*

As to when an attaching creditor is entitled to an injunction to enable him to reach corporate stock, see art. 23, sec. 68.

As to summons with claim for injunction at law, see art. 75, sec. 134, *et seq.*

As to appeals in injunction cases, see art. 5, secs. 31 and 35.

An. Code, 1924, sec. 82. 1912, sec. 79. 1904, sec. 75. 1888, sec. 64. 1785, ch. 72, sec. 28. 1876, ch. 224.

**87.** If the violation complained of be waste after injunction to stay waste, the court shall ascertain the damage done by the waste, by affidavit, or such other proof, as the court may judge necessary, and may fine the defendant to the extent of double the damage done and so ascertained; and if the violation be the transfer of monies, property, or choses in action, after injunction forbidding such transfer, in addition to the attachment against the defendant, a summons shall go for the assignee, if he be known; and if it appear that such assignee had knowledge of such injunction, at the time of accepting the transfer, or possession of property, or choses in action, he also shall be held in contempt, and no title shall be deemed to have passed to him; and he may be required to surrender to the court, on its order, the property, money, or choses in action, of which he has become possessed; but if the purchaser, taker or assignee, be innocent of contempt, his title, if otherwise good, shall be protected; and the court shall take proof of the value of such property, money, or choses in action, disposed of, or assigned; and the fine in all cases provided for in this section shall remain to the credit of the cause in which the injunction issued, and in the event of final judgment in favor of the party injured, so much thereof as