

far as they are consistent with the provisions of the Maryland Code." In reaching this decision, the Court prohibited the issuance of an injunction in a situation where most courts had previously acted. The general effect of this decision is that the courts are now without the authority to apply rules and principles and provide remedies generally thought to be in their power to exercise.

Prior to the Kapneck decision, the Legislature believed that divorce courts had the powers of equity courts and therefore did not enact many proposals which would have conferred on divorce courts specific equity powers.

Since 'the power of the courts over divorce suits is derived entirely from the statutes' (Kapneck at 415), the General Assembly is indicating, by the passage of this Act, its intent to confer upon the courts in actions of divorce, alimony, or annulment not only those powers inherent to ecclesiastical courts of England, but also the powers of general and ordinary equitable jurisdiction; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 3-603(a) of Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1976 Supplement) be and it is hereby repealed and reenacted, with amendments; and that Section 3-603(b) of this Article and Code be and it is hereby renumbered to be Section 3-603(c); and that new Section 3-603(b) be and it is hereby added to this Article and Code; and all to read as follows:

Article - Courts and Judicial Proceedings

3-603.

(a) A court of equity has jurisdiction in an action for divorce, alimony, or annulment of marriage. ~~—The court shall hear and determine a case of alimony in as full and ample manner as such case could be heard and determined by the Ecclesiastical Courts of England.—~~

(B) ~~IN ADDITION TO THE POWERS OF THE ECCLESIASTICAL COURTS OF ENGLAND~~ A COURT OF EQUITY SITTING IN AN ACTION FOR DIVORCE, ALIMONY, OR ANNULMENT, IN ADDITION TO EXERCISING ALL THE POWERS OF A COURT OF EQUITY, MAY ISSUE AN INJUNCTION TO PROTECT ANY PARTY TO THE ACTION FROM PHYSICAL HARM OR HARASSMENT OF ANY KIND. ~~WHEN NECESSARY TO ACCOMPLISH THIS PURPOSE, A TEMPORARY AN INJUNCTION MAY BE ISSUED TO EXCLUDE A PARTY TO THE ACTION FROM THE FAMILY HOME OR FROM THE HOME OF THE OTHER PARTY.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and