

provided, that if in any such suit the party or parties complainant shall alledge, and prove by oath or affirmation, that the whereabouts of the infant defendants is unknown to him, her or them, and that he, she or they have made diligent inquiry to ascertain the same, (the said oath or affirmation, where there is more than one complainant, to be made by any one, any number, or all of such parties, in the discretion of the Court,) or when a commission may have been issued, as herein provided, and the party or parties to whom such commission may have been issued, shall refuse or neglect to execute or return the same according to the exigency thereof, beyond a reasonable length of time, to be judged of by the Court issuing such commission, then the said infant defendants, being non-residents, may be proceeded against by notice given as provided for in the preceding section of this article, for other non-residents, but in no case shall a bill or petition be taken *pro confesso* against an absent infant defendant. Proviso.

Sec. 2. *And be it enacted*, That this Act shall take effect from and after its passage. In force.

Approved March 28, 1868.

CHAPTER 201.

AN ACT to compensate Charles J. M. Gwinn, William P. Maulsby and Bernard Carter, Commissioners appointed by the Governor to prepare drafts of laws pursuant to the provisions of the forty-eighth Section of the third Article of the Constitution of this State.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the Treasurer is hereby directed to pay, on the warrant of the Comptroller, to Charles J. M. Gwinn, William P. Maulsby and Bernard Carter the sum of five hundred dollars Appropriation