

LXXX. If after the service of a notice as aforesaid, either party fail to appear, or if the parties, appearing, be not reconciled as before mentioned, or do not enter into the submission and agreement aforesaid, it shall be the duty of the Court to make an entry in their book of record, stating, in a summary manner, the nature of the charge, the notice given, the proof of service thereof, the failure to appear of either party, or the appearance of the parties and their failure to be reconciled.

If parties fail to attend, &c.

LXXXI. The entries in such book of record, or certified copies thereof signed by the Clerk of the Court, shall be evidence of the facts therein stated, and it shall be the duty of the said Clerk of the Court to give a transcript of the entries in any case, certified by him, to either party.

Entries made by the Court to be evidence.

LXXXII. In any action that may be thereafter brought for the recovery of damages for any cause of action aforesaid, the plaintiff cannot recover costs unless he produces at the trial the certified copy before mentioned, and unless it thereby appear that the notice was duly served, and that he or she appeared pursuant thereto, or that both parties appeared without notice; the defendant cannot recover costs in such action when it appears that after service of the notice he or she failed to appear pursuant thereto.

Party suing without first appearing before the Court, to recover costs.

LXXXIII. In an action between parties, or between principal and agent, if either party make it appear to the Court that, previous to his complaint or answer, he made an offer in writing to his adversary to submit the matter in difference between them to arbitration, no costs can be awarded against the party making such offer.

In certain cases offer to arbitrate must be made or no costs recovered.

LXXXIV. The Arbitrators must be three competent and disinterested persons, one to be chosen by each party, and the third to be either chosen by those two or by the Court of Conciliation of the Municipality where the notice was served or before whom the parties voluntarily appeared.

Who may be arbitrators.

LXXXV. In case either party shall be dissatisfied with any such award as aforesaid, an appeal shall lie to the County Warden and four Councillors; or to the Judge of the next Division Court that shall sit in or near such Municipality, at the option of the party appealing.

Appeal from award.

LXXXVI. No party to any admission or declaration made before the Court of Conciliation, shall be bound thereby or responsible therefor, in any other judicial proceeding whatever, except as provided in this Act. No statements made by parties before the said Court shall be used as evidence for or against them in any other place in case the Court fail to effect a settlement of their differences; the hearing of all matters submitted to the Court must be private and shall not be revealed by any member of the Court.

Admissions, &c. before Court, not to bind parties if no conciliation be effected.