

it shall be the duty of the Judge to make an entry in his book of records, 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.

XI. And be it enacted, That the entries in such book of records, or certified copies thereof signed by the Judge, shall be evidence of the facts therein stated, and it shall be the duty of the Judge to give a transcript of the entries in any case, certified by him, to either party, on request.

Entries or certified copies thereof to be evidence.

XII. And be it enacted, That in any action that may be hereafter brought for the recovery of damages for a cause of action mentioned in section III, the plaintiff cannot recover costs unless he produce at the trial the certified copy mentioned in section XI, 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, as mentioned in section VI. 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.

Costs not to be recovered by parties not appearing before Court of Conciliation.

XIII. And be it enacted, That if the case be one requiring a provisional remedy, and of such urgency as not to justify the delay arising from a previous notice to appear before the Court of Conciliation, the action may be commenced without such appearance or notice, and if the plaintiff afterwards give the notice and appear before the Court of Conciliation pursuant thereto, he may recover costs accruing subsequent to such appearance.

Cases of urgency provided for.

XIV. And be it enacted, That in an action between partners, 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, as prescribed in section XV, no costs can be awarded against the party making such offer.

In cases between partners, &c. no costs without prior offer of arbitration.

XV. And be it enacted, That the Arbitrators required by section XIV, 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 Judge of the Court of Conciliation of the County where the notice was served, or before whom the parties voluntarily appeared.

Arbitrators how appointed.

XVI. And be it enacted, That it shall be the duty of the Judge of the Court of Conciliation, so far as may be compatible with his duties as Judge, to give to every person who may ask it, advice respecting his differences with

Judge to give advice to parties: limitation.