

parties, no *ex parte* action shall be had by the said commissioner until after such notice shall have been served upon the opposite party, or his or their attorney on the record, according to such rules as the said commissioner may prescribe, and from any judgment or order past by said commissioner, under the authority conferred by this act, either party may appeal to the Circuit Judge for the county, within thirty days after the passage of such order or judgment; and in all cases of appeal, it shall be the duty of the said commissioner to certify to said judge the record of all proceedings and evidence had before him in the matter, and appeal may be considered and determined by said judge, in or out of court, at his election, and according to such rule or practice as he may prescribe.

24. The judicial records which may have been wholly or partially destroyed by fire, shall be inquired into and restored by the said commissioner upon proper evidence, in the same manner as prescribed in relation to the restoration of other records and papers, and the finding and re-establishing of such record or papers shall be certified by the said commissioner to the clerk of the Circuit Court for said county, who shall re-file or re-record, as the case may be.

25. Whenever any records or dockets which have been injured by fire, shall have been already made up and restored by the clerk of the said Circuit Court, it shall be the duty of the commissioner to examine said records or dockets, and if the same shall be approved by him, to certify such fact by endorsement on the said records or dockets under his hand and seal, and such record or dockets shall be as valid and effective, as if the same had not been destroyed or injured by fire; *provided*, said docket or dockets shall have been certified to and approved by the Judge of the Circuit Court, as provided by the ninth section of this act. [Sec. 22.]

26. At the close of this commission, all the partially burnt papers, records and dockets which may have been renewed by the substitution of the other papers, records or dockets by the said commissioner, shall be properly endorsed and filed away