

41. No amendment allowed wherein entire new parties are introduced.
42. Plaintiff may amend when heir at law or devisee has been omitted as defendant.
43. Amendments not allowed to any dilatory plea or plea of limitations.
44. Proceedings when amendment allowed after jury is sworn.
45. Costs, how allowed.

Arbitration and Award.

46. All cases instituted by consent of the parties thereto may be submitted for; judgment upon award.
47. Award to lie in court four days before judgment thereon entered; for what causes may be set aside.
48. Proceedings upon death of either of the parties.
49. Arbitrator dying or refusing to act, court to appoint successor.
50. Proceedings if award not returned within eight months.
51. Proceedings after award is made.

Cases by Consent.

52. Parties may submit issues to a jury, and agree that upon their decision a sum of money is to be paid by one to the other; amount, how estimated.
53. Proceedings upon the finding of the jury.
54. Parties at any time before judgment may submit questions of law for the opinion of the court
55. Parties may agree that upon the decision by the court a sum of money is to be paid; amount, how estimated.

56. "Next friend" or *prochein ami* may compromise suit for infant; proviso.

Certiorari.

57. Bond to be given by party obtaining writ.

Continuance.

58. How long cause may be continued.
59. Because of absence of witness.
60. Affidavit for, to contain what.
61. Court may examine on oath party making affidavit, adverse party may admit the facts such witness would prove, retaining right to contradict said testimony.
62. When new trial is granted, or commission issued or judgment set aside.
63. When party to a suit dies.
64. Suit involving title to lands where party dies and an infant is a proper party to be substituted, suit not to abate, but guardian to be made a party
65. Infant entitled to lands by purchase only bound to answer suit when heir would be bound so to do.
66. In case where attendance of witness residing within State cannot be had.
67. On a special verdict, or case stated, court not to continue case more than two terms.
68. If plats returned in any case are defective, or fail to be returned by any accident, court may continue case
69. Cost of; by whom paid.
70. Cases when new trial has been ordered by court of appeals, proceedings may be stayed until all costs are paid.