

state, shall, by rule of court, and by the consent and agreement of the parties thereto, be submitted and referred to the award and arbitrament of any person or persons, it shall and may be lawful to and for such court to give judgment upon the award of the person or persons to whom such submission and reference shall be made, as of the court to which such award shall be returned, and to award execution thereon, in the same manner as they might do upon verdict, confession or non-suit, and that such judgment shall have the same effect, to every intent and purpose, as any judgment upon verdict or confession would have.

Court may give judgment upon award, &c.

SEC. 9. *Provided always*, That such award shall remain seven days in the general court during their sitting, if returned to the general court, or four days in the respective county courts during their sitting, if returned to any county court, after the return thereof, before any such judgment shall be entered up; and if it shall appear to the justices of the court to which any such award shall be returned, within the respective times aforesaid, that the same was obtained by fraud or malepractice, in or by surprise, imposition or deception of the arbitrators, or without due notice to the parties, or their attorney or attorneys, it shall and may be lawful for the said court to set aside such award, and refuse to give judgment thereon.

Proviso.

SEC. 10. *Provided always, and be it enacted*, That if any cause which hath been referred, or which shall hereafter be referred, by virtue of this act, either of the parties, or any of the arbitrators to whom the same is or shall be referred, hath died, or shall happen to die before any award was or shall be made, or if the arbitrators, or any of them, have refused or shall refuse to act, or if after an award made the same hath been or shall be set aside, that then all that space of time from the impetration of the original writ in such cause, until the death of the party or arbitrator, or refusal to act, or setting aside such award, shall not run, be had, reckoned or estimated, as part of the time limited for the bringing or prosecuting such suit, and that this act shall and may be taken advantage of, in bar of the act of limitation, without any special replication, any thing to the contrary hereof notwithstanding.

Proviso.

SEC. 11. Ceased with the general court.

SEC. 12. Confirmatory of former judgments on awards.

SEC. 13. Save rights accrued before the passage of the law.

SEC. 14. *And*, whereas inconveniences have arisen to suitors, where the judges and justices of the several courts of law in this state have been divided in opinion: *Be it enacted and declared*, That in all actions in any of the courts of common law of this state, wherein the said judges or justices shall be divided in opinion, any person affected by such division, in any

Bill of exception may be taken, &c.