ARTICLE VII.

Arbitration and Award.

SEC. 1. Any cause instituted in any of the courts of this State may, by rule of court and by consent and agreement of the parties thereto, be submitted and referred to the award and arbitrament of any person or persons, and the court may give judgment on the award of the person or persons to whom such submission and reference shall be made, as of the court to which said award shall be returned, and award execution thereon as upon verdict, confession or nonsuit.

2. Such award shall remain four days in court during its sitting after the return thereof before any judgment shall be entered thereon, and if it shall appear to the court within that time that the same was obtained by fraud or malpractice in, or by surprise, imposition or deception of the arbitrators, or without due notice to the parties or their attorneys, the court may set aside such award and refuse to give judgment thereon.

3. All causes so referred shall be continued until an award is returned; and if the death of either of the parties happens before an award is returned and judgment thereon, the cause shall not abate, but upon reasonable notice to the person succeeding to the interest of the deceased in the matter in contest, and not being a minor, the arbitrators shall proceed to a determination and return their award, upon which judgment may be entered, notwithstanding the death of either of the parties.

4. If any arbitrator appointed by the parties upon any reference as aforesaid shall die or refuse to act, the court shall, upon motion of either of the parties, appoint an arbitrator or arbitrators in his place, who shall have the same power to decide the matter in question as if appointed by the parties.

5. If an award shall not be returned within eight months after the cause has been referred, the court may, by order, compel the arbitrators to return their award or give their reason for not returning the same, or the court may in its discretion, upon motion of either of the parties, reinstate the cause, and take such order