be done. By this construction the stringency of the Statute, with reference to the time of making the submission a rule of Court, was got over. There is nothing upon the Statute which, after this, limits the time at which the submission may be confirmed. It is, however, contended that this cannot be done at any time, but only at any time within the period, allowed by the second clause of the Statute for objecting to the award, that it was procured by corruption &c. If the award is to be resisted on those grounds, it is competent to either party to have the submission made a rule of Court, and then to make complaint within the time limited by the Statute." And an objection to the validity of the award apparent on its face is not an objection to making the submission a rule of Court. If the parties by indorsement on the arbitration bonds agree to enlarge the time of making the award,[9] this includes all the terms of the original submission, and consequently the agreement for making it a rule of Court with reference to the enlarged time, instead of the time originally specified in the condition of the bond, Evans v. Thomson, 5 East, 189, and as no particular time is mentioned in the Statute it may be made a rule of Court in vacation, *In re* Taylor, 5 B. & A. 217.

The words of the Statute are that it may be made a rule of any Court, &c., and accordingly in Soilleux v. De Herbst, *supra*, where the agreement merely stated that the submission might be made a rule of
620 the Court, without mentioning any Court, *the C. P. allowed it to be made a rule of that Court. A curious question might arise here, whether one of the parties might make it a rule of a Court of a county in which the other party did not reside. After it has been made a rule of one Court, as that Court can deal with it, no other Court will allow it to be made a rule there, see Winpenny v. Bates, 2 Cr. & J. 379. The Court of Chancery is now held to be one of the Courts of Record to which the Statute gives summary jurisdiction for the enforcement of awards, Hemming v. Swinnerton, 2 Phill. 79. It is compulsory on the Court, upon the affidavit mentioned in the Statute being produced, to make the submission a rule of Court, *In re* Taylor, *supra*. One attesting witness is enough, and, as every witness by his signing undertakes to prove the instrument when required, and as the Statute appoints but this single way by affidavit, he will be compelled, by rule of Court, to make affidavit of the due execution of the submission, Clerk v. Elwick, 1 Str. 1. In Soilleux v. De Herbst *supra*, the affidavit was so entitled, though no cause was depending.

Proceeding in Maryland.—With us, however, the proceeding is generally under the Act of 1778, ch. 21, secs. 8 and 9, Code, Art. 7, secs. 1, 2,[10] which provides that any cause instituted in any of the Courts of this State may, by rule of Court and by consent and agreement of the parties

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[9] As to enlargement of the time for making an award, see *In re* Warner, L. R. 3 Eq. 261.

[10] Code 1911, Art. 75, secs. 46, 47. As to arbitration between corporations and their employees, see Code 1911, Art. 7; between corporations, see Code 1911, Art. 23, sec. 257; and in cases of conflicting boundaries of land, see Code 1911, Art. 15, sec. 16.