

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.

Tillard v. Fisher, 3 H. & McH. 121. *Price v. Tyson*, 2 G. & J. 475. *Shriver v. State*, 9 G. & J. 1. *Turner v. Maddox*, 3 Gill, 190.

P. G. L., (1860,) art. 7, sec. 4. 1785, ch. 80, sec. 11.

48. 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.

Tillard v. Fisher. 3 H. & McH. 121. *Price v. Tyson*, 2 G. & J. 475.

Ibid. sec. 5. 1785, ch. 80, sec. 11.

49. 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 therein as the court may think proper, to have the same fairly tried in court, in the same manner as if it had never been referred.

Ibid. sec. 6. 1785, ch. 80, sec. 11. 1874, ch. 156, sec. 6.

50. In every case where an award shall be made upon such reference, the party in whose favor the award shall be given, shall cause a copy thereof to be delivered to the adverse party or his attorney at least three days before judgment is moved for thereon; and the clerk shall not enter judgment thereon until motion is made to, and direction is received from the court; and the court shall always have satisfactory proof by the party's own oath or otherwise, that a copy has been delivered to the adverse party or his attorney, before judgment shall be entered thereon, unless the parties or their solicitors file a written agreement waiving or admitting notice and assent to judgment on the award; in which case the court, or one of the judges thereof, may either in term time or in recess, order the judgment on the award to be entered.