

his attestation and the seal of the corporation attached, to the respective parties, as soon as may be after said award shall have been rendered.

1870, ch. 136.

70. If the parties to any submission shall agree to do so they may stipulate as part of said submission, in writing, that the award of the committee rendered in conformity herewith and with the by-laws, shall stand and avail as against them to the same effect as a judgment or decree of a court of competent jurisdiction, in which case either party desiring and entitled to the enforcement of said award may file a copy of the same and of the submission, attested under seal by the secretary of the corporation, for record with the clerk of any court of this State having jurisdiction of the subject-matter, and the person against whom said enforcement is sought; and thereupon it shall be the duty of said court, on motion or application, *ex parte*, at any time after ten days from the filing of the award, to enter judgment or decree thereupon, as upon a final award made by referees under rule of court; upon which judgment or decree, execution shall issue without stay. No matter affecting the title of real estate, however, shall be submitted to or arbitrated by the said committee under this or the preceding section, but the committee may direct in its award the payment of the costs and expenses of the arbitration, and the amount thereof shall be embraced as a principal sum in the judgment or decree to be rendered; if awarded, to be paid by the party against whom such judgment or decree is sought. No judgment or decree rendered on any such award shall be liable to be stayed, except upon allegation, under oath of the defendant, of manifest fraud in the procurement or rendition of the award, or of a material and substantial failure of the committee, specifically alleged and set forth, to comply with the by-laws, or sections 68 or 69, in the hearing and determination of the matters submitted; nor shall any such judgment or decree be quashed, modified or stricken out, except upon satisfactory proof of the matters so required to be so alleged; neither shall there be any appeal in any case from the original judgment, order or decree, whereby, after a hearing of the allegations and proofs as aforesaid, the said original judgment or decree shall be maintained.