

*arbitrators exceeded other powers or (3) the arbitrators failed to give proper notice of the hearing or to hear material evidence or otherwise wrongfully conducted the hearing so as to prejudice substantially the rights of a party. The fact that the arbitrators did not apply the rules of evidence, or that relief was such that it could not or would not be granted by a court is not ground for vacating the award.*

SEC. 47. *And be it further enacted, That Section 20 of Article 75 of the Code, title "Pleadings, Practice and Process at Law", sub-title "III. Practice", sub-heading "Arbitration and Award"; Section 37 of Article 75 of the Code, title "Pleadings, Practice and Process at Law", sub-title "III. Practice", sub-heading "Ejectment"; Section 40 of Article 75 of the Code, title "Pleadings, Practice and Process at Law", sub-title "III. Practice", sub-heading "Extending Judgments"; and Section 56 of Article 75 of the Code, title "Pleadings, Practice and Process at Law", sub-title "III. Practice", sub-heading "Replevin" be and they are hereby repealed and re-enacted, with amendments, to read as follows:*

20.

If an award shall not be returned within [eight months after the cause has been referred] *the time fixed by the court*, 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] *make* 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.

37. [It shall not be necessary in the execution of any warrant of resurvey to locate by actual survey the whole of any tract or parcel of land; but it shall be sufficient to locate by actual survey the beginning or any call or other object by which the location of the tract may be proved and such portion of the lines connected therewith as may be necessary to show the parts of the land in controversy and the questions to be tried and proved by witnesses to be examined in the cause; and all other lines and objects may be located by protraction on the plats by the party making the survey; and such locations by protraction when made by either party shall be conclusive evidence of the corrections of any object or line so located, unless the same shall be differently located by the other party either by actual survey or by protraction; and in case it is so differently located, the jury shall judge between said locations; and all locations by protraction shall be made by course and distance according to the description of the lands so located, to be shown and proved by some patent, deed, or other paper to be given in evidence and shall be connected by the course and distance of some title paper or other competent evidence, with lines and objects located by actual survey; but in making locations by protraction, the surveyor may correct by protraction to calls for corners or objects already located on the plats, either by actual survey or by protraction, and the surveyor shall hereafter return only three copies of the plats and certificates of survey; and it shall not be necessary in said certificates to incorporate any tables of courses