

cause to be stated in the rule or order for enlargement from time to time, to enlarge the term for making the award, and if no period be stated for the enlargement in such consent or order for enlargement, it shall be deemed an enlargement for one month; and in any case where an umpire shall have been appointed, it shall be lawful for him to enter on the reference in lieu of the arbitrators if the latter shall have allowed their time to expire without making an award, or shall have delivered to any party or to the umpire a notice in writing stating that they cannot agree.

When the Umpire shall act.

When the award directs possession of real property to be delivered, the Court may order such delivery, and enforce it as a judgment in ejectment.

XCVI. When any award made on any such submission, document or order of reference as aforesaid, directs that possession of any lands or tenements capable of being the subject of an action of ejectment shall be delivered to any party either forthwith or at any future time, or that any such party is entitled to the possession of any such lands or tenements, it shall be lawful for the Court of which the document authorizing the reference is or is to be made a rule or order, to order any party to the reference who is in possession of any such lands or tenements, or any person in possession of the same claiming under or put in possession by him since the making of the document authorizing the reference, to deliver possession of the same to the party entitled thereto pursuant to the award, and such rule or order to deliver possession shall have the effect of a Judgment in ejectment against every such party or person named in it, and execution may issue and possession shall be delivered by the sheriff as on a judgment in ejectment.

Every submission to arbitration may be made, a rule of Court unless the instrument forbid it.

Of what Court it may be made a rule.

And if a case be stated in the award for the opinion of a Court.

Other Courts not to interfere.

XCVII. Every agreement or submission to arbitration by consent, whether by deed or instrument in writing not under seal, may be made a rule of any one of the Superior Courts of law or equity in Upper Canada on the application of any party thereto, unless such agreement or submission contain words purporting that the parties intend that it should not be made a rule of Court; and if in any such agreement or submission it is provided that the same shall or may be made a rule of one in particular of such Superior Courts, it may be made a rule of that Court only; and if when there is no such provision a case be stated for the opinion of one of the Superior Courts and such Court be specified in the award, and the document authorizing the reference have not before the publication of the award to the parties been made a rule of Court, such document may be made a rule only of the Court specified in the award; and when in any case the document authorizing the reference is or has been made a rule or order of any one of such Superior Courts, no other of such Courts shall have any jurisdiction to entertain any motion respecting the arbitration or award.

And with respect to the language and form of pleadings in general; **Be it enacted as follows:—**