

made in conformity with the submission, and the case is examined over again.

**1351.** No award of arbitrators can be rendered when there are more than one, unless the two named or one of these and the third arbitrator agree upon each item of the award.

**1352.** Awards of arbitrators are made out in notarial form, or deposited with a notary, who draws up an authentic act of the deposit, and they must be given or pronounced to the parties, or served upon them, within the delay fixed by the submission.

**1353.** Extra-judicial awards of arbitrators can only be executed under the authority of a competent court, upon a suit brought in the ordinary manner, to have the party condemned to execute them.

*(Article suggested as regulating a contested point.)*

**1354.** The court before whom such a suit is brought may examine into any grounds of nullity which affect the award, or into any questions of form which may prevent its being homologated ; but it cannot enquire into the merits of the contestation ; nevertheless when a penalty has been stipulated in the submission, the court may do so whenever the party contesting has paid or tendered the amount of the penalty either to the party who accepts the award or into court.

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