

CHAPTER CXVI.

A FURTHER SUPPLEMENT

To an act, entitled "An act regulating arbitrations."

SECT. 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, no person who has entered or shall hereafter enter an appeal in the courts of this commonwealth from the award of arbitrators, in pursuance of the act to which this is a supplement, shall be permitted to withdraw the same without the written consent of the adverse party first had and obtained; and that it shall be the duty of the prothonotaries of the respective and proper counties, to file said consent among the records of their respective courts of common pleas:

Appeal not to be withdrawn without consent of the adverse party.

SECT. 2. *And be it further enacted by the authority aforesaid,* That any vacancy or vacancies occasioned by the death of an arbitrator or arbitrators, shall be supplied in the same manner that vacancies arising from other causes are now supplied by law.

Arbitrators may supply vacancies occasioned by death.

SECT. 3. *And be it further enacted by the authority aforesaid,* That no rule to arbitrate shall be entered or taken out until after the first day of the first term after the suit or action may have been commenced or brought, nor until after a declaration or statement of the cause of action shall have been filed: *Provided always,* That this section shall not preclude the defendant or defendants, his or her or their agent or attorney from entering a rule of reference as heretofore.

Rule to arbitrate when to be entered

Proviso.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the party, his or her agent or attorney entering the rule of reference under the penalty of twenty dollars to be recovered for the use of the adverse party, as debts of equal amount are or may be by law recoverable, to procure under the hand of the prothonotary one certified copy of the record containing the names of the arbitrators, the time when and the place where the arbitrators are to meet, and serve a copy of the same on the opposite party, if such party live or reside in the county.

Party entering rule to arbitrate shall serve a copy of the record on the opposite party.

JOSEPH LAWRENCE, *Speaker of the House of Representatives.*

WILLIAM MARKS, Junior, *Speaker of the Senate.*

APPROVED—the twenty-eighth day of March, one thousand eight hundred and twenty.

WILLIAM FINDLAY.