

said Rail-road or ways, and of the attempt and failure to purchase the same, with the name and residence of the owner, and the reason why the purchase cannot be made; and the said Vice-Chancellor shall direct such notice to the owner or owners of such lands as he shall deem proper and reasonable, of the time and place of hearing the parties, and upon proof of due service of such notice, and upon hearing the parties, the Vice-Chancellor shall appoint three competent, and disinterested Freeholders of said county of Niagara to appraise said lands. The said Commissioners, after giving notice to the owner, or in case of absence, leaving a written notice at his usual place of residence, shall appraise said lands, and shall award to the owner or owners thereof what they shall deem to be the full value of the same, and shall be authorized to examine the lands, to administer oaths, to hear testimony, and shall make their appraisement in writing without delay, under their hands, with a minute and accurate description of the land appraised, with a map thereof, and shall report the same, with the testimony taken, to the said Vice-Chancellor. The said Vice-Chancellor shall examine the report, and shall hear the parties if desired, and may increase or diminish the amount awarded if he shall be satisfied injustice has been done. Upon proof to the said Vice-Chancellor, within thirty days after his determination, of the payment to the owner, or of the depositing to the credit of the owner in such bank as the said Vice-Chancellor shall direct, of the amount of such appraisement, and the payment of all expenses attending it, the said Vice-Chancellor shall make a decree or order, particularly describing the lands, and reciting the appraisement, and the mode of making it, and all other facts necessary to a compliance with this section of this act. And when the said decree or order shall be recorded in the office of the clerk of Niagara county, whose duty it shall be to record the same, the said Corporation shall be possessed of all the lands for the purpose of said road, and may enter upon and take possession and use the same.