

Company to hold
real estate that
may be neces-
sary.

Arbitration
clause.

Sec. IX. The said corporation is hereby empowered to purchase, receive and hold such real estate on either side of the said Niagara river, as may be necessary and convenient in accomplishing the object for which this charter is granted, and may, by their surveyors and engineers, enter upon such sites and locations, and take possession of the same. All such sites and locations as shall be entered upon as aforesaid, shall, except donations, be purchased of the owner, or owners, at a price to be mutually agreed upon. In cases of disagreement of the price to be paid for any such land on the east side of said river, or any other cause which shall prevent acquisition by mutual agreement, the said Directors may present their petition to one of the Justices of the Supreme Court of the Eighth Judicial District, setting forth the necessity of such lands for the site of said bridge, toll-houses, gates, or for the accommodation of the officers or agents of said company, in the execution and discharge of their duties, and of the attempt and failure to purchase the same, and the residence of the owner or occupant, or agent representing the same, and the reasons why the purchase cannot be made, and the said Justice shall direct such notice to the owner or representative of such land as he shall deem reasonable, of the time and place of hearing the parties, and upon proof of the due service of such notice, and upon the hearing, the said Justice shall appoint three competent freeholders of the said County of Erie, to appraise said lands. The said appraisers, after giving notice to the owner, occupant or agent, or in case of his, her or their absence, leaving a written notice at the usual place of residence of such owner, agent or occupant, with some person of suitable age and discretion, shall appraise said lands, and award to the owner or owners thereof what they shall deem to be the full value of the same, and shall make their appraisal without delay, under their own hands and seals, and report the same to the said Justice, with an accurate

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