

sioner, in like manner, as under a warrant or resurvey, in an action of ejectment, but the deposition, so taken, in this case, must be full, particular, and descriptive of the lines of location, and objects laid down on the maps and profiles.

Whereupon it is ordered, that Jonathan Knight and Nathan S. Roberts, be, and they are hereby commissioned, authorized, and directed, to make such surveys along and near the left bank of the river Potomac, from a place below the Point of Rocks to the town of Cumberland, in the manner herein before proscribed, as may be required by either of the parties to this suit, or their solicitors, as the claim, property or route of either of them, and to make out and return to this court, one fair and correct map and profile of such survey, and they are hereby further authorized to take the deposition, on oath, or an affirmation, of any witness, who may be produced before them, by either party, and to certify and return the same to this court, along with the said maps and profile: and it is further ordered, that they are hereby authorized and required to make any other, or additional surveys, maps or profiles, that may be required, by either or both of the parties to this suit, or either of their solicitors.

THEODORICK BLAND, Chan.

True Copy. Test, Ramsay Waters, Reg. C. C.

[APPENDIX B.]

ANALYSIS of, and remarks upon the report of Jonathan Knight and Nathan S. Roberts, in relation to their examinations and surveys, with the view to the accommodation of the Rail road and Canal, between the Point of Rocks and Harper's Ferry.

Exhibit No. 1.

It appears by this report, that the entire additional estimated cost to the two works jointly located, and conjointly constructed, would be as follows:—

Extra cost to both works at the lower Point of Rocks	\$9,524.97
“ “ at the upper do.	5,039.48
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	\$14,564.45
From which, deduct amount saved by joint construction of the two works at Miller's Narrows, and at Harper's Ferry,	1,938.90
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Total additional expense to both Companies,	12,625.55
which, if equally apportioned, would be to each,	6,312.77½

Exhibit No. 2.

Cost of the Canal upon an independent location.

1. At the lower Point of Rocks; - - - \$45,766.30