

turned in the same manner, and upon the same principles in this case, as under a warrant of resurvey, in an action of ejectment at common law; and they will also be permitted, in like manner, to take testimony before the commissioners authorized to make the survey, for the purpose of having their claims and pretensions fully and clearly laid down in all respects whatever.

But such a survey would represent only a horizontal view or map of the matter in dispute, which, however necessary, would alone afford a very imperfect representation of the whole subject. It will therefore be proper to take various series of levels, in order to exhibit a perpendicular or profile view of such of the lines and localities laid down upon the map, as may be necessary to present the subject to the eye in that way also; and thereby enable the mind more clearly to comprehend and determine upon the nature, extent, and magnitude of the collision, in height and depth, as well as in length and breadth, or in deep cutting, as well as in embankment. The following figures, will I apprehend, sufficiently explain to the commissioners, what I deem necessary to be exhibited on the maps and profiles required to be laid before the court, as the pictured allegations of the parties in this case.