

2. Duly certified copies of agreements between the Hon. Charles D. Day and myself, the official counsel of those Companies here, and of the United States, relative to the manner of taking evidence in England.

3. Copy of the memorial of the Hudson's Bay Company, and of that of the Puget's Sound Agricultural Company, now pending before the International Commission at Washington.

4. A memoir on the subject of the claims of those two Companies, according to the view thereof taken by the United States.

5. A memorandum of certain specific points of inquiry which, in the interest of the United States, it is deemed desirable to investigate at London, either by calling for papers or entries in the archives of those Companies, or by examination of the proper officers thereof.

I have to beg you, in the first place, to possess yourself fully of the contents of these accompanying documents, and then to exercise your own best judgment and discretion for the protection of the rights of the United States, as well in the cross-examination of witnesses, or the scrutiny of documents produced by either of said Companies, as in the production and examination of witnesses, and the procurement of documents in behalf of the United States.

You will observe that the agreement between Mr. Day and myself, while it names Mr. Thomas Maynard as the Solicitor of the Companies, yet contemplates the possibility of some other person being employed to the transaction of the present business; while the same agreement contemplates that the Solicitor appearing for the United States shall, in person, communicate his authority to the Solicitor of the Companies. To prevent all misapprehension in this respect, I suggest to you, in concurrence with Mr. Day, that you communicate in the first instance with Thomas Fraser, Esq., Secretary, Hudson's Bay House, London.

I have the honor to be, very respectfully,

C. CUSHING.

*Counsel of the United States.*

CLARENCE A. SEWARD, Esq.