

# THE CUBAN CAUSE.

## Further Movements of the Hornet Off the Coast.

## SPECULATIONS CONCERNING HER DESIGNS

## Probable Detention of the Spanish Gunboats by the Authorities.

## The Euterpe Expected to Sail To-day.

## Portentous Movements at the Navy Yard.

## Views of the Government at Washington.

Since the account of the movements of the alleged privateer *Hornet*, which appeared exclusively in yesterday's TIMES, were written, further details have reached us of the operations and probable designs of that suspicious craft. Yesterday morning a private dispatch reached this City from New-London, stating that the *Hornet* took her departure from the neighborhood of Montauk Point on Wednesday afternoon, steering to the southward and eastward, and that the schooner supposed to be the *Grednere* mentioned in yesterday's issue as one of her supply vessels, had gone ashore near the Point and was likely to become a total wreck.

Current rumor has it that she is already in Cuban waters, where she will proceed at once to the task of assisting the struggling islanders. This may be her ultimate destination, but she certainly seems to have further business in these latitudes, for that she is not further south than Hatteras we have received the most positive assurance. On Wednesday evening after sunset she was seen by one of the tugboats of this port twenty miles southeast by east of the Highlands. A small schooner was then lying alongside of her putting something on board. When night came on the vessels were still together and both were stationary. This was the last time she was seen so near the harbor. If the privateer succeeded in discharging the schooner by Tuesday morning, it is hardly possible that she could reach Cuban waters before Monday next, making good time at that.

The opinion of persons who are believed to be fully cognizant of the immediate object of her cruise is, that she is not very far from Hatteras to-day, and that she will there await the coming of gunboat No. 1 of the Spanish flotilla, which she will attempt to seize. The latter is known to be nearly ready for sea, and HIGGINS, the captain of the privateer, has set longing eyes upon her, and report says that he is not a likely man to allow himself to be thwarted in obtaining the object he covets. During her brief cruise a mutiny arose, but being promptly taken in hand, was soon quelled, and ten of the subordinates were put ashore on the coast.

## THE SPANISH GUNBOATS.

## Unwillingness of the Government to Interfere with the Steamer Euterpe—The Vessel Ready for Sea—More About the Spanish Gunboats.

The Government authorities at Washington have peremptorily decided not to interpose any obstacles in the way of the steamer *Euterpe*, recently loaded at Cold Spring, on the Hudson, with a large and valuable supply of ordnance and ordnance stores, designed as armaments for the thirty new Spanish gunboats, now being fitted out in this City and vicinity for use against the Cuban revolutionists. The Marshal removed his surveillance over the war-freighted vessel yesterday morning, after which he anxiously and feverishly awaited instructions from Washington, hoping that they might furnish him with some definite and official plan of action in the matter. He hesitated about instituting any proceedings without the direct sanction of the Administration. No orders came to him, however, and he finally decided to relinquish all jurisdiction over the steamer, basing his *ultimatum* on the opinion of the United States Attorney-General. The vessel being thus relieved of all interference, is now at liberty to go wherever she pleases. She will, doubtless, obtain her clearing papers from the Custom House to-day, and will then sail for Havana, at which place her cargo is made deliverable. It is believed, however, that she will have to run the gauntlet of the privateer *Hornet* before she can procure a peaceful voyage to her destination. Considerable apprehensions were caused among the Cuban residents of this City yesterday in regard to the Spanish gunboats, numerous assertions being made that the Government should offer no obstructions to their departure. Our reporter visited United States District-Attorney PIERREPONT, for the purpose of ascertaining the truth of these assertions, but was told by that gentleman that no orders had been given by the Government for the release of the gunboats. They are detained, it will be remembered, on complaint of Colonel FREYRE, the Peruvian Minister, who alleges that they are intended for hostile use against Peru by the Spanish Government. It is probable that they will not be suffered to go until some investigation has been made of this charge. A report from Spanish sources has been circulated to the effect that the vessels will take their departure at the proper time without encountering any opposition on the part of the Government, but there appear to be several reasons for doubting the report. It is not probable, however, that the gunboats will make any attempt to escape under cover as soon as they are finished. It is also represented that the agents for the boats will resort to subterfuge for the purpose of getting them out of this port. Among the rumors is one to the effect that the vessels will be cleared as American merchant vessels. The ultimate disposition of them will be known in a very short time.

## CONDITION OF THE GUNBOATS.

In the TIMES of the 24th ult. an elaborate description was given of the gunboats being constructed for the Spanish Government at the Delamater Iron Works, on the North River between Thirteenth and Fourteenth streets. It was then stated that one of the vessels was nearly finished, and fourteen others far advanced toward completion. Yesterday our reporter visited the works again, and went on board of gunboat No. 1, the vessel said to be so greatly coveted by the *Hornet*. She is a very snug little propeller, modelled somewhat after the old Savannah and Charleston line of steamers—a miniature *Huntsville*, in fact. She measures 105 feet on the keel, is fore and aft schooner rigged, and carries an engine of 150-horse power. She has accommodations for a crew of forty men all told, and will carry a 100-pound Parrot gun. She can steam ten nautical miles an hour, the speed obliged by the terms of the contract, and easily accomplished by her on her trial trip up the Hudson last week. She is almost completed, and nothing remains to be done but to finish a little joiner's work about the houses on deck, rattle down her rigging, which is of wire, coal up, take her armament, crew and provisions on board, and she will then be ready for sea. All this may be accomplished by Monday or Tuesday, when it is proposed to take her on another trial trip.

The fourteen remaining gunboats lying in the Delamater basin are sister vessels to No. 1, and of exactly the same dimensions. They are not so near completion as she is, but Mr. REYNOLDS, the superintendent of their outfitting, informed us that they could easily be got ready for sea in

three or four weeks. Their spars are stepped, and all work below decks finished, and nothing now remains to be done but to give them the last coat of paint, and set up their stays and mast gear. The contract between the Spanish Government and the Delamater Company calls for the completion of the whole flotilla by the 1st of January. This can be accomplished with ease long before that time, as the fifteen vessels still remaining at Mystic, Conn., in the hands of the shipbuilders, are launched, and being rapidly fitted out.

There is no certainty as to the exact time of their departure, or as to whether they will be permitted to go to sea at all or not. As already stated, they are under the surveillance of the United States authorities, and no orders have been received from Washington to release them. Therefore the little war steamer *Maria* has been sent around from the Brooklyn Navy Yard, under command of Lieutenant HATFIELD, and is stationed at the mouth of the basin, with orders to prevent the departure of any of them. She has a twelve pound Parrot gun mounted forward, and keeps a strict though silent watch upon their movements.

## Portentous Movements at the Navy Yard—The Admiral's Flagship off the Battery—Departure of the Dictator.

The movements at the Brooklyn Navy Yard, described in the TIMES yesterday, are fully supported by further information. The monitor *Dictator* is all ready for sea. Her crew received their outfit at the Quartermaster's office on Thursday evening, and yesterday morning the vessel was fully manned. To-day she proceeds to sea on her way to Cuba.

## THE FLAGSHIP FROLIC.

The *Frolic*, Commander WILSON, detailed as the flagship of the Port Admiral, left the Navy Yard yesterday, and took her station off the Battery. It is said that it is intended that from that point a watch is to be kept upon the Spanish gunboats.

The *Lizze Major*, connected with the expedition in Cuban waters, left the Navy Yard yesterday for Pensacola, with stores.

## THE SPANISH QUESTION.

## Cuban Recognition—Feeling of the Administration—The Treaty of 1795—Important Concession to Spain by the Operation of an Old Treaty.

From Our Regular Correspondent.

WASHINGTON, Thursday, Sept. 30, 1863.

The Spanish question, which has come to the surface so suddenly during the past twenty days, possesses some points of interest which have not yet been alluded to except in an incidental manner. The attitude of the Administration on the question of Cuban recognition has not been changed by reason of the declaration by Spain of the tender of our "good offices," as the Secretary of State put it; for had he said "mediation," it would have added to the rage of the Spanish Bull by leading him to believe that Cuba was already recognized as a belligerent Power, between which and none other can "mediation" take place. No doubt some members of the Cabinet, including the President, have hoped that the Cubans would have made such progress by the present time as would have warranted recognition; but they have not; and the arguments of Mr. SUMNER's recent speech in regard to the Cuban status are substantially the reasons of the Administration to-day why they are not recognized. I do not mean to say that Mr. SUMNER's argument that Cuban recognition would jeopardize the settlement of the *Alabama* question has any weight—only that his statement of the Cuban situation—of their lack of organization, of a *bona fide* Government, of ports, of Prize Courts, &c.,—is accepted as a strong reason against recognition now. In addition to this, a feeling has been gradually gaining ground in official quarters here that the course of the Cubans in this country is not such as to entitle them to either the sympathy or respect of the Government. Large numbers of them, instead of remaining on the island, and fighting the battles of their country, have fled hither for refuge. This, to a man of war, like General GRANT, is not a strong recommendation. Again, while enjoying the protection of this Government, they have engaged in persistent attempts to violate our laws, embroil us in a war with Spain, and endanger our diplomatic negotiations with other nations. Our Government is necessitated to keep up a strict watch upon thousands of suspicious characters, in order to prevent breaches of the Neutrality laws, and the annoyance to the State Department, the expense to the Treasury, and the other inconveniences arising from the presence of such a class of people among us, combine to render them, in the eyes of the Government, what a private individual would call a "pestiferous" nuisance.

The "war flurry" which has raged so violently at Madrid during the past few days, produced not the slightest impression here. The belief entertained here was that PRIM and his associates fomented the excitement by exaggerated outgivings of the character of the communications of our Minister. They are certainly not anxious for war, and doubtless entertain a well-grounded presumption that we are not; but the hoped-for effect with them was that it would in some degree cement their own internal dissensions, and a bold game, even if war was the result, was more likely to secure the respect of European Powers than a weak exhibition. The possibilities of war have been talked over by our own Cabinet, but not in a serious manner. They have asked themselves, and have asked others the question, Do the people of the country wish a war with Spain, or do they wish this Administration to go on its work of collecting the revenues, reforming the civil service and reducing the debt? And granting that a war with Spain would give us Cuba, this question is asked: Do the people of this country desire Cuba to become a constituent part of the Union, with all the rights and privileges of citizenship conferred not only upon its ignorant and servile blacks, but upon a Latin race, who, like the negroes, do not speak our language, and who, unlike the negroes, as history and experience proves, are less susceptible of assimilation with the Anglo-Saxon than even the Chinese?

Another very important point in considering the subject of war is the very remarkable concessions to Spain—mutual, of course—regarding the right of search, in the treaty of 1795. I call particular attention to this, for I doubt if there is one person in a thousand who is aware of the fact that if we should confer belligerent rights upon the Cubans, Spain would have the right, under express stipulation of treaty, to station a *privateer*—to say nothing of regular cruisers—off Sandy Hook and compel every American vessel to submit to a search by Spanish officials. The right of search upon the high seas is a well-recognized principle of international law, and this Government has claimed it for its privateers as well as for its regular men-of-war—though France and England, in abolishing privateering, necessarily took ground against the exercise of the right of search by anything but a belligerent cruiser. This treaty, however, negotiated between Spain and this country during the war of the French Revolution,—when the concession was of great consequence to Spain and of little importance to us,—confers upon Spain, not only the right of search recognized by the law of nations, but the power to overhaul our merchant vessels by her privateers, whether "sailing along the coasts or upon the high seas." That the reader may judge for himself of the effect of this stipulation, I quote articles XVII. and XVIII. of the treaty text in full:

ARTICLE 17. To the end that all manner of dissensions and quarrels may be avoided and prevented on one side and the other, it is agreed that in case either of the parties hereto should be engaged in a war, the ships and vessels belonging to the subjects or people of the other party must be furnished with sea letters or passports expressing the name, property and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby that the ship really and truly belongs to the subjects of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty. They shall likewise be recalled every year; that is, if the ship happens to return home within the space of a year. It is likewise agreed, that such ships being laden, are to be provided not only with passports, as above mentioned, but also with certificates containing the several particulars of the cargo, the

\* This provision was subsequently decided by the Courts to be inoperative, because of the omission to annex the form of the passport to the treaty.

place whence the ship sailed, that so it may be known whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place whence the ship sailed in the accustomed form.\* And if any one shall think it fit or advisable to express in the said certificates, the person to whom the goods on board belong, he may freely do so; without which requisites they may be sent to one of the ports of the other contracting party, and adjudged by the competent tribunal, according to what is above set forth, that all the circumstances of this omission having been well examined, they shall be adjudged to be legal prizes unless they shall give legal satisfaction of their property by testimony entirely equivalent.

ART. 18. If the ships of the said subjects, people or inhabitants, of either of the parties, shall be met with, either sailing along the coasts or on the high seas, by any ship of war of the other, or by any privateer, the said ship of war or privateer for the avoiding of any disorder, shall remain out of cannon-shot, and may send their boats aboard the merchant ship which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship or vessel shall exhibit his passports, concerning the property of the ship, made out according to the form inserted in this present treaty, and the ship, when she shall have showed such passports, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or give her chase in any manner, or force her to quit her intended course.

Thus it will be seen that, in case of war, not only could Spain apply to us the recognized principles of international law, but a very odious treaty stipulation, which was negotiated at a time when the commercial relations of the two nations were precisely the reverse of what they now are.

CYMON.

\* The form of this passport never having been duly annexed to the treaty, it was subsequently decided that the proprietary interest of the ship is to be proved according to the ordinary rules of the Prize Court.