

# GENERAL TELEGRAMS.

## THE HORNET, OR CUBA.

**The Legal Proceedings at Wilmington, N. C.—A Postponement Till Monday—The case of Officers on Parole—Probable Disposition of the Vessel—Another Expedition.**

WILMINGTON, N. C., Oct. 5.—This morning the case of the Cuban privateer *Hornet* was taken before General ALLEN RUTHERFORD, United States Commissioner for the District of Cape Fear. Judge PERSON and Mr. FRENCH appeared for the Government, and GEORGE DAVIS and Judge O. P. MEARS for the defendants. The parties were arraigned on the charge that they did accept and exercise a commission to serve a foreign people in war, to wit: the people of Cuba against the people of Spain, a country with which the United States is at peace; and did fit out and arm and did procure to be fitted out and armed, within the limits of the United States, a certain ship or vessel called the *Cuba*, with the intent that said vessel shall be employed in the service of the people of Cuba, to cruise and commit hostilities against the people of Spain, a country with which the United States are at peace; and did enlist and serve on board of said vessel, with intent to cruise and commit hostilities against the people of Spain in violation of the statutes of the United States, and of the act of Congress of the 20th of April, 1818. The Government not pressing the matter the parties were not required to give bonds for their appearance at the time specified, but were placed in the custody of United States Marshal NEFF, who released them on parole on their personal assurance that they would not leave.

Counsel for the Government made the point that the vessel had been fitted out in the United States, as charged in the indictment; to cruise and commit hostilities against a Government with which the United States was at peace, and to make it a *prima facie* case they asked for continuance to allow time to secure the presence of witnesses for the Government from New-York and Washington. Counsel for the defendants opposed the motion for continuance, contending that the United States had no right to hold them as the vessel was commissioned by a regularly organized Government—the Republic of Cuba; the ship put in at Smithville in distress and it was contrary to the law of nations to detain her. Commissioner RUTHERFORD decided it was a *prima facie* case, and granted the Government until Monday, the 11th inst., to produce witnesses.

WASHINGTON, Oct. 5.—A private telegram from Wilmington, N. C., is to the effect that the United States officers say that it is not probable that the *Hornet* will be surrendered to the Cuban parties. An official account of the seizure is expected to reach here to-morrow, upon which the Government will take action.

Information has been received in Washington of a Cuban expedition, consisting of 400 men with abundant war material, which will leave the vicinity of New-York.

**The Action of the Cabinet—The Sentiment in Official Circles—Conflicting Opinions as to the Status of the Vessel.**

Special Dispatch to the New-York Times.

WASHINGTON, Oct. 5.—At the meeting of the Cabinet to-day the case of the *Hornet* was considered, and after consultation it was agreed to hold her. There appears to be no doubt whatever that she is a Cuban privateer, and as was indicated in these dispatches last evening, the Administration had no alternative, according to precedent and international law, but to detain her until her character shall have been determined. Nearly all the members of the Cabinet sympathize with the cause of the Cubans as warmly and earnestly as did the late Secretary RAWLINS, but in this case the line of duty was plain and could not be avoided. The whole subject has attracted a great deal of attention in diplomatic circles, and the probable course of the United States Government has been thoroughly canvassed.

The representative of one of the foreign Powers here received the following dispatch this morning from the Consul of his Government at Halifax, N. S.: "The consignees of the *Hornet* are WILKINSON and WOOD. The latter was formerly Aid-de-Camp to JEFFERSON DAVIS, and was afterward Commander of the *Tallahassee*. The whole scheme is run by Ex-Confederates, who hope to make Cuba the basis of operations."

There is, of course, a great deal of discussion on this subject in official circles. The opinion in the Cabinet to-day was unanimous that the officers of the *Hornet* had become alarmed or proved unfaithful to the cause they had espoused, and had, in order to escape from an unpleasant position, run the ship into a United States port. The law in the case must take its course, and the future disposition of the ship will have to be decided by the United States Commissioner. It is held by the friends of Cuba that inasmuch as she cleared from a British port, she will have to be released.