

THE CASE OF THE CUBA.

Third Day's Proceedings—Further Examination of Witnesses.

[From the Wilmington (N. C.) Journal, Oct. 24.]
The cross-examination of James Gordon was resumed by Mr. Davis.

The witness did not know Judge Troy, of Brooklyn; had never been accused of or tried for murder. (The witness here expressed a wish to correct some of the statements made yesterday, where he had fallen into errors. The counsel for the defence objected. The Commissioner said he would allow the witness to do so at the proper time.)

My evidence had been written down on the 7th of October, in New York, by a lawyer, I suppose; did not furnish the counsel of the government with a copy; was not asked by any one to have my testimony committed to paper; the commission of Commodore Higgins was from the Cuban government; the ship was spoken of in the orders of the Cuban government as a public ship belonging to the Cuban navy; think the shipping articles were signed off Montauk Point, on the 22d of September; am not certain.

Direct examination resumed—The witness made some unimportant corrections of his testimony in regard to localities and dates. The shipping articles enlisted us for six months' service in the Cuban navy; we were to get equal share of the prize money, according to our respective positions and rank; our wages are thirty-five dollars per month in gold.

William Fowler (Indian) was next examined on the part of the government. Mr. Phelps conducted the examination.

I live on Montauk Point; am a farmer; live three miles from Light House; am descended from the Montauk tribe of Indians; saw the Hornet on Sunday morning off Montauk about three weeks ago; she was about one mile westward of Slangwong and three miles from Montauk Point light; she remained there until Tuesday afternoon; the steamer was in the Sound between Great Point and Slangwong; they came up on Monday; did not go alongside; remained about an hour; could see no communication; saw schooner on Sunday morning lying alongside of the steamer; remained until Monday at ten or eleven o'clock; schooner came ashore abreast of where the steamer was lying; schooner had coal aboard; on Tuesday boat with officers came ashore; a big trunk was taken out of her and put on steamer's boat; recognized two of the officers now in court (Captain Ingram and Mr. Gibson); two came to my house and bought provisions; after that saw sidewheel steamer come up to the Hornet; the Hornet left Tuesday afternoon just before sundown, passed out around Slangwong and Montauk to the sea; saw box stuff float ashore; one piece had Hornet marked on it.

Cross-examined by Judge Meares—Am an Indian; arrived in Wilmington Monday, staying at no house, but on steamer in the river; don't know its name; came here by railroad; went on board on Monday, about eleven o'clock; don't know whether it was forenoon or afternoon; came Monday morning. (Here witness showed much confusion and hesitation in giving his testimony.) Boat carried me on steamer; came here with a man (pointing out a man in crowd); believe his name is Shields. (Judge Person here remarked that the witness was sent on board by order of the government.) First met Shields at East Hampton; he went to my home to bring me here; said he wanted me to go with him to New York; didn't say what he wanted; didn't tell me anything; stayed in New York six hours; came here to be a witness; a man in New York—don't know who he was—told me I had to come here; Shields came with me and paid my expenses; he said I was to be paid for coming, but mentioned no sum; saw Gordon on the steamer since I came; have had no conversation with him.

John Woolford (colored) was next introduced—Judge Person conducting the examination:—

Live in Baltimore; twenty-two years of age; follow the sea for a living as steward; on the 21st of September lured myself to the captain of the James Fredmore at pier 49 North river; schooner had on cargo of coal—about 150 tons; left New York on Wednesday afternoon; was towed by tug; Mr. Phillips (an officer of the Hornet) was along; another tug carried us to Fire Island; signalled all night; the Hornet came along on Saturday; while there the steamer Martha Washington came alongside; the Hornet towed us to Montauk; went inside of the inlet into the Sound and commenced unloading coal on Saturday night; continued all day Sunday and Sunday night; this was about half a mile from shore. Witness described how the schooner was blown ashore with four tons of coal; pointed out several officers who came ashore—Mr. Phillips, Mr. Gibson and that handsome gentleman (Captain Ingram); knew him because he had a talk with him about Baltimore people we both knew; two of them went up to Mr. Fowler's house to buy provisions; carried a large trunk or box on board of the steamer from schooner—had blue clothing in it; a tug and next day steamer Martha Washington came to steamer; remained a few hours and then left in direction of New York; was told in Sag Harbor by Mr. Shields that I was wanted as a witness; been staying aboard of the revenue cutter since I arrived here on Friday night week.

Cross-examined by Judge Meares—When I first met Shields I told him all about this matter; had conversation with the man in New York; came with Mr. Davis, Mr. Gordon and Mr. Dempsey; nothing was said to me about pay by Shields or any one else; was taken up as a witness and had to come; have talked to no one, except one gentleman (pointing to Judge Person); he told me I must tell the truth and nothing but the truth; don't know who paid my railroad expenses; Mr. Odie, an officer on the revenue cutter, told me to go aboard of the cutter; there was no conversation between Mr. Dempsey, myself and another man near this building this morning.

On resumption of direct examination witness pointed out Captain Dornin and Captain Munro as officers of the Hornet.

Court adjourned until Monday at ten o'clock.