

THE CASE OF THE CUBI.

Fourth Day's Proceedings—Continuation of the Examination of Witnesses.

[From the Wilmington (N. C.) Journal, Oct. 26.]

David McDowell was introduced as a witness on behalf of the government. Mr. Phelps conducted the examination.

On being sworn the witness stated that he resided in New York and was by occupation a steamboat hand; was employed in September last on the tug-boat Martha Washington of New York; about the 2nd September the tug left pier No. 9 North river, after taking on board ten or fifteen men; a Mr. Brown was in charge of the men, who came on board about seven A. M.; tug went to pier 49 and took on board twenty more men; then went to pier No. 8; nothing occurred there; went to pier 10 and got orders to go to pier 23 East river; witness didn't go round to East river with the steamer, being left ashore at pier 10 North river to tell Brown the boat had gone, and then went across the city; arrived at pier 23 found the tug not there, but met a man named Sam Greenwood; waited till the tug came back, then got aboard and went to pier 26; this was Wednesday morning; the Martha Washington after that got orders to go down to Coney Island; got there at five P. M. and left there at midnight; while there about twenty men came aboard; went and anchored off in the stream, and while there they came on board from small sailing boats; weighed anchor and went off to Fire Island; after the lapse of about an hour saw steamer; tug hoisted flag with initials M. W. as signal; no colors were set on steamer; the steamer was black and with side-wheels; since saw her in the stream here; she is called the Cuba; the Martha Washington then went back to New York; stayed there till that night; got back on the afternoon of Friday; Mr. Brown was in

charge of the men carried to the steamer; laid over till Friday night; then went down below the Narrows and laid to; sailing boats here brought twenty-five men on board. Mr. Brown in charge; Brown came on board after the men; Greenwood was first in charge of the men; he was the pilot of the tug; then went to Coney Island dock, and from thence to the steamer again; steamer was about same distance off Fire Island as before; after laying off there a short time the tug was sent in the direction of Fire Island to look for a schooner, but could not find her, and returned and saw that steamer had got her in the meantime; witness could not tell the name of the schooner; would know it if he heard it mentioned; the name of James Fredmore was called; he said that was the name; steamer wanted tug to tow schooner; captain refused; witness didn't know who gave the order, thought it was Brown; Brown came aboard and tug returned to New York; when she left steamer was getting a hawser to schooner; got back to New York Saturday evening; date not recollected; started out again Monday afternoon and went down through the Narrows to Sheep's Head Bay; Brown and another man came on board; laid here till small boat came off with six or eight men; shipped some provisions; went to steamer which then lay inside of Montauk Point at anchor, about one mile from lighthouse and in the Sound about half-mile from shore; this was on Sunday afternoon; saw nothing but schooner on the beach, thought it was the Fredmore; had masts out and was nearly abreast of steamer. (Witness was not familiar with localities here.) Then went along side of steamer and made fast; put on board the provisions and men; Brown went on board with small vessel; tug remained about two hours and left; Brown and Greenwood came from steamer with four or five of the crew; then went to New London, Conn., landed Brown and Greenwood, took on a Sound pilot and left for New York. (Here the counsel for defence objected to the declarations of Brown and Greenwood on leaving; sought to be drawn out by the government. Though these might be a part of the act the parties were not defendants here. The Court ruled that the act would only be considered.) Witness resumed—When pilot was shipped in place of Greenwood tug went down to New York; witness arrived in Wilmington Monday morning of last week, and before leaving did not go to steamer after time stated above; got order to come here as a witness; nothing said to him about pay; left New York at eight P. M. Saturday; Shields came with him; a man whom he did not know came to his house after him and told him he must come as a witness; since coming to Wilmington had staid aboard of revenue cutter in the stream.

The cross-examination was conducted by Geo. Davis. Witness stated that he didn't go with the tug from pier 10 North river to pier 29 East river, and could tell of nothing that happened on the way; when he first went to the Hornet it was Thursday; found her off Fire Island, about eight or ten miles—this was when the men went on board; returning to New York, the tug went to pier No. 8; left Friday night again and went below the Narrows, when other men came on board from sail boats; steamer was then about the same distance off Fire Island; went back and next time found Hornet inside of Montauk Point at anchor about half mile from shore; witnessed remained on the tug as a deck hand up to October one, and made no other trip to Hornet; was not familiar with coast thereabouts; when in sight of Hornet at Fire Island, while she was picking up the schooner, she was two or three or probably four or five miles off; at no time when the men were going on board was she less than eight or ten miles from shore.

John Woolford (colored) was called back on the stand by the government counsel, and in reply to questions said he did not know the name of the captain of the Hornet, but if he saw him could recognize him. Being requested to look around the room, he pointed out Mr. Ebling, master of the Cuba, as the captain of the Hornet.

Mr. D. G. Worth was introduced, and the examination conducted by Judge Person. On being sworn Mr. Worth deposed that his business was that of a shipping and commission merchant in this city; he knew none of the officers of the Cuba personally, but he had met with one, whom he supposes is an officer of the Cuba (Captain Ingraham), at his house in this city two or three weeks ago Sunday; it was before the vessel came up; Captain Ingraham said he wanted to get coal for a steamer below in distress, and wished it delivered immediately; witness declined to deliver it on Sunday, but finally agreed to deliver to boat ready to receive it midnight; applicant said he would give two dollars more per ton than the price asked (ten dollars) if delivered immediately; witness still refused; he was told that the name of the vessel was the Gettysburg; witness didn't see applicant afterwards; he didn't get the coal; went down to deliver it, but the officer didn't call; the steamer was said to be bound from New York to New Orleans; Captain Ingraham was dressed in citizens' clothes, and was accompanied by the chief engineer of the steamer.

The government here offered in evidence temporary register No. 73 of the Hornet, also register No. 74, and wanted to show that Mr. Ebling, a citizen of the United States, was master of the Hornet at the time the register was taken out.

The government here closed its testimony. The counsel for the defence confessed ignorance that it would close so soon, and asked an adjournment till next day. The court then adjourned till Tuesday morning at ten o'clock.

Preparations for Dismantling the Cuba—Stripped of Ship's Supplies.

[From the Wilmington (N. C.) Journal, Oct. 28.]
Under the personal supervision of the United States Marshal for this State, S. T. Carrow, assisted by Deputy Marshal Neff, preparations were made yesterday for dismantling the Cuban man-of-war Cuba, forcibly seized by the government last week. A derrick and a small tow boat were carried alongside in the afternoon and a considerable portion of the ship's supplies taken off. These are still being removed and stored in one of the warehouses attached to the Custom House. It is then proposed to remove the powder and shell on board to some safe magazine—in all probability to Fort Caswell—and then tow the steamer up to the Custom House wharf, where the work of dismantling will be completed by the removal of the guns, &c. There are now on board the Cuba 8,100 pounds of loose powder in the magazine, besides numerous percussion shell and cartridges. Too much care cannot be exercised in their removal, and none of this ammunition must be allowed to come within the city limits. In this action we understand the Marshal is acting under orders from Washington. But one more act in the drama is to be performed—the condemnation and sale of the vessel. Whether the government will await the due process of law through the courts or conclude its arbitrary action by one more arbitrary still remains to be seen.

Valuable Testimony for the Defence.

WILMINGTON, Oct. 27, 1869.
The trial of the officers of the Cuba was resumed before the United States Commissioner this morning. James Dennison, one of the engineers; Davis, one of the marines of the Cuba, and Captain Maffett and Captain Bolles, both old naval officers, were examined for the defence. The testimony was very favorable to the defendants, and greatly weakens the evidence of Gordon, the principal witness for the government. Davis testified that he had been offered twenty dollars to give evidence against the ship. The impression is very general now that the officers will be discharged.