

THE CUBAN CAPTIVES.

The Filibusters Before the Courts—Examination in the Case of General Golcouria—Interesting Testimony of the Informer, French—Alfaro and Bassora Admitted to Bail.

The examination in the case of the United States vs. General Domingo de Golcouria came up yesterday before Commissioner Betts, in the room of the United States District Court. The defendant, it will be remembered, was arrested, on the steamer Catharine Whiting for attempting to violate the neutrality laws in preparing an expedition for Cuba.

Mr. Phelps, Assistant District Attorney, appeared for the government, and Mr. Lowrie for the defendant.

Mr. Phelps, on opening the case, said the charge against the defendant was an offence against the Neutrality act of 1818. He believed it was the third section, but if it should transpire that any other section of the act had been violated, according to the evidence which should be presented, then he claimed that the Commissioner had the right and was bound to take action as if it had been the third section. Mr. Phelps then called

Albert H. Winslow, Deputy Marshal, who testified that he arrested the defendant on Monday, the 25th of June, on the steamer Whiting, which was lying about a mile southeast of Governor's Island; went, with some others on the tug Eastern to the Whiting, where he arrested the prisoner.

Cross-examined—I had a warrant for the arrest of the prisoner (identifies the warrant); the name of Golcouria was written on the warrant at the time; Marshal Barlow was with me when I made the arrest.

Henry W. French, the informer, on whose affidavits the arrest was made, was then called to the stand and deposed:—I live in Bridgeport, Conn.; know General Golcouria; have known him for the last six or eight weeks; first saw him at No. 71 Broadway, at the office of the Cuban Junta Committee; I was placed there by Colonel Ryan; my business was to send recruits to No. 638 Broadway; saw General Golcouria the first day I went to No. 71; he was in the private room of the committee; the room is No. 38, and is on the second floor of the building; have told the General at various times while I was stationed at No. 71 that there were parties outside who wished to see him; for about three weeks prior to the time of Colonel Ryan's first arrest I saw the General at No. 71 every day; parties coming there would inquire for General Golcouria; from the time of Colonel Ryan's first arrest I did not see the General until I saw him on board the Catharine Whiting; I know of one case where I went with Colonel Ryan to purchase goods for the Cuban expedition, and we found that General Golcouria had been there before us; General Golcouria gave me orders at one time to go and tell parties from whom goods had been purchased to keep them until called for; the parties from whom goods had been purchased were Spencer & Co., in Beekman street, and several others whom I do not remember; I purchased goods by instructions from Colonel Ryan; among the goods ordered were emery paper, gun wrenches, breech wrenches, oil, saws, hammers, files, in fact a regular gunsmith's accoutrements for repairing guns; know Colonel Barron; have seen him at No. 71 Broadway; never heard him converse with General Golcouria; the order of General Golcouria about the goods ordered was countermanded by other parties and I never delivered it; the order of General Golcouria about the goods ordered was given after Colonel Ryan's first arrest; I went to General Golcouria after that arrest to know what should be done about the ordered goods.

Cross-examined—I was born in Bridgeport, Connecticut; my parents were born in this country; my father is now living; I am a mechanic; have never been in prison; make nothing but my living; became acquainted with Colonel Ryan soon after entering the Cuban service, in the early part of last month; no one requested me to enlist; was first solicited to give information on a Thursday afternoon, I forget the date, last month, in Jersey City; a Mr. Wheeler asked me; Wheeler is a man between twenty and twenty-five years of age; he took me one side and told me that I was a young man who ought to know better than get into such a "fandango" as I was in, and that if he was in my place he would let it (the expedition) alone and drop it immediately; he was a friend or he would not have talked to me in that way; never saw him before; he neither gave me nor offered me anything, nor did I ask for anything from him; at a subsequent interview I was asked by Wheeler to go to James B. Craig's office; have been with Wheeler nearly every day since our first interview; saw Mr. Craig at his office; offered to state to him what I knew about the expedition; had seen Wheeler a whole week before going to Craig; at my first interview with Wheeler, I told him I would remain in the service of the Cubans, and learn what I could of their plans; I was not much trusted by Colonel Ryan; bought goods by his orders, but he never gave me any money to pay for them; I disliked him because he did not pay me, as he had agreed to do, for making the purchases spoken of; did not betray Colonel Ryan, for he was under arrest at the time I first saw Wheeler; I saw the expedition was a failure, and made up my mind it would be a good way to get out of it; had been in the Cuban service long enough to become satisfied that I was doing wrong, and I made up my mind to do right; I thought it was right to take the course I have taken; have not received anything for what I have done, nor do I expect anything; I support myself now by means furnished me by a Mr. Bangs, who gives me money to get victuals and a place to sleep; believe Bangs is a detective; Wheeler was in Bangs' employ; Bangs had nothing to do with persuading me to do what I have done; met Bangs accidentally on the street; Wheeler, Bangs and others support me when I am short; Alfaro was present when General Golcouria gave me the order to have the goods kept until called for; when I enlisted I promised to go to Cuba and fight for the Cubans.

Redirect—I enlisted at No. 638 Broadway; was enlisted by Captain James Peters; he was in command there; Colonel Ryan was supposed to be in command over all the recruiting offices in this city; I was ordered to go to Jersey City by Captain Peters; about three hundred of us went there and remained one night; we were ordered to remain there until we got further orders; no further orders came; we had crossed to Jersey City in small squads; the police ordered us out of Jersey City, as we were lying around Taylor's Hotel and on stoops, and we came back to the Casino in Houston street; when I enlisted I was promised thirty dollars in advance for the first month's pay, thirty-three dollars for each succeeding month, and \$1,000 at the end of the war, all the payments to be in gold.

Recross-examination—I was taken on board of the Catharine Whiting by Bangs to recognize General Golcouria.

Henry W. Davies, Deputy United States Marshal, called by the government, testified—I first saw General Golcouria on board the Catharine Whiting on the day previous to his arrest; he was introduced to me as the purser of the vessel by Captain Greenwood, who was in command of the vessel; the General said he was going to Galveston; the cargo of the vessel consisted of bales of hay, mess pork, hard bread, coffee, sugar, whiskey, hammocks and several other articles, among which was a pontoon bridge; first saw the Catharine Whiting on Saturday, the 26th of last month; she was then anchored in the arbor, about a mile from the Battery; watched her until half-past three o'clock on Sunday morning; saw a tug in her company; the tug ran up to the Catharine Whiting, and then all the lights on the tug were extinguished, and also a portion of the lights on the Whiting; the tug remained a short time; a little while after she left, two or three other tugs sailed past the Whiting, close to her, and they, apparently, by means of shifting their lights, exchanged signals with her; on one tug I could see about fifty men; went on the Whiting the next morning (Sunday) and found General Golcouria, Captain Greenwood and a crew of about thirty men; when the General was taken off the Whiting he had a satchel with his name on it; he opened it at the solicitation of Marshal Barlow, but it was found to contain only clothing; I found a trunk on the tug H. H. Cool which I believed to be the General's, as it contained books marked with the name "D. D. Golcouria," and also a number of letters and papers apparently belonging to him.

Mr. Lowrey asked the Commissioner to accept of General Golcouria's personal recognizance for his appearance during the progress of the examination, but Mr. Phelps objected, and the request was denied.

The examination will be resumed at ten o'clock this morning.

Messrs. Alfaro and Bassacora were brought before Commissioner Stilwell yesterday afternoon, and gave bail in \$5,000 each to appear for examination and \$2,500 each to keep the peace.