

which could not get near enough, on account of the difficulties of the ground, to be effective against the enemy; that Morgan's regiment, 15th infantry, was detached from its brigade, and held that position either in reserve or waiting for orders. And those were the troops we both could distinctly see at that field. Observing myself the movements of the enemy, and having those movements reported to me almost every moment by those who had glasses in their hands, of which Major General Pillow had previously given me some account. I suggested in conversation to the said Pillow whether, from what he had already told me of the troops which had passed the pedrigal, and were then supposed to have reached the hamlet that we could partially see, if it was not time to push forward Morgan to support Brigadier General Cadwalader, supposed, with a part or the whole of his brigade, to be already at the hamlet. Major General Pillow, whose information I was desirous to profit by, he having been longer upon the ground, seeming to think well of the suggestion, and both of us continuing to observe the advance of heavy bodies of troops from the capital to the said hamlet, I desired him, in language the most courteous, in the way of orders, to despatch the said regiment to the said hamlet. The regiment was soon in motion; that is, at the end of some 12 or 20 minutes; the ground being exceedingly difficult, as I afterwards learned, much more so than I then had any knowledge of. I sometime later observed, through some glade or opening in the bushes which covered the pedrigal, a body of troops winding its way first to the one hand and then to the other, to avoid, as I have since known, difficulties in the route. Not being able to determine at the instant in what direction that body of troops were marching, and supposing that, if it were Morgan's regiment, it had made but little progress in the advance, I turned to several persons about me, and very probably to Major General Pillow, and asked what troops those were, and was told that it was Morgan's regiment. This latter conversation, or those orders, inquiries, and remarks, all occurred, not on the top of the hill nor on the side next to San Augustin, but on a secondary hill or slope distinctly overlooking the enemy's entrenched camp, the hamlet, and the road leading up to both from the capital.

The court then adjourned until to-morrow, at 9 o'clock.

MEXICO, March 31, 1848.

The court met pursuant to adjournment. Present, all the members, and the judge advocate and recorder.

Major General Pillow before the court.

Major General Scott continued his evidence:

Major General Pillow proposed to me at the mound, the point of observation that overlooked the field of battle, and I very readily concurred, that he should follow the troops which had passed the pedrigal, in the direction of the hamlet, and to the enemy's left.

This, a little before dark; perhaps a little before sundown. An half an hour later I began to doubt, and still more, an hour or two hours later, whether the said Pillow would be able to pass the pedrigal at all in the dark, because I had despatched several staff officers—at least two, besides Captain Kearny—who had, within the space of two hours, and after dark, successively returned, (some of them,) and reported to me that each had found it impracticable to penetrate far into the pedrigal during the darkness. Accordingly, long before the said Pillow came to me in the night, at San Augustin, I had concluded that he, also, would fail to get over to the hamlet. At some hour of the night—I think nearer 11 than 10 o'clock—the said Pillow came into my quarters at San Augustin, where I had preceded him, perhaps, two hours. With him came several of the staff officers, and Brigadier General Twiggs; and all who spoke on the subject concurred in the same report—that it had been found impracticable to get over the ground in question.

Captain Lee, engineers, came to me from the hamlet, with a message from Brigadier General Smith, I think, about the same time; he having passed over the difficult ground by daylight, found it just possible to return to San Augustin in the dark; the greatest feat of physical and moral courage performed by any individual, in my knowledge, pending the campaign. The said Pillow, Twiggs, and Lee, were all equally earnest in the desire to return the same night to the edge of the pedrigal, in front of the enemy, next to San Augustin; and I permitted—nay, directed—said Lee to go back, charged with the execution of certain orders, and the said Twiggs was allowed to accompany him; but insisted that the said Pillow should remain for the night, and that, if necessary, I should positively command him to do so. I think it was then as late as midnight. There was a cold rain, and a heavy one falling, and the night was exceedingly dark.

Question by defence. In witness's official report, dated 19th August, 1847, is the following passage, viz: "From an eminence, soon after arriving near the scene, I observed the church and hamlet, Contreras, (or Ensalda,) on the road leading up from the capital, through the entrenched camp, to Magdalena; and seeing, at the same time, the stream of reinforcements advancing by that road from the city, I ordered (through Major General Pillow) Colonel Morgan, with his regiment, the 15th, till then held in reserve by Pillow, to move forward and occupy Contreras and Ensalda; being persuaded, if occupied, it would arrest the enemy's reinforcement, and ultimately decide the battle." Did the result of that battle prove the correctness of the opinion of witness, as expressed in the same passage of his official report?

Answer. I think it did. I did not mean to say, in that report, that I was the only person observing the movements of the enemy, and the positions of the two armies; for, as I said before, in answer to questions, I profited by inquiries made of Major General Pillow, and others, as much, at least, as by what I could see with my own eyes, before coming to definite conclusions.

Question by defence. In viewing the field of battle from the



secondary mound, of which you have spoken, witness will state what point in that field he, as a military man, judged most important to be secured, in the then raging battles, with the view of securing victory to the American arms; was it the village, above spoken of, embracing the road and the ground in the rear?

Answer. I considered the secure occupation of the village or hamlet exceedingly important, to give confidence to any troops that might be ordered to attack the entrenched camp, to secure the rear of the attacking column; particularly in reference to that stream of Mexican reinforcements, soon observed, after arriving on the mound, to be passing up from the capital, in the direction of the hamlet and the entrenched camp.

Question by defence. Major General Scott, as a witness for the prosecution, will please say if all the military orders, and movements, and operations of Major General Pillow, in this valley, have not met with and received the approval of witness, as the commanding general of the army?

Answer. They have, at the successive periods—meaning at the end of each occurrence—with very few exceptions; one of which is slightly intimated in my report, dated September 18; and for that approval, at the respective periods, I refer to my several general reports.

Question by defence. Will witness state if he did not order Captain Kearny and Captain Rough's squadron of dragoons to report to Major General Pillow for duty, in the battle of Churubusco, and if they were under his orders during that battle?

Answer. The squadron, consisting of Kearny's company, and McReynolds's, and perhaps a third company of horse—the two former constituting the ordinary escort to general head-quarters—were very early, on the 20th, after arriving at Coyoacan, detached to make the movement upon the rear of San Antonio, and to cover the reconnoissance with which Captain Lee, engineers, was charged. I did not again see those troops of horse until the different affairs—the bridge-head, the convent, and Shields's, in rear of those two—were over. The troops of horse did not return to my position, which was about the centre of operations; and, as Major General Pillow had been a little later detached in the same direction, I took it for granted that he had assumed the command of those troops of horse, as he had a right to do, and that they had continued with him, unless detached by his own consent, or by the orders of some senior officer. I sent a staff officer to overtake the cavalry, and to say to Captain Kearny that the rifle battalion would speedily follow, to support the horse, and that Major General Pillow would soon follow; and I might have added, out of abundant caution, though I think it was entirely unnecessary, that he would report to the senior officer, Major General Pillow.

Question by defence. Witness will also state what orders he, in person, gave General Pillow very early on the morning of the 20th, upon his departure for the field of operations?

Answer. The instructions were oral, and must have been to the effect to proceed back to the theatre of operations about Contreras,

to take command of the American troops engaged about the place; that I should follow with a brigade of Worth's division, and the remaining brigade of Quitman's. I gave those instructions before sunrise; it was light.

Question by defence. Witness will state if, in preparing his official report, it is not his habit, after the first rough draught of his report, to correct and re-write the same, and to continue his corrections as long as he shall find the existence of errors to correct. In pursuing this course, has he not, in some instances, found it necessary materially to modify and change his first rough draught, and to have them several times written over?

Answer. I do not remember ever to have re-written, in this campaign, any report. I have corrected and modified each, a good deal, by cancellations and interlinings, in two or three instances to the extent of an entire paragraph. I am almost certain that I have not re-written any one entire page of manuscript. In every instance in this campaign, and never before, I have had my original draught, in my own handwriting, copied for my signature. I must correct that, by stating that I believe that some of my reports that went off from Vera Cruz were my own original draught, or in my handwriting.

The general order, in relation to armistice, offered by General Pillow.

The papers annexed read, marked P.

Captain R. E. Lee, engineers, called for the prosecution, says, under the third head of first specification:

I returned on the night of the 19th of August, to General Scott, at San Augustin, from the village of San Geronimo, and reported to him that General Smith, the senior officer, with the troops at San Geronimo, had determined to attack Valencia's entrenched camp, near that place, before daybreak the next morning. That the troops were to move at 3 o'clock in the morning, follow a ravine, which was supposed to lead to the rear of the work, and attack the work from the rear. That General Smith told me to report distinctly to General Scott that he would make the attack in question, and that he might calculate upon it whether I returned to him that night or not. One of the objects of my report to General Scott was, that, if he thought proper, he might order an attack in front to operate as a diversion to the attack in rear. It was about 11½ o'clock, or from that to 12, at night, when I reported to General Scott. At San Augustin, after considering the practicability of ordering troops from General Quitman's division, then at San Augustin, or from General Worth's, then at San Antonio, to make this diversion, General Scott directed me to return to the field, in front of Valencia's camp, with orders to Colonel Ransom, 9th infantry, to collect his regiment, and any troops I found upon the field, and to attack Valencia's camp, in front, at daybreak. Besides the 9th infantry, there was a portion of the 12th regiment, under Colonel Bonham; three companies of the 3d infantry, under



Captain Craig; companies of the rifles, under Captain Sanderson, and some parties of rifles and sappers, that had been thrown out on the previous day. The whole were moved, according to General Scott's order, by the direct path leading to Valencia's camp, as far as the building on the ravine, which is represented on the map, which they reached after day broke, and drove in his advanced pickets. They were then drawn up in line, under shelter of the rocks, and waited for the approach of General Smith's troops from the rear. As soon as Colonel Riley's brigade was seen on the crest of the hill, in rear of Valencia's camp, this force was moved to the edge of the ravine, delivered their fire into Valencia's camp, and made the required diversion.

Question by prosecution. Was Major General Pillow present when you made the report to General Scott, and when you received his instructions to the above effect, on the 19th of August last?

Answer. After I had made my report to General Scott, General Pillow and General Twiggs returned from the field and reported to him, and were present when I received orders from General Scott to return to the field. General Scott told General Pillow and General Twiggs the whole of my report to him, and that General Smith would make the attack the next morning.

The witness says, on the fifth head, specification 1st: "After Valencia's camp had been taken by the troops under General Smith, and General Smith had gone in pursuit of the enemy, leaving Colonel Riley to guard the camp, where he remained until General Scott reached the field, and, as far as I can now recollect, the pursuit had passed beyond the village of San Geronimo, on the road towards San Angel, I saw General Pillow coming towards the camp from San Augustin, and followed the movements of our troops down the road to San Geronimo. On the 19th, he had the command of his division, from which were the working parties on the road. I did not see him after the battle opened until I met him at San Augustin, and I do not know what troops he had under him in the meantime. On the morning of the 20th, I overtook General Pillow about the time he entered Coyoacan. I did not see him after I was sent to San Antonio until both the works of the *tête du pont* and the convent were carried, and then I saw him on the road leading to this city. I was sent by General Scott to conduct Pierce's brigade to make an attack in rear of the *tête du pont*. This brigade was a part of General Pillow's division, and was placed under the command of General Shields."

Question by prosecution. About what time had elapsed after Valencia's camp had been carried before Major General Pillow arrived at or near that camp?

Answer. Judging from the events that took place, (I have no other means of judging now,) nearly an hour, I should say; between an half hour and an hour.

The witness says, on the sixth head of specification 1st: "On the morning of the 19th, General Scott gave me orders to organize

working parties for the opening of the road in the direction of Contreras, and to call upon General Pillow for the men, &c. He told me that General Twiggs's division would be thrown forward to cover the working parties. I do not know what orders he gave after the battle opened, except those I have already stated, on the night of the 19th. On the morning of the 20th, I met General Scott and staff on their way to the battle field. I heard him direct General Worth, who was accompanying him, to return to San Antonio with one of his brigades, which he was bringing up, and make preparations to attack San Antonio in front as soon as he discovered our troops coming up in the rear. He gave me several orders during the day; one to reconnoitre the rear of San Antonio, and report the strength of the enemy's position. I heard him give instructions to General Pierce to move with his brigade to the rear of Churubusco, and make an attack on that point. He directed me to conduct the brigade to that point, and subsequently directed me to conduct the rifle regiment and a company of dragoons to the support of General Shields, who had overtaken us on the road and had assumed command, as he stated, by the order of General Scott.

The witness says, on the 4th specification: "I know that on the morning of the 7th September, General Scott informed me that the armistice would probably terminate at 12 o'clock, and he wished me to be prepared to reconnoitre the approaches to the city, and gave orders to that effect to Major Smith, the chief of the engineers, who was sick. That afternoon the engineers were out in several directions. I myself reconnoitred the Piedad and San Antonio gate. On the morning of the 8th, at day break, I accompanied General Scott to the battle field of Molino del Rey; and, at the termination of the battle, was sent by him to continue the reconnoissance I had commenced the evening before. The reconnoissances were pushed every day by the repeated orders of General Scott. On the 9th, I accompanied him (General Scott) in person on a reconnoissance of the approaches of Piedad, Nino Perdido and San Antonio. General Pillow was there. General Scott repeated his reconnoissance of that front on the morning of the 11th. I was present at the conference which was held at Piedad on the morning of the 11th. I heard General Scott state, in great detail, the respective advantages and disadvantages of an attack by the San Antonio gate, and the attack of Chapultepec and the causeways of San Cosmo and Belen. He announced his intention that, before leaving the room, he should order the attack upon one of the two points. He invited the opinions or suggestions of the officers present, and stated his own preference or the bias of his own mind led to the attack upon Chapultepec, and that, in anticipation of an attack upon that point, he had directed Captains Huger and Drum to select positions for batteries for the attack of the castle. As far as I recollect, there was little said by the officers present, except in general conversation and in questions about different points. But what was said by General Pillow left the impression on my mind that he was inclined to an attack by the San Antonio gate. I was more in favor of attack-



ing by that front myself, and so expressed to General Scott, by his invitation. During the whole time, the reports of the reconnoissances were at once carried to head quarters, and constant discussions were held day and night, between the general and the engineers, on the reconnoissances, whenever opportunity offered."

Question by prosecution. Was or not the plan of attack or battle executed early in the morning of August 20, 1847, upon Valencia's camp, the result of reconnoissances made late the preceding afternoon and evening, and the immediate plan adapted to the latest information; and by what commander was that plan finally adopted and executed?

Answer. After I returned from the reconnoissance of the morning of the 18th, in the direction of Contreras, and reported its result to General Scott, I accompanied him to Coyacan, the head-quarters of General Worth, in front of San Antonio. He there received information from the engineers and other officers who had been sent to reconnoitre the position of San Antonio. At the time of his return to San Augustin, after dark, as well as I recollect, all the officers had not come in. Lieutenant Stevens, who had been sent to the right, was still absent. General Worth, accompanied by Captain Mason, of the engineers, and perhaps by other officers, whom I do not recollect, came to General Scott's head-quarters, at San Augustin, when the whole subject of the reconnoissance of the day was reviewed by General Scott. That night, before going to bed, General Scott informed me that he should advance in the direction of Contreras. This determination he repeated the next morning, when he gave me the orders I have already stated. He told me that General Pillow's division had been ordered in that direction, from which the working parties were to be drawn; that General Twiggs's division had been sent for and would be pushed in advance. He asked by what time I expected the road would be completed as far as it had been reconnoitred the day before, and gave me to understand that he should be on the field by that time, and sooner if he heard that we were opposed. General Smith's determination, as far as I know, was based upon the information received from Colonel Riley and officers of his brigade, and from Lieutenant Tower and the engineers who accompanied that brigade. These officers joined General Smith after sundown. It was based upon the information received at that time, and the necessity of breaking up Valencia's camp, in order to open our communication with the San Angel road. As far as I know, the plan was determined upon by General Smith. In his conversation with me he took the responsibility of it, and expressed his determination to execute it.

Question by defence. Was the plan of attack communicated by you to General Scott on the 19th of August, and executed on the morning of the 20th, to make an attack or *diversion in front*, while the troops that had already gained the rear were, at the same time, to assail the enemy in reverse?

Answer. Yes. The troops under General Smith were to take a position in rear of the enemy's camp, and the troops in front were, as soon as they saw the troops attack the rear, to make a diversion or attack in front. General Smith also stated, as it was possible I might not reach General Scott, that he should make the attack, at all events, whether any diversion was made in front or not; that the attack on the rear would be made at all hazards.

Question by defence. Is the witness aware what orders had been given by General Pillow on the 19th, previous to the arrival of General Scott upon the field, in relation to the disposition of the forces under his command, with a view to carrying the entrenched camp of the enemy at Contreras; if yes, what were the orders?

Answer. I was not acquainted with the orders given by General Pillow. After we came under the fire of the enemy's batteries, on the 19th, I informed General Twiggs that we should have to suspend making the road until Valencia was driven from his position; that I had ordered the working parties to be returned to their regiments, and the tools to be re-packed. He then ordered the rifle regiment forward as skirmishers, to clear the ground in front of us. I accompanied the rifles, and don't recollect of seeing General Pillow from that time until at night, at San Augustin.

Question by defence. What time did Brigadier General Shields, with his brigade, arrive at the village of Ensalda?

Answer. I don't know when he arrived, but when I returned from the village to General Scott I met his command at the ravine, some few hundred yards south of the San Angel road. This was about 8 o'clock. They had crossed the pedregal and were in bivouac. General Shields and Lieutenant Hammond crossed the ravine and I sent one of my men to guide them to the village. They had not been to the village, I believe.

Question by defence. At what hour on the 19th August did the battle of Contreras commence; was it about 1 o'clock, when the fire opened between General Smith's advance and the enemy's picket in front of the entrenched camp?

Answer. As far as I recollect it was about 1 o'clock that we came under the fire of the enemy's batteries.

Question by defence. Witness will state at what time General Pillow, with his division and Colonel Riley's brigade, seized Piedad and drove the enemy's pickets from the adobe building in front of the works defending the approach to the San Antonio garita?

Answer. On the morning of the 8th I was at Piedad, and it was neither in the occupation of our troops or the enemy, but the house which I suppose is meant, at the intersection of the Piedad and Nino Perdido roads, was in possession of the enemy's picket; when I returned on the morning of the 9th, both Piedad and that house were in possession of General Pillow's division?

Question by defence. At the time of the reconnoissance on the morning of the 9th, near Piedad, of the work commanding the approach to the San Antonio garita, was there a single gun in position in those works; were those works then in an incomplete state; state



also, if on the evening of the 11th, when the consultation was held at *Piedad*, the enemy had not then in position eleven pieces of artillery, seven commanding the approach from *Piedad* and four pieces in works flanking on the left this position?

Answer. On the morning of the 9th there were several guns in position. I had seen guns there before, on the evening of the 8th; on the morning of the 9th there were at least two, and if I can find my notes I can tell the exact number. The batteries across the San Antonio road and in the field towards the Nino Perdido gate were in existence; the curtains connecting them were under construction. I do not recollect whether the batteries were completed or not. I do not recollect of seeing men at work upon them. On the evening of the 11th I think there were at least eleven guns. When I first counted the guns on that line I think there were five in position, and from day to day others were added.

Question by defence. If the attack had been made on the 9th or 10th September upon the work in front of the San Antonio garita would that work, in your opinion, have been greatly more easily taken then than it would have been on the evening of the 11th when the consultation was held?

Answer. I think it would have been much more easily taken on the 9th or 10th than any time afterwards.

Question by defence. Will witness state if the only remark made at this consultation by General Pillow was not to ask General Scott the following question, viz: "Suppose you had taken Chapultepec, what is then your plan; will not the citadel be in the way, and is it not a formidable work?"

Answer. I don't recollect the remark as quoted by General Pillow, but the impression on my mind is what I have stated. I only remember a few remarks more, in the shape of questions to the General. I remember that General Twiggs was in favor of the attack on Chapultepec.

The court then adjourned until to-morrow morning at 9 o'clock

MEXICO, April 1, 1848.

The court met pursuant to adjournment. Present, all the members and the judge advocate and recorder.

Major General Pillow before the court.

Major General Scott present.

Brigadier General Cadwalader, for the prosecution, recalled:

Question by prosecution. What troops, as far as the witness knows, were under the immediate command of Major General Pillow in the battles or operations about Churubusco on the 20th of August last?

Answer. General Pillow was with and in immediate command of my brigade; the other brigade of his division was detached. I

know that after the battle General Pillow passed on with some cavalry.

Question by prosecution. As far as the witness knows, was General Pillow engaged in any conflict with the enemy on the said 20th August other than the operations against the works about Churubusco?

Answer. None, that I saw.

Question by prosecution. Was the witness present at the *Piedad*, September 11, 1847, at a conference held by Major General Scott with many other general officers, commanders of brigades, and staff officers, respecting a very early attack upon this capital, either by the way of the gate of San Antonio, or by the way of Chapultepec, and if so, state substantially the views and preferences of Generals Pillow and Scott in respect to those points?

Answer. I was present at that meeting. General Scott submitted his views, and invited any remarks from any of the officers present, saying that he was thinking aloud, and invited their opinions. General Scott inclined to decide upon the attack of Chapultepec, and invited suggestions from the officers present. I have no recollection of much having been said by any body upon the subject. Engineers were invited to speak and give some explanations in regard to their examinations; they did so, but declined to give any opinion or decision of the point to be attacked. We all seemed to be listeners. General Scott said that in fifteen minutes he would, unless his opinions were changed, decide upon the attack on the following day, of either the San Antonio road or the castle of Chapultepec. I don't remember that either General Pillow or any other officer said much on the subject, except in the way of making inquiries. I remember one inquiry General Pillow made, and that was, what were the plans of the general after taking Chapultepec.

Question by prosecution. The witness has said that but little was said by any body. Does he mean in *reply* to Major General Scott, or by the said Scott inclusively; and about how long was the said Scott occupied in stating the numbers and means of the American army, and his own views and preferences?

Answer. I have reference to others than General Scott. But little was said by others upon the invitation by General Scott to make suggestions to him. We were mostly listeners while he explained his views. I should think that General Scott was occupied about twenty minutes in stating his views, and the strength of the American army.

Question by prosecution. Does the witness chance to remember the position of Major General Pillow, at the time Chapultepec was carried, on the 13th of September last, and how long it was after that success, before the said Pillow came upon the hill, or was brought upon it?

Answer. General Pillow having been wounded, I did not see him at the time Chapultepec was carried; I therefore do not know his position at that moment. The first I saw of him was upon the end of the wall, by the main entrance, and to the right as you enter the