

Question by prosecution. Was the witness with the 15th infantry in the afternoon of August 19th last; what was the position the regiment occupied, previous to marching across the pedregal towards the village of San Geronimo; about how long was the regiment halted in that position, and by what superior orders had it been placed or halted there?

Answer. I was with the 15th infantry on the afternoon of the 19th; Colonel Morgan was in command of it. The regiment was halted immediately at the base of the hill for sometime, and, I suppose, by the orders of General Pillow, as he was present. What time it remained there I am hardly able to say, but should think it was near from half an hour to an hour; the regiment was moved from that position to one near to a corn-field which interposed between the hill and the enemy's position, where it was again halted. Both the movement and the halt, I supposed, were by order of General Pillow, as he was the senior officer present, and the regiment belonged to his division. It remained there perhaps half an hour, and was again directed to move to the support of General Cadwallader, who was occupying a position to the left of the enemy, and across the ravine. The order was given by Captain Hooker, I think, to Colonel Morgan; General Scott was then on the ground, and I have no idea whence the order emanated.

Question by prosecution. Were the three orders to halt in the first and second positions, and to march across the pedregal, all delivered by the same staff officer, or by different staff officers?

Answer. I do not know who delivered the first two orders that were given for the halt and movement. I only know that Captain Hooker delivered the order for the advance across the pedregal. Colonel Morgan, being in command of the regiment, he, I presume, was directed in the matter. I know nothing but the fact that it was halted and set in motion.

Question by prosecution. About what time had elapsed from the arrival of Major General Scott at the position of Major General Pillow, on the hill, before the regiment was again put in motion, by an order brought by Captain Hooker, assistant adjutant general?

Answer. I should suppose that the regiment was probably in its position ten or fifteen minutes, at least, after his arrival on the field. I think that one of his staff officers, who, I presumed, arrived with him, passed me and inquired for Brigadier General Pierce. I directed him to the side of the corn-field, on the right of the road, by which the troops approached the enemy's position. I saw him go there, and, not finding General Pierce, passed on around the corn-field, in the direction the troops advanced. The time necessary for that, and some time in addition, had elapsed before the regiment was set in motion.

Question by prosecution. Was the regiment at the halt, near the corn-field, when the staff officer of Major General Scott passed the witness; did the witness again see the staff officer on his return towards the said Scott; and, if so, was the regiment still at a halt?

Answer. I don't recollect seeing the staff officer on his return,

and cannot say whether the regiment moved before he returned or not. When the staff officer passed on his way to General Pierce, the regiment was at a halt.

Question by prosecution. Does the witness chance to know whether any intimation had been given to the regiment, when at a halt at the foot of the hill, or when it marched from that halt to the corn-field, that it would soon be marched from the corn-field to support Brigadier General Cadwallader, on the opposite side of the pedregal; or did the witness hear that the regiment would be requested to follow the said Cadwallader, before the final order to that effect was received at the corn-field, through the said Hooker?

Answer. I know nothing of the matter. When we were halted in the second position, Colonel Morgan remarked that the regiment was held in reserve; and I don't know, nor did I hear him say, that he had any intimation as to the direction in which it would move.

Question by prosecution. Did the witness chance to see or to know anything of a personal combat, on the 20th of August last, or at any other time, between Major General Pillow and an isolated Mexican officer or soldier, in or about any of our battle fields within this basin?

Answer. I know nothing about it.

Question by defence. Did the witness chance to see or to know anything of a personal combat, on the 20th of August last, or at any other time, between Major General Pillow and an isolated Mexican officer or soldier, in or about any of our battle fields within this basin?

Answer. I know nothing about it.

Question by defence. What other officers were present at this conversation at Chapultepec that you have related?

Answer. Lieutenant Tilton, adjutant of the fifteenth, and also, I think, Lieutenant Ripley and Captain Hooker.

Question by defence. In the actual assault upon Chapultepec, did General Pillow say that General Scott left him to make his own dispositions, and to assault the work agreeably to his own judgment, on the west side of the work?

Answer. I don't recollect that General Pillow made any special reference to that; if he did, it has passed my memory.

Question by defence. After that part of the witness's statement where he speaks of the two generals shaking hands, at the junction of the roads, will witness reflect a moment and say if General Pillow's objection was not to the movements on the two roads, around the base of Chapultepec, in which General Quitman would have to pass under a direct fire of the battery in his road, and from the heights of Chapultepec upon the southeast front; and General Pillow would have to pass over a similar battery on his road, and under the fire of the heights; and, after carrying these batteries, we would then have to assault Chapultepec itself. Will witness recollect if these views were placed before General Scott, as General Pillow said, and the question asked, why fight two battles at the base of the hill, and then assault the work, instead of assaulting the work at once? Was not the above the substance of the views expressed, and of the objection made by General Pillow to the plan suggested by General Scott?



Answer. I think the obstacles referred to in the question, on the two roads, were the objections made to that mode of attack; but, in relation to fighting the third battle in the attack upon Chapultepec, I will not say that it was not referred to by General Pillow, as stated by him. My impression was, from the conversation, that the troops were to move on to the attack of the city. This impression, however, may have arisen from the expression that Chapultepec was to be made to feel its isolation; and as to the attack upon Chapultepec, after the meeting of the generals at the point referred to, I now have no recollection of it, but would be very unwilling to say that it was not made by General Pillow. The phrase above used may have given me that understanding of the plan proposed, when it might have referred to the isolation of the castle after the union of the two generals, when it would be more easily carried.

Question by defence. Did General Pillow say anything about General Scott having expressed or suggested his plan of attack at a council of general officers, or was that merely your supposition; did General Pillow not say that his suggestion was made on the night of the 12th of September at General Scott's quarters, himself (General Pillow) and General Quitman, and a few others, being present?

Answer. As to the place where these plans were suggested or proposed, it is supposition with me alone. I do not recollect that General Pillow said at what council these plans or remarks were made; but I inferred that they were made in council, and at the one that was held in Tucubaya. That was my impression, from the fact alone that he said that he and others had objected to it. This is my present recollection. Whether he referred to the place and persons present, I do not remember.

Question by defence. Witness has said the order to the 15th regiment, as delivered by Captain Hooker, was to go forward and support General Cadwalader. Is the witness clear in the recollection that such was the order?

Answer. I don't recollect positively whether I heard from Captain Hooker when he delivered the order, or from Colonel Morgan; such, however, were the orders given; and when we crossed the pedregal, and passed the ravine, Colonel Morgan halted his regiment, and went and reported to General Cadwalader.

Question by prosecution. Does the witness now mean to say, on reflection, that he did not understand Major General Pillow, in the conversation referred to, to speak of a council consisting of many general and other officers?

Answer. I will state, in answer to that, that I don't recollect whether he stated positively, or whether I inferred from his conversation that it was a council, or other meeting, of general officers. It may be that I inferred it alone. My impression was, that it was made in such an assembly, and I so repeated it.

Question by prosecution. Is the witness clear that he understood Major General Pillow to say, that the first step of Major General Scott's plan of attack on Chapultepec was that Major Generals

Pillow and Quitman should march around the base of the hill, on different sides, meet, and shake hands, on the side next the capitol, or at some other point at the foot of the hill?

Answer. I am very certain that he made the remark that the two divisions were to pass on the two roads referred to; that this was the proposition on the part of General Scott; but whether or no this was the first one or not, I do not recollect. It was my impression that this was the first step of the attack upon the city.

Question by defence. Does witness mean to include the operations of the 12th of September, and of the artillery, by the first step, or that the movement spoken of in his last answer, were the first steps to be taken by the infantry forces in the way of a forward movement?

Answer. I presume that this proposition was the first step towards the attack upon the city, without any attempt upon Chapultepec, further than clearing the outworks of that castle that would be obstructions in the passage. That, I presumed, was the first movement intended to be made by infantry. I don't know that anything was said as to the establishing batteries.

Captain R. E. Lee recalled:

Question by prosecution. What does the witness know about Major General Scott's plan of attack upon the castle of Chapultepec; was it, or not, substantially the same that was executed on the 12th and 13th of September last, involving a cannonade and bombardment, and the use of scaling ladders; and was, or not, that plan the same developed by the said Scott, at and before the meeting or conference at Piedad?

Answer. I believe the plan that was executed was substantially the one that had been contemplated by General Scott at the time that he proposed to attack it at the meeting at Piedad. He, at that time, stated that after cannonading the work for one day, that the work would be so shattered as to be abandoned by the enemy, or reduced to a state that it could be easily carried by assault. I recollect that, on the 12th, after all the batteries had been playing on the castle for some hours, and under cover of which I, with Lieutenant Tower, had reconnoitred the works and approaches to the building on the crest of the hill, that Lieutenant Beauregard came to me and said that General Scott desired to see me. I returned with Lieutenants Beauregard and Tower to Tacubaya, and found General Scott in the plaza in front of his quarters, who expressed much disappointment at not having seen me before. He said that he had wished to know the effects of the cannonade upon the enemy's works, that he might decide whether it would be better to assault the castle that evening or the next morning. That he had directed storming parties to be organized from General Worth and Twiggs's divisions, and scaling ladders to be collected. That General Pillow was to attack from the direction of Molino del Rey, and General Quitman along the road from Tacubaya; and asked, that if the assault was postponed until the next morning, whether the enemy during the night would not repair the damages



sustained from cannonade that day. I expressed my apprehensions that they would, when Lieutenant Tower joined us in the same. General Scott said, then we must attack this evening, and turned towards his quarters. After Lieutenants Beauregard, Tower, and myself, speaking of the necessary preparations, I followed General Scott and told him, that perhaps, upon the whole, the attack had better be delayed until next morning, as I feared there would be hardly time that evening. He readily assented, as he appeared to be more in favor of the morning attack. Lieutenants Beauregard and Tower, and myself, then reported to him more in detail the result of our examinations, and explained, by a diagram, the position of our batteries, those of the enemy, and the approaches to the castle of Chapultepec. He, also, General Scott, went more fully into the plan of attack; said that he would direct General Twiggs to renew the feint attack on the San Antonio gate next morning at daylight, and the batteries against Chapultepec to resume their fire a short time afterwards, and after continuing it for one or more hours, to make the enemy believe that we were repeating the game, or attack, played that day, at a concerted signal, which would be the cessation of the fire of the batteries, that the attacking columns would move to the assault of the hill; that General Pillow would support one of the storming parties with one of his brigades, and with the other move on the road on the northwest side of Chapultepec, to cut off any reinforcements that might approach from the city, and take in reverse the batteries on the Tacubaya road; while General Quitman, with his division and the other storming party, would make the attack on the southeast side; that he had sent to desire Generals Pillow and Quitman to visit him that evening, and he wished me to return at that time. I did return, and upon the arrival of General Pillow I was called into an inner room, and General Scott desired me to explain the general plan of attack, of which he had spoken that afternoon, which I did.

Question by prosecution. What did the said Scott say to the witness, in the conversation just alluded to, if anything, respecting the capacity of our batteries to reduce again, the next morning, the garrison to its minimum number, in case it should be reinforced in the night of the 12th?

Answer. That was one of the arguments that he used to show that we should not loose anything by postponing the attack until next morning; and he added, moreover, that we should have the remainder of the day to take advantage of circumstances, after carrying Chapultepec.

Question by prosecution. Did the witness ever chance to hear the said Scott say to Major General Pillow and Quitman, or to anybody else, that those major generals were to march around the hill of Chapultepec and shake hands, at some point at the foot of said hill, and what, if anything, did he, the witness, hear the said Scott say after the meeting at Piedad, to the said Pillow or Quitman, on the same subject; and did the said Scott say, subsequent to that meeting, to those generals, or anybody else, anything to contra-

dict, or materially to modify, what he had laid down in the meeting at Piedad?

Answer. I don't recollect having heard General Scott say that Generals Pillow and Quitman were to march around Chapultepec; I recollect on the evening of the 12th, at this interview with General Pillow, that General Scott said that General Pillow was to make the attack on the side of Molino del Rey, passing through those buildings and the wood or grove, with one of his brigades, and assault the work along the ridge; I never heard General Scott say anything contrary to the principle of the attack proposed by him at Piedad.

Question by prosecution. Had, or had not, the witness many official and other interviews with Major General Scott, between the 7th and 12th of September last, and what difference, if any, did the witness observe in the energy or want of energy of the said Scott, at that period, and on previous occasions in operations against the enemy?

Answer. I had many interviews with General Scott during that time; I did not perceive any want of energy, but on the contrary he was very anxious and active in pushing the preparations, establishing the depots and hospitals, preparatory to making the attack upon the city. I did not perceive any difference in his acts at that time, and any other times during the campaign.

Question by defence. Witness will state if, after Generals Pillow and Quitman arrived, on the night of the 12th, General Scott had not a rough diagram of Chapultepec and its outer works, and the roads, worked with pencil upon a paper, laying on the table, upon the generals' above mentioned arrival?

Answer. There was a diagram used at that interview; and it was the one of which I had previously spoken. I don't recollect whether General Quitman had arrived at the time.

Question by defence. Did he, General Scott, or yourself, explain the diagram, and General Scott's views of the plan of attack by the two infantry divisions, to Generals Pillow and Quitman?

Answer. I explained the diagram, according to General Scott's request, to General Pillow. The proposed movements of the divisions were also explained by me; General Scott occasionally taking part in the conversation, in reference to any particular point under discussion.

Question by defence. Does not witness know that General Scott suggested, that night, that he desired General Pillow to pass around Chapultepec, on the road north of that work, and that Quitman should approach by the Tacubaya road; that the two major generals should shake hands at the junction of the roads, and make Chapultepec feel its isolation, and then attack Chapultepec; were not views, substantially such as these, expressed by General Scott; and did not General Pillow express decided opposition to this plan, upon the ground that it would require a battle to be fought at each battery on the two roads, and then, afterwards, another one, in storming Chapultepec itself?

Answer. I recollect, distinctly, that General Scott proposed one



of General Pillow's brigades to pass along the northwestern side of Chapultepec, for the object which I have already stated, and that the other brigade was to attack Chapultepec, passing through the grove at the foot of the hill. To this separation of his division General Pillow did object, and stated that, if General Scott would allow him to make the attack upon the hill or castle of Chapultepec with his whole division, he thought he could answer for the result; but, if his division was separated, as he would only be with one brigade, he could not. General Scott then assented that he should make the attack upon Chapultepec with his whole division; the only difference of opinion on this point, that I recollect, between Generals Scott and Pillow was, that the former considered one brigade sufficient to carry Chapultepec, whereas the latter desired both. As I have stated before, I do not recollect that General Scott desired the divisions of Generals Pillow and Quitman to pass around Chapultepec.

Question by defence. Did witness hear nothing of Generals Pillow and Quitman shaking hands, and making Chapultepec feel its isolation?

Answer. I do not recollect either that that expression was used, or that they entered into the plan.

Question by defence. Did he hear nothing of the remark of General Pillow—"Why fight three battles, instead of one?"

Answer. I do not recollect of hearing those remarks, or anything like it. At this length of time I may recollect the substance of conversations, but not the particular remarks used in those conversations.

Question by defence. Does not the witness know that General Pillow did himself voluntarily send two of his regiments (the 11th and 14th infantry) around that road on the north; and may he not, therefore, doubt his memory as to the point objected to by General Pillow?

Answer. I have seen, in his report, that a part of his command did advance on that road; I did not know it at the time he made the attack upon Chapultepec. When he, General Pillow, made that attack, I saw a force left in the Molino del Rey, which I supposed was a guard to Magruder's field battery; and that this was the force that subsequently advanced on the road on the northwest side of Chapultepec. I think I have a distinct recollection of the difference of opinion between Generals Scott and Pillow, as regards the movements of the two brigades of his division.

The court then adjourned till Monday morning at 9 o'clock.

MEXICO, April 16, 1848.

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

Major General Scott present.

Major General Pillow before the court.

Colonel B. Riley, for defence, recalled:

Question by defence. Was witness upon the battle field of Contreras, on the 19th of August; if so, he will please state his movements upon that field upon that day?

Answer. I was upon the battle field of Contreras, upon the 19th of August last. After Twiggs's division joined General Pillow on the hill, in front of the works, General Pillow rode up to my brigade and gave me two or three orders, to move a little to the right, or a little to the left, and finally, to move forward. After halting a short time there, General Pillow gave me an order to cross the pedregal. I asked him if General Twiggs knew of the order. He said he did; that he had sent the order to him. I think the direction was, as well as I can recollect, to cross the pedregal, turn the enemy's left, and he would support me. He had scarcely done speaking when Lieutenant Brooks, the acting adjutant general of the division, came up, and gave me a similar order. I executed the movement, and did not see General Pillow again that day.

Question by defence. Where was witness when the order spoken of by General Pillow, was delivered; was he at, or near the base of the hill, and where was witness's command when Brooks delivered the order?

Answer. I was on the left flank, I think, of the brigade, near some trees, and the brigade was in the same position, when I received the order through Lieutenant Brooks, as it was when General Pillow gave the order; I was near the pedregal.

Question by defence. When witness asked General Pillow if General Twiggs knew of the order then given him, (witness,) did or did not General Pillow say to witness that he had given Twiggs the same order, and told witness he would probably meet Twiggs, who would deliver him the same order, and if he did not meet Twiggs, that he (witness) would go forward and execute the movement without further order?

Answer. He did say that he had given the order to General Twiggs; he did tell me to go forward and I would probably meet General Twiggs; who would give me the same order, about the corn-field, but if I did not meet him, to go forward and execute the movement.

Question by defence. Does witness recollect that General Pillow pointed out any object, in, at, or near, the village of Ensalda, and directed him to make that object his guide in crossing the pedregal, and if so, what object?

Answer. I don't recollect of any observation of the kind.

Question by defence. Did witness see and understand from the movement of General Smith's brigade and the explanation and orders given him, (witness,) that General Smith had then moved off to attack the enemy's works in front; and did witness understand that he was to turn the enemy's left, and gain his rear; and if so, for what purpose?

Answer. General Smith's brigade had moved off, as I understood, to support Magruder's battery. I never heard anything of the attack on Contreras; how it was to be made, or anything of the kind at that time. I supposed that the attack was to be made in