

self with my right hand on his left shoulder, he was struck by a cannister shot, which shot struck a limb in a tree, broke it off, and glanced and struck him. I heard the ball hit him, and discovered from his complexion, and the appearance of his face, that he was about to fall. I slipped my hand from his shoulder to his back, and prevented him from falling, and assisted him to near the root of a tree; and while he was moving, with my assistance and that of another man, towards the tree, he spoke out as loud as he could, and ordered the charge. I laid him near the tree. At this time some other officer and some men, whom I had called, came to him. He then ordered me to leave him and move on to my company as fast as possible.

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

CITY OF MEXICO, *April 11, 1848.*

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

General Scott present.

General Pillow before the court.

Lieutenant Bennett under examination:

Question by defence. Witness will state if he knows at what time General Pillow was carried to the top of the hill, and into the works of Chapultepec; also, whether or not there was any firing by the enemy into the work, or from the work into the battery below, and into the forest at the base of the hill. Witness will state his recollection of the matters referred to in the question?

Answer. After leaving General Pillow, I passed up the hill on the westward side of it, to the corner of the entrenchment at the western part of Chapultepec, under a very heavy fire of grape, cannister, and musketry. The three regiments were all on the hill, and mixed together. It was impossible, at that time, to have formed a company out of any one regiment, they were all so mixed together. When I arrived at the entrenchment, the voltigeur flag was flying above the walls; Captain Barnard was in the entrenchments. The flag received from thirty to sixty balls through it. It was a very small flag, too. While remaining in the entrenchment, between the two walls, Captain Barnard was struck with a ball as he went to look over the wall, by means of a small ladder which, I think, had six rounds in it. We were waiting at this time for the ladders, though at that time I was not aware of it. As soon as I ascertained that we had to wait for the ladders, I ordered a sergeant of the 15th infantry back. He met the ladders about thirty yards from the entrenchments on the hill; got one and brought it to me in the entrenchment. As soon as I received it, I ran one end over the wall towards the inside of Chapultepec. I was not tall enough to reach the hind end of the ladder over the back wall, and so I took the small ladder and passed it over the back wall; and just at this moment, there were three cheers given by the regiments outside, and thus moved across the

wall, the ladders having nearly all arrived at that time. I believe I was the third one that crossed on the ladder I put up myself. I believe I was the seventh one in the fortification; at least, I have proof of it. I immediately proceeded towards the front yard; on arriving at the corner of the main building of Chapultepec, the men that were with me commenced firing on the windows of the end of the building, second story. I made them cease firing. I could see no enemy there, and ordered them to follow me into the front yard. As I turned the corner into the front yard, I was fired upon by the enemy from the parapet on the end this way towards the city, and one of the men wounded in the shoulder, and the fire returned, and the enemy retreated. I proceeded immediately to the sand bags or bomb proof, in front of the building; looked under them to ascertain if there was any enemy there; found none. At this time I heard a very heavy firing under the hill near the gate. I ran to the front wall of Chapultepec, and discovered the enemy in the fortifications near the gate, three files deep. I ordered a fire on the enemy from the front wall of Chapultepec, which was done, and caused the enemy to retreat out of the fortifications below. The enemy now began to fire on Chapultepec from the garden below, from among the bushes and trees. I immediately passed round to the east end of the building, for the purpose of cutting off some in their retreat, or not exactly to cut off their retreat, but to kill as many as possible in their retreat. In passing towards the east end of the building, I discovered the steps that led up to the parapet, and moved up there, with some fourteen or fifteen men with me. When I arrived at the extreme end of the east parapet, I discovered the enemy retreating in the edge of a cornfield close to the San Cosmo road. I caused three fires to be made on them by the men that I had with me. By this time a company of the 14th infantry, pursuing the enemy, came between the enemy and me, and interrupted my fire. I then returned immediately to the steps leading down off the parapet, and when I reached the head of these steps, Lieutenant Beckett, of the 15th, and Lieutenant Pickett, of the 8th, were disputing, with their swords drawn, who should hoist the flag first on the pole. When I got into the front yard, General Pillow was carried past me and was laid down under a shed, on a blanket, or something that appeared very much like a blanket, on some boards. All the time, while on the parapet, we were fired upon from the garden below. The shots went above our heads, and did not hit any body. I believe it was the retreating enemy who fired on us. After I had passed the east end of the castle, a sergeant who was standing on top of the building and holding his flag near the edge, was wounded; that is, according to Colonel Howard's report.

Question by defence. From the time you saw General Pillow inside the work, and from the time at which the firing was kept up from the base of the hill into and against the work, are you satisfied, or not, that General Pillow was brought into the work while the fire, from the base of the hill across the south front and into the works, was kept up?