

Answer. I should judge that from the time I got from the parapet into the front yard, that General Pillow must have been somewhere near the walls, but could not have got into the work before the firing ceased.

Question by defence. Must General Pillow, or not, have been on the hill, moving to the work, some time before you saw him in the work?

Answer. Yes; he must have been in sight of the flag when it was struck, from the time that I met him and the time that I left the parapet.

Question by defence. About how many minutes after you entered the work, was it before General Pillow was brought into the work? Say also if General Pillow was, or not, almost immediately removed from the position he was first laid in and placed upon the wall?

Answer. I don't know that I can come exactly to the time. It was, I think, about fifteen minutes, judging from the time it takes to load and fire, and to walk the distance I have mentioned. I saw General Pillow pass through the yard and laid down, as I before said, but I did not see him on the wall.

Question by defence. Was the fortification you have referred to near the gate, the battery of the enemy which General Quitman was, at that time, assailing on the outside of the outer wall?

Answer. Yes, it was the battery, and the enemy did not retreat until the fire from Chapultepec caused them.

Question by prosecution. The witness, in his answer to the first question put to him by the defence, speaking of the orders sent to the 15th infantry, has used the expression, many times, *as I understood*. Did the witness derive his understanding of those orders and movements *direct* from either Major General Pillow, one of his staff officers, or from the commanding officer of the 15th infantry?

Answer. I heard the order to advance across the pedrigal given by Captain Hooker to Colonel Morgan. Nearly all the officers of the regiment were standing together at the time when he rode up and gave the order. The first order I understood as coming from General Pillow, as he was commander of the field, and the second order I heard myself from Captain Hooker.

Question by prosecution. From whom did the witness get what he says he understood in the *other* instances alluded to in his answer to the *first* question propounded to him in this court?

Answer. I don't recollect the persons whom I got it from at the time.

Question by prosecution. Does the witness know that Captain Hooker, from Major General Pillow, met Major General Scott before the latter reached the mound overlooking the field of Contreras; and if so, how could the said Hooker be, at the same instant, with the 15th infantry, near the distant corn-field, and Taylor's battery, in the act of shewing the fifteenth the route across the pedrigal?

Answer. I am satisfied in my own mind that Captain Hooker did not reach General Scott till after our regiment had started

across the pedrigal, for we were moving at the time that General Scott arrived on the field, and Captain Hooker left and rode towards him.

Question by prosecution. Witness says he is satisfied his regiment was moving when "General Scott arrived on the field." Did not the regiment move and halt several times in a short period; who gave or brought the orders for those several halts and movements, and from what halt was the regiment in march when the witness first observed the arrival of the said Scott?

Answer. The regiment moved and halted twice. One was a very temporary halt, ordered by Colonel Morgan, just long enough to give the troops ahead time to get out of our way; and it was after that temporary halt that the advance of the regiment was moving across the pedrigal that General Scott arrived on the field. The second halt was ordered by Colonel Morgan, and I supposed it came from General Pillow, as Colonel Morgan rode from the side of the hill where General Pillow was, and ordered the halt. The order to move from the second halt was through Captain Hooker, who continued with our regiment until General Scott arrived on the field.

Question by prosecution. At what point, and for what purpose, was the "temporary halt" made? Did not the regiment make another halt near the corn-field; and, if so, how long was the second halt?

Answer. The second halt I have testified to before, as the one ordered by Colonel Morgan on his return from the hill-side. Soon after, Captain Hooker came up and ordered it to move. The third halt is the one I term the "temporary" one. It was made, as I stated before, for the purpose of enabling the troops ahead to get out of the way, to give the fifteenth regiment an opportunity of advancing. This halt was at the edge of the pedrigal and the corn-field, near the place where we started to cross.

Question by prosecution. Does the witness remember to have seen a staff officer, from the said Scott, pass the 15th infantry, whilst it was at a halt near the corn-field and Taylor's battery?

Answer. No.

Question by prosecution. How far had the 15th infantry advanced into the pedrigal when the witness heard the cheering he has spoken of?

Answer. The first company was just getting into it, and starting over. The rear had not moved yet at all.

Question by prosecution. Might not the cheers, of which the witness has spoken, have been given to Shields's brigade as it passed the mound where the two major generals, and many other officers, were standing?

Answer. No; I am positive it was to General Scott. I heard the cheers given very loudly before I saw General Scott, and I looked that way and discovered it was General Scott. This was before I had moved at all from the third halt.

Question by prosecution. The witness has spoken of the 15th infantry being delayed in its advance into the pedrigal, by waiting



for the route in front to be cleared of other troops. What troops in front caused this delay?

Answer. I think it was, as well as I can recollect, a part of Cadwalader's brigade. There was, also, some troops moving towards the front of the enemy, and through the corn-field to the support of Magruder's battery, who were in our way.

Question by prosecution. Did the witness hear Major Wood's testimony before the court, some days ago; and, if so, did not the witness, the day following, say to an officer that the witness's recollection of the events of the 19th of August last, respecting the times at which the 15th infantry was put in motion, and the arrival of the said Scott, agreed with Major Wood's testimony?

Answer. I did hear Major Wood's testimony, and I stated to some person, who asked me the question, what I knew about the orders that were given on that day. I told him that there was not much difference between Major Wood's testimony and my own. I, at the same time, spoke to the other officer, who was with me, to recollect the words I might use, in order to prove what I did say. I was also told by the other officer that there had been a great many inquiries of a similar character made before, and that I had better be cautious. I did not say that my recollection agreed with Major Wood's testimony. I said it was similar. Major Wood was asked but a few questions, and I have been asked a great many. If I had been asked the same number of questions that Major Wood was, there would have been but one single instance of a difference, I think.

Question by prosecution. Has the witness any reason to know or to believe that General Scott was aware that the witness would be called to testify in this case, before the witness was actually at the witness stand?

Answer. None that I know of. I conversed a little with General Scott, but not on that subject. The only reason I could give is this, that after being examined by an officer to know what I could prove, I should judge from the officer who examined me; General Scott was aware that I would be a witness against him. Lieutenant Schuyler Hamilton questioned me, and Lieutenant Martin, of the dragoons, was with me.

Question by prosecution. When General Scott accosted the witness some days before he was called, and asked him his name and regiment, did either allude to the witness being likely to be examined by this court?

Answer. No; There was nothing said about it.

Question by prosecution. When the witness first saw General Pillow on the hill of Chapultepec, or within the work, had the enemy's fire from the castle entirely ceased, or ceased in the direction of the forest or grove to the west of the hill, and if so, how long had the enemy's fire ceased in the direction of Major General Pillow?

Answer. It had ceased, I should judge, some minute and a half or two minutes. When I left the parapet to come down into the front yard, I saw General Pillow. When I left the parapet, there

was still firing upon it; scattering shots. It had ceased to the west of the hill half an hour before that. I had moved over the west of the hill half an hour before that. The fire came from the east of the hill. The enemy were firing from the garden, on the east of the hill, upon our men on the parapet; scattering shots they were. I mean by the parapet, the east end of the castle, with an iron railing around it on the top.

Question by prosecution. Has the witness ever had any conversation with Major General Pillow, on the subject of brevets, or a brevet, and if so, state the substance of what was said?

Answer. No; I never had any conversation with General Pillow on the subject of brevets.

Question by prosecution. Has the witness ever held any conversation with Major General Pillow, or either of his staff, on the subject of doing the witness justice, and if so, state the substance?

Answer. I never have, except once, spoken to General Pillow about it, and I will state what I said then. That was nothing respecting the storming of Chapultepec at all. It was respecting the battle of Churubusco. I was wounded in that battle. Colonel Howard, in his report, spoke very well of me. When General Pierce made his report, he spoke of Lieutenant Becket, fifteenth infantry, instead of Lieutenant Bennett. I suppose it was a mistake from the similarity of names. Lieutenant Becket's name was not in the report of Colonel Howard, but mine was; and as soon as I saw the report of General Pierce published, and my name was not published, I called on General Pillow to ascertain if he had a copy of the original report of General Pierce. I wanted to see whether the mistake was made by General Pierce, or the editor, in copying. He had no copy of the report, and it has never been corrected to this day that I know of. To the best of my recollection, I asked him if he would not write to Washington to the Globe, or some prominent newspaper, and have it corrected, but I have never seen any thing of it, and don't believe it has ever been done. General Pillow has never offered me anything, in any shape or form to my benefit that I know of; but instead of that, I have made General Pillow a present of a cane, which was made out of the limb that was cut off by the ball that struck him, for his gallantry for storming Chapultepec.

Question by defence. Is the iron railing spoken of, on the parapet of the platform, surrounding the castle, or is it on the top of the castle? where is the iron railing spoken of?

Answer. The iron railing is on the top of a wall about two feet high, which runs around the top of the castle on the east front.

Captain J. Hooker, assistant adjutant general, recalled for defence:

Question by defence. Was witness on the battle field of Contreras, on nineteenth August last, and in what capacity?

Answer. I was there, and in the capacity of assistant adjutant general to Major General Pillow's division, (the third.)