

Question by prosecution. Was the witness in the rear, and holding Major General Pillow's horse, when the Mexican officer was shot by the said Pillow?

Answer. I was not; he was on horseback.

Question by prosecution. Has witness ever served in any regiment of the American army, before entering the 15th infantry; and if so, how was he discharged from that former regiment?

Answer. I have. I belonged to the 2d artillery, company H, commanded by Lieutenant Sedgwick, I think, is the officer's name. I was under age—about twenty years old at the time. I was taken out, by my mother authorizing my uncle to get a habeas corpus. The regiment lay, at that time, at Buffalo.

Question by defence. Witness has been asked if he had, upon any visit to General Pillow, signed any statement of the facts in writing. Witness will say if he has signed such statement at any other place; and if so, *where* he signed the statement?

Answer. I have; at the castle of Chapultepec.

Question by defence. Who requested witness to sign the statement, and who drew it up.

Answer. Lieutenant Ripley.

Private B. Carrol, company D, 2d artillery, for defence, duly sworn:

Question by defence. Was witness in the battle of Churubusco, and what duty was he on that day?

Answer. I was employed as interpreter in the commissary department, and was in that battle.

Question by defence. State what you know about a Mexican officer being shot from his horse that day, and where it occurred; state also, what became of the horse after the officer was killed?

Answer. I went up to the mud fort that was on the right and front of the church. In going there, I found it was still occupied by the Mexican troops, which caused me to retire by the road. I heard some big guns firing, as I thought, from the bridge head; and on looking round to my right, I observed the Mexicans retreating from the church. One which I took to be a colonel, came over in the direction of the road where our troops were. I went towards the field which he was in; seeing I could not get my horse to cross the ditch, I dismounted and gave my horse to a musician. At this time there came up what appeared to me to be some officers mounted. I then crossed the ditch, which I had some difficulty in doing. While crossing, there were some shots fired close to the ditch, at the part where I was crossing; when I gained the other side of the ditch, I observed the officer fall from his horse. Some voice spoke to me that was among the persons that were mounted on the road, and said, "my man, you will catch that horse for me." I turned round to see who addressed me, and from the appearance of the person whom I thought addressed me, I thought the person was a general officer. I then advanced and caught the horse, and from the appearance of the saddle and bridle, and sword, scabbard and belt, which were attached to the pommel of the saddle, I believed that he must have been an officer of some

rank. A man came to me and demanded the horse from me, to whom I would not give him up. Lieutenant Longstreet, 8th infantry, next came to me and addressed me by name, and ordered me to give up the same horse, which order I obeyed. After I delivered the horse I came out of the field, mounted my horse, and followed Captain Kearny's dragoons within a few hundred yards of the garita. After returning, I reported the circumstances of Lieutenant Longstreet taking the horse from me, to Captain Armstrong, Colonel Duncan, Colonel Garland, Captain Mackenzie, Captain Brooks.

Lieutenant R. Drum, 9th infantry, for defence, duly sworn:

Question by defence. Were you present at the storming of Chapultepec on the thirteenth of September; if so, state what you know in relation to General Pillow's being wounded at the foot of the hill, and the dispositions made for carrying him up the heights?

Answer. I was present at the storming of Chapultepec. Shortly after we ascended the hill, the enemy being driven from the outworks, I was ordered, I think by Colonel Andrews, to give his compliments to General Pillow, and tell him that the outworks were carried. I obeyed the order immediately, and after informing General Pillow of what I knew personally, he directed me to have some men brought to carry him up the hill. I got together six men who I found laying at the bottom of the hill, and after I instructed them to carry him up immediately, General Pillow gave me orders to leave and go to my post.

Question by defence. What does the witness mean by the enemy's *outworks* in his previous answer?

Answer. We were laying at the top of the hill at the west side, on the outside of the ditch, and the enemy was driven from his ordnance on the inside of the work. This is what I understood Colonel Andrews to mean by "the outworks are carried."

Question by defence. After directing the men to carry General Pillow up the hill, did you get back to the summit before the troops began to cross the ladders in the work?

Answer. Yes.

Question by defence. Does the witness know the exact time General Pillow was brought into the works at the summit of the hill, and where he was placed?

Answer. I do not.

Question by prosecution. Had Colonel Andrews, at the time he gave the witness the message to Major General Pillow, then just left the said Pillow?

Answer. I cannot say.

Question by prosecution. In returning from Major General Pillow towards the castle, was there any fire from the enemy in the castle towards the west, or towards the position in which the witness had left the said Pillow?

Answer. Yes; I considered a person in much more imminent danger at the foot of the hill, than when on the hill?

Question by prosecution. What firing was it, from the castle to-