

The court continued the examination of the evidence.
The court, at 3 o'clock, adjourned until the 29th, at 9 o'clock.

WASHINGTON, June 29, 1848.

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

The court continued the examination of the evidence.

The court, at 3 o'clock, adjourned until to-morrow morning, at 9 o'clock.

WASHINGTON, June 30, 1848.

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

The court continued the examination of the evidence.

The court, at 3 o'clock, adjourned until to-morrow morning, at 9 o'clock.

WASHINGTON, July 1, 1848.

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

The court came to the annexed finding and opinion.—See part eighth.

The court then adjourned.

N. TOWSON,
Brevet Brigadier General, Pres.

S. E. RIDGELY,
Captain 4th artillery,
Judge Advocate and Recorder.

CHARGES AND SPECIFICATIONS PREFERRED AGAINST MAJOR GENERAL
G. J. PILLOW, UNITED STATES ARMY.

CHARGE I.

Violation of a general regulation or standing order for the army.

Specification. In this, that the said Major General Pillow did, at Mixcoac, or other place, near the capital of Mexico, on or about August 27, 1847, write and despatch, or caused to be written and despatched, for publication, in some newspaper of the United States, a letter, article, or communication, purporting to give an account of certain military operations between the forces of the United States and those of the republic of Mexico, on the 19th and 20th of August, 1847, in and about Contreras and Churubusco, near the said capital; in which operations the said Pillow bore a part, and which letter, article, or communication, as was intended and designed by the said Pillow, was, in due time, under the signature of "Leonidas," partially printed and published in a New Orleans newspaper, called *the New Orleans Daily Delta*, of the date of September 10, 1847; a copy of which is hereto annexed, and reprinted entire, both in *the Bulletin* and *the Daily Picayune* of the 15th and 16th of the same month, other newspapers of the same city, copies of which are also hereunto annexed; all this pending the campaign between the said forces of which the said operations made a part.

CHARGE II.

Conduct unbecoming an officer and a gentleman.

Specification 1. In this, that in order falsely to magnify the generalship, valor, and prowess of the said Major General Pillow, in the public opinion of the United States, through the newspaper press of that country, and hastily to pre-occupy that opinion, at the expense of other commanders in the same fields of Contreras and Churubusco, as well as in utter disregard of truth and decency, the said letter, article, or communication, signed "Leonidas," written, despatched, and published as aforesaid, contains, among others, the following false statements and assertions:

1. That "the action [meaning that of Contreras, commenced on the 19th of August, 1847] had now become with the advancing forces very severe; and General Pillow seeing five or six thousand men advancing from the city to reinforce the enemy, whom he apprehended would fall upon General Cadwalader's rear, detached from General Pierce's brigade Colonel Morgan's regiment, (which

was yet within reach,) and ordered it instantly to the support of General Cadwalader;" whereas, it was Major General Scott, who, being then up, early in the afternoon, with the said Pillow, and seeing the advancing reinforcement of the enemy, directed him, the said Pillow, to push forward the said Morgan and his regiment, then in reserve, to the support of the said Cadwalader.

2. That "late in the evening General Scott came upon the field, and brought with him General Shields's brigade of volunteers, whom he advanced to the support of the forces then under General Cadwalader, but it was so late they did not get into position until in the night;" whereas, the said Scott did not bring with him Shields's brigade, but had, early in the afternoon, (not evening,) preceded that brigade, and had, long before its arrival, personally given the said order to the said Pillow, to push forward the said Morgan and his regiment to the support of the said Cadwalader; and whereas, also, the said brigade of Shields was not only up in time to bear a most important part in the general action of Contreras, early in the morning of August 20, 1847, but to give strength and confidence to the position of the said Cadwalader and others, near Contreras, in the preceding night.

3. That "the next morning, before daylight, the brigade of General Pierce advanced in execution of the original order of battle, renewed the assault in front," &c., designing it to be understood, by those words, that this movement, also, was made by the direction of the said Pillow; whereas, the movement in question, was made by order of the said Scott, given through Captain Lee of the engineers, who had brought to the said Scott a suggestion, to that effect, from brevet Brigadier General Smith, then the senior officer, at the village or hamlet near Contreras, the enemy's entrenched camp, and with the conception or execution of which movement the said Pillow had no agency whatever.

4. That "having achieved this signal victory, General Pillow immediately resolved to pursue the retreating forces of the enemy," evidently claiming and designing it to be understood by those words, that the victory of Contreras early in the morning, August 20, 1847, was achieved by, or under the command of the said Pillow; whereas, the said Pillow had slept the night before at San Augustin, from four to six miles from the American troops who achieved that victory, which had been decided and rendered perfectly complete, long before the said Pillow had come up from San Augustin, that morning, or had arrived within communicating distance of the said field of battle.

5. That "during this great battle which lasted two days, (meaning the military operations of the 19th and 20th of August, 1847, including the battles of Contreras and Churubusco) General Pillow was in command of all the forces engaged, except General Worth's division, and this was not engaged except in taking the last work," meaning the *tete de pont* of Churubusco; whereas the said Pillow was not in the actual command of the troops, nor of any part of the troops who gained the said victory of Contreras, nor did he command more than one brigade of infantry (Cadwalader's) in the

battle of Churubusco that followed on the same day, and the said battle of Churubusco being the only conflict in which the said Pillow participated or had any agency whatever, on the said day.

6. That "General Scott gave but one order (meaning during the same two days, August 19 and 20th, 1847, on the occasion of the same battle or battles of Contreras and Churubusco) and that was to reinforce General Cadwalader's brigade," meaning with that of Shields, in the afternoon of August 19, 1847—designing by those words that it should be understood and believed that he, the said Pillow, was the general planner and director of all the operations of the said two days; whereas, the said Pillow himself, in common with other principal commanders, received many orders from the said Scott, during the said two days, which orders contained the only general plans of battles and operations which were followed or executed, so far as the said Pillow was concerned, in the said two days.

7. "The general's (meaning the said Pillow's) plan of battle (meaning at Contreras) and the disposition of his forces (meaning the said Pillow's) were most judicious and successful," and that "General Scott was so perfectly well pleased with it (meaning the said plan) that he (the said Scott) could not interfere with it, but left it to the gallant projector (meaning the said Pillow) to carry into glorious and successful execution; whereas, the plan of attack or battle, upon, or at the entrenched camp, at Contreras, so successfully executed on the morning of August 20, 1847, was conceived and determined upon by brevet Brigadier General Smith, the immediate commander of the troops who, under the said Smith's command, carried the said camp, at a time when the said Pillow was many miles off, and had had no communication whatever, direct or indirect, with the said Smith, nor any communication whatever, with any of the troops then under the said Smith's command, after an early hour in the previous afternoon; except merely in transmitting, about the middle of the same afternoon, the said Scott's orders to the said Morgan's regiment, to support the said Cadwalader, which was one interference, on the part of the said Scott, with the said Pillow's pretended "original order of battle;" and the said Scott, in the course of the following night, (August 19th,) further interfered, in the presence and hearing of the said Pillow, with his, the said Pillow's pretended "original order of battle," by sending the said Captain Lee to order and to accompany Colonel Ransom with the 9th infantry, and some detachments of other regiments, to attack the said camp of Contreras, in front, early the next morning according to the suggestion of the said Smith, brought to the said Scott, by the said Captain Lee.

8. That being at the said battle of Contreras, provoked thereto by the menacing advance of an isolated Mexican officer, he, the said Pillow, did rush at full speed upon the said Mexican, and singly, after a long and severe conflict, disarm and slay the said Mexican; whereas, the said Pillow had no such conflict with any Mexican officer or other Mexican on the said 19th of August, nor at any other time; and was not on that day, at any moment, per-

sonally, within musket shot of the enemy's entrenched camp or any Mexican line of troops.

Specification 2. In this, that the said Major General Pillow being at Mixcoac, near the capital of Mexico, on or about August 27, 1847, and knowing that Major General Scott, commanding general of the United States forces in Mexico, had called from the several principal commanders under him, and in direct communication with him, for the usual reports, to aid him, the said Scott, in drawing up his general report of the recent operations of the said forces, in and about the said fields of Contreras and Churubusco, in the valley of Mexico, and that the said Scott would not be able to finish and despatch the said general report in many days after the said 23d of August, by reason of the known delays in sending in the said sub-reports; and the said Pillow, further knowing or believing that James L. Freaner, esquire, then at hand, agent and correspondent of the newspaper published at New Orleans, in the United States, called the New Orleans "Delta," or the "Delta" of New Orleans, was in the habit of sending off private expresses to Vera Cruz, in Mexico, with communications for the said newspaper, and was then intending and preparing to send off another such express, with communications to the said newspaper, the said Pillow, in order to anticipate the said intended report of the said commanding general, and to forestall public opinion in the United States, through the public press of the same, in his, the said Pillow's, favor—he, the said Pillow, did, on or about the said 23d of August, and at Mixcoac as aforesaid, write, dictate or cause to be written, a letter, article or communication addressed to the "editors, New Orleans Delta," which letter, article, or communication, with certain interlineations and additions in the proper handwriting of him, the said Pillow, was, by himself in person, delivered to the said Freaner to be despatched by the said Freaner for publication in the said newspaper, or to be incorporated in one to be written by the said Freaner, and to be despatched and published as above, which letter, article or communication so delivered by the said Pillow, is in the words, figures and marks, including erasures and interlineations as follows:

"Editors New Orleans Delta: Great battle of Mexico!!! commenced on the 19th, under command of Major General Pillow, having a force of 3,500 men. The enemy had 12,000 men, (of whom 5,000 were cavalry,) and 27 pieces of artillery.

"General Pillow's order for the attack was, that General Twiggs should advance with one brigade of his division and assault the enemy's strong work in front, while the other should turn his left wing and assail the work *in reverse*. He also placed, at the disposition of General Twiggs, Captain Magruder's battery, and Lieutenant Callender's howitzer battery, (both of which belonged to the proper division of General Pillow.)

Having thus opened the battle, he then advanced General Cad-

walader's brigade to support the brigade of Colonel Riley, who had moved to turn the enemy's left and attack in reverse, and advanced General Pierce's brigade to support General Smith, who had advanced to assault the work in front.

"The action had now become (with the advancing forces) very severe, and General Pillow seeing five or six thousand men advancing from the city to reinforce the enemy, whom he apprehended would fall upon General Cadwalader's rear, detached from General Pierce's brigade Colonel Morgan's regiment, (which was yet within reach,) and ordered it instantly to the support of General Cadwalader, who, seeing so large a force approaching his rear, threatening to overwhelm him, halted his forward movements, confronted the enemy in a strong position, and held him completely *at bay*.

"The forces under General Smith, Colonel Riley, and General Pierce, were hotly engaged with the enemy's strong battery and large force of infantry and cavalry, until it was quite dark. Magruder's battery and Callender's howitzer battery were both much cut to pieces and disabled. Late in the evening, General Scott came upon the field and brought with him General Shields's brigade of volunteers, who he advanced to the support of the forces now under General Cadwalader. But it was so late, they did not get into position until in the night.

"The next morning, before daylight, the brigade of Pierce advanced, in execution of the original order of battle, renewed the assault in front, while Riley's brigade, supported by Cadwalader, turned his left, assailed the enemy's works in reverse, and gallantly carried it, capturing a large force of the enemy, twenty-two guns, (among them those lost at Buena Vista,) and killing, in the general engagement, between 600 and 800 of the enemy.

"Having achieved this signal and brilliant victory, General Pillow immediately resolved to pursue the retreating forces of the enemy, and, while his troops were flushed with victory, give battle to a large force still in Santa Angelo, which he did, and drove them before him. He then sent an officer of his staff back to General Scott to say to him, if he would cause General Worth to co-operate with him, he would sweep around the valley and assault the strong works of San Antonio in reverse, and carry that place, so as to open the direct route to the capital for the advance of his siege train upon the other battery on that road. General Scott replied that Worth should co-operate with him. General Pillow moved rapidly around the valley at the head of his triumphant forces until he reached within one mile of San Antonio, where he halted to allow his troops a short time to recover their breath and exhausted strength, before engaging the enemy at San Antonio.

"While waiting for this purpose, General Scott overtook the army. At this moment it was discovered, at the distance, that the enemy (seeing their main work had been carried, and that they were about to be attacked in rear) had abandoned the work at San Antonio, and fallen back upon a second strong work at Santa Martha. General Scott, who now assumed command, immediately directed Twigg's division to advance upon the left and arrest and