The Daily Crescent.

FIFTEEN CENTS A WEEK. NEW ORLEANS, THURSDAY MORNING, APRIL 13, 1848. VOLUME II.....NUMBER 35.

MISCELLANEOUS.

CHARLES DEAKE & CO., *Commission Merchants and Ship Brokers*, 88 Common street. mh8

GEO. W. PRITCHARD, *General Broker*, No. 67 Gravier street, New Orleans. mh21 6m

GORDON PLUMMER, *Adjuster of Averages.*—Office at Lucien Hermann's, Marine Notary, *No.* 21 *Royal Street, New Orleans.* mh18 4m

JOHN O. WOODRUFF. JAMES E. WOODRUFF.
JOHN O. WOODRUFF & CO., *Commission Merchants and Agents for the Louisiana and New York Line of Packets*, No. 60 Camp street. mh5

A. D. GRIEFF & CO., *Wholesale Dealers in Butter and Cheese, and Agents for Taylor's Albany Ale and Porter and Newark Cider*, Nos. 28, 28 and 40 Old Levee, New Orleans. mh16 1y

S. A. KINGSLAND.
L. J. WEBSTER & CO., *Wholesale and Retail Dealers in Iron, Nails, Spikes, Tin Plate, Copper, Cordage, Oils, and a general stock of articles connected with the Iron and Ship Chandlery Trade*, 26 Gravier street, New Orleans. ap4 1y

JOHN H. STURGES, *N. Orls*.....W. S. WRIGHT, *Cincinnati.*
STURGES & WRIGHT,
COMMISSION AND FORWARDING MERCHANTS,
mh7 6m No. 86 Tchoupitoulas st., N. Orleans.

O. PIERSON. J. A. BONNEVAL.
PIERSON & BONNEVAL, *AUCTIONEERS*, No 67 Gravier street, will attend to the purchase and sale of Real Estate, Negroes and Merchandise; also, to the sale of Cargoes, Successions, Furniture, and all out-door sales; solicit from their friends and the public a portion of their patronage. mh10

M. H. MEYER, 100 *CAMP STREET*, Watchmaker and Dealer in JEWELRY, GOLD PENS, FANCY ARTICLES AND WATCHES. All Jewelry Articles repaired at moderate prices. mh18

BOTANIC DRUG STORE, *No.* 80 *Poydras street*, New Orleans, by
DR. A. A. JONES.

☞ ALEX'R CAMPBELL'S PUBLICATIONS for sale at No. 80 Poydras street, New Orleans, by Dr. A. A. Jones, his agent for this city. mh14

T. HARTNETT, *BOOT AND SHOE MANUFACTURER*,
No. 70 *St. Charles street*, New Orleans.
mh5 6m

CRESCENT FOUNDRY,
No. 55 *Girod st., New Orleans.*
STEAM and FIRE Engines, Printing Presses, and Machinery in general, made and repaired in a satisfactory manner.
☞ Brass Castings and Patterns made to order.
mh15 A. C. JONES.

J. NUTTALL—*HOUSESMITH and BELLHANGER*, *Lafayette street, near Camp street, New Orleans.* JOBBING, LOCKSMITHING, etc.
☞ Bellhanging done in the best manner on moderate terms. Store Door Bolts and Bars made to order. mh21 6m

ELECTRO-MAGNETIC PORTRAITS.

BY the application of the above mysterious agent to Daguerreotype, (a discovery of the subscriber's), the undersigned is enabled to produce Portraits of the most superior kind in a SINGLE SECOND—catching the precise expression instantly, and fixing it indelibly upon the silver plate.
Rooms corner of Canal and Chartres sts. Entrance No. 3 Chartres st. (public hall) mh7 1m W. H. HUTCHINGS.

HEMP!! HEMP!! HEMP!!!

THE undersigned, in order further to meet the views of the Board of Underwriters, have set apart, exclusively for the storage of Hemp and other extra-hazardous articles of merchandise, the ONE-STORY fire-proof Warehouse, (Orleans No. 2,) corner Delord and Magazine sts. The locality, and facility of receiving and delivering at the Warehouse, (there being no hoisting to the second story required,) renders this the most desirable place for this description of storage.
ap5 6m GEO. R. BEARD & CO.

PORTABLE SHOWER BATHS.

GREEN'S IMPROVED PORTABLE EXTENSION SHOWER BATHS, have received the diploma at the American Institute, New York, and Mechanics' Fair, Boston, as the best Shower Baths ever offered to the public. The subscribers would inform the public that they have been appointed agents for the above really excellent Bath, and are now prepared to furnish them at wholesale or retail, at moderate prices.
mh30 3m SAMPSON & KEEN, 57 Bienville st.

COPARTNERSHIP.

THE undersigned have formed a copartnership with a view of transacting a *COTTON FACTORAGE* and *GENERAL COMMISSION BUSINESS* in this city, under the style of THORNHILL & McILHENNY, to take effect after the 31st of May, next, at which time the connection of Jno. Thornhill with the house of Ward, Jonas & Co. will be dissolved.
R. McILHENNY has opened an office at No. 61 *Gravier street* for the purpose of attending to the wants of our friends who may think proper to entrust us with their business.
JNO. THORNHILL,
R. McILHENNY.
New Orleans, Jan. 28, 1848 mh5 3m

A. C. AINSWORTH, *Marine and Commercial Notary*, No. 38 Camp street.
Holding Commissions from the States of TEXAS, MISSISSIPPI, KENTUCKY, FLORIDA, NEW YORK, MISSOURI, ILLINOIS, INDIANA, TENNESSEE, PENNSYLVANIA, RHODE ISLAND, VERMONT, NEW HAMPSHIRE, DELAWARE, ALABAMA, MAINE, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA, NEW JERSEY, OHIO, and MICHIGAN, A. C. is prepared to take Depositions and Execute and Perfect all kinds of Legal Instruments to be used or recorded in said States and the Territory of WISCONSIN.
The usual promptitude at his office is continued in all Notarial Business. mh5

Saddlery, Harness, and Trunk Warehouse,

No. 11 *Canal street*, New Orleans.
A. A. HORTON has now on hand a large assortment of every style of Saddles, Bridles, Martingales, Coach, Gig, Buggy, Wagon, and Cart HARNESS; Gray Bolts, Collars, Whips, Stirrups, Bits and Spurs.—Also, a general assortment of INDIA RUBBER GOODS, together with the largest stock of Trunks, Valises, Saddle and Carpet Bags, ever before offered in this market, to which he invites the attention of purchasers, as all the above Goods will be sold at *Greatly Reduced Prices.*
☞ The subscriber has also the agency for the sale of SPANISH SADDLE TREES, of a great variety of patterns, and at the manufacturer's prices. mh7 6m

COPARTNERSHIP NOTICE.

THE UNDERSIGNED have this day associated themselves in the WATCH & JEWELRY BUSINESS, under the style and firm of KNOWLES & NOEL, at No. 25 Canal street, one door below Camp. We will personally attend to REPAIRING every description of FINE WATCHES, Clocks, Jewelry, etc. Twenty-four years' experience enables us to say to our friends and the public that our work shall perform to their entire satisfaction.
We have in store and will constantly keep for sale a handsome and well selected stock of WATCHES of the best manufacture, Jewelry, Silver Ware, Spectacles, Gold Pens, etc., all of which will be sold as low as any house in the city, and fully guaranteed. Please call.
mh18 6m E. KNOWLES, W. NOEL.

SOMETHING WORTHY OF ATTENTION.

THE proprietor of the St. Charles Loan Office invites the attention of the public to his large stock of unredeemed pledges, consisting of Watches, Diamonds, Jewelry, Specimens, Pistols, Clothing, Fancy Goods, Books, etc. etc. Persons who wish to purchase excellent timepieces for their own wear will find this an excellent opportunity to do so at a comparatively little cost. All the Watches offered for sale have been thoroughly examined and placed in perfect repair by a skillful European watchmaker, who is employed continually in the establishment expressly for the purpose. Any person acquainted with the nature of the loaning business will feel assured that greater bargains can be offered by the proprietor than persons doing business in a regular manner. Watches that originally cost $150 can be offered for less than half that sum. In this establishment no deception is practiced. One price is asked for all the various articles, and no deviation made in any case. By this arrangement the most inexperienced may purchase without fear of being "shaved." Citizens and strangers are requested to call and examine for themselves. Remember, the St. Charles Loan Office, under the right wing of the St. Charles Hotel, and three doors from the corner of Gravier st.
☞ Four or five Pianos, on which advances have been made and time of keeping expired, are offered for sale as above.

GENTLEMEN'S BOOT AND LADIES' SHOE STORE.

The subscriber has just received from his Manufactory, a splendid assortment of BOOTS and SHOES, made under his own eye, and of the best material and workmanship, and of the most fashionable and tasty styles, comprising—
Gents Extra fine Calf Skin BOOTS;
" Fine Calf Skin "
" Fine Morocco "
" Patent Leather GAITERS;
" Cloth " "
" Fine Calf BROGANS;
" Rough and Ready HALF-BOOTS;
" Cloth HALF-GAITERS;
" NULLIFIERS—Calf and Patent Leather;
" Velvet and Calf SLIPPERS;
" Humug and Riding BOOTS, etc., etc.;
Ladies' BOOTS, GAITERS and SHOES, of the most fashionable styles;
Boys and Youths' Patent Leather BROGANS;
Children's Français GAITERS, Morocco Buttons, Patent Leather, and Calf SHOES, etc.
JOHN H. WORTH,
mh 1m under St. Charles Hotel, corner Common st.

MEDICAL.

PRIMARY affections, symptoms, virulent diseases, being so peculiar in their nature, that unfortunately but few are able to discuss them. It is a therapeutical fact of importance, the more the disease penetrates into the system, losing its specific nature and undergoing the transformations which lead to assimilate to diseases of another nature, the more difficult does the treatment become. General Syphilis is poisonous, and takes place under a host of different medicines, generally prescribed. Symptoms of those complaints, when imperfectly distinguished, yield to professional treatment of curative order; and the safest method is a radical cure of the primary affections in the shortest possible time, at the same time subduing their characteristic chain of serious complaints. DR. MALON, 78 Canal street, thoroughly and effectually cures all of those diseases. The Doctor contemplates, with emotions of great satisfaction, his success. There are but few cases on record, in the annals of the healing art, which afford more striking proof of my triumph over a disease, than the thorough and complete cure of a well known case, (in this city,) that was looked upon as desperate and beyond the reach of human aid. Dr. Malon's offices are at 78 CANAL street. The Doctor has removed to 78 Canal street, four doors from Royal street. mh7 6m

DAILY CRESCENT,

COURT OF INQUIRY.

Reported for the New Orleans "Daily Crescent."

NATIONAL PALACE, MEXICO,
March 30, 1848.

NINTH DAY—March 25, 1848—(*Concluded.*)

Gen. Pillow submitted a copy of a letter which he wrote at the time, and which he brought before the court then, to show his course on this subject. He did so, as the matter was brought before the court, and to prove that he had not acquiesced in any breach of the regulations:

[Circular.] CITY OF MEXICO, Oct. 19, 1847.

Gentlemen: Having understood that many of my friends, officers of the Third Division, have made contributions intended to purchase a sword to be presented to me, I beg leave respectfully to say that I disapprove of the measure, and should be compelled, by a sense of duty, to decline its acceptance.

While I fully appreciate the motives of those who propose thus to compliment me, I am, nevertheless, sensible, that their partiality induces them greatly to overrate my services.

Accept assurances of the regard with which I am

Your obedient servant, GID. J. PILLOW.

To Messrs. Andrews, Morgan, and others, officers of Third Division U. S. Army.

Capt. NAYLOR was next called and sworn.

Q—State, if about the 27th or 30th August last, I did not forward a letter for you to your wife?

A—On the 27th August last, I left a letter at Gen. Pillow's quarters at Miscoac, for my wife, and I was informed by him afterwards, that it was forwarded. I was on my way to the quarters of the General-in-Chief, as I heard that letters would be forwarded, and meeting with Gen. Pillow, he told me he would forward it. One of my objects was to get the General-in-Chief to forward a letter, but I did not see him, and gave it to Gen. Pillow.

Q—State if Gen. Pillow has not forwarded many letters for you from this city, by express, and if he has not forwarded letters for many of his friends?

A—He has forwarded letters for me since I have been in the city. Since I have been in the army, I have never lost any opportunity of sending letters to my family, and frequently have brought letters for my friends to Gen. Pillow, for transmission: sometimes to Capt. Scott's quarters, or whenever an opportunity offered to send them. The latter part of the question I cannot answer.

Q—State if Gen. Pillow always promised to forward your letters, and if you have reason to believe they were lost, wanted?

A—He always promised to forward them, and I have no doubt such was the fact.

By Gen. Scott:

Q—Does the witness know that the letter given to Gen. Pillow, about the end of August last, was forwarded in the ordinary course?

A—Witness has no knowledge on the subject.

The court then adjourned, to meet in the Supreme court-room, at 10 o'clock, on Monday morning.

TENTH DAY—March 27, 1848.

The court met pursuant to adjournment, and the proceedings read by the Judge Advocate.

The motion of Gen. Scott, relative to pens, ink, and paper, being furnished to witness, (Paymaster A. W. Burns,) in order that he might write each of the several interlineations in the Leonidas letter, which he had sworn were in his own hand-writing, in order that the court might compare these words thus given to the witness by the Judge Advocate, with the aforesaid interlineations in the Leonidas letter. Gen. Scott here interrupted the Judge Advocate, requesting him to observe whether Maj. Gen. Pillow's objection to that proposition had been entered upon the record.

The Judge Advocate, remarking that it was not, but that he distinctly remembered the objection of Maj. Gen. Pillow. The objection of Maj. Gen. Pillow to that proposition was, that the permission of the court had not been asked upon the record.

Gen. Scott then requested permission to read a motion which he had to submit to the court in writing. Gen. Scott then read as follows:

Mr. President and Gentlemen of the Court:

I have already declared my intention to impeach and utterly discredit the testimony of paymaster A. W. Burns, a witness for the defence, in the court-martial now sitting. I believe that declaration and a clear purpose, manifested in a cross-examination against all precedent, under the circumstances—was permitted, the morning of the 25th inst., the last session of the court, after a night's reflection, and perhaps consultation, to come in and to alter his recorded testimony in a matter quite seriously affecting his credibility. Notwithstanding that advantage, the witness has, upon examination, shown, in more than twenty instances, that the witness had almost a total want of memory on one side of the case, even in matters of no little interest and importance; and on the other, a powerful and minute memory—grasping and retaining incidents, which, at the time they occurred, must have appeared to any one else, wholly unworthy of being treasured. The court, no doubt will, at proper time, look closely to that peculiarity of memory, without my specifying the numerous instances, in this place. Some scattered proofs, I will, however, here glance at, and only because they are distantly separated on the records and files of the court.

The witness says, in his testimony, that though he was present at the operations on the 19th of August, he was not with the operating forces the following day; and therefore did not see them carry the entrenched camp of Contreras—the church and bridge of Churubusco. Yet, in the letter Leonidas, which he swears was written by himself, and not by Major General Pillow, he asserts to the public that "the foregoing account of this unparalled victory, (meaning the events of the 20th of August,) I was, myself, an eye-witness to, and will vouch for its correctness." The witness then, notwithstanding his oath, cannot be the author of Leonidas. So, at the end of the last paragraph but one of Leonidas—immediately preceding the quotation just given—the writer, speaking of the heroic Butler, Colonel of the South Carolina Regiment, says, "No one laments his death more than the writer of this communication, who served with him the last meal he took prior to his death." Now, I shall show by witnesses, at present in the United States, that the lamented Col. Butler, who fell at Churubusco, early in the day, August 20, took his last meal at San Angel, near the field where he gloriously fell, and but a little while before, in a company where Paymaster Burns—as, indeed, he himself swears—was not.

The court here interrupted Gen. S. in reading his motion, and remarked that the court could not permit him to read an argument—that if he had a motion to propose, he must read it by itself, and the court would then determine whether the motion could be entertained.

Gen. Scott offering some objection to this mode of proceeding, the court was here closed for deliberation.

The court being opened, announced its decision to the following effect: That any motion either party should wish to offer should be read by itself, and if objected to, the arguments on both sides in support and against the motion would be heard by the court.

Gen. Scott remarked that he would finish reading the paper he held in his hand, and the court could cut it down as it pleased.

The President of the court said: Major General Scott, the court has already decided upon its course of conduct.

Gen. Scott replied: He did not perfectly understand the rules of the court—he had complied with the orders of the court to reduce to writing the motion he wished to submit; because, first, he was not allowed to submit those motions orally, and now he was not allowed to submit them in writing—that really he felt himself exceedingly trammelled by the mode of proceeding adopted by the court; however, he would submit his motion to the court, and they would strike out whatever they saw proper—that he was within seven lines of the end of his motion.

The court said the motion must be submitted by itself—that this was not the proper time to offer an argument.

Gen. Scott then stated that he wished to say two words only to the court. He had offered to argue that this was a proper time to bring in the evidence of the Judge Advocate, of the witness, Paymaster Burns, and the court had not allowed him to do so. He then proposed to the court to place that paper upon the records of the court.

The court refused to permit this to be done, being willing to permit his motion by itself, without the argument, to go upon the record.

Capt. HOOKER called and sworn.

Questions by Defence.—State if Gen. Pillow forwarded for you in August last, from Miscoac, letter to your sister.

A—I cannot say positively that he forwarded a letter for me to my kindred at that time, although I am under the conviction that he did. I think that he did, from the fact that in almost every opportunity that presented itself to forward letters quickly, I sent them through him. What confirms me in the conviction still more, is, that I saw a letter I had written published in a country paper in my county town; and when I asked how it came to be published, I was informed that it was the earliest news that had been received, and for that reason was published. I do not remember whether it was to my sister or to my brother that this letter was written.

Q—State, if you know, if Gen. P. was in the habit of showing the report of officers of rank in his division.

A—I have known him to show his reports frequently to the officers of his division, as well as to others.

Q—State, if you know, whether Gen. Pillow has been in the habit of forwarding letters for his friends.

A—I do know that he has.

Q—Was the witness at the time of writing the letter referred to, attached as a general staff officer to Gen. Pillow's division.

A—I was.

Doctor HEISTAND called and sworn.

Then asked by the Judge Advocate his first name and answered Jacob D. Heistand.

Questions by Defence.—When, where, and what was your employment in August last.

A—I was clerk to Gen. Pillow at Miscoac.

Q—What is your present employment, and what is your occupation in civil life?

A—I am now employed in the Medical Purveying Department, in charge of Dr. Simmons; I am a physician.

Q—To what Regiment do you belong?

A—To the 11th Infantry.

Q—Were you or not present in August last, when Mr. Freaner visited General Pillow's headquarters?

A—I was.

Q—Did you hear Mr. Freaner ask General Pillow for a list of the killed and wounded in the battles of Contreras and Churubusco?

A—I did.

Q—What orders did General Pillow give you in reference to the application of Mr. Freaner, for a statement in reference to the operations of the forces under his command?

General Scott here remarked, did the court observe that all those questions were leading ones?

General Pillow said, I will shape my questions in any way the court shall direct—they naturally follow in this order.

The court did not say anything, and the witness then answered:

He directed me to make out a list of killed and wounded for Mr. Freaner, and General Pillow gave me some papers and directed me to furnish the principal facts to Mr. Freaner.

Q—What papers did he give you for that purpose?

A—He gave me what I took to be a skeleton report of the movements of the 19th and 20th.

Q—Did you or not, under General Pillow's orders, make out a list of the killed and wounded, and what did you do with it?

A—I did make out a list of the killed and wounded. I am not now able to say what I did with it.

Q—State at what time the application of Mr. Freaner, for a list of the killed and wounded and the statement to which you have referred, was made?

A—It was on the afternoon of Monday, the 23d of August, or about that time.

Q—State if at the time the application was made by Mr. Freaner the returns of the killed and wounded had all come in from the different regiments; and if not, how long were you in making out the list?

A—They had not all come in, and did not for several days.

Q—How often did Mr. Freaner come to General Pillow's quarters before he got it?

A—He came there the second time before he got the papers.

Q—Examine that paper, No. 1, and say whose handwriting that is in; and if that is not the paper you made out for Mr. Freaner from General Pillow's rough report.

A—The paper, No. 1, is in my handwriting—it is the paper I made out from General Pillow's rough report.

Q—Is or is not the whole paper, interlineations and all, in your handwriting?

A—I think it is—there are a few words I am not positive about.

Q—Read the paper No. 1, and state whether the caption and conclusion were in the original paper from which you copied it?

A—Neither the caption or the conclusion were in the original.

Q—If not, by whom were they added?

A—They were added by myself.

General Scott here remarked, I should prefer the witness would sit a little further from where the consultations are going on from the side of the defence.

The witness having changed his seat, the examination in chief was resumed.

Q—You have said you were General Pillow's clerk—state whether you were his clerk, or the clerk in the Adjutant General's office of his Division, and how long you have acted as such?

A—I was clerk in the office of the Adjutant General of his Division from the 23d of July last until the 6th of the present month.

Cross-examination by the Prosecution.—*Q.*—Witness will state as nearly as he can, the precise day on which he prepared the paper No. 1—what materials he had, and in whose handwriting the materials were?

A—I think it was on the 23d of August last. I have stated before, I had the rough or memoranda reports of the operations of his division on the 19th and 20th of August—the materials were in General Pillow's handwriting.

Q.—The witness will state, whether in preparing No. 1 he exercised his own powers of composition, or did any thing more than copy the papers furnished him, word for word? also, whether Maj. Gen. Pillow, or any one else, did personally superintend the composition of the paper while he was engaged upon it?

A.—I exercised my own powers of composition—I did not copy word for word the paper furnished me—no one superintended the preparation of the paper.

Q.—The witness will state as exactly as he can, what instructions he received from Maj. Gen. Pillow in regard to paper No. 1, also, to whom he delivered that paper after he had finished it, and where are the original drafts?

A.—As near as I recollect, General Pillow directed me to furnish Mr. Freaner the substance of the papers he laid before me. I am not prepared to say whether I delivered that paper to General Pillow or Mr. Freaner. I do not know where the original drafts are.

Q.—Will the witness endeavor to recollect what he did with the original drafts—whether he returned them to Gen. Pillow, or received any instructions from Gen. Pillow in regard to them?

A.—The original drafts remained on Gen. Pillow's table, and I am unable to say whether they were destroyed or not—neither did I receive any instructions in regard to them.

Q.—Did the witness at any time before Gen. Pillow told him what use he intended to put paper No. 1 to, and if it was intended for the New Orleans Delta?

A.—He did not. I inferred from the fact that he told me that Mr. Freaner had inquired for such information—that it was for the editor of the New Orleans Delta—knowing Mr. Freaner to be the correspondent of that paper.

Q.—The witness will state whether, before preparing the paper for Mr. Freaner or before delivering it to him, he had any conversation with him?

A.—I had not.

Q.—The witness will look at paper No. 1, and look at the part encircled, and say whether he cancelled that part before or after the paper was completed.

A.—I cannot now speak positively in regard to this cancellation.

Q.—The witness will state what reason he could have had for so cancelling that part of paper No. 1—and, if by direction, at whose direction?

A.—I cannot now state the reason for cancelling it. If I did cancel it, it was done by no one's direction—for I have stated there was no one present to give me directions—I cannot now assign any reason for cancelling it.

Q.—The witness will state what reason he had for cutting short the sentence—"Gen. Scott gave but one—" leaving the sense incomplete?

A.—I think I was aiming at trying to ascertain the number of orders, and to whom did he apply—if any one?

Q.—What means did the witness adopt to ascertain the number of orders, and to whom did he apply—if any one?

A.—I did not apply to any one, and I did not examine the skeleton report, as I had intended.

Q.—Did or did not the witness say, in a previous answer, that the last paragraph of paper No. 1, beginning "The General's well-devised plan," was composed by himself, and did he also add the words "very respectfully?"

A.—The last paragraph was composed by myself, beginning with the words "The General's well-devised plans," With regard to the words "very respectfully," I am not positive whether I wrote those words or not.

Q.—The witness will state what reason he had for writing at the top of paper No. 1, "Edition New Orleans Delta," and below it, the heading "Great Battle of Mexico?"

A.—I think I have stated before, that I inferred from the application of Mr. Freaner, that it was for the editors of the Delta—knowing that Mr. Freaner was the correspondent of the Delta. I can assign no other reason for the heading than that I supposed it was a great battle.

Q.—Were the words "Great Battle"—battle in the singular number—copied by you from Maj. Gen. Pillow's report, or were you instructed to head it so by him?

A.—They were not copied from his report—neither did he give me instructions to head it so. I will also add that the words were not contained in his paper.

Q.—Witness will look at the Leonidas letter, and say whether there are in that letter any word or words interlined in that letter in any other hand than that of Paymaster Burns?

A.—I am not acquainted with the hand-writing of the body of the letter. There is not a word of my writing in this paper; although if I had ever had this paper in my hands, I should say that there are three words here that are more in my hand-writing, as I write when I write with a quill.

Q.—Was Mr. Freaner's inquiry for a list of the killed and wounded made to you, or to Gen. Pillow in your presence, and at the same time did he ask for memoranda of the operations of the 19th and 20th of August?

A.—Mr. Freaner did not address me, but Gen. Pillow in my hearing, and said he was going to make out an account of the battle of the 19th and 20th, and such information as he thought proper to give him; also, a list of the killed and wounded, and a statement of the movements of his division on those two days.

Q.—Did the witness furnish other copies of paper No. 1 to persons connected with the public press—and if so, to whom?

A.—I did not.

Q.—Has the witness furnished such papers to officers of the army, formerly connected with the public press?

A.—I have not.

Q.—The witness has said he belongs to the 11th Infantry—in what capacity was he attached to that regiment—as surgeon, or not?

A.—I was a sergeant in that regiment.

Q.—When was the witness discharged from that regiment; at whose instance, and under what circumstances?

A.—I was discharged by an order from Gen. Butler, on the application of Dr. Simmons, I think.

Q.—Has or has not the witness been promised or assured by Maj. Gen. Pillow, or through some person connected with Gen. Pillow, of a commission in the medical staff or some other branch of the army?

A.—I was not.

Gen. Pillow here rose and said: "I did not wish to object to that question until it was answered; but I wish to know if Maj. Gen. Scott has a right so to shape his questions as to cast imputations on my character?"

Gen. Scott then said to the Court—I wish to know, Mr. President, whether I am at liberty to reply.

The Court took a recess; and upon its meeting Gen. Pillow withdrew his objection.

Q.—Is or not the witness aware that Gen. Pillow has taken some measures to obtain for witness a commission in the army?

A.—I am not.

Q.—How many copies has witness made of paper No. 1; and, if more than one, what has become of the other copies?

A.—The paper No. 1 is the only copy I made.

Q.—In reference to the cancellation in No. 1 of the words after "Gen. Scott gave but one," I now came it to be a question in the mind of witness whether Gen. Scott gave one or more orders to Gen. Pillow?

A.—I cannot answer that question.

Q.—Is or not the witness aware that Maj. Gen. Pillow, in September or October last, through the Surgeon General, endeavored to obtain for witness a position as a physician or assistant surgeon in some hospital?

A.—I know that application was made to me by several officers for my services, and I directed them to make application to Gen. Pillow.

[By the permission of the Court, the witness was here shown, by way of refreshing his memory, a letter written by himself, and he then continued his answer as follows:]

By the conclusion of this note, it appears, and I now remember, that application was made by Gen. Pillow to the Surgeon General to have me employed in that capacity. Gen. Pillow did not inform me of it. I was informed of it by others.

Here Gen. Pillow rose and said that he had made application for the witness to be employed in the medical department, as many of the new regiments were very much in want of medical officers.

Gen. Scott then said, that for the same reasons he had also much desired to have him employed in that capacity.

The cross-examination closed, and examination in chief resumed.

Q. by Defence.—Are you still in the 11th Infantry?

A.—Yes.

Q.—You state that you were changed by Gen. Pillow's order. Does the witness mean that he was relieved from duty as clerk and employed in the Purveyor's Department, or discharged?

A.—I was simply relieved from duty as clerk—I still belong to the 11th Infantry.

On this being given, Gen. Scott remarked that he did not wish the question just put to witness to be urged in bar to his impeaching the testimony of said witness for having made certain answers while under cross-examination.

Gen. SCOTT called by the defence, and duly sworn.

Witness was handed a pamphlet containing a publication of intercepted Mexican letters, with an introductory letter.

Q.—Examine the introductory portion of that pamphlet, and state whether you have ever seen the introduction to that pamphlet in manuscript or print.

A.—Both the manuscript copy and some printed copies have been placed before me, and I might probably have read it if I had had time. I will say further, that I have had some of the letters read to me. I never have read the introduction, although it has been in my power. I never have read one word of the introduction in print, but I may possibly have read a dozen words of it in manuscript, and certainly not as many lines. I have had several of the original letters in my possession, and have heard some read to me in English. I may have read three or four in Spanish; but I can read the Spanish in manuscript with great difficulty—even in print but imperfectly. I desire to record, Mr. President, that, while in command, I consider myself responsible for the official acts of my staff, whether acting by my orders or not. Col. Hitchcock was in my staff while I remained in command.

Q.—State whether you know who is the author of this pamphlet.

A.—I think I stated before, that Col. Hitchcock had proposed the publication of the letters, and that I did not object, nor to the publication of the introduction. I believe that Col. Hitchcock got up the whole pamphlet.

Q.—Do you mean to be understood that Col. Hitchcock had permission to publish the introduction, and if so who gave him the permission?

A.—I stated that he mentioned his purpose to me, and I heartily concurred. I consider Col. Hitchcock's official acts to be my acts—and I wish to add that I have not seen that pamphlet since the day on which I supposed it first appeared.

Q.—Witness will state whether he knows or has reason to believe that letters have been written by his general or personal staff which have found their way into papers of the United States?

A.—I have no reason to believe that any officer attached to general headquarters has written, or caused to be written, a letter or letters which have found their way into the public press at home. I do not know that any such officer has written any such letters designed for the public press—and, please *add*, Mr. Judge Advocate—*mor clerk!* I do not think I have had a *clerk capable* of writing such letters.

Q.—Do you consider a publication like the introductory communication to the intercepted letters, viz: a substantial account of the operations in this valley, without the sanction of the War Department, an official act?

A.—I can truly say, that I have never read enough of the introduction to give an opinion. I see no marks of officiality about the paper. I wish to add, Mr. President, that had the bill for printing this paper or pamphlet been presented to me, I was ready to pay for it—if I have not already paid for it out of the public money. If I have paid for it I shall have a memorandum of it.

Q.—Has the order of the President of the United States, relative to letters, been enforced against the author of the introduction?

A.—I do not know that the author of the introduction has fallen under the denunciations of that order of the President. I wish to refresh my memory relative to the printing. I understand, or rather knew, it was printed here.

It was here decided by the court, that Gen. Scott should be allowed until to-morrow morning to examine this paper and give his answer to that question.

Captain HUGER called and sworn.

Questions by Defence.—Were you a member of the General Staff of Gen. Scott in September last,

A.—Yes, sir.

A newspaper was handed to Capt. Huger and the following question propounded:

Q.—Examine the letter marked with ink, and say whether you know who is the author.

A.—I have glanced over this letter sufficiently to believe that it is a private letter of mine to Col. Tolcott, Chief of the Ordnance Department. It was marked and endorsed "*private.*" inside and out.

The letter was here read, and Capt. Huger continued his answer as follows:

I was at the time Chief of Ordnance in Gen. Scott's Staff.

Questions by the Prosecution.—Did the witness ever show me (Gen. Scott) the letter before or since it was printed, or in any way make me acquainted with the fact that it was written?

A.—Never.

Q.—Was the printed letter, which the witness recognizes, addressed to the Chief of the Ordnance Department at Washington, intended for his information and through him to the War Department?

A.—As is stated in the first part of that letter, although it was marked private. I had been unable to send off my reports—I therefore sent this private abstract to the Chief of Ordnance at Washington, to give him important information relative to his department here.

Q.—Is not the Chief of Ordnance at Washington a branch of the War Department—and are not the official acts of the Chief of that Department the acts of the Secretary of War.

A.—The Chief of Ordnance is under the orders of General Worth, as stated—his official acts are considered as being done with the sanction of the Secretary of War; and I have no doubt that if Col. Tolcott published that letter, it was done with the sanction of the Secretary of War—but this is merely an opinion.

Gen. Scott stated to the court that he should call upon Col. Tolcott to show how that letter found its way into the public prints at home, when this court adjourns to the United States.

Question by Defence.—Witness will state whether the letter was an official letter; if so, why marked inside and out "*Private.*"

A.—It was a private letter to communicate important information to the Chief of my Department. As I before stated, I was unable to send off my regular reports and returns, and I wrote this letter merely for the information of the Chief of the Department, and not for publication; and I marked it private, because I did not wish this letter, giving such a partial account of the operations of the Department in this valley, to get into the newspapers at Washington, as I had full and complete reports prepared, which I had no means of forwarding at that time.

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

ELEVENTH DAY—March 28, 1848.

The court met pursuant to adjournment, at 9 o'clock, A.M., and the proceedings being read—

The examination of Gen. Scott was resumed upon the following question, which was put yesterday, but which Gen. S. was allowed until this morning to consider and examine before answering.

Questions by Defence.—Does the witness consider a publication of the nature of the introductory communication to the intercepted Mexican letters, published without the authority of the War Department, an official act?

A.—I read last night, after retiring to my bed, the introductory letter to that pamphlet; it is a paper made in conformity with the proposition or plan submitted by Lieut. Col. Hitchcock, Acting Inspector General, to me at Tacubaya, pending the armistice. It has no marks in the printed form of official, nor distinctly authorized before-hand when it was written, it is not a letter, nor what is usually called a Report, but what it professes upon its face to be, an explanatory introduction to intercepted Mexican letters, deemed by me, as well as by Col. Hitchcock, highly interesting to the whole army, and therefore worthy of publication. I consider that publication thus authorized in advance to be virtually my own act, and under the Regulations of my department, in question, I stated that Regulation, that I was the proper authority, as General-in-Chief of the Army in Mexico, to give special permission for its publication. I proceed to say, that I examined last evening, and find that the publication was not paid for out of the public money in my hands, but that the expense of printing, etc., was met on the part of the publisher by the proceeds of the sales of the copies. Such I understood to be the manner in which it was paid for.

General Pillow said he never wished to raise that question.

General Scott continued his answer, saying—"I was under the impression that I had paid for it out of those funds. I will look over those newspapers." He continued, "that Gen. Pillow handed me yesterday, if Major-General Pillow may wish.

General Pillow said he had some other questions to put.

Q.—Has not the manuscript copy any marks of officiality about it, and is not the printed copy a substantial account of the operations in this valley?

A.—Strange as it may appear, Mr. President, I do not think I saw either the manuscript copy or the printed copy before yesterday. I confounded this pamphlet with the plain practical talk addressed by that same officer to the Mexican people from Puebla, containing nothing in reference to the operations or movements of the army, as well as I recollect. The printed copy gives a general account of the operations in this basin, or an account of those movements so far as the writer deemed necessary for a clear understanding and explanation of the Mexican intercepted letters.

Q.—Does not the introductory letter commence with the march of the army from Puebla. Does it not go far beyond what was necessary to explain those letters? Does it come down to the battle of Molino del Rey, and the final assault on the capital, long after those letters had been intercepted?

A.—I think it does. (General Pillow remarked that he was perfectly satisfied with that answer.) General Scott continued:—In general terms, go through the operations of the valley, whether it gives more particulars than were absolutely necessary to explain the Mexican letters, I cannot now say, without a minute study of those letters.

Q.—Is it within your knowledge, or have you reason to believe, that many letters have been written by officers under your command, which have found their way into the public press, in violation of the general regulations of the President.

A.—I will state, Mr. President, that I have not had newspapers in my hands, other than the newspapers published in the city, (English and Spanish,) more than fifty or seventy-five times since I have been in the republic of Mexico. I can show the gentleman of this court piles of papers with their wrappers not removed, now lying in my room, and I left large quantities of them in the same condition at Puebla. I have seen several letters, or scraps of letters, which from internal evidence, I must have been written by officers of this army, but have not been able to form even a satisfactory conjecture as to the authors of the particular scraps or extracts to which I have alluded.

Q.—Does the witness receive two daily papers published in the city,—the Star and North American?

A.—Yes, my table is full generally.

Q.—In reference to the cancellation in No. 1 of the words after "Gen. Scott gave but one," I now came it to be a question in the mind of witness whether Gen. Scott gave one or more orders to Gen. Pillow?

A.—I cannot answer that question.

Q.—Is or not the witness aware that Maj. Gen. Pillow, in September or October last, through the Surgeon General, endeavored to obtain for witness a position as a physician or assistant surgeon in some hospital?

A.—I know that application was made to me by several officers for my services, and I directed them to make application to Gen. Pillow.

[By the permission of the Court, the witness was here shown, by way of refreshing his memory, a letter written by himself, and he then continued his answer as follows:]

A.—I do not know that I have ever seen that letter. If I have, I do not think that I have ever read more than a few lines.

Q.—Would it be just to attribute to yourself the laudatory letter published by Col. Hitchcock as an introduction to the intercepted Mexican letters?

A.—I have stated that the official acts of my Staff are my acts; that Col. Hitchcock had my permission to publish the intercepted letters, with an explanatory introduction, which, whether laudatory or condemnatory, made the principle already stated, I should be held responsible for; although I did not read, and did not know until last night, that there was a syllable of laudation of me in that pamphlet.

[Witness was here handed the copy of Order No. 349, in reference to prohibited publications.]

Q—Please read Order 349, and say if Maj. Gen. Pillow is alluded to in that order as one of the "principal heroes."

A—The Court will perceive by the order that no individual is named, nor