

OREGON SPECTATOR

"Westward the Star of Empire takes its way."

Vol. 3.

Oregon City, (Oregon Territory,) Thursday, October 12, 1848.

General's Martial.

ORDER OF GENERAL SCOTT—CORRESPONDENCE BETWEEN GENERALS WORTH AND SCOTT—LETTERS OF COL. DUNCAN—DECISION IN THE TRIAL OF COLONEL FREMONT.

Our readers are aware that much has been said, in the public papers of the United States and elsewhere, in relation to the arrest of Generals Worth and Pillow, and Colonel Duncan, by General Scott, and the subsequent pre-acquittal of General Worth, and the establishment of a court of inquiry in the City of Mexico. We have compiled the orders and correspondence found below from the "St. Louis Union," and "New York Herald," which give, as we suppose, a fair statement of the whole transaction, so far as it relates to Generals Scott and Worth, and Colonel Duncan. It will be seen that Gen. Scott complains of two letters written by officers in the army, one of which we have not seen; but the Herald says that the letter written by Col. Duncan to have been admitted by him, contains the substance of both letters complained of by Gen. Scott. It is intimated by the American Star, the organ of Gen. Scott, that Gen. Pillow was arrested for some cause other than the letters—what that cause was we are unable to learn. It should be remembered, that the City of Mexico was taken by an American army only about 6,000 strong, and the success of the army in that brilliant achievement, is attributed, in part, to the route taken in its advance upon the city—the letter of Col. Duncan, at which Gen. Scott took umbrage, attributes the discovery of the utility of the route taken, to other officers—not the general-in-chief.

We publish the decision of the court martial in the trial of Lieutenant Colonel Fremont. The proceedings are too voluminous to admit of publication in our paper. The misunderstanding between Brig. Gen. Kearney and Lieut. Col. Fremont, which led to the court martial, is a matter of deep regret.

Colonel Fremont has won for himself a reputation which but very few men of his age, any where enjoy. It is said that the war department declined accepting the resignation of Col. Fremont, and ordered him to California, in the public service.

General Order, No. 349.

HEADQUARTERS OF THE ARMY, Mexico, Nov. 12, 1847.

The attention of certain officers of this army is recalled to the foregoing regulation, which the general-in-chief is resolved to enforce, so far as it may be in his power. As yet but two echoes from home of the brilliant operations of our arms in this basin have reached us; the first in a New Orleans, and the second through a Tampico newspaper.

It requires not a little charity to believe that the principal heroes of the scandalous letters alluded to did not write them, or specially procure them to be written, and the intelligent can be at no loss in conjecturing the authors—chiefs, partisans, and pet familiars. To the honor of the service, the disease—prurency of fame, not earned—cannot have seized upon half a dozen officers (present), all of whom, it is believed, belong to the same two coteries.

False credit may, no doubt, be obtained at home, by such despicable self-puffings, and malignant exclusion of others; but at the expense of the just esteem and consideration of all honorable officers, who love their country, their profession, and the truth of history. The indignation of the great number of the latter class cannot fail, in the end, to bring down the conceited and the envious to their proper level.

By command of Maj. Gen. Scott, H. L. SCOTT, A. A. G.

This order called out the following letter from Lieut. Col. Duncan.

Mexico, Nov. 13, 1847.

To the Editor of the North American.—Sir,—I herewith present a copy of the "Tampico letter," characterized as "scandalous, despicable, malignant," &c. in general order No. 349, published in the American Star of this morning.

To the end that the true character of this letter may be known, I desire that you republish it in your paper; and that none of my brother officers may innocently suffer for a publication so obnoxious, I hereby publicly acknowledge myself to be its author. The substance of it I communicated from Tacubaya, soon after the battle, in a private letter to a friend in Pittsburgh.

The statements in the letter are known by very many officers of this army to be true, and I can but think that the publication of truth is less likely to do violence to individuals, or the service, than the suppression or perversion of it.

Justice to General Worth (who is evidently one of the heroes pointed at in order No. 349,) requires me to state that he knew nothing whatever of my purpose

to write the letter in question, nor that it had been written, till well on its way to its destination; he never saw, nor did he know, directly or indirectly, even the purport of one line, word, or syllable of it, till he saw it in print; and he is equally ignorant of my design to make this declaration, which I do, as I wrote my letter, unprompted, and on my own responsibility. Very respectfully, your obedient servant, JAMES DUNCAN,

Brevet Lieutenant Colonel U. S. A.

The letter thus acknowledged to have been written by Colonel Duncan is the following:—

Tacubaya, Mexico, Aug. 27, 1847.

The whole force which moved from Puebla, amounted to 10,000 men more or less—marching in four columns, on successive days, in the following order, viz—Twigg, Quitman, Worth, and Pillow. In approaching the city of Mexico, by the main highway, you go directly on to the height of El Penon, which is a strong position, and excessively fortified. Before leaving Puebla, it had been considered whether the main road could not be avoided, and El Penon turned, by passing round to the south and left of the lakes Chalco and Joachimulo. The engineer officer serving immediately at general headquarters, had questioned a large number of persons, (including spies and agents sent to examine the route,) and the mass of testimony was entire to the boggy, mucky, and perfectly impracticable character, for waggon and artillery, of the road leading in that direction. It was, therefore, in contemplation to turn El Penon, by forcing the enemy's lines at Mexicalcingo, although the ground was difficult, and the batteries known to be numerous. This route you will observe, is to the north and right of those lakes. The reconnaissances of the engineers were consequently directed to this end. In the mean time, Gen. Worth, whose division had been left at Chalco, (while Gen. Scott, with Twigg's division, had gone to Ayotla,) sent Colonel Duncan, with a strong party, to examine the denouced route. Colonel Duncan found it just the reverse of what it had been pronounced to be; it was firm, rocky, and quite practicable, requiring, to be sure, a little labor here and there. General Worth instantly sent Colonel Duncan with this information to General Scott, and urged the movement of the whole army to the left of lake Chalco. This recommendation instantly prevailed. The direct attack was abandoned, and the next morning the whole army was in motion. Worth's division in the rear, (now by the change of the line of operations become the front,) took the lead, and the whole mass filed to the left of the lakes to San Augustine, which is on the great Acapulco highway to the city of Mexico, and about nine miles from it. This is the history of the strategy of the business.

We arrived at San Augustine on the evening of the 17th. The first position of the enemy was at San Antonio, 2 1/2 miles off in advance. Gen. Worth sent an engineer officer the next morning to reconnoitre; Captain Thornton of the dragoons, escorting him. He went to about 1,000 yards of the enemy's battery, leaving the company some hundred yards in the rear. When the engineer officer began to examine the battery with his spy glass, a gun was fired at him. The ball passing over him, struck Captain Thornton from his horse, tearing away his whole breast and ribs. Poor fellow! he had not ten days to live; he was so feeble he could scarcely sit in his saddle. Physicians and friends had remonstrated against his going out, but he had, I doubt not, made up his mind that nothing but death itself should part him from his saddle. He had been troubled and pestered in many ways, but he was as pure and honorable a man as ever lived. This reconnaissance resulted in the intelligence that the position of San Antonio could be turned by its right or left. Another reconnaissance was directed by Gen. Scott, to ascertain whether, by branching off at San Antonio, and taking a wider circuit to our left, we could not gain the Tacubaya road, and turn all the enemies works. The engineer officer went about a league on this road, where he came upon a ravine occupied by the enemy in force on the opposite side. The ground was found to be rough and broken beyond description, still practicable for infantry, and with labor, doubtless could be made so for cavalry and artillery. Accordingly, this was decided upon as the route on which the army was to move. On the morning of the 18th working parties were pushed forward to repair, or rather make the road. Pillow's division, supported by Twigg's, were to dispossess the enemy of the ravine before mentioned. Upon trial, it was found that the enemy could not be brushed away. He was strongly fortified, in great force, with upwards of twenty pieces of artillery. A battle had, therefore, to be fought, before the road could be cleared. As our troops approached the position, the enemy opened a distant cannonade, which kept up from one or two o'clock until dark. The mountain howitzers, and Magruder's battery were posted on counter batteries; but as the enemy's guns were 18 pounders, 24 pounders, and such like, behind parapets, or, at any rate in commanding positions, you can readily imagine who got the worst

of it. When will such follies cease!

Our troops took up positions during the night for the attack of the enemy's lines the next morning, which they did in handsome style, and with complete success, killing many hundreds, taking many prisoners, upwards of twenty pieces of cannon, (amongst which were those taken from General Taylor at Buena Vista,) small arms without number, and a great abundance of cannon ammunition, which we were in much need of. Among the prisoners were several officers of rank, including the late acting President Gen. Salas, the author of that infamous paper exhorting the guerrillas to "wage war without pity." In the mean time Worth's division began operations on the 20th, around San Antonio, over the route that had twice been reconnoitred by the engineer officer, who led Smith's light battalion and Clark's brigade around this position. As soon as the enemy discovered our troops in motion, he began to abandon his works, and to retreat on the main road to the city; our troops pushing on with rapidity, reached the road in time to pierce the retreating column about its centre, killing and capturing some, and dispersing the rest in all directions. The remainder of the division hurried up through the village, and joined Clark's brigades. The whole division pressed on along the highway, in hot pursuit of the retreating enemy, up to the village of Churubusco, where our troops came across another strongly entrenched position. These defences consisted of a regular bastion field-work, with wet ditches. It served as a bridge head, and was thrown across the road; to its right, and somewhat in advance of it, is a strong stone church, with a field work in front. The flanks of the field work were connected with a high stone wall, which enclosed the church. To the rear of the church and bridge head there is a deep wet ditch, running perpendicularly to the road, and extending far off to the enemy's left, and, therefore, parallel to our front; behind this ditch was an infantry line, stretching from right to left, quite a mile long. When Worth's division came in reach of the bridge head, it was formed on the right (our right,) of the road, and moved forward through the dense cornfields, in front of the enemy's lines. The infantry troops behind the ditch before mentioned, soon gave way, and fled to their entrenchments. As our troops approached the enemy's entrenchments, the most terrific fire that you can possibly imagine was opened upon them. Suffice it to say, that the bridge head was forced, and the enemy left, completely routed. Twigg's and Shields' troops, and some of Pillow's approached the right of the enemy's lines, where they suffered severely. Frank Taylor's battery was brought up to counter batter the field work, and most gallantly served, but being directly opposed to heavier metal, was cut to pieces. Duncan's battery was established in a position which enfiladed, or took the enemy's works in reverse; it therefore did great execution, and not being exposed to the enemy's heavy guns, suffered but little. Our loss was severe—probably it will exceed a thousand, killed and wounded. The loss of the enemy, in killed and wounded, is much greater than ours, but cannot be accurately estimated. We have 2,700 prisoners, several hundred of whom are officers of all grades, from generals to lieutenants. There is no obstacle to our entering the city at any time we choose.

The following is the correspondence between Generals Scott and Worth, which led to the arrest of the latter, and the suspension of the former:—

Mexico, Nov. 13, 1847.

Sir,—I learn with much astonishment that the prevailing opinion in this army points the imputation of "scandalous" conduct in the third, and the invocation of "the great numbers" in the fourth paragraph of order No. 349, printed and issued on yesterday, to myself, as one of the officers alluded to. Although I cannot suppose those opinions to be correctly formed, nevertheless, regarding the high source from which such imputations flow, so seriously affecting the qualities as a gentleman, the character as an officer, of him to whom they may be aimed, I feel it incumbent to ask, as I now do, most respectfully, of the frankness and sense of justice of the general-in-chief, whether in any sense or degree, he condescended to apply, or designed to have implied the epithets contained in that order to myself; and consequently, whether the general military opinions or sentiments in that matter has taken a right or intended direction. I trust I shall be pardoned for pressing with urgency, an early reply to this communication. Very respectfully, &c., W. J. WORTH, Bvt. Maj. Gen., Commanding 1st Division, Capt. Scott, A. A. Adj. Gen., Head Quarters.

HEADQUARTERS OF THE ARMY, Mexico, Nov. 14, 1847.

Sir,—I have the honor to acknowledge the receipt, this morning, of your communication dated the 13th inst., relative to general order No. 349, and I am instructed, by the general-in-chief to reply—"that the general order No. 349 was, as is pretty clearly expressed on its face, meant to apply to a letter, signed Leonardo, in a New Orleans paper, and to the summary of two letters given in the Washington Union, and copied into a Tampico paper; to the authors, aiders, and abettors of those letters, be they whom they may." I am, very respectfully, your most obedient servant. H. L. SCOTT, A. A. Adj. Gen., Bvt. Maj. Gen. Worth, U. S. A., Commander, &c.

HEADQUARTERS, 1st DIVISION, Mexico, Nov. 14, 1847.

Sir,—I have had the honor to receive your letter in reply, but not in answer, to mine of yesterday's date, handed to me this morning. The general order is too clearly "expressed on its face" to admit of any doubt of its application in regard to persons; the object of my letter, as I conceived clearly to express, was to ask to know distinctly, and with a view to further measures to protect myself, if, as I supposed, I was one of the persons referred to. Regretting the necessity of intrusion, I am compelled again respectfully to solicit an answer to that question. I ask it as an act of simple justice, which, it is hoped, will not be denied.

I have the honor to be, very respectfully, your obedient servant. W. J. WORTH, Bvt. Maj. Gen., Commanding 1st Division, Capt. H. L. Scott, A. A. Adj. Gen., Headquarters.

HEADQUARTERS OF THE ARMY, Mexico, Nov. 14, 1847.

Sir,—The general-in-chief desires me to reply to your note of this date, by saying that he cannot be more explicit than in his reply, through me, already given. That he has nothing to do with the suspicions of others, and has no positive information himself as to the authorship of the letters alluded to in general order No. 349. If he had valid information on the subject, he would immediately prosecute the parties before a general court martial. I have the honor to be, very respectfully, your obedient servant. H. L. SCOTT, A. A. Adj. Gen., Bvt. Maj. Gen. W. J. Worth, U. S. Army, commanding, &c.

The above is a true copy. J. C. FENBERTON, Capt. and A. D. C. to Major General Worth.

HEADQUARTERS, 1st DIVISION, Mexico, Nov. 14, 1847.

Sir,—It is due to my official courtesy and propriety that I acknowledge your letter, No. 2, in answer to mine of this date, and in doing so, and closing this correspondence with the headquarters of this army, I beg permission to say, and with regret, that I have received no satisfactory answer to the first and rightful inquiries that I have addressed to the general-in-chief; but inasmuch as I know myself to be deeply aggrieved and wronged, it only remains to go by appeal as I shall do, through the prescribed channels, to the constitutional commander-in-chief. The general-in-chief is pleased to say, through you, that "he has nothing to do with the suspicions of others, and that he has no positive information, himself, as to the authorship, &c." Granted,—but has not the manner in which the general-in-chief has been pleased to treat the case, established, whether designed or not to be seen, an unequivocal public sentiment upon the subject? There are always enough of that peculiar and pestiferous species, who only exist upon the breath of authority, to catch up the whisperings of fancy, and infest a whole military community. I do not design to be stifled under the misname of such, nor stricken down in my advanced age, without an effort to convince my friends that I scorn to wear "honors not earned."

I remain, sir, your obedient servant, W. J. WORTH, Bvt. Maj. Gen., Capt. H. L. Scott, A. A. Adj. Gen., Headquarters.

HEADQUARTERS, 1st DIVISION OF THE ARMY, Mexico, Nov. 16, 1847.

The Hon. the Secretary of War, Washington.—Sir,—From the arbitrary and illegal conduct—the malice and gross injustice practised by the general officer, commanding in chief this army—Major General Winfield Scott—I appeal, as is my right and privilege, to the constitutional commander-in-chief, the President of the United States.

I accuse Maj. Gen. Winfield Scott of having acted in a manner unbecoming an officer and a gentleman. He has availed himself of his position, to publish, by his authority, to the army which he commands, and of the influence of his station to give the highest effect to, an order, bearing date Nov. 15th, 1847, and numbered 349, (official printed copy herewith,) calculated and designed to cast odium and disgrace upon Brevet Major Gen. Worth, to bring that general officer into disrepute with the army, and to lessen, if not destroy his just influence and proper authority with those officers and soldiers over whom he is placed in command. That he has, without inquiry or investigation, in the said order, (published to the army and to

the world,) falsely charged me with having acted in a manner unbecoming an officer and a gentleman, is established in the United States, and in which he has been pleased to apply the epithets of "scandalous, malignant," &c. that he has made these charges to the world, giving to them the sanction of his high authority, and the influence of his position, whilst he has endeavored to keep me from having any opportunity of clearing myself by laying before the public, and the world, a full and true statement of the facts connected with the charges and allegations preferred by Maj. Gen. Winfield Scott, against Maj. Gen. Gideon J. Pillow, and Brevet Lieut. Col. James Duncan, captain of the 3rd regiment of artillery, and the charges or matters of complaint presented by way of appeal by Bvt. Maj. Gen. W. J. Worth, colonel of the 9th regiment of infantry, against Maj. Gen. Winfield Scott; and also, into any matter connected with the same, as well as such other transactions as may be submitted to the consideration of the court; and after investigating the same, the court will report the facts in each case, together with the reasons thereon, for the information of the President.

The court will convene on the 15th day of February next, or as soon thereafter as practicable, in the Castle of Mexico, in Mexico, where it will continue to hold its sittings, unless the order of the President shall otherwise require. The place changed

in which case the court will adjourn from place to place, until such order be made as shall be considered by the President.

Should any of the members of the court be prevented from attending, the order be given by the President, and business before the court will proceed by a majority of members present, or by a committee appointed by the President, or otherwise as the President may direct.

In Lieut. Richard F. Remond, is appointed to be the clerk and recorder of the court. In case the judge or judges should be prevented from attending, the President should be notified, and the court should be adjourned to another place, or otherwise as the President may direct.

W. L. MARCY, Secretary of War. By order: (Signed) E. D. RITCHIE.

DECISION BY THE COURT MARTIAL AND THE PRESIDENT OF THE U. S. IN THE CASE OF COL. FREMONT.

From the National Intelligencer, published in the National Intelligencer, dated the 10th day of December, 1847.

The charges upon which Col. Fremont was tried having been heretofore published at large in this paper, with all the particulars which were known to us at the time, we deem it unnecessary to repeat much of the record as contained in the proceedings, &c., to our readers, being so much as concerns the Finding and Sentence of the Court, the President's decision and orders.

Findings and Sentence of the Court. After full and mature consideration of all the testimony, the court find, that Lieut. Col. John C. Fremont, of the 4th regiment of mounted rifles, United States Army, is guilty of the following offenses:—

1st. In disobeying the orders of the President, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

2d. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

3d. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

4th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

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In Lieut. Richard F. Remond, is appointed to be the clerk and recorder of the court. In case the judge or judges should be prevented from attending, the President should be notified, and the court should be adjourned to another place, or otherwise as the President may direct.

W. L. MARCY, Secretary of War. By order: (Signed) E. D. RITCHIE.

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1st. In disobeying the orders of the President, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

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6th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

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8th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

9th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

10th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

11th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

12th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

13th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

14th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

15th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

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17th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

18th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

19th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

20th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

21st. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

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24th. In publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, and in publishing a false and malicious report of the proceedings of the court martial, &c.

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