

J. Rafo, si fuere perpetrado, L. Por un ciu-
... mexicano, habitante ó viagero en
... contra la persona ó pro-
... pertenecien ó siguen
... Unidos del Nor-
... individuo que
... ejército
... los ciu-
... de este
... luo que
... ejército
... ue per-
... juzgado
... suplemental.

course, be tried and severely punished by the ordinary or civil courts of the land.

2. Assassination, murder, poisoning, rape, or the attempt to commit either; malicious stabbing or maiming; malicious assault and battery; robbery; theft; the wanton desecration of churches, cemeteries or other religious edifices; the wanton destruction of religious ceremonies, and the destruction, except by order of a superior officer, of public or private property, in such offences.

3. The good of the service, the honor of the United States and the interests of humanity, imperiously demand that every crime, enumerated above, should be severely punished.

4. But the written code, as above, commonly called the *rules and articles of war*, does not provide for the punishment of one of those crimes, even when committed by individuals of the army upon the persons or property of other individuals of the same, except in the very restricted case in the 9th of those articles; nor for like outrages, committed by the same class of individuals, upon the persons or property of a hostile country, except very partially, in the 51st, 52d, and 53th articles; and the same code is absolutely silent as to all injuries which may be inflicted upon individuals of the army, or their property, against the laws of war, by individuals of a hostile country.

5. It is evident that the 93th article, independent of any restriction in the 8th, is wholly nugatory in reaching any one of those high crimes.

6. For all the offences, therefore, enumerated in the second paragraph above, which may be committed abroad—in, by, or upon the army, a supplemental code is absolutely needed.

7. That unwritten code is *Martial Law*, as an addition to the written military code, prescribed by Congress in the rules and articles of war, and which unwritten code, all armies, in hostile countries, are forced to adopt—not only for their own safety, but for the protection of the unoffending inhabitants and their property, about the theatres of military operations, against injuries on the part of the army, contrary to the laws of war.

8. From the same supreme necessity, martial law is hereby declared as a supplemental code in, and about, all cities, towns, camps, posts, hospitals, and other places which may be occupied by any part of the forces of the United States, in Mexico, and in, and about, all columns, escorts, convoys, guards and detachments, of the said forces, while engaged in prosecuting the existing war in, and against the said republic, and while remaining within the same.

9. According'y, every crime, enumerated in paragraph No. 2, above, whether committed—1. By any inhabitant of Mexico, sojourner or traveller therein, upon the person or property of any individual of the United States' forces, retainer or follower of the same; 2. By any individual of the said forces, retainer or follower of the same, upon the person or property of any inhabitant of Mexico, sojourner or traveller therein, or 3. By any individual of the said forces, retainer or follower of the same, upon the person or property of any other individual of the said forces, retainer or follower of the same—shall be duly tried and punished under the said supplemental code.

10. For this purpose it is ordered, that all offenders, in the matters aforesaid, shall be promptly seized, confined, and reported, for trial, before *Military Commissions*, to be duly appointed as follows:

11. Every military commission, under this order, will be appointed, governed and limited, as nearly as practicable, as prescribed by the 65th, 66th, 67th, and 97th, of the said rules and articles of war, and the proceedings of such commissions will be duly recorded, in writing, reviewed, revised, disapproved or approved, and

the sentences executed—all, as near as may be, as in the case of the proceedings and sentences of courts-martial, provided, that no military commission shall in any case clearly cognized by any courts-martial, and provided, that a sentence of a military commission shall be put in execution against any individual belonging to this army, which may not be, according to the nature and degree of the offence, as established by evidence, in conformity with known punishments, in like cases, in some one of the States of the United States of America.

12. The sale, waste or loss of ammunition, horses, arms, clothing or accoutrements, by soldiers, is punishable under the 37th and 38th articles of war. Any Mexican or resident or traveller, in Mexico, who shall purchase of any American soldier, either horse, horse-equipments, arms, ammunition, accoutrements or clothing, shall be tried and severely punished, by a military commission, as above.

13. The administration of justice, both in civil and criminal matters, through the ordinary courts of the country, shall no where, and in no degree, be interrupted by any officer or soldier of the American forces, except, 1. In cases to which an officer, soldier, agent, servant, or follower of the American army may be a party; and 2. In *political* cases—that is, prosecutions against other individuals on the allegations that they have given friendly information, aid or assistance to the American forces.

14. For the ease and safety of both parties, in all cities and towns occupied by the American army, a Mexican police shall be established and duly harmonized with the military police of the said army.

15. All churches, convents and monasteries, its inhabitants and property, are, moreover, placed under the special safe-guard of the faith and honor of the American army.

16. In consideration of the foregoing protection, a contribution of \$150,000 is imposed on this capital, to be paid in four weekly instalments, of thirty-seven thousand five hundred dollars (\$37,500) each, beginning on Monday next, the 20th instant, and terminating on Monday the 11th of October.

17. The Ayuntamiento, or corporate authority of the city, is specially charged with the collection and payment of the several instalments.

18. Of the whole contribution to be paid over to this army, twenty thousand dollars shall be appropriated to the purchase of *extra* comforts for the wounded and sick in hospital;—ninety thousand dollars (\$90,000) to the purchase of blankets and shoes for gratuitous distribution among the rank and file of the army, and forty thousand dollars (\$40,000) reserved for other necessary military purposes.

19. This order will be read at the head of every company of the United States forces, serving in Mexico, and translated into Spanish for the information of Mexicans.

By command of Major General Scott:
H. L. SCOTT, A. A. A. G.

HEADQUARTERS OF THE ARMY,
National Palace of Mexico, Sept. 18, 1847.
GENERAL ORDERS—No. 289.

1. The army, by degrees and beginning as soon as practicable, will be distributed and quartered over the city as follows:

2. The first division on, or near, the direct route from the gate of San Cosme towards the Cathedral, and extending a little beyond the east end of the Alameda. This division will keep a competent guard, with two guns of medium calibre, at that gate.

3. The second division about the Plaza Mayor and extending towards the gate of San Lazaro, or the Peñon, at which it will keep a guard and two pieces of artillery as above.

4. The third division on, or near, the direct route from the gate of Peravillo, or Gaudalupe, towards the Cathedral, but not South of the Convent of San Domingo, and will keep a guard

with two pieces of artillery, as above, at that gate.

5. The Volunteer division on, or near, the direct route from the gate of San Antonio towards the Cathedral, but not north of the Hospital of Jesus, and will keep a guard, with two pieces of artillery, as above, at that gate.

6. The brigade of Cavalry will be quartered in the Cavalry barracks near the National Palace, marked on the plan of the city, or, se ordena que to-lace, marked on the plan of the city, or, se ordena que to-lace, This brigade will furnish, daily, a detachment of six men to the respect- arrestado, y divulgado, corporal and six men to the respect- ante una comision mi- between the gates and the comman- vocada en conformidad respective divisions, and for other like

7. No private house shall be occupied by a military, bajo esta corps or officer, until all suitable public bu- erna y limi- within the above ranges shall be first fully- erna, hasta donde occupied; and all officers, attached to troops, shall be quartered with, or near, their troops respectively.

8. No rent shall be paid by the United States for any building occupied by troops or officers, without a special direction from general headquarters; nor shall any private house be occupied as quarters without the free consent of the owner, or orders from general headquarters. No deviation from these injunctions will be tolerated.

9. The collection of customs or duties at the several gates of the city, by the civil authorities of the same, will be continued as heretofore, until modified by the civil and military Governor (Major-General Quitman) according to the views of the General-in-Chief. But supplies belonging to the Quartermaster's and Commissary's departments will at once be exempted from all duties.

By command of Major-General Scott:
H. L. SCOTT, A. A. A. G.

HEADQUARTERS OF THE ARMY,
City of Mexico, Sept. 19, 1847.
GENERAL ORDERS—No. 290.

1. The Adjutant General's office, near General Headquarters, is established at No. 7, calle del Angel, near the church of San Augustine; and the quarters of the General-in-Chief at No. 7, calle del Espiritu Santo, opposite the Sociedad Francesa.

2. The orderly hour is fixed at 10 o'clock, A. M., at which hour a staff officer will report from every division or independent command.

By command of Major General Scott:
H. L. SCOTT, A. A. A. G.

HEADQUARTERS OF THE ARMY,
City of Mexico, Sept. 19, 1847.

GENERAL ORDERS—No. 291.

1. Proceedings of a Council of War, to try cases under the laws of war, convened at this place by General Orders No. 285, Headquarters of the Army, and of which Brevet Brig. Gen. Smith is President.

Before the said Council of War was held Henrique Garcia, charged as follows:

CHARGE.—Violation of the laws of war.

SPECIFICATION.—In this that Henrique Garcia, Chief of Battalion in the Mexican Army, was found in arms in the city of Mexico on the 14th of September, 1847, threatening and attempting the lives of the United States' troops, after the Mexican troops had been withdrawn from the city, the capitulation having been made by the proper authorities.

To all which the accused pleaded Not Guilty. FINDING.

The Court find the accused Not Guilty of the charge and specification proffered against him and therefore acquit him.

2. The General-in-chief approves the proceedings and findings in the foregoing case.

3. The Council of War, of which Brevet Brig. Gen. Smith is President, is dissolved.

By command of Major General Scott:
H. L. SCOTT, A. A. A. G.

OFFICE OF THE CIVIL AND MILITARY GOVERNOR,
Mexico, Sept. 17, 1847.

1. All unarmed persons in the pursuit of their private affairs have leave to pass and repass the city gates, and outposts of our troops within the limits of the city.

2. No persons will be permitted to pass with arms, without special leave.

3. No arms, ammunition or munition of war, tobacco or public property of any kind can be allowed to be taken from the city without license from proper authorities.

J. A. QUITMAN, Maj. Gen. Extraordinario and Civil and Military Governor.

—Mil pesos, para comprar

patos, que se distribuirán

entre los soldados del ejército

cuarenta mil pesos so reservarán

para otras necesidades militares.

19. Esta órden será leida y circunada

entre todas las compañías del ejército

norte-americano que sirven en Mexico

y traducida al castellano para la infor-

macion de los mexicanos.

Por órden del general en jefe Scott.

H. L. SCOTT, A. A. A. G.

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