

ground & halted about five miles from the hill where the battery
was afterwards formed. I had never been consulted by Col Wadsworth
concerning the action, on the mode or point of attack
or any thing else, & had never been called on by him to recon-
noitre the ground or the enemy's position. At 12 o'clock on the
night of the 25th June we marched by his orders towards the
point & on arriving at the field, Lieut Watts who conducted
the regiment by the Colonel's orders, halted us at a spot which
he said had been pointed out to him by the Colonel as our
position during the action. On enquiring where the battery
was & also the enemy's ships, I found we were in the direct
line of the shots which the enemy would fire at the battery
& therefore sent Lieut Latimer to Col Wadsworth, to report
our arrival & ascertain what position we were to occupy.
Lt Latimer on his return said that the Colonel waved his hand
without looking round & said "the 36th must take position
behind that hill". But Lt Latimer could not specify what
hill or position was pointed out. Not finding any hill which
would be a shelter or good position I sent Lieut Watts to
the Colonel, & he informed me on his return he would get
no precise information from him. I then moved my regiment

~~I found my men were very much exposed to the enemy's fire~~
from being seen by the enemy, the detachments of the
38th regiment being in my rear. I remained in that posi-
tion until Col Wadsworth himself came down, & he posted
us in a place in advance of the spot where we had been
halted by Lieut Watts, & carried the 38th close to the bat-
tery. We remained in the position assigned to us about twenty
minutes - the shot fired at the battery fell amongst us, &
from the men being thus exposed to unnecessary dangers
(more exposed to a severe cannonading than I can see troops
in my life before) several of the officers of the regiment re-
monstrated to me against remaining there. A general con-
sultation of the officers then took place & they unanimously
recommended it to me to move from that position. I im-
mediately complied with the requisition of the officers &
moved back to my former position behind the ground, & we
remained there until we came off the ground.

Questioned by the court. What was the cause of the final
removal of your regiment from the ground? I was told
nearly at the same instant that the cannon were spiked
& the muzzles had passed, but I received no order from