

he could be of any use to the detachment under this de-
ponent's command he would remain where he was. This de-
ponent replied that Captⁿ Miller could not render him any
service by remaining. That this conversation occurred about
fifteen minutes after Captⁿ Miller's men had ceased firing
the Marines during those fifteen minutes remaining on the
ground and assisting this deponent in hauling up his guns.
When this deponent informed Captⁿ Miller he could not be
of use to him Captⁿ Miller ordered the guns to be limbered
and shortly after the detachment moved off in good order
that Col Wadsworth was not then above twenty yards from
the detachment of Marines and when they moved from the
ground this deponent knows of no objection having been
made by Col Wadsworth thereto nor of any order being given
by him to stop the movement nor in fact did this deponent
hear any general order given by Col Wadsworth that day.
That while the troops were retiring they were in full sight
of the battery ~~and~~ Col Wadsworth remained until the guns
were spiked about half a mile and this deponent did not
hear at that time ~~any~~ complaint made by the Col of the
movement nor any order given them to halt or march
back. That this deponent knows that no guns were in the
battery but the two eighteen pounders and the three twelve
pounders with the Marines but he afterwards saw three
other field pieces with the regulars which were not brought
into the battery. That the battery was beyond grape and
cannon shot distance from the British ships. That some

of my report of the 25th July 1841
the spiked guns then and when the men were halted in the
wood the deponent heard Captⁿ Miller inquire for the
wounded man named Monday and he was informed that
he was left on the ground Captⁿ Miller then offered to
go with his men and bring him up observing that those who
would leave a wounded man on the field ought never to
be permitted again to draw a sword or carry a musket. The
man was afterwards brought up by Captⁿ Parberry and
carried to the advanced hospital camp where he remained
two days and received every attention. That the men were
afterwards marched back to the edge of the wood and obeyed
the order with alacrity, when it was discovered that the
British vessels were under way. Captⁿ Miller afterwards
marched the Marines to the battery with his guns. This
deponent then left the battery and went to St Leonards leaving
two men to the care of the wounded man and further
this deponent knoweth not.

Sworn before

Joseph Cassin

We agree that the foregoing deposition shall be
evidence on the Court of Enquiry instituted by the
order of the 25th July 1841.

Samuel Miller
Capt of Marines

John Law
Judge Advocate