

WITNESS CROSS-EXAMINED BY THE PROSECUTOR (Cont'd):

Q- All I want is what you actually saw. You cannot account for the fact whether the Corporal had anything in his hand or not, as against the fact you are quite certain he did not strike him with his right hand?

A- I don't think he had anything in his hand.

Q- But you are not certain?

A- No, I am not certain.

Q- You are not certain whether he hit him or not.

A- I didn't see him hit him.

BY THE PROSECUTOR: That is all, sir.

RE-EXAMINED BY THE DEFENDING OFFICER:

Q- While you were watching Lamonte and DiPaolo did you see any blow fall on Lamonte's face?

A- No, sir.

Q- Did you see anyone's hand go near his face, nearer than the front of the coveralls?

A- No, I didn't.

Q- How close would DiPaolo's hand be from Lamonte's chin when he was hanging on to his coveralls?

A- About an inch.

Q- But, as far as you know, it didn't touch his chin?

A- No.

Q- You didn't actually see any blow struck?

A- No.

Q- And you were watching it from three feet away?

A- Yes, sir.

Q- Was there anybody closer than yourself?

A- I don't think so.

Q- You would have the best view of the affair from where you were standing? You were the closest one to him?

A- Yes.