

- Q.3 Did you go up the narrow alleyway, or laneway leading up to the Square at any time that evening?
- A.3 No, sir.
- Q.4 Did you go up any narrow laneway, alleyway or road way off high street.
- A.4 Yes, we went up a narrow street which leads to the angel.
- Q.5 Did you leave the high street at any time to urinate?
- A.5 No, sir.
- Q.6 Did you see Tpr Smyth urinate anywhere other than in a proper lavatory?
- A.6 No, sir.
- Q.7 Who beside yourself and Smyth were around when the civilian tried to hit Smyth?
- A.7 I couldn't say sir, I don't know how many were around.
- Q.8 During the conversation between yourselves, the civilian and the provost did the civilian try to hit Smyth?
- A.8 I don't know if he tried to hit him but he was waving his hand in front of Smyth's face.
- Q.9 Did the civilian make a threatening gesture towards Smyth.
- A.9 I don't know, sir.
- Q.10 While the provost were on the scene did the civilian do anything to cause Smyth to step back in self-defence?
- A.10 I don't know, sir.
- Q.11 Were Smyth and the civilian engaged in fighting or wrangling when the provost came on the scene?
- A.11 The civilians came on the scene with the provost.
- Q.12 When did you first see the shorter of the two civilians?
- A.12 When he tried to hit Smyth.
- Q.13 Were the Provost present when he tried to hit Smyth?
- A.13 No, sir.
- Q.14 What happened after the civilian came up and tried to hit Smyth?
- A.14 Smyth, grabbed him and held him away from him, then shoved him away and we turned and started walking down the street. We had gone a few yards when the civilian and the Provost stopped us.

The accused declines to cross-examine the witness further.


(D. G. Richmond)
B-51624

The witness withdraws