

BY MR. BROUILLETTE:

I have no questions.

BY THE COURT:

Okay, that's all, Miss Lonzo.

BY MR. KNOLL:

Your honor, at this time, we would call Mr. Julius Guillot.

BY THE COURT:

Do you solemnly swear, sir, that the testimony you're about to give in this case, will be the truth, and nothing but the truth, so help you GOD?

BY WITNESS:

I do, sir.

BY THE COURT:

Have a seat.

MR. JULIUS GUILLOT, who, after first being duly sworn, testified under oath, under direct examination, at the instance of and by counsel, Mr. J. Eddie Knoll, which testimony is as follows:

BY MR. KNOLL:

Mr. Guillot, would you state your name for the record, sir?

A. Julius Guillot. I'm a City Policeman here, in Marksville.

Q. And, how long have you served as a Policeman for the Town of Marksville?

A. Approximately about Fourteen years.

Q. Okay. And, have you been in the constant employ of the Marksville City Police for the past fourteen years?

A. Yes, sir.

Q. Okay. Did, on the date of May 8th, 1977, did you have an occasion to work -- be called to B.B. Mose's place?

A. That is correct, sir.

Q. Alright, now, would you tell me who was working with you on this date, May 8th, 1977?

A. On May 8th, 1977, at One o'clock, Jim Beaman and I were working together, sir, and we had the call.

BY THE COURT:

One o'clock in the afternoon, or the ...

Q. The morning, A.M., sir.

BY THE COURT:

A.M., Alright.

Q. Okay, now May 8th, 1977, would have been a Sunday, is that correct?

A. Yes, sir. Sunday morning.

Q. Sunday Morning. And, would you -- would you tell us why you went to B. B. Moses's place?

A. Well, we received a call that they had a disturbance with somebody pulling a gun on somebody else. Officer Jim Beaman was in one unit, and I was in another. He got there before I did. When I got there, he had suspect, Vincent Simmons, in the car, and another suspect, Augustine, who was suppose to have pulled a gun, so claimed, so, he had put Vincent in the Unit that he was driving. I stood by the door to watch Vincent, at the time Jim Beaman checked for the gun. He did go around checking for the gun. He even checked inside Augustine's car, and could not find a gun. Right immediately after that, we cleared the traffic and Jim Beaman took Vincent Simmons -- took off with him, and brought him home.

Q. Alright, now, did -- let me ask you this, now. Did you and Officer Newman Greenhouse ever work a complaint lodged at the B. Bear

Mose Place, involving a knife and Vincent Simmons?

A. Yes, sir.

Q. Alright, can you tell us a little bit about that?

A. Well, several days before, we had -- I don't remember in specific what day it was, but several days before, we had got a call that B.Bean Mose called and said he had took a knife away from Vincent Simmons, and he had the knife. He handed it over the counter-- in other words, the little window of his Chicken Shack place, through the window -- he handed it on the counter to Newman Greenhouse. Newman had it, and he pushed it back like this, and we advised him that, well, we didn't see the incident. If he wanted to come file charges and keep the evidence; in return, it was all peaceful at the time. So we started to take off,

B. Bean Moses handed the knife back to Vincent Simmons.

Q. Alright, now, you said that this occurred some time...

BY MR. BROUILLETTE:

Your honor, I object. He's leading the witness.

Q. Excuse me, I'm just recapping what he said.

BY MR. BROUILLETTE:

That's a leading question.

Q. Alright, let me just...

BY MR. BROUILLETTE:

I have the right to object, Mr. District Attorney.

Q. Go ahead and object. I'm going to change the question, then, okay?

Allright. Was it before or after the incident... the ..

BY MR. BROUILLETTE:

I object, this is a leading question again.

Q. Now, how is that leading?

BY MR. BROUILLETTE:

He can ask when it happened.

BY THE COURT:

Overruled. That's not leading.

Q. Mr. Guillot, would you tell us, whether or not the knife incident occurred before or after the incident with the gun?

A. The knife incident happened before, several days before. Because the reason why I remember so specific, the night Jim Beaman and I was there, when he started to take him home, I advised Jim Beaman -- I said, please be careful, because Vincent Simmons do carry a knife, and we had an incident several days before.

Q. Okay, that's all. I tender.

MR. JULIUS GUILLOT, who, after first being duly sworn, testified under oath, under cross examination, at the instance of and by counsel, Mr. Harold Brouillette, which testimony is as follows:

BY MR. BROUILLETTE:

Do you have any records to show that Mr.... when this happened?

A. No, sir, because at this time there -- we didn't make no complaint form, because it was a minor deal, and we advised B. Bean Mose to keep the knife if he wanted to, as evidence, and come file charges.

Q. And, no records were made of this call?

A. No, sir.

Q. Not even a log entry?

A. Well, it could be. Maybe a log entry, when we had the call to go over there. At that time, yes, there could be, maybe, a log entry. But, as far as any specific report, as this, we didn't make one.

Q. You did not make one?

BY THE COURT:

What is that record that you have there?

A. This is the one for the night we had for the gun?

BY THE COURT:

For the gun? And, what is the date of that one?

A. This is on 5/8/77.

Q. Now, Julius, that was the Saturday Night Shift that was on duty that night...

A. Yes, sir, we was working 11 to 7; and it so happened that it was at one o'clock in the morning -- Sunday morning, A.M.

Q. That was the Saturday Night Shift that went on at eleven o'clock?

A. Yes, sir.

Q. And, that was on ---

A. From 11 Saturday night -- 11 o'clock P.M. through Sunday morning -- till 7 o'clock in the morning.

Q. Correct. And, this happened one hour passed Saturday night, in other words?

A. Sunday morning. If I recall right, this incident happened the Sunday morning.

Q. That's all I have.

BY MR. KNOLL:

Your Honor, in connection with the witness' testimony, I would like to file, offer and introduce into evidence the sheet involving the complaint on May 8, 1977, to which this witness has testified, marking it STATE'S EXHIBIT 11 for identification.

BY THE COURT:

Will the witness identify the complaint?

Q. Okay, would you tell me -- I'll show you this document that I marked S-11 for identification. Can you tell me, sir, what this piece of paper is, please?

A. ~~This is to verify the statement we had made and a little record,~~ showing, in other words, about the incident that happened on 5/8/77, at one o'clock P... I mean, A.M., about Vincent Simmons complaining about -- That Augustine had pulled a gun on him, and we investigated it.

BY THE COURT:

That's the complaint you made -- your record that you made?

A. That's Jim Beaman and I.

BY THE COURT:

You made that record?

A. Jim Beaman made it, and I verified it.

BY THE COURT:

Allright.

Q. Was that made -- when was that made?

BY THE COURT:

Made in your presence.

A. Yes, sir, in my presence.

Q. When was that report made?

A. When we came back to the City Hall.

Q. But, none was made on the other incident that you talked about?

A. No, sir. Not on that one. It was a minor incident. And, we figured that was -- we didn't see nothing that was going on, and they had a disturbance at this time; and it was still created and it was still going on. That's why we investigated this one. The other one, there was none -- there was hardly nobody there.

Q. This was about the shot gun on the Saturday night, is that right?

other crime evidence

A. On the Sunday morning.

Q. Sunday morning at one o'clock. Allright, sir. I have no objection to that.

BY THE COURT:

Allright, the court will permit it filed. Any other questions?

BY MR. KNOLL:

That will be all. Thank you, sir. Your Honor, at this time, we would call, ~~Mr. Albert Fruge~~, your honor.

BY THE COURT:

Call Albert Fruge. Do you solemnly swear, that the testimony you're about to give in this case, will be the truth, and nothing but the truth, so help you GOD?

BY WITNESS:

I do.

BY THE COURT:

Come sit over here.

BY MR. BROUILLETTE:

Your Honor, may be approach the bench, please?

MR. ALBERT FRUGE, JR., who, after first being duly sworn, testified under oath, under direct examination, at the instance of and by counsel, Mr. Eddie Knoll, which testimony is as follows:

BY MR. KNOLL:

Mr. Fruge, would you state your name for the record, sir?

A. Albert Fruge, Jr.

Q. Mr. Fruge, where do you live?

A. I live in Alexandria.

Q. And, where are you now?

A. Avoyelles Parish Jail.