

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.

Q. And, how long have you been in the Avoyelles Parish Jail?

A. Six months.

Q. For what are you serving time in the Avoyelles Parish Jail?

A. Theft.

Q. Okay, now, Mr. Fruge, have you ever seen the defendant, Vincent Simmons, in either red or maroon pants?

A. Yes, sir. I seen him in some maroon pants, and a black silk shirt, about the first of May at the jailhouse.

BY MR. BROUILLETTE:

I didn't hear what he said. Would you ask him...

A. I saw him with some maroon pants, black boots and silk black shirt, along about the first of May in front of the jail house.

Q. Okay. I tender the witness.

MR. ALBERT FRUGE, JR., 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:

You said a black shirt?

A. Yes, sir.

Q. Where was he around the jailhouse?

A. He was upstairs.

Q. Was he in jail on the 1st of May?

A. It was right about the 1st of May.

Q. Did he stay up there a while?

A. Yes, sir.

Q. Was he in jail on the 9th of May?

A. I can't recall that, sir.

A. No, sir, I don't.

Q. Do you know what he was there for?

A. I can't remember.

Q. But, it was around the 1st of May?

A. Around about the first of May.

Q. You're serving a sentence right now for theft, aren't you?

A. Theft.

Q. And, haven't there been some new charges just brought against you in the last few days?

A. I can't recall.

Q. You can't recall?

A. I haven't been presented with new charges against me.

Q. Have you been --you have not been told that there are going to be some new charges filed against you, and I'm not meaning the last few days, Mr. Fruge?

A. No, sir. I have not been told.

Q. Have you talked to any Deputy about some new charges against you in the last few days?

A. I haven't.

Q. You have not?

A. No.

Q. Have you talked to Mr. Floyd Juneau about some new charges against you in the last few days? You're under oath.

A. I'm under oath. But, I didn't talk to one of the deputies. Nobody told me about any new charges to be filed against me.

Q. You don't know anything about any new charges?

A. No, sir.

Q. You're sure of that?

A. The only thing I knew that somebody wanted to talk to me.

A. That somebody wanted to talk to you?

A. Talk to me.

Q. Who wanted to talk to you?

A. Detective Riche from Alexandria.

Q. Detective Riche wanted to talk to you?

A. Yes, sir.

Q. And, you don't know what it's about?

A. No, sir.

Q. Did you talk to him?

A. No, sir, I did not.

Q. Did you refuse to talk to him?

A. I never seen him.

Q. Well, you were in jail, and they sent word that a detective wanted to talk to you?

A. Right.

Q. Well, did they request that you be brought to Alexandria?

A. No, the Detective came down here to talk to me.

Q. And, you wouldn't talk to him?

A. He did not talk to me, sir. I guess the matter was solved, that's all.

Q. I thought you said he asked to talk to you?

A. He asked the Deputies up here to tell me that he was going to come and talk to me. To have me ready to talk to him when he came here.

Q. But, he hadn't talked to you yet?

A. He did not.

Q. Are you a trustee in the jail right now?

A. Yes, I am.

Q. That means you can sort of go and come as you please, doesn't it?

A. No, it does not.

Q. How do you know it was around the 1st of May that you saw Vincent Simmons?

A. Because I remember the month has just came in, and I keep track of my time every time the month's in.

Q. You keep track of your time every time the month changes?

A. Every time a new month came, I'd be looking for another month dead on my time.

Q. And, he was actually -- he was doing time in jail?

A. I did not say he was doing time in jail. I seen him in jail.

Q. Well, I asked you if he was there for a few days.

A. Oh, I saw him in jail.

Q. Was it on visitor's day?

A. I don't think so.

Q. Well, if it wasn't on visitor's day, he must have been a prisoner, huh?

A. It's possible.

Q. Alright, is it your testimony that he was a prisoner in the jail on May 1st?

A. I stated that I seen the man with black boots, with maroon pants and a silk shirt.

Q. And, it was around the 1st of May?

A. Yes, sir.

Q. You see me up there pretty often, too, don't you?

A. Yes, sir. But, I don't think you're in jail, though, huh?

Q. Don't you see me go up to the jail pretty often?

- A. I do.
- Q. Do you remember the clothes I wear?
- A. Well, you don't be up there that often for me to notice your clothes. I mean, you know...
- Q. Well, how often was he up there?
- A. Well, he's been there before, and if I'd see him, usually I'd notice him. We're not enemies, really.
- Q. Do you remember what clothes other people wore that came up there around the 1st of May?
- A. What people in particular are you talking about?
- Q. No.
- A. Well, really, it didn't come to my attention to notice the clothes that you were wearing.
- Q. Mr. Kelly -- did you notice what kind of clothes he was wearing around the 1st of ...
- A. Most of the time when I see Mr. Kelly, he has the same suit on.
- Q. Did somebody remind you, or call it to your attention what kind of clothes he had on?
- A. No, sir.
- Q. And, you don't know whether he was a visitor in jail, or whether he was a prisoner?
- A. Well, I'm only trying to be specific; and that's why I'm not going to say that I remember him being a prisoner or a visitor. But, I remember him with those clothes on, around the 1st of May, like I told you.
- Q. And, you remember he had on some red pants?
- A. Maroon pants.
- Q. Maroon pants. And, he was walking around, up in the jail, around

all the deputy sheriffs and all of this, with red pants on. That's your testimony.

A. I guess that's so.

Q. I have no further questions.

BY MR. KNOLL:

That's all. Thank you, sir.

BY MR. KNOLL:

Your honor, we'll call Gerald Perry.

BY MRS. KNOLL:

Richard Perry.

BY MR. KNOLL:

Richard Perry.

MR. RICHARD PERRY, 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. Perry, would you state your name for the record, sir?

A. Richard Perry, is my name.

Q. Mr. Perry, where do you live?

A. Mansura.

BY MR. BROUILLETTE:

Your honor, before he commences his testimony, I just -- I think the prisoner -- the witness was standing right outside the door. I'd like to ask him if he heard the last testimony.

A. No, I didn't.

BY MR. BROUILLETTE:

You didn't hear the testimony of Mr. Fruge?

A. No, I didn't.