

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 106

HON. RAYMOND CHOATE, JUDGE

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

BRUCE MCGREGOR DAVIS,

Defendant.

234

No. A-267861

REPORTERS' DAILY TRANSCRIPT

Tuesday, February 1, 1972

VOLUME 34APPEARANCES:

For the People:

JOSEPH P. BUSCH, JR., District Attorney

BY: ANTHONY MANZELLA

and

STEPHEN R. KAY,

Deputies District Attorney

For Defendant Davis: GEORGE V. DENNY, III

PEARL  
KAUFMAN

COPY

MARY LOU BRIANDI, C.S.R.  
ROGER K. WILLIAMS, C.S.R.  
Official Court Reporters

# I N D E X

PEOPLE'S WITNESSES:

DIRECT

**CROSS**

REDIRECT

RECROSS

PEARL, Ruby  
(Continued)

5110

5237 M

5254

5189

5275 M

5278

5280

5283 M

KAUFMANN, William John, 5286 K  
III

DEFENDANT'S WITNESSES:

PEARL, Ruby

5266

E X H I B I T S

PEOPLE'S:

**FOR IDENTIFICATION**

IN EVIDENCE

80-A through 80-I:  
(Previously identified)

5163

41: a photograph

5263

LOS ANGELES, CALIFORNIA, TUESDAY, FEBRUARY 1, 1972 9:43 A.M.

- - - -

THE COURT: Good morning, ladies and gentlemen.

(Whereupon, murmurs of "Good morning," were heard from members of the jury.)

THE COURT: How are you all?

(Whereupon, murmurs of "Fine, your Honor," were heard from members of the jury.)

THE COURT: I play a little game of squash -- a game called squash in the early mornings, most mornings of the week. And this morning, I took quite a drubbing. My opponent was too good. So I started off the morning bad.

It could improve, though, if all the personnel were to show up on time.

MR. DENNY: I'm here, Judge. I'm here.

(Laughter.)

THE COURT: Yes, I see you. And I want to compliment you.

MR. DENNY: I don't need the compliments. I just don't want to get castigated; that's all.

But I appreciate the compliments.

(Pause in the proceedings.)

THE COURT: All right. We will be in recess until the District Attorney's staff arrives -- and here they are.

Where is your first witness, Mr. Manzella?

MR. MANZELLA: It will have to be me.

Mrs. Pearl's on her way up.

1 THE COURT: Very well.

2 (Recess, during which a discussion off the  
3 record was had in chambers among the Court and  
4 counsel.)

5 THE COURT: The record will show the defendant to be  
6 present with his counsel. All of the jurors are present, and  
7 we are ready to proceed.

8  
9 RUBY PEARL,  
10 called as a witness by and on behalf of the People, having  
11 been previously duly sworn, resumed the stand and testified  
12 further as follows:

13 MR. DENNY: Your Honor, I thought we were ready to  
14 proceed. I need to get another exhibit. If I may have just  
15 a moment?

16 (Pause in the proceedings while Mr. Denny  
17 repaired to the exhibit room, returning shortly,  
18 whereupon the following proceedings were had:)

19 MR. DENNY: Thank you, your Honor.

20  
21 CROSS-EXAMINATION (Continued)

22 BY MR. DENNY:

23 Q Mrs. Pearl -- by the way, that is not your true  
24 name; is that correct?

25 MR. MANZELLA: Objection. It's not relevant, your  
26 Honor.

27 THE COURT: Sustained.

28 THE WITNESS: Well, I --

1 THE COURT: You needn't answer that.

2 MR. DENNY: Your Honor, I would like to be heard on  
3 that. I think the jury should know if she has a true name.  
4 I think that's --

5 THE COURT: The objection is sustained.

6 Q BY MR. DENNY: Well, are you married, ma'am?

7 A Yes.

8 Q What is your married name?

9 MR. MANZELLA: Objection. It's not relevant.

10 THE COURT: Sustained.

11 Q BY MR. DENNY: All right. We were talking yester-  
12 day, at the close of the session, about whether or not you  
13 recognized me.

14 After the evening, do you?

15 A Yeah. I told you I had seen you before.

16 Q When did you tell me that?

17 A Last time I saw you here in court.

18 Q You mean when I was questioning you?

19 A Yes. I said, "I remember meeting you."

20 Q Oh. And when did you meet me?

21 A Well, I only met you once, I guess, and probably  
22 that was at the ranch.

23 Q At Spahn Ranch?

24 A At the Spahn Ranch in Oregon.

25 Q Not the Spahn Ranch down at the --

26 A I don't remember meeting you at the Spahn Ranch  
27 here.

28 Q When was it you met me at the Spahn Ranch in

1 Oregon?

2 A Well, I know I had met you very recently. I just  
3 saw you the once. It was when you come up there with some  
4 people.

5 Q Weekend before last?

6 A Yes.

7 Q Sunday?

8 A On Sunday.

9 Q All right. And we had a discussion at that time  
10 about certain matters?

11 A Not a discussion.

12 Q A conversation?

13 A Yes.

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1 Q Nothing secret or private about it?

2 A No.

3 Q There were these other people, another young couple

4 -- a middle-aged couple?

5 A Yes.

6 Q And what you were telling me was not secret at all?

7 A Not at all.

8 Q All right. Now, let's go back, if I may, to some of

9 your testimony.

10 You indicated, I think, that Shorty was kind of a

11 family with you and George; is that right?

12 A Yes.

13 Q So, living at the Spahn Ranch was not only the

14 Manson Family, but the Spahn family; is that right?

15 A Yes.

16 Q All right. There were other members of the Spahn

17 Family, is that right, --

18 A Yes.

19 Q -- besides you and Shorty?

20 Who were the members of the Spahn family?

21 A His sons and daughters, and their husbands.

22 Q Well, was Shorty the only non-blood relative besides

23 you who was a member of the Spahn family?

24 A Oh, no.

25 Q Well, who else?

26 A Well, we considered our cowboys who had been there

27 for years --

28 Q Well, who were they?

AA-2

1 A -- family.

2 Larry Craven, Bennie Dietrich, Randy Starr,  
3 Shorty.

4 Q By the way, these other cowboys who were members  
5 of the Family, Larry Craven, Benny Dietrich, Randy Starr, were  
6 they a little more -- what you might say -- regular in the work  
7 they did around the Spahn Ranch than Shorty?

8 MR. MANZELLA: Objection. The question is vague and  
9 ambiguous.

10 MR. DENNY: Let me rephrase it. It is a little  
11 ambiguous, perhaps.

12 Q Did they work on a more regular basis than Shorty?

13 MR. MANZELLA: Objection. It's vague and ambiguous as  
14 to time.

15 Q BY MR. DENNY: Oh, during the last three or four  
16 years, 1965 to 1969?

17 A No, not necessarily.

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1 Q They kind of drift in and out the same way Shorty  
2 did?

3 A The same way.

4 Q And their pay was about the same as Shorty's pay?

5 A Same arrangement.

6 Q Well, did they work in movies, too?

7 A Yes, whenever they could.

8 Q All right. So they got kind of paid off in bit  
9 parts, stunt parts in movies that you managed to get for  
10 them, is that right?

11 A You could say that.

12 Q Well, I don't want to say it. I'm asking you to  
13 say it if it is true. If it is not true, don't say it.

14 A Yes.

15 Q All right, ma'am.

16 And they got paid room and board, and that was  
17 about it, plus bit parts in the movies for the work they did?

18 A No, it cost a lot more than that.

19 Q Tell me what else.

20 A Clothing, boots, hats, jackets, spending money,  
21 cigarettes.

22 Q All right. But no regular salary, no regular  
23 wages, is that right?

24 A No.

25 Q And these weren't fancy dudey outfits, they  
26 were work clothes, if you got them clothes; is that right?

27 A They picked them out.

28 Q Well, they picked them out to work in, generally,

1 is that right?

2 A Depending on what they were going to do at the  
3 time they bought them.

4 Q Well, George wasn't in the business of providing  
5 fancy outfits for his cowboys, was he?

6 A There was only one cowboy that wanted fancy  
7 clothes.

8 Q Who was that?

9 A That was Randy Starr.

10 THE COURT: Could we move along to something other than  
11 cowboys' wardrobes?

12 MR. DENNY: I expect we can, your Honor.

13 Q Now, when -- you say between 1956 and 1959 Shorty  
14 always advised you when he was leaving town?

15 A Yes.

16 Q Ma'am, every time he left town did he tell you he  
17 was going?

18 A If he was staying at the ranch at the time, he  
19 wanted to go somewhere, he said, I'll be back in a week or  
20 so or I'm going so and so place.

21 Q Well, Shorty often just picked up and left,  
22 didn't he?

23 A No.

24 Q Well, there were plenty of times when he wasn't  
25 staying at the ranch, when he was working there on a weekend,  
26 come up and work on a weekend or something like that, but  
27 he wasn't staying there during this period of time, 1966 and  
28 '69.

1 A Well, if I seen him before he was going to go,  
2 he would tell me. If he was working somewhere else and left,  
3 then, he didn't.

4 Q All right. And if you didn't see him before he  
5 took off, all of a sudden you'd find that Shorty had gone and  
6 you wouldn't see him for a period of time, is that right?

7 A No, that's not right. If he were living at the  
8 ranch --

9 Q No, I'm not talking now about when he was living  
10 at the ranch.

11 Well, let's talk for a minute about when he was  
12 living at the ranch.

13 That was not very regular that he was living at  
14 the ranch full time during that period of time between '56  
15 and '69, was it?

16 A Sometimes it was very regular.

17 Q Well, there was a period of time before he got  
18 married to his first wife, is that right?

19 A There was sometimes.

20 Q All right. And even after he got married to his  
21 first wife, he lived just off the ranch property for a little  
22 bit there, for about nine months or so; is that right?

23 A Off and on, yes.

24 Q Well, did he live there for a period of nine  
25 months on --

26 A He lived with his wife there at that place, yes.

27 Q All right. Didn't tell you whether he was coming  
28 or going there, during that period of time, did he?

1 A Yes, he did,  
2 Q Where did he go?  
3 A He went on a vacation once with his wife Sandy.  
4 Q All right.  
5 Q Where else?  
6 A Went home to his mother once.  
7 Q When was that?  
8 A I don't know when it was. Went to Boston.  
9 Q Well, do you remember about when it was that he  
10 went home to Boston?  
11 A Well, it was after he divorced Sandy.  
12 Q All right. How long was he gone?  
13 A I don't know.  
14 Q Well, wasn't he gone for a considerable period  
15 of time sometime between 1959 and 1965?  
16 A Yes, on one or two occasions he was.  
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1 Q Where?

2 A One time he was in Boston.

3 Q Where else?

4 A I don't know. Vacation once.

5 Q Well, he was gone for about a year, wasn't he?

6 A That was when he was in Boston.

7 Q No, another time.

8 A Well, back in them days I didn't pay that much  
9 attention. He was young.

10 Q And foot-loose?

11 A Free.

12 Q And later in his life, after he got divorced, he  
13 was just as foot-loose and free, wasn't he?

14 A Yes.

15 Q And you didn't pay that much attention to his  
16 comings and goings after he got divorced, did you?

17 A Only when he made it a point to come up to the  
18 ranch.

19 Q All right. Only when he made it a point.

20 And if he didn't make it a point, he went in and  
21 out just the same as the other cowboys, right?

22 A When he wasn't working, he stayed at the ranch.  
23 So if he didn't have a job or wasn't going home, his home was  
24 at the ranch.

25 Q Well, now, how often was it -- by the way, does it  
26 refresh your recollection if I tell you for about a year in  
27 1960 he was gone down to Texas; do you remember that?

28 MR. KAY: That assumes facts not in evidence.

1a-2

1 MR. DENNY: I think it has been so testified by his first  
2 wife.

3 MR. KAY: It was in Arizona.

4 THE COURT: Do you know whether he was in Texas during  
5 that period of time?

6 The objection is overruled.

7 THE WITNESS: I never heard he was going to Texas.

8 Q BY MR. DENNY: Did you ever hear he was going to  
9 Arizona?

10 A I don't recall right now.

11 Q Ever hear he was going to the salt mines in  
12 Vallejo?

13 A Yes.

14 Q When?

15 A Oh, it was in the last couple of years, recent  
16 data.

17 Q 1969 sometime, did you hear that?

18 A Yes.

19 Q Around August of 1969 heard he was going to the  
20 salt mine?

21 A No, not August.

22 Q July?

23 A June or July.

24 Q Now, you said that the longest period without  
25 seeing him was six or seven months when he went home between  
26 this period in 1956 and 1969. Otherwise, you saw him almost  
27 every weekend; is that right?

28 A When he was in the area or in the State of

1a-3

1 California, I seen him regular. Weekends, if he was close  
2 by. A month or two, if he was in the vicinity.

3 Q A month or two if he was in the vicinity.

4 Now, what do you mean by "the vicinity"?

5 A Well, he worked in a bar and that was quite a ways  
6 away. In fact, I don't know where it was.

7 Q So you wouldn't see him for a couple of months at  
8 a time, then, is that right?

9 A He'd come up on weekends. He was in the vicinity.

10 Q Well, you said this bar was quite a ways away.

11 A It was in the Los Angeles area.

12 Q Well, he didn't come up on weekends, then, when he  
13 was working at this bar, is that right?

14 A Yes, he did.

15 Q Well, then, you did see him every weekend, is that  
16 right?

17 A If he was in the vicinity, I saw him every weekend.

18 Q Well, what if he wasn't in the vicinity? How long  
19 would it be between times that you saw him?

20 A Well, see, I didn't put any time down. I can't  
21 say.

22 Q Well, it is kind of important.

23 You said otherwise you saw him almost every week-  
24 end, and now you say you didn't see him almost every weekend if  
25 he wasn't in the vicinity, so which is it, ma'am?

26 A When he was at the salt mines, that was a stretch.

27 Q All right. What other places?

28 A In Las Vegas, that was a stretch, a week or two or

1a-4

1 three.

2 Time went so fast, it seemed like we seen him all  
3 the time.

4 Q Kind of seemed that way, but you have no real  
5 recollection of how much time passed from one time you saw him  
6 until the next, when he was out of town?

7 A I know when it was. It was within a few weeks,  
8 in relation to each other.

9 Q Do you have any recollection?

10 MR. MANZELLA: The question has been asked and answered.

11 THE COURT: Sustained.

12 Q BY MR. DENNY: Well, if I may rephrase the  
13 question.

14 Ma'am, within a fifteen-year period, there were  
15 times when Shorty wasn't around other than the time he went  
16 home? There are times when Shorty wasn't around, for three,  
17 four months at a time; is that right?

18 A Yes, within the fifteen-year period.

19 Q All right. And Shorty didn't ask you every time  
20 during that period of time, before he took off to go some  
21 place and didn't show up for three or four months, did he?

22 MR. MANZELLA: Objection, the question was vague and  
23 ambiguous.

24 THE WITNESS: There were times that he did.

25 THE COURT: You needn't -- well, the answer may remain.

26 Q BY MR. DENNY: All right, there's times when he  
27 did and times when he didn't, is that right?

28 MR. MANZELLA: The question is vague and ambiguous.

29 THE COURT: Sustained.



1 Q BY MR. DENNY: Well, there's times when he did?  
2 You answered there's times --

3 MR. MANZELLA: The question is vague and ambiguous.

4 MR. DENNY: Well, she answered it. She understands it.

5 THE WITNESS: He never left the ranch without telling  
6 me if he was right there and I was there.

7 Q BY MR. DENNY: Well, now, ma'am, that's what I  
8 am trying to get to. There were times when he wasn't seen  
9 at the ranch and he just took off and you didn't know where  
10 he was at several months at a time?

11 A Those were the times I said yes to.

12 Q All right. You wouldn't hear from him, then,  
13 for maybe three or four months?

14 MR. MANZELLA: The question has been asked and answered.

15 THE COURT: Sustained.

16 Can we move on, Mr. Denny.

17 MR. DENNY: Try to do so, your Honor.

18 Q By the way, when was it that you saw Bruce Davis  
19 at the ranch in 1969, do you recall?

20 A Yes, I saw him after the raid, before the raid.

21 Q Well, are you sure you saw him before the raid?

22 A Yes.

23 Q Now, how long before the raid?

24 A There was a space there where I didn't see him  
25 a few weeks.

26 Q You just saw him kind of off and on?

27 A Yes.

28 Q Sometimes he was there, sometimes he wasn't?

1 During this period of a couple of months before the raid of  
2 August 16, 1969, is that right?

3 A There wasn't too much space because he was  
4 working on the dune buggies.

5 Q Well, would it be fair to say I saw him occasionally  
6 off and on?

7 A Yes.

8 Q All right.

9 Now, Juan Flynn is a fellow you identified here  
10 from some of these pictures.

11 Was Juan Flynn a member of the Family?

12 A Yes.

13 Q How about little Larry?

14 A Yes.

15 Q Is that little Larry Jones?

16 A Yes.

17 MR. DENNY: May I have just a moment, your Honor?

18 THE COURT: Yes, you may.

19 Q BY MR. DENNY: Oh, about this business of the  
20 negatives, this is in June that Shorty got the negatives from  
21 you, June of 1969?

22 A June or July.

23 Q Well -- and do you recall testifying it was in  
24 June?

25 A Yes. Around June.

26 Q It was around --

27 A Around June.

28 Q All right. And you told Shorty you wanted those

1 back in a hurry or he said he'd get them back to you, is that  
2 it?

3 A Well, I knew it would take time to develop them.

4 Q Anyway, you had, at your house there, in Chatsworth,  
5 a kind of trailer fixed up, it was a little house in the back,  
6 sort of; didn't you?

7 A Yes, I had a traveling trailer.

8 Q That was fixed up as a dark room?

9 A We did make some pictures in there at one time.

10 Q All right. And there was an enlarger?

11 A No, that belonged to Shorty. He didn't have  
12 them there.

13 Q Shorty had the enlarger at your house? He had  
14 them stored at your house?

15 A He had a lot of stuff there. I didn't ask what  
16 it was.

2 fls.

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1 Q Well, you knew that he had an enlarger there;  
2 you saw it?

3 A I knew he owned one, yes.

4 Q All right. And it was kind of bit?

5 A It was a big piece of machinery.

6 Q All right. But Shorty told you that he wanted  
7 to enlarge these pictures somewhere else, is that right, --

8 A Yes.

9 Q -- and not do it there?

10 A Yes. He was going to have it done.

11 Q All right. And was it you who said, "Be sure  
12 to get them back to me quick"?

13 Or was it he who said, "Well, I'll get them back  
14 to you in a hurry"?

15 A It was I.

16 Q All right. And you wanted those back, and you  
17 made it very clear to him you wanted them back in a hurry;  
18 right?

19 A Yes, sir.

20 Q All right. June went by, and you didn't get them  
21 back; July went by and you didn't get them back; August --  
22 up to August 16th went by, and you didn't get them back.

23 Two, two and a half months, maybe; is that right?

24 A I seen him in between, and I asked him for them,  
25 and he said he hadn't finished them yet.

26 Q He hadn't finished them yet.

27 All right. Shorty was kind of casual, would you  
28 say, in that respect?

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1 MR. MANZELLA: Vague and ambiguous.

2 THE COURT: Sustained.

3 You may rephrase it.

4 THE WITNESS: Well, he had other things to do.

5 THE COURT: Well --

6 MR. DENNY: All right. Shorty took his time about  
7 meeting that kind of obligation?

8 MR. MANZELLA: Objection, your Honor. It calls for a  
9 conclusion, and it's vague and ambiguous.

10 THE COURT: Sustained.

11 You may rephrase it.

12 THE WITNESS: On some things.

13 THE COURT: When the Court says, "Sustained," don't  
14 answer.

15 THE WITNESS: Oh. All right. I'm sorry.

16 THE COURT: That answer is stricken.

17 Q BY MR. DENNY: Well, would it be fair to say, on  
18 some things, Shorty took his time? Because he had other things  
19 to do?

20 A If he thought things were more important, he'd  
21 do them first.

22 Q All right. By the way, there were times, weren't  
23 there, when Shorty was hard up for money?

24 MR. MANZELLA: Objection, your Honor. It calls for a  
25 conclusion, and it's vague and ambiguous.

26 MR. DENNY: Well, let me rephrase it.

27 Q There were times when Shorty came to you, told  
28 you he was hard up for money, at times during this period of

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1 15 years that you knew him, between '56 and '69 -- I guess  
2 13 years, that is?

3 A Yes.

4 Q Is that right?

5 And in fact, there were times when Shorty  
6 sold you things in order to get money; is that right?

7 A Not especially.

8 Q Well, there was one time he sold you a camera  
9 for \$50, to get money, wasn't that right?

10 Do you remember so testifying about that earlier?

11 A I was trying to think what all it was.

12 Sometimes he did.

13 Q Well, do you remember specifically a time when he  
14 -- when he sold you a camera for \$50 to get money, because he  
15 was hard up?

16 A Yeah, I remember now. He did.

17 Q All right. And during most of the time you knew  
18 him, Shorty was telling you how hard up he was for money,  
19 wasn't he?

20 A Oh, yes.

21 Q Trying to bum a few bucks off of you or George;  
22 is that right?

23 A That's right.

24 Q And you -- you would advance him money, never  
25 expecting to get it paid back; is that right?

26 A Yeah, on many occasions.

27 Q Make a loan, in quotes? Never expecting to get  
28 it back; is that right?

2-4

1 A Yeah.

2 Q All right. And part of that's because Shorty  
3 told you he was having trouble finding work; isn't that right?

4 A Yes.

5 Q And to your knowledge, knowing Shorty for 13  
6 years, Shorty worked off again, on again, at various odd  
7 jobs, horse wrangler, tree trimmer, bartender, --

8 A Yes.

9 Q -- pornographic book salesman?

10 MR. MANZELLA: Objection. It assumes a fact not in  
11 evidence.

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12 THE COURT: Overruled. You may answer, if you know.  
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1 Q BY MR. DENNY: Do you know about his stint in  
2 Hollywood at Jerry Binder's bookstore?

3 A No.

4 Q All right. Or in Las Vegas, where he worked for  
5 Jerry Binder in the Swinger's Boutique?

6 A No. I only heard the name of Jerry Binder.

7 Q All right. Now, about these guns.

8 Shorty had this set of guns that he felt were  
9 really something; is that right?

10 A Yes.

11 Q And by golly, he told you they fit him; they were  
12 personal to him; he felt naked without them; is that right?

13 A Yes.

14 Q Well, now, ma'am, did Shorty go around with those  
15 guns strapped to his hips all the time?

16 A Oftentimes.

17 Q I mean, when he was there shoveling manure --

18 A Oh, no.

19 Q -- in the barns?

20 A When he was dressed up, interviews or something,  
21 he would have them on.

22 Q When he'd go out to interview for a movie job?

23 A Or if someone would come to the ranch to see him.

24 Q Oh, I see. But normally, every day he dressed  
25 just like the rest of the cowboys, and they didn't go around  
26 with two guns slung on their hips, did they?

27 A No, not if there wasn't a picture in progress.

28 Q All right. So it wasn't Shorty's normal dress, at



2a-2

1 any rate, to have those guns on him?

2 A Not on him.

3 Q All right. And in fact, for a period of -- oh,  
4 six weeks or so, you were in possession of those guns; isn't  
5 that right?

6 A One time.

7 Q When was that?

8 A That was when he went to Las Vegas.

9 Q Was that in 1969?

10 A Yes.

11 Q And he had put those guns in your safekeeping; is  
12 that right?

13 A Yes.

14 Q And then when he came back from Las Vegas, he  
15 picked them up from you?

16 A Yes.

17 Q Told you he was going to pawn them; is that right?

18 A No, he didn't tell me at the time.

19 Q He told you a little bit later that he had pawned  
20 them --

21 A Yes.

22 Q -- and wanted some money to get them out of  
23 hock, --

24 A Yes.

25 Q -- is that right?

26 A Yes.

27 Q And asked you for twenty bucks to get them out of  
28 hock?

2a-3

1 A Yes.

2 Q Did he tell you that he wanted twenty bucks to get  
3 one of the guns out of hock, or twenty bucks to get two guns  
4 out of hock?

5 A He just said "guns."

6 Q This was after the August 16 raid; is that right?

7 A Yes.

8 Q All right. Now, ma'am, you talked about one  
9 particular conversation between George Spahn and Frank Retz, and  
10 you were present, and Squeaky, Lynn Fromme was present; do you  
11 remember that?

12 A Yes.

13 Q And at this conversation, as you related it, there  
14 was some discussion about the fact that the Manson people were  
15 running over the ranch, scaring the horses and depreciating  
16 the value of the ranch, from a standpoint of tourists being  
17 unhappy about it;

18 And that both George and Frank wanted to get the  
19 Manson people to stop their running all over the property like  
20 that, and get a watchman; is that right?

21 A Yes.

22 Q And George said, "Well, I have got a man for you,  
23 Shorty, and I'll put him in touch with you," something to that  
24 effect; is that right?

25 A Yes.

26 Q All right, ma'am. And this was right out -- out-  
27 side in the open, this particular conversation which occurred;  
28 is that right?

2a-4

1 A Yes.

2 Q And it occurred when? Shortly after this August  
3 16th raid? August 16th, 1969 raid?

4 A Yes.

5 Q And this was just the first of several such  
6 conversations that you were personally a party to, or present  
7 at, between George Spahn and Frank Retz, on that particular  
8 subject; right?

9 A Yes.

10 Q And in fact, there were three or four such conversa-  
11 tions, over a period of several days -- or a week or more --  
12 concerning Mr. Retz' desire to get a watchman and George's  
13 interest in getting Shorty the job; isn't that right?

14 A Yes.

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2b fol

2b-1

1 Q And at some of these conversations -- well, strike  
2 that.

3 At all of these conversations, was Squeaky  
4 present?

5 MR. MANZELLA: Objection. Assumes a fact not in  
6 evidence: That Mrs. Pearl was present, your Honor, at all of  
7 these conversations.

8 THE COURT: Sustained.

9 Q BY MR. DENNY: Well, you've testified that there  
10 were three or four conversations at which you were present;  
11 isn't that right, ma'am?

12 A That I was present?

13 Q Yes.

14 A Yes.

15 Q All right. There may have been more that you were  
16 not present at, when George and Frank went down to lunch or  
17 something -- which they sometimes did; is that right?

18 A Yes.

19 Q All right. You don't know what they discussed down  
20 at lunch, --

21 A No.

22 Q -- if you didn't go with them?

23 All right. But at least these three or four, you  
24 were present.

25 Now, was Squeaky present on these three or four?

26 A It wasn't that many.

27 Q Huh?

28 A Just maybe two. It wasn't that many.

2b-2

1 Q All right. Say the two, was Squeaky present at  
2 both of them?

3 A No.

4 Q Now, ma'am, was it kind of common conversation  
5 around the ranch that Shorty was in line for a job as Frank  
6 Retz' night watchman?

7 A Yes. A couple of boys got wind of it.

8 Q All right. A couple of the cowboys, --

9 A Right.

10 Q -- is that right?

11 And the cowboys talked about it in your presence;  
12 is that right? I mean, you said --

13 A I would say yes. Yes, Larry talked about it,  
14 and --

15 Q All right. Did Randy talk about it?

16 A Randy.

17 Q And Bennie talked about it?

18 A Who?

19 Q Bennie.

20 A No, he wasn't there.

21 Q He wasn't there. All right.

22 Any of the other people talk about it?

23 A Not that I recall.

24 Q All right. But at least it was --

25 A It was --

26 Q -- common knowledge around the ranch, and --

27 MR. MANZELLA: Objection. Calling for a conclusion,  
28 your Honor.

2b-3

1 The witness testified as to who talked about it.

2 THE COURT: Sustained.

3 Q BY MR. DENNY: All right. So at least there was no  
4 big secret about it?

5 MR. MANZELLA: Objection. Vague and ambiguous; calling  
6 for a conclusion.

7 THE COURT: Sustained.

8 Q BY MR. DENNY: Well, you talked to people about it,  
9 didn't you? That Frank Retz --

10 A No, I didn't.

11 Q -- was looking for Shorty?

12 You heard George Spahn talk to other people about  
13 it?

14 A Yes, I heard George mention it.

15 Q To whom?

16 A To me.

17 Q To who else?

18 A Well, I didn't hear him mention it to anybody else.

19 Q Dawn Quant?

20 A It's possible.

21 Q All right. He wasn't making a secret of it?

22 A No.

23 Q All right. Shorty talked about it, didn't he?

24 A To me.

25 Q And to other people?

26 A I don't know.

27 Q Shorty didn't make a secret of it; is that right?

28 A We talked always privately. We didn't talk among

2b-4

1 other people.

2 Q Well, but Shorty didn't ask you to keep it mum --

3 A No.

4 Q -- or keep it quiet or anything like that?

5 A No.

6 Q He was kind of interested in it; is that right?

7 A Yes.

8 Q All right. And as far as you were aware, did you  
9 hear any of these people that you referred to as the Manson  
10 Family members talk about it?

11 A No.

12 (Pause in the proceedings while a discussion off  
13 the record ensued at the counsel table between the defendant  
14 and Mr. Denny.)

15 Q BY MR. DENNY: Now, ma'am, you've gone through  
16 these pictures at the request of Mr. Manzella, and identified  
17 the people.

18 70 is who?

19 A That's Patty.

20 Q Patty? Do you know her last name?

21 A No.

22 Q And 77-A, that's who?

23 A Well, some of the girls, I didn't know their  
24 names. They had nicknames, and they looked alike to me.

25 I don't know her name.

2c fol

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2c-1

1 Q 77-B?

2 A Well, I know they called him "Mike," but I don't

3 know him very well. I only saw him once.

4 Q Mike?

5 A Mike. That's what they called him.

6 Q All right. 77-C?

7 A That's Sadie.

8 Q That's Sadie. And 77-D?

9 A That's Robert Beausoleil.

10 Q Now, at the time that you were asked to identify

11 him at the Grand Jury hearing in this case, you mistook him

12 for Paul Watkins?

13 A Yeah. They looked a lot alike, when they're

14 walking around. They're both short.

15 Q Both short. Showing you this picture, 77-M --

16 A That's Watkins.

17 Q -- that's Paul Watkins?

18 And this is Beausoleil?

19 A And this is Beausoleil.

20 Q And you say they look a lot alike, when they're

21 walking around?

22 A When they're dressed in their hats and shaggy

23 clothes.

24 Q Well, their faces look a lot alike?

25 A I didn't see them two that much.

26 Q Well, you saw them enough to recognize them,

27 didn't you?

28 A I didn't pay much attention to them.



2c-2

1 Q You recognized their pictures?

2 A I recognized their pictures when I looked close  
3 at the two of them. I know them.

4 Q When you looked close --

5 A When I walked past them on the boardwalk, I'd  
6 say, "Hello." That's all.

7 Q All right, ma'am. And when you say they looked  
8 alike in their shaggy clothes, what do you mean?

9 A Bob Beausoleil always had a coonskin hat on.  
10 Watkins, he dressed like some kind of a trapper.

11 Q Did he wear a coonskin hat, too?

12 A They often interchanged their hats and clothes.

13 Q As a matter of fact, most of these people inter-  
14 changed their clothes, among the Manson Family men members;  
15 isn't that right?

16 A Yeah, they did.

17 Q They had a kind of a store of clothes, or a couple  
18 of stashes of clothes that they'd all just go to and take  
19 whatever they wanted that particular day; and one of them --

20 A That's the way they did.

21 Q And one would wear it one day, and one the next  
22 day; is that right?

23 A Yeah, they did.

24 Q So it would be pretty hard to tell one from  
25 another, by his clothes, at any given time; is that right?

26 MR. MANZELLA: Objection. Calls for a conclusion and  
27 speculation.

28 THE COURT: Sustained.

1 Q BY MR. DENNY: Pretty hard for you to tell one  
2 from another, simply by virtue of the clothes; isn't that  
3 correct?

4 MR. MANZELLA: Vague and ambiguous as to time, your  
5 Honor.

6 Q BY MR. DENNY: Any time.

7 A No, it wasn't too hard for me.

8 Q Well, now, what was it?

9 A If I looked at them.

10 Q If you looked at them?

11 A If I just went past and didn't look at them --  
12 I didn't care who they were.

13 Q Well, if -- you mean, it -- it took some  
14 conscious looks at them to discern who was who, because  
15 you couldn't tell them apart by their clothes; is that  
16 right?

17 A If I looked at them, I knew them.

3 fls.

3-1

1 Q Well, now, you didn't know them by their clothes,  
2 is that right?

3 THE COURT: That's asked and answered. Let's --

4 MR. DENNY: Well, she hasn't answered that, your Honor.

5 THE COURT: It's been answered.

6 Q BY MR. DENNY: Well, ma'am, how did you distinguish  
7 between these Manson Family members, the men of the Manson  
8 Family who interchanged their clothes all the time?

9 A Their walk, their stature. Their way of standing.  
10 Their poise.

11 Q Bob Beausoleil, how did he walk?

12 MR. MANZELLA: Objection, your Honor, not relevant.

13 THE COURT: Sustained.

14 Q BY MR. DENNY: Bruce Davis; how did he walk?

15 A Slow.

16 Q Slow. That's the way his regular walk was?

17 A That's his regular walk.

18 Q Anything more than that that you can say dis-  
19 tinguishing?

20 A Mostly standing.

21 Q He was mostly standing. That's the way you saw  
22 him?

23 How about other identifying characteristics about  
24 Bruce Davis that led you to be able to recognize him apart from  
25 his clothing?

26 A He was always just standing around.

27 Q All right.

28 A Nonchalant.

3-2  
1 Q Okay. Is that -- that's your impression of Bruce  
2 Davis, and that's what you would identify him by; is that  
3 right?

4 A That where I mostly saw him, standing on the  
5 boardwalk, moving a little bit.

6 Q Slow?

7 A Slow.

8 Q Okay.

9 How about Charlie Manson?

10 A He had a swing to his walk, a carefree walk.

11 Q Now, what kind of swing to his walk?

12 A Carefree swing.

13 Q Well, was it with his arms, his legs, his head; what  
14 kind of swing?

15 A Oh, when you walk, you swing your shoulders and  
16 swing your arms, just like that.

17 Q And walk like this?

18 A Not much ambition, just swing.

19 Q About what I am doing now (indicating)?

20 A Yes.

21 Q All right.

22 THE COURT: The record may show that Mr. Denny is walking  
23 up and down in front of the jury box swinging his arms.

24 Q BY MR. DENNY: His head a little bit forward?

25 THE COURT: And walking slowly.

26 THE WITNESS: Carefree attitude.

27 Q BY MR. DENNY: Well, ma'am, with his head kind of  
28 bent forward?

1           A       Yes. He walked that way. Yes, he didn't have a  
2 straight poise. He had a slump.

3           Q       All right.

4           THE COURT: Ladies and gentlemen, we're going to recess  
5 now. You've been sitting an hour.

6                   During the recess you are obliged not to converse  
7 amongst yourselves, nor with anyone else, nor permit anyone to  
8 converse with you on any subject connected with this matter,  
9 nor are you to form or express any opinion on the matter  
10 until it is finally submitted to you.

11                   You may step down.

12           THE WITNESS: Okay.

13                   (Morning recess.)  
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1 THE COURT: The defendant is present with his counsel.  
2 All the jurors are present.

3 State your name again for the record.

4 THE WITNESS: Ruby Pearl.

5 MR. DENNY: May we proceed, your Honor?

6 THE COURT: Yes, you may.

7 BY MR. DENNY:

8 Q Mrs. Pearl, was there anything else distinctive  
9 about Mr. Manson's walk or appearance or demeanor that you  
10 would find so distinctive or so significant that you would  
11 use it in recognizing him?

12 A Yes.

13 Q What was that?

14 A His hair.

15 Q Ahhh! And what about his hair?

16 A At the time they were on the ranch, they had all  
17 bushy hair, long.

18 Q All of them?

19 A Long. Some more bushy than others.

20 Q Well, now, let's just kind of look at that.  
21 Did they wear shoulder length hair?

22 A Some of them.

23 Q And the "they" we are talking about are the men  
24 of the Manson Family, --

25 A The men, the Manson men.

26 Q -- is that right? All right.

27 This includes Juan Flynn?

28 A Yes.

4-2

1 Q Bill Vance?  
2 A Yes.  
3 Q Danny DeCarlo?  
4 A Yes.  
5 Q Larry Craven?  
6 A Yes.  
7 Q Little Larry?  
8 A He didn't --  
9 Q Larry Jones?  
10 A Larry Jones.  
11 Q Vern Plummley?  
12 A Yes.  
13 Q Was Vern Plummley a member of the Family?  
14 A For a while there.  
15 Q All right. Paul Watkins?  
16 A Yes.  
17 Q Did you ever see Brooks Posten around there?  
18 A Yes.  
19 Q Was he the same way? That is, as far as his  
20 hair?  
21 A He had a certain way with his hair.  
22 Q All right. Bobby Beausoleil?  
23 A Yes.  
24 Q Can you think of any other male members of the  
25 Family --  
26 A Steve.  
27 Q Oh, Steve Grogan?  
28 A Yes.

1 Q Clem?

2 A Clem.

3 Q They all wore their hair about the same, would  
4 you say?

5 A No, not about the same. Each one had their own  
6 characteristic hair-do.

7 Q Well, let's talk about that, then. What was  
8 Mr. Manson's characteristic hair-do about the end of August,  
9 1969?

10 A Neck length, and curly, and floppy.

11 Q How about a beard, a mustache?

12 A I never noticed a beard on Charlie.

13 Q Well, I want to direct your attention specifically  
14 to the last two weeks of August of 1969.

15 Did Charles Manson at that time have any kind  
16 of hair growth, to your recollection?

17 A Oh, he had a fuzzy face a lot of times. I  
18 don't know if it was intentionally or accidental.

19 Q Did he ever have a beard?

20 MR. MANZELLA: Vague and ambiguous. He has answered  
21 the question.

22 Q BY MR. DENNY: Other than a fuzzy growth, did  
23 he have what would be commonly be referred to as a beard?

24 A A short one, perhaps.

25 Q Not a long one?

26 A Not a long one.

27 Q Showing you this picture, which has heretofore  
28 been marked, I believe, People's 68, of Shorty, he appears



1 to have some sort of --

2 A That's what I call fuzzy.

3 Q -- a hair growth. All right.

4 Now, if Mr. Manson had anything on his face, it  
5 wouldn't have been any longer than that; is that right?

6 A Not necessarily. From time to time, he had more  
7 fuzz than others.

8 Q Well, ma'am, I'm not talking about from time to  
9 time. I'm talking about a specific period of time -- namely,  
10 between August 16 and August 31st, 1969.

11 A He had a little growth there, on his chin  
12 (indicating).

13 Q Manson had a little growth on his chin?

14 A Yes.

15 Q Well, you are pointing as if it were like a  
16 goatee, now. Was it a goatee?

17 A If you want to call it a goatee. It was on the  
18 chin.

19 Q All right. But nothing on the sides (indicating);  
20 is that right?

21 A Straggly.

22 Q A little straggly on the sides, about like this  
23 picture has shown?

24 A At times. I can't say at one certain time. It  
25 grows (indicating).  
26  
27  
28

4a fls.

4a-1

1 Q Yes, it does, ma'am.

2 How about this time when you say you saw him  
3 rushing out of this car towards Shorty?

4 A Well, I wasn't close up to him like you and I are  
5 now.

6 Q That's right.

7 A Overnight, they grow.

8 Q Well --

9 A They don't -- if they don't never shave.

10 Q What did his beard look like, then?

11 A Scraggly.

12 Q You recognized the fact that he had a beard?

13 A No, I didn't. I just noticed his face was  
14 shaggy.

15 Q You recognized his face was shaggy in the moon-  
16 light?

17 A Yes.

18 Q How far away were you, at the closest?

19 A Well, I was fifteen feet.

20 Q Fifteen?

21 A Or so.

22 Q Fifteen?

23 A I don't know.

24 Q About this close?

25 A Yeah. Not too far away.

26 THE COURT: Indicating about ten or twelve feet.

27 THE WITNESS: Yeah, could have been that.

28 I didn't measure. I don't know how to measure

4a-2

1 that kind of distance.

2 Q BY MR. DENNY: All right. Anything else about  
3 Mr. Manson, other than the fact that he walked with kind of a  
4 swing of his arms (indicating), and his forehead forward, and  
5 he had a shaggy head of hair, about shoulder length, that kind  
6 of curled out; and he had a goatee beard.

7 Anything else about him -- significant, as far as  
8 your recognizing him?

9 A No.

10 Q How about Bruce Davis? What was his hair like  
11 between August 16 and August 31, 1969?

12 A It was shoulder length, almost, and curly.

13 Q Shoulder length and curly.

14 Did he have a beard?

15 A No beard.

16 Q No beard?

17 A That I recall.

18 Q All right. Now --

19 A Just the same growth on his face; never clean-  
20 shaven. They were never clean shaven.

21 Q Just a kind of a stubble, you might say? One- or  
22 two- or three-day stubble?

23 A Well, a week or so stubble.

24 Q All right. And on this particular night, when you  
25 say you saw him get out of this car with Charlie Manson and  
26 the other people, did you see this stubble on his face?

27 A I didn't notice or -- I didn't search for stubble.  
28 I just saw them as they were occasionally.

1 Q All right. So then, you didn't use that as a --

2 A I didn't use that as an identification. Their  
3 whole appearance was an appearance.

4 Q Their whole appearance was an appearance.

5 And when you say "their whole appearance," what do  
6 you mean?

7 A I didn't pick out his necktie or his shirt, his  
8 coat or hat or anything -- which he never wore anyway. Some  
9 never wore hats. Some wore caps.

10 Q Who wore caps?

11 A Beausoleil wore a cap all the time.

12 Q All right. Who else?

13 A Well, that's all I have in my memory now, that he  
14 always wore a cap.

15 Q All right. So that the --

16 A And some of the --

17 Q The rest of the Manson men?

18 A Well, I knew them by the way they always dressed.

19 Q Well, they always dressed in each other's clothes;  
20 isn't that right?

21 A In the same manner. But if he had a -- they had a  
22 particular habit, they would -- if one of them wore a hat,  
23 the other one didn't.

24 Q Well, ma'am, you said that Beausoleil was the only  
25 one who wore a hat.

26 A He's one that wore a hat.

27 Q Anyone else?

28 A I don't place any others wearing hats.

1 Bill Vance wore a hat. He -- he wouldn't be seen  
2 without his hat, probably.

3 Q What kind of hat did Bill Vance have?

4 A He had a cowboy hat.

5 Q A cowboy hat?

6 A A straw hat.

7 Q He always wore that around?

8 A Most always.

9 Q By golly. Any -- "most always"?

10 A Yes, most always.

11 Q Daytime or nighttime?

12 A Yes, right.

13 Q And this shadow you saw in the car, was that  
14 shadow wearing a hat?

15 A I saw what looked to be a hat. That's why I  
16 searched, to see if he was coming out next.

17 He never did come out.

18 Q He never did come out?

19 A No.

20 Q That shadow stayed in the car?

21 A Yes.

22 Q And that shadow had a hat on?

23 A I tried to think if it was Bill Vance. I was  
24 searching for him.

25 Q Well, ma'am, I appreciate --

26 A That came to my mind.

27 Q I appreciate that that came to your mind.

28 But did that shadow have a hat? Could you tell?

1 A It appeared to be Bill Vance; and that Bill Vance  
2 portrait in my mind is a hat.

3 Q I appreciate that. But despite what the portrait  
4 was in your mind, did that shadow there in the -- in that  
5 car, that you've been talking about, did that have a hat?

6 A I tried to search to see what it was, and I  
7 couldn't make it out.

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5-1  
1 Q You couldn't make it out whether it had a hat or  
2 no, is that right?

3 A It gave me that impression. But then I searched  
4 again, and back and forth, and I couldn't make out what it was.

5 Q But you sort of put it together in your mind that  
6 it was Bill Vance, anyway?

7 A That's the first thing that came to me: "Is that  
8 Bill Vance?"

9 Q That's what stayed with you, is that right?

10 A Yes.

11 Q You questioned it and kind of convinced yourself  
12 it was?

13 A But maybe it wasn't.

14 Q But maybe it wasn't.

15 But you testified before the Grand Jury that it  
16 was.

17 A No, I didn't.

18 MR. MANZELLA: Objection, it's not relevant.

19 MR. DENNY: It is as far as a consistent statement.

20 MR. MANZELLA: There's nothing inconsistent in her  
21 testimony so far, your Honor.

22 THE COURT: All right, the answer may remain in the  
23 record. The objection is overruled.

24 Q BY MR. DENNY: Do you recall testifying before  
25 the Grand Jury on about December 15th, 1970?

26 A Yes.

27 Q All right. Calling your attention to page 839  
28 of the Grand Jury transcript, starting at line 15:

5-2

1 "Q What did you notice happen?

2 "A Just as I was going out the driveway, a  
3 car sped in ahead of me, almost squeezed me out and  
4 parked real quick and about four or five men got out  
5 of it.

6 "Q Who got out of the car?

7 "A Well, it was the men that lived with the  
8 Family.

9 "It was Steve, we called him Steve.

10 "Q Clem Tufts?

11 "A Clem Tufts.

12 "And Bruce Davis and Charlie.

13 "Q Charlie Manson?

14 "A Yes.

15 "And Bill Vance.

16 "Q Now, do you recall whether or not Tex  
17 Watson was there?

18 "A Yes, he was there, too.

19 "Q Now, you mentioned the name Bill Vance.

20 "Are you certain as to whether or not  
21 Bill Vance was there?

22 "A Well, it kind of looked like it was. I  
23 didn't see his face."

24 Do you remember so testifying?

25 A Yeah.

26 Q So we go back to that particular night that you  
27 say was sometime in August, after the August 16th raid,  
28 and your state of mind there was you were kind of expecting



5-3

1 it to be Bill Vance, so you thought it was Bill Vance; is  
2 that right?

3 A That's what came into my mind.

4 Q All right. And then, by the time you testified  
5 before the Grand Jury, you were -- had talked yourself into  
6 it that it was Bill Vance, is that right?

7 A No. I just wondered if it was.

8 Q But you told the Grand Jury that it was Bill  
9 Vance.

10 A No, I mentioned his name.

11 MR. MANZELLA: Objection, it is a mischaracterization  
12 of her testimony before the Grand Jury. The testimony speaks  
13 for itself. The testimony has just been read.

14 THE COURT: Sustained. The testimony does speak for  
15 itself.

16 Q BY MR. DENNY: All right. I'm going to your  
17 state of mind, though, now.

18 MR. MANZELLA: Objection. Ask that Mr. Denny's comment  
19 be stricken.

20 MR. DENNY: May I ask the question, your Honor?

21 MR. MANZELLA: Yes, I would appreciate that.

22 THE COURT: Yes, you may.

23 Q BY MR. DENNY: As to your state of mind, ma'am,  
24 when you testified before the Grand Jury, now over a year  
25 after this incident happened, is it a fact that by that time  
26 you had convinced yourself that Bill Vance was there?

27 MR. MANZELLA: The question has been asked and  
28 answered.

1 THE COURT: Sustained.

2 Q BY MR. DENNY: All right.

3 By the way, aside from the hat that Bill Vance  
4 always wore, what did he walk like? What were his dis-  
5 tinguishing characteristics?

6 A He was tall and slim and walked with a fast  
7 quick step.

8 Q How tall, ma'am?

9 A Six foot something.

10 Q Well, that could be up to six foot eleven or  
11 six foot one. Makes a difference. Do you recall about how  
12 tall?

13 A Well, I never gave it that much thought.

14 Q Well, did he appear to be a short six foot or  
15 a tall six footer?

16 A A tall. With the hat on, he was taller yet.

17 Q Wore boots?

18 A Yes,

19 Q Almost always?

20 A Yes.

21 Q That made him taller yet?

22 A Yes.

23 Q Cowboy boots with high heels?

24 A Walking heels.

25 Q Or just working heels?

26 A A little higher than those.

27 Q All right.

28 Looking at my heel, which is a standard size heel?

1 A Yes.

2 Q Now, he walked a quick walk.

3 Was there anything else that distinguished his  
4 walk other than he walked with a quick walk?

5 MR. MANZELLA: Objection, it is not relevant.

6 THE COURT: Sustained.

7 MR. DENNY: Your Honor, I submit it is very relevant  
8 to her identification of these people.

9 THE COURT: She's already answered the question as  
10 to --

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5a-1

1 Q Did he do anything with his arms unique?

2 MR. MANZELLA: Objection, not relevant.

3 MR. DENNY: Your Honor, it is all relevant.

4 THE COURT: Overruled. You may answer.

5 Don't argue, gentlemen.

6 THE WITNESS: His arms were like anyone else's,  
7 naturally a quick walk.

8 Q A quick walk, like I am doing now (indicating)?

9 MR. MANZELLA: Objection, the question has been asked  
10 and answered.

11 THE COURT: The record will show that Mr. Denny is  
12 walking up and down in front of the jury box swinging his  
13 arms.

14 Q BY MR. DENNY: That appeared to be it?

15 A Appeared to be it.

16 Q Was there anything different, anything unusual  
17 or unique or distinct?

18 MR. MANZELLA: Objection, Vance's walk is not  
19 relevant.

20 THE COURT: Sustained.

21 MR. DENNY: I'm sorry.

22 THE COURT: It has been asked and answered.

23 Let's proceed.

24 Q BY MR. DENNY: Well, anything about the way he  
25 held his head?

26 MR. MANZELLA: Objection, the way Vance held his head  
27 is not relevant.

28 THE COURT: Overruled. You may answer.

1 THE WITNESS: Well, it isn't the head so much, the  
2 boots give a person a different walk.

3 Q Well, that's what I was trying to get at, ma'am.

4 A And the whole body has a different poise in a  
5 pair of boots than flat shoes.

6 Q All right. That's why I asked the question.

7 Did he walk different than I walked just now?

8 A Yes, yes.

9 Q All right. Now, how was it different?

10 MR. MANZELLA: Objection, it is not relevant. Asked  
11 and answered.

12 THE COURT: Sustained.

13 MR. DENNY: Your Honor, may I approach the bench,  
14 please, for an offer of proof?

15 THE COURT: No, you may not.

16 Let's proceed.

17 Q BY MR. DENNY: You saw this man that you described  
18 as Bill Vance get out with the others and walk toward Shorty,  
19 didn't you?

20 MR. MANZELLA: Objection, she didn't describe him as  
21 Bill Vance, your Honor. It assumes facts not in evidence.

22 THE COURT: Well --

23 Q BY MR. DENNY: You saw this?

24 THE COURT: I'll overrule the objection. You may  
25 answer that.

26 Did you see the man get out?

27 THE WITNESS: Not that I identified was actually Bill  
28 Vance. One that appeared the height of Bill Vance and the

1 general character of Bill Vance, but I didn't say it was Bill  
2 Vance.

3 Q BY MR. DENNY: Well, now, let me go back, if I  
4 may, ma'am.

5 Your testimony in this particular proceeding  
6 was you saw Charlie Manson, Bruce Davis, Tex Watson and Clem  
7 Grogan get out of the car and move over toward Shorty; is  
8 that right?

9 A Yes.

10 Q And, indeed, you marked the picture for us here,  
11 People's 80-I.

12 May I approach the witness, your Honor?

13 THE COURT: Yes, you may.

14 Q BY MR. DENNY: Showing more marks which appear  
15 to be red zeroes surrounded by black zeroes, is that right?

16 A Yes.

17 Q Those, as you made the marks, represented the  
18 four people: Manson, Davis, and Grogan and Watson, as they,  
19 you say, converging on Shorty; is that right?

20 A Yes.

21 Q All right.

22 The fifth man didn't get out of the car, right?

23 A (No response.)

24 Q Let me withdraw the question.

25 You said there was just a shadow in the car  
26 that stayed in the car, is that right?

27 A Yes, I kept waiting for someone else to come out,  
28 but he didn't.

1 Q But he didn't come out?

2 A No.

3 THE COURT: What was your answer?

4 THE WITNESS: No.

5 MR. DENNY: May I approach the bench a moment, your  
6 Honor?

7 THE COURT: Yes, you may.

8 MR. DENNY: I'd ask the Court to take judicial notice  
9 of the fact that the photograph marked in this case as 80-C  
10 was marked in the case of People vs. Grogan under the same  
11 case number, as Exhibit 31-C.

12 THE COURT: All right, so ordered.

13 Do you want it marked by reference in this case?

14 MR. DENNY: Your Honor, it is, on the same photograph.  
15 80-C in evidence in this case is the same document that was--

16 THE COURT: Yes, the Court realizes that.

17 MR. DENNY: 31-C, it doesn't have to be by reference.  
18 The stamp is on the back showing that it is the same exhibit.

19 THE COURT: But it is in the record in the Grogan case,  
20 right?

21 MR. MANZELLA: Yes, your Honor. It is in evidence  
22 in the Grogan case.

23 THE COURT: Yes.

24 MR. DENNY: And it is in evidence in this case. I  
25 have it in my hand here.

26 MR. MANZELLA: Yes.

27 THE COURT: You have in your hand 80-C, do you not?

28 MR. DENNY: That's right. All of those photographs,

1 80-A through --

2 MR. MANZELLA: -H.

3 MR. DENNY: -H were received into evidence, along with  
4 the new picture, 80-I, which is essentially the same as 80-C.

5 THE COURT: Well, I see your point. 30- -- all right,  
6 then, the one that was marked 31 in the Grogan case is also  
7 referred to as 80-C here?

8 MR. DENNY: That's right.

9 THE COURT: So we have two 80-C exhibits, is that what  
10 you mean?

11 MR. MANZELLA: No, your Honor.

12 MR. DENNY: No, your Honor, it is the same exhibit.

13 In the lower right-hand corner, there's the  
14 clerk's designation 31-C in the Grogan case.

15 In the upper middle, on the same picture, on  
16 the back, is our clerk's designation of 80-C.

17 THE COURT: Correct.

18 In your hand now you have --

19 MR. DENNY: 80-I.

20 THE COURT: All right. All right, that clarifies it.

21 MR. DENNY: I understand from the clerk that they have  
22 not been admitted.

23 THE COURT: I misread my notes, that's why the long  
24 questions. I'm sorry, go ahead.

25 MR. DENNY: I would move that the series 80-A through  
26 -I be received into evidence at this time, your Honor.

27 MR. MANZELLA: People would offer them.

28 THE COURT: If they haven't been -- if they haven't



1       been received, they are received into evidence.

2       MR. DENNY: All right.

3       Q       Now, ma'am, I will show you this picture that  
4       has a designation both 80-C in our case and 31-C -- I'm  
5       sorry, in the Grogan case, and you testified in the Grogan  
6       case on Tuesday, August 3rd, 1971; is that correct?

6 fls. 7       A       Yes.

6-1

1 Q All right. Do you remember being -- do you  
2 remember being asked to do the following things, and so doing  
3 them?

4 "Q Would you please now use the pen and  
5 put SS-2 at the approximate location where he would  
6 have appeared in this picture?"

7 A Yes.

8 Q Well, let me go back to Page 3270, starting at  
9 Line 6.

10 "Q Now, I'm going to ask you now to  
11 use the same pen and indicate where Shorty  
12 ended up, when he was approached by the  
13 defendant --" Mr. Grogan -- "by Tex Watson,  
14 by Bruce Davis, by Charles Manson, and a tall  
15 man whom you believed to be Bill Vance."

16 Is that correct?

17 A Yes.

18 Q Do you remember so testifying?

19 A Yes, I remember.

20 "Q Would you please now use the pen and  
21 put SS-2 at the approximate location where he would  
22 have appeared in this picture?

23 "A Yes.

24 "Q All right. Approximately how --  
25 You've made a designation, 'SS-2' on 31-C for  
26 identification. Approximately how far was  
27 Shorty from the boardwalk?

28 "A I would say about ten feet.

6-2

1 "Q All right. Where was his back  
2 facing?

3 "A Toward the building.

4 "Q All right. Toward the buildings that  
5 are in the center portion of 31-C; is that correct?

6 "A Yes.

7 "Q Now, would you please indicate by  
8 five X's -- or four X's, if you will -- the  
9 approximate positions that Mr. Grogan, Mr. Manson,  
10 Mr. Davis, Mr. Watson and Mr. Vance assumed?

11 "A Yes.

12 "Q Can you see those?"

13 A I see them.

14 Q That's in the testimony.

15 "Q Would you please -- would you complete  
16 the X's, please?

17 "A Yes.

18 "MR. KATZ: All right, your Honor. May the  
19 record reflect at this time that the witness, in  
20 compliance with my request, has made a designation  
21 of ink on 31-C, 'SS-2' indicating the place where  
22 Shorty was observed, at which time the five named  
23 individuals were approaching Mr. Shea. And she  
24 has further placed X's, and there are five X's  
25 indicating the approximate places where these  
26 persons were in relation to Shorty, at point  
27 SS-2, on Exhibit 31-C.

28 "THE COURT: That is correct."

6-3

1 Do you remember that portion of your testimony?

2 A Yeah.

3 Q And do you remember making those --

4 A I made the X's --

5 Q -- those five marks, those five X's?

6 A I only see four.

7 Q Let me point them out to you. (Indicating) One,  
8 two, three, four, five.

9 A Yeah. That's right next to the "S" there. There's  
10 some marks there.

11 All right. There are five marks.

12 (Pause in the proceedings while Mr. Denny exhibited  
13 the photograph to the members of the jury.)

14 Q BY MR. DENNY: And now, ma'am, yesterday, you said  
15 Mr. Vance was -- or, that shadow with a hat on was sitting in  
16 the car, and only four came out, and only four moved toward  
17 him, four X's; is that right?

18 A Well, when I first testified, I said four or five.

19 Q Well, when you --

20 A And I had to -- I had to think back, to see if  
21 there were -- how many. I didn't count them at the time.  
22 Four or five men came out.

23

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6a fol

5a-1

1 Q You didn't count them at the time?

2 A At the time right there, I didn't count them. I

3 just saw them.

4 Q Everything happened in a hurry, didn't it?

5 A It sure did.

6 Q And everything was kind of a jumble and a

7 scramble, --

8 A It wasn't no scramble.

9 Q -- isn't that right?

10 A It was the only ones there, were there.

11 Q They were rushing over towards Shorty, though,

12 weren't they?

13 A There was only one direction they went.

14 Q Well, that direction was over towards Shorty,

15 wasn't it?

16 A Yeah.

17 Q They were moving fast, weren't they?

18 A Not on a run. Just a walk.

19 Q Well, you were -- they were moving faster than you

20 normally saw them move?

21 A Yes, a little faster than they ordinarily moved.

22 Q Well, they rushed over?

23 A To them, that was rushing.

24 Q Moving just a little faster than they ordinarily

25 moved?

26 A Yes.

27 Q All right. But you only put four marks on the

28 picture, as far as --

6a-2

1 A Yes.

2 Q -- four people going over there?

3 A I could have put five. I could have put four or  
4 five.

5 But those are the ones I remember.

6 (Pause in the proceedings while Mr. Denny  
7 exhibited the photograph to the members of the jury.)

8 Q BY MR. DENNY: Because now, you remember that  
9 shadow sitting in the car, throughout this particular incident;  
10 is that right?

11 A (No response.)

12 Q Is that right?

13 A I remember the men that I named.

14 Q Ma'am, is it right that now you remember that  
15 that shadow was sitting in the car?

16 A I saw a shadow in the car. Not sitting in the car.

17 Q Was it standing in the car?

18 A No, it was a shadow. A shadow is a fleck of  
19 light and a fleck of darkness.

20 Q Well, was there anybody there?

21 A No, not that I know of. It could have been nobody;  
22 it was just a shadow.

23 Q It could have been nobody with a hat on?

24 A It looked -- the outline in my mind, I wondered  
25 if that was a hat, and I kept looking back and forth, to see  
26 whether anyone more was coming out.

27 Q But no one else more came out?

28 A Not that I recall, before I got out of there.

6a-3

1 Q So there were only four people that came out?

2 A At the time, I didn't count them. I just  
3 registered who they were. I didn't count them.

4 Q Well, in the Grogan case, you said there were five  
5 who came out. Did you count them --

6 A Four or five men came out, and then I named the  
7 ones I remembered.

8 Q How did you remember?

9 MR. MANZELLA: The question has been asked and answered.

10 THE COURT: Overruled.

11 THE WITNESS: How did I remember?

12 Q BY MR. DENNY: Yes, ma'am.

13 A I looked back in my mind, and I could see them yet.

14 Q All right. Describe Bruce Davis, then, as you see  
15 him in your mind on that particular night?

16 A He was a little heavier set than Manson. He was  
17 easy to spot. Long black hair, kind of curly.

18 He was different than the others. You see him  
19 once, you know who you've seen.

20 Q A little heavier than Manson, --

21 A They were no strangers to me.

22 Q -- long black hair?

23 That's the same as Manson, wasn't it?

24 A No. Manson's hair isn't coal black.

25 Q Well --

26 A And it's curlier. It's shorter curlies than  
27 Bruce Davis's.

28 Q Could you distinguish the --

6a-4

1 A I didn't go through all that in my mind --

2 Q -- the color of the hair --

3 A I just looked at them, and I just know what they  
4 looked like.

5 Q All right. Well, how about Manson? Describe him,  
6 then.

7 A Just as I always seen him, walking down the  
8 boardwalk, walking in a hurry. Walking.

9 Q Well, he didn't walk in a hurry, then? He walked  
10 with kind of a slow (indicating)?

11 A Well, he always had a slumpy -- he bent over when  
12 he walked. He didn't walk straight like --

13 THE COURT: Who are you talking about?

14 THE WITNESS: I am talking about Charlie now.

15 Q BY MR. DENNY: All right.

16 A You could tell him at a glance. You don't have to  
17 stare at a person.

6b fol

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6b-1

1 Q Charlie was walking faster than you normally saw  
2 him walk?

3 A A little faster, yes.

4 Q All right. Well, describe what else about Charlie  
5 you noticed that night.

6 A I didn't stare at them one at a time. I saw them  
7 all over.

8 Q You just looked at them as a group?

9 A Right.

10 Q And just --

11 A Each one came on out.

12 Q And you jumped to the conclusion that those  
13 were the Manson boys?

14 A I knew who they were.

15 Q You jumped to that conclusion, right?

16 A I didn't jump at no conclusion.

17 Q All right. Describe Tex Watson to me that night.  
18 Well, let me go back a minute. Just a second,  
19 before you do that.

20 How did Tex Watson walk normally?

21 A Like he always walked. Tall, straight.

22 Q How tall?

23 A Not as tall as Bill Vance.

24 Q Well, how tall?

25 A Oh, he's up to six feet. Six feet. But he didn't  
26 wear the boots.

27 Q Heavyset, thin?

28 A Medium.

6b-2

1 Q How much would he weigh?  
2 A Medium.  
3 Q Well, how much would you venture to say he weighed?  
4 A Well, he wasn't real fat at that time.  
5 Q 150, 170?  
6 A He could have been 150, 160.  
7 Q 150, 160?  
8 A I don't know.  
9 Q All right. Kind of slim for a six-footer?  
10 A On the medium type.  
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7 fl

7-1

1 Q All right.

2 A He wasn't fat or anything.

3 Q And how did he have his hair?

4 Now, I'm talking about this period --

5 A Yeah, I know.

6 Q -- August 16 and August 31, 1969.

7 A His hair was all strangely over his head. He  
8 never combed it.

9 Q Well, was it about the same as Manson's?

10 A Yes, but he was taller.

11 Q But his hair I'm talking about -- was his hair --

12 A He had straighter hair.

13 Q Hung down to his shoulders?

14 A Hung all over.

15 Q Down below his shoulders?

16 A No, not below.

17 Q Just flying out in all directions?

18 A Just flying out.

19 Q Did he hold his head in any particular way?

20 A No. He walked straighter. He walked straight.

21 That was his natural walk. His walk was a good poise.

22 Q And just kind of walked out, kind of naturally?

23 A Like he was going somewhere.

24 Q This was his normal walk, natural, though?

25 A That was his normal walk. He walked a little  
26 quicker than some of the others.

27 Q Well, that particular night they walked about  
28 the same speed, that particular night you were talking about;

1 is that right?

2 A Yes.

3 Q And his speed was a little faster than normal  
4 walk?

5 A A little faster, yes.

6 Q How about Steve Grogan, between August 16, 1969,  
7 and August 31, 1969, what did Steve Grogan's hair-do look  
8 like?

9 A It was thin and strangly. Thinner than the others.  
10 Not bushy.

11 Q Thin hair?

12 A Thin hair.

13 Q I'mnot sure quite what you mean as distinguished  
14 from fat hair, but -- how do you mean thin hair?

15 A It didn't have much hair. He was kind of plain  
16 around the face.

17 Q What color hair?

18 A Oh, sandy color, light. Very light.

19 Q Light.

20 But you didn't pay any attention to that on  
21 this particular night that you were talking about, but his  
22 color of his hair?

23 A No, I didn't even think about it.

24 Q All right.

25 Was his hair kind of shoulder length, too?

26 A It was behind his ears. It showed behind his  
27 ears.

28 Q Stuck out a little behind his ears?

1 A Yes.

2 Q How about down below his collar?

3 A It always stuck out, too.

4 Q All right. And how tall was he?

5 A Oh, he was around six foot two. Around six foot

6 also.

7 Q Six foot also?

8 A Yes.

9 Q All right. About how heavy?

10 A Oh, he was kind of gaunt looking, you might put

11 it.

12 Q Well, around 150 pounds or so, something like

13 that; a hundred and forty-five?

14 A Yeah, 145.

15 Q All right. Now, how did he walk?

16 A Well, it is a walk you can't describe. It is

17 just a nonchalant walk.

18 Q Well, was it a kind of a shuffle or sort of

19 drag his feet?

20 A He always walked barefooted, so it gave him a

21 little different walk.

22 Q Was he kind of loose in the hips when he walked?

23 A No, no, a flat walk. Like that.

24 Q Kind of like this (indicating)?

25 A Yes, like that, because he was kind of barefooted,

26 barefooted or sandals he always wore. He walked differently.

27 Q He walked kind of slow, did he?

28 A Took longer steps when he was in a hurry.

1 Q How about his arms?  
2 A He had long dangling arms.  
3 Q Did he swing when he walked just kind of normally?  
4 A Yeah.  
5 Q Did they swing out to the side or something?  
6 A Well, they weren't composed like a person was  
7 going to do something. Just walk, just let them go.  
8 Q Just kind of dangle at the side and swing his --  
9 A That's the way his natural walk is.  
10 Q How about his head? Did he hold his head back?  
11 A It is a natural walk. I didn't pay attention to  
12 how his head was held. He didn't slump forward like Charlie's  
13 walk.  
14 Q How tall is Charlie?  
15 A Charlie is very short, about five foot.  
16 Q About five foot.  
17 And how tall is Bruce?  
18 A About the same.  
19 Q About five foot?  
20 A I would say.  
21 Q Well, looking at me, how tall am I?  
22 A Well, I'm five foot two and you're probably a  
23 little taller than I. That's all I can go by.  
24 Q Well, about how tall would you say?  
25 A Oh, five foot two or three or four.  
26 Q Five foot two or three or four?  
27 A Yeah, to me.  
28 Q Do you want to stand down just a moment?

1 A It wouldn't hurt.

2 (Whereupon, the witness stepped down from the  
3 witness stand.)

4 THE WITNESS: See, you're taller than me.

5 Q BY MR. DENNY: Now, how tall would you say that  
6 I am?

7 A Five foot six.

8 Q All right.

9 And would you say, ma'am --

10 THE COURT: For the record, how tall are you?

11 MR. MANZELLA: Yeah, how tall are you?

12 MR. DENNY: With my stockings to add to my height,  
13 I'm five foot eight.

14 THE WITNESS: Well, that's close enough.

15 MR. DENNY: For the record.

16 Q Now, with my height set at five foot eight, how  
17 tall would you say Bruce was?

18 A He's less than that. I never compared them  
19 side by side to myself. I could just glance and tell they  
20 were short or tall.

7a fls.

7a-1

1 Q Well, you still stick with the fact that he's  
2 about a little over five feet?

3 A He appears to be. Five feet-one- or two.

4 Q Five feet-one- or two.

5 Mr. Davis, will you stand up a moment, please.

6 Do you want to step over here just a moment.

7 May the record reflect, your Honor, Mr. Davis has  
8 heels of approximately three-quarters of an inch and my heels  
9 are approximately an inch. I think if counsel will so  
10 stipulate --

11 MR. MANZELLA: No, I'd stipulate to an inch.

12 MR. DENNY: I'll stipulate an inch --

13 MR. MANZELLA: I don't know if it makes any difference,  
14 but if we are going to measure, we might as well be accurate.

15 THE WITNESS: I also notice he isn't standing as straight  
16 as you are. Gives him a little shorter appearance.

17 THE COURT: All right. You may sit down, Mr. Davis.

18 Q BY MR. DENNY: Now, how tall would you say he is?

19 A Uh, a slight more than I figured.

20 Q And how about Mr. Grogan?

21 A He was taller than Bruce.

22 Q Well, you said he's about six feet; would you  
23 stick with that?

24 A Yeah, he could be close to that.

25 Q Charlie you said is about five feet, still; stick  
26 with that?

27 A Five feet. About like Bruce. Them two looked  
28 about the same height.



7a-2

1 Q Now, these other fellows, little Larry Jones or --  
2 uh, little Larry Jones, he was a member of the Family, wasn't  
3 he?

4 A Yeah, he was a member of the Family.

5 Q And Johnny Swartz, was he a member of the Family?

6 A No-o-o.

7 Q No.

8 By the way, this car, describe this car, this car  
9 you say these four people and a shadow drove in in.

10 A Well, I can't describe cars. I've seen so many come  
11 and go and different cars, I didn't even look.

12 Q Well, can you describe the color of the car?

13 A No, I can't describe the color of the cars. They  
14 were in the shadows when they came in and they parked on the  
15 dark side.

16 Q They parked on the dark side?

17 A They parked where there was hardly any vision of  
18 the car. It come in so fast and parked. Parked along the side  
19 of the road quite far from me.

20 Q Quite far from you?

21 A Come in past me quick, and then went over to the  
22 side. I just -- when you see headlights on the car, you don't  
23 see what color the car is when they come in forward, come in  
24 forward and dashed around.

25 Q Their headlights were on, shining in your eyes?

26 A They had to come in the point in the driveway first  
27 before they turned.

28 Q They sure did. And their headlights were on, right?

7a-3

1 A Yes.

2 Q And their headlights, as they came in, flashed

3 in your face as they were going out, is that right?

4 A They could have, yes.

5 Q I'm not asking if they could have --

6 A I saw the headlights.

7 Q Did they flash in your eyes?

8 A They flashed.

9 Q All right. And then, they whipped around and

10 parked?

11 A Yes.

12 Q Over by the road?

13 A Yes.

14 Q Now, I'm going to show you an aerial photo that's

15 been heretofore been marked as People's 29 in evidence.

16 And you recognize what that depicts, don't you?

17 A Oh, yes.

18 Q That's an aerial photo of the Spahn Ranch looking

19 sort of southward, is that correct?

20 A Yes.

21 Q East is to the left down towards Chatsworth and

22 west is to the right?

23 A West is that way (indicating).

24 Q Is that correct?

25 A Yes.

26 Q All right.

27 Now, would you just point with your finger where

28 it was that this car parked as it whipped in?

7a-4

1 A Well, here's the driveway (indicating).

2 Q Indicating --

3 A This is the driveway going to the ranch. They had  
4 to come --

5 Q Just a moment, ma'am, so we can have the record  
6 straight.

7 -- an area just to the right of the writing  
8 "Ford" which appears to be an entranceway, right?

9 A Yes.

10 THE COURT: Perhaps you can turn it so Mr. Cano and  
11 Mr. Jeffery can see it.

12 MR. DENNY: All right, I will have it marked in just a  
13 moment, your Honor.

14 Q All right, would you go ahead now and say where they  
15 parked the car?

16 A The car came in this rough road, bounced a few  
17 times, and came over here (indicating).

18 THE COURT: Start over again, will you?

19 THE WITNESS: All right. Came from the highway, turned  
20 left, over the rough road, started in, and then turned quickly  
21 and went to the side.

22 Q BY MR. DENNY: Well, now, where did it park?

23 A Along this grass (indicating).

24 Q Well, would you indicate with a green marking pen  
25 here, a green felt pen, the approximate area, ma'am, where that  
26 car parked?

27 Just indicate with a little circle and if you have  
28 to mark over anything that's already marked there --

7a-5

1 MR. MANZELLA: Your Honor, we wouldn't have to do that.  
2 We have another duplicate photograph.

3 MR. DENNY: Well, we don't have another duplicate photo-  
4 graph specifically of this.

5 MR. MANZELLA: Yes, we do. I'll get it.

6 MR. DENNY: There's the green dot and that's the  
7 approximate location where the car parked, where that dot is?

8 THE COURT: Would you point at the green dot?

9 THE WITNESS: I made it somewhere in there (indicating).

10 THE COURT: Mark out from that in the middle of the  
11 road here -- just put a line out from the middle of the road  
12 and put your initials there, "R. P."

13 Here (indicating).

14 The dot was where the --

15 THE WITNESS: Yes.

16 THE COURT: -- was where the car was, is that right?

17 THE WITNESS: Yeah, in that vicinity.

18 MR. DENNY: The record should reflect the Court put  
19 "R. P." from the line.

20 Q BY MR. DENNY: But that is --

21 A That's the vicinity.  
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8-1

1 Q All right. The vicinity.

2 And by the way, when that car pulled in that way,  
3 did it pull in facing --

4 A Facing the way --

5 Q -- facing the road?

6 A Facing the west.

7 Q Facing the west?

8 A Yes. Following the highway.

9 Q All right. So could we put just a little bit of  
10 an arrow --

11 A Yes, facing that way. Going that way.

12 Q Facing right along the same direction as the  
13 highway?

14 A Yes.

15 (Whereupon Mr. Denny marked on the photograph.)

16 Q Is that about proper?

17 A Yes.

18 Q All right.

19 (Pause in the proceedings while Mr. Denny  
20 exhibited the photograph to the jury.)

21 THE COURT: You can pass that along to the jury.

22 Q BY MR. DENNY: All right. Now, ma'am, when you  
23 saw these people that you say got out of that car getting out,  
24 were they getting out both sides?

25 A No, only one.

26 Q Which side did they get out of.

27 A Towards the boardwalk side.

28 Q That would be, then, the left side of the car, --

8-2

1 A Yes.

2 Q -- is that right?

3 And was that a two-door or a four-door car? Could  
4 you tell?

5 A I don't know.

6 Q Well, they all just seemed to tumble out, all at  
7 once?

8 A Well, they got out fast.

9 Q All right. Now, going back to this particular  
10 same photograph, would you make another dot, a green dot,  
11 on where -- perhaps just a little X, instead of a dot -- a  
12 little X, with a finer portion of this felt pen, where your  
13 car was at the time this car came in?

14 A Well, there's a lot of junk there now that wasn't  
15 there then.

16 THE COURT: Do you mean there's a lot of junk there in  
17 the picture?

18 THE WITNESS: Yes.

19 Q BY MR. DENNY: Well, ma'am, no matter what junk  
20 appears to be there, if your car was where some junk presently  
21 is, just put an X where your car was there in the yard, at the  
22 time that you say this car came in and shined its lights at  
23 you.

24 MR. MANZELLA: May I approach the witness as well, your  
25 Honor?

26 THE COURT: Yes, you may.

27 MR. MANZELLA: Thank you.

28 THE WITNESS: There was a hay stack here then (indicating);

1 and right this side of the gates was the hay stack.

2 Q Now --

3 THE COURT: Nobody knows what you are talking about.

4 THE WITNESS: Oh.

5 THE COURT: Just tell the jury where the hay stack was.

6 THE WITNESS: There was a hay stack right here (indi-  
7 cating), a long hay stack; and this (indicating) is right  
8 where it was, by the hay stack.

9 Q BY MR. DENNY: Well, you have made what appears  
10 to be some lines, straight and sort of bent also, where there's  
11 apparently some trailers and things, and then marked an X  
12 just to the east of those trailers, as depicted in the photo-  
13 graph; is that correct?

14 A Yes.

15 Q All right. And again --

16 THE COURT: All right. We'll take a recess now.

17 THE WITNESS: That's as close as I can tell to that  
18 picture.

19 THE COURT: We will recess until 1:45. During the --  
20 1:45. 1:45, I'll see you back here -- everybody.

21 (Laughter.)

22 THE COURT: During the recess, you are admonished that  
23 you are not to converse amongst yourselves nor with anyone  
24 else, nor permit anyone to converse with you on any subject  
25 connected with the matter, nor to form or express any opinion  
26 on it until it is finally submitted to you.

27 (Whereupon, at 12:01 o'clock p.m., an adjournment  
28 was taken in this matter until 1:45 o'clock p.m.  
of the same day.)

1 LOS ANGELES, CALIFORNIA, TUESDAY, FEBRUARY 1, 1972, 2:00 P. M.

2  
3 THE COURT: All the jurors are present. The record may  
4 show the defendant is present with his counsel.

5 We are ready to proceed.

6 (Proceedings had on an unrelated matter.)

7 THE COURT: All right. Let's proceed. The record will  
8 show the defendant to be present, together with his counsel.  
9 The jurors are all present.

10 Is Mr. Kay here? Well, Mr. Manzella's present.

11 MR. DENNY: Your Honor, may we approach the bench for  
12 just a moment?

13 THE COURT: Yes, you may.

14 (Whereupon, the following proceedings were had at  
15 the bench among Court and counsel, outside the hearing of the  
16 jury:)

17 MR. DENNY: Your Honor, the Court had sustained some --  
18 an objection, I believe, when I got into questioning Mrs. Pearl  
19 about certain other people's characteristics, other than the  
20 four or five named.

21 And I want to make an offer of proof at this time  
22 that I want to go into some of the characteristics --  
23 perhaps not as detailed, but some of the characteristics of  
24 the other people she alleges to be members of the Manson  
25 Family, so as to show that she was not able to discern any  
26 great or appreciable difference between them and those that  
27 she has picked out.

28 The point being that any one of about ten people



1 could have been in that car, as part of the defense in this  
2 case, and --

3 THE COURT: What kind of characteristics are you talking  
4 about?

5 MR. DENNY: The characteristics of how they walked, how  
6 they moved. Her whole point in identifying --

7 THE COURT: The Court wouldn't permit that.

8 MR. DENNY: Well, your Honor, her whole point in  
9 identifying these people, and the argument that the People have  
10 made consistently throughout this case -- and one which seems  
11 to --

12 THE COURT: Mr. Denny, there has to be some reasonable  
13 limit to this cross examination. Your cross examination is  
14 extremely detailed, and -- do you have any idea when you'll  
15 finish it?

16 MR. DENNY: I indicated to Mr. Manzella about an hour and  
17 a half, I expect to finish it.

18 It is detailed, your Honor, and I -- I suggest that  
19 in the past, it should have been more detailed by the other  
20 attorneys who have cross examined her.

21 MR. MANZELLA: It has been detailed on behalf of other  
22 attorneys.

23 THE COURT: Yes.

24 MR. DENNY: Well, they've never gone into these things,  
25 and --

26 THE COURT: The Court has permitted you to go -- to some  
27 great extent -- into a description of the people who are out  
28 there.

1 MR. DENNY: Well, your Honor, I think it's important --

2 THE COURT: Do you have an offer of proof --

3 MR. DENNY: Yes.

4 THE COURT: -- that there's any particular person who  
5 meets the characteristics that she's described?

6 MR. DENNY: Yes. All of the other members. She has not  
7 described any outstanding or unique characteristics of any of  
8 them. And I want to show that at least four or five of the  
9 other so-called male members of the Manson Family would match  
10 the descriptions that she has given of these.

11 THE COURT: How long will you spend on that?

12 MR. DENNY: About ten minutes.

13 THE COURT: I think you could do it in two or three  
14 questions, if that's the case; if there are other people who  
15 have such characteristics.

16 MR. DENNY: Well, your Honor, the only way you can do it  
17 before a jury is to question her as to what those character-  
18 istics are of those other people. And I would --

19 THE COURT: The Court's not going to permit it. You are  
20 going to question her about all the other characteristics  
21 of the other people who are members of the Manson Family, whose  
22 pictures have been shown?

23 MR. DENNY: Just about -- Little Larry Jones, Vern  
24 Plummley -- and one other member. Three other members.

25 THE COURT: All right.

26 MR. DENNY: That she has --

27 THE COURT: All right.

28

(Whereupon, the following proceedings were had in

1 open court, within the presence and hearing of the jury:)

2  
3 RUBY PEARL,  
4 having been previously duly sworn, resumed the stand and  
5 testified further as follows:  
6

7 CROSS EXAMINATION (Continued)

8 BY MR. DENNY:

9 Q Oh, by the way, Mrs. Pearl, you wear glasses at  
10 times; isn't that correct?

11 A No, I never wear glasses.  
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1 Q Well, ma'am, when you check your bills, make out  
2 your bills, you wear glasses to see the fine print, don't you?

3 A No.

4 Q Well, ma'am, going back to the weekend before  
5 this last weekend, when I was up there with you, remember --  
6 talking to you and Mr. Spahn?

7 A Well, just the last few months. Not when I was  
8 at the Spahn Ranch. I never owned a pair.

9 Q Well, how long have you worn glasses, ma'am?

10 A I told you in the last couple of months just  
11 for reading fine print.

12 Q When did you get them?

13 A Since I've been to Oregon.

14 Q Well, when was that?

15 A I've only been there six months.

16 Q Well, when did you get the glasses?

17 A Last -- last month or so. I got them by accident.  
18 I didn't even buy them.

19 Q How did you get them?

20 MR. MANZELLA: Objection, not relevant.

21 THE COURT: Sustained.

22 Q BY MR. DENNY: Well, were they prescribed, ma'am,  
23 by an optometrist?

24 THE COURT: That's immaterial.

25 Q BY MR. DENNY: Well, have you had your eyes  
26 checked in the last two years?

27 A Yes, I just got a driver's license.

28 Q Well, by an optometrist did you get your eyes

9-2

1 checked?

2 A No, I didn't need to.

3 Q When is the last time, if ever, you've ever had  
4 your eyes checked by an optometrist?

5 A Never have.

6 Q You don't know what your vision is from the  
7 standpoint of 20-20, 20-30, 20-40, 20-50 --

8 A Yes, I know what it is. I just took my driver's  
9 license and I got it perfect.

10 Q All right.

11 You did get glasses, though, because you'd been  
12 having some trouble seeing things?

13 A No. They were left at the place and I used them  
14 in reading, reading glasses.

15 Q Makes it easier to see --

16 A Yes, very fine print, newspaper.

17 Q And they're bifocals?

18 A No, they're just magnifying glass.

19 Q Now, we were talking about the characteristics  
20 of these four or five people.

21 You'd seen Danny DeCarlo around the ranch, too,  
22 hadn't you?

23 A Yes.

24 Q And Danny DeCarlo was a member of the Manson  
25 Family as far as you were concerned?

26 A He was a member.

27 Q He was around them a lot?

28 A He was around there.

9-3

1 Q All right. And Danny was how tall?  
2 A Well, he was over five feet. He wasn't real tall.  
3 Q Tall as me or shorter?  
4 A I don't know.  
5 Q How did he wear his hair?  
6 A Just hanging. It was straight.  
7 Q Like Manson and Davis?  
8 A Yes.  
9 Q And did he have a beard?  
10 A He had a mustache.  
11 Q This is around August 16th to the 31st?  
12 A Yes.  
13 Q How did he walk?  
14 A Never seen him walk.  
15 Q Never seen him walk?  
16 A No.  
17 Q All right. And how about Vern Plummley; how tall  
18 was he?  
19 A He was short.  
20 Q How short?  
21 A Short as me.  
22 Q Five two?  
23 A Five to five two.  
24 Q How did he wear his hair?  
25 A Short or cut and slick. He always slicked his  
26 back.  
27 Q All right. And how did he walk?  
28 A He walked with a quick walk.

9-4

1 Q Same as who, of the four or five you named this  
2 morning?

3 A None of them walked a quick walk.

4 Q Well, you said Tex Watson walked a quick walk,  
5 didn't you?

6 A Well, a tall lanky walk. But, see, Vern was  
7 short. Short and quick.

8 Q Short and quick?

9 A Short and quick. It wasn't a lanky tall swing.  
10 It was different.

11 Q And did he have any facial hair?

12 A No.

13 Q All right. How about little Larry Jones? He was  
14 a member of the Family, wasn't he?

15 A Yes.

16 Q How tall was he?

17 A I'd say he was about my height, also.

18 Q About five foot?

19 A Yeah, around that.

20 Q How did he wear his hair?

21 A Like an African bushman.

22 Q Kind of standing out?

23 A Yeah, fuzzy.

24 Q Hang down to his shoulders, too?

25 A It was longer at times. It was bushy. Sometimes  
26 it was very unruly.

27 Q Sometimes hung down?

28 A Yes.

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Q Like Manson's or Davis or --

A It was different.

Q -- Watson?

A It stuck out full. His hair was kinky and full  
and really body to it.

Q All right. How did he walk?

A Sort of sloppy.

9a fls.



9a-1

1 Q Kind of like --

2 A Nonchalant. Didn't care.

3 Q Kind of like Clem, Steve Grogan?

4 A Oh, there was a difference between everybody's

5 walk.

6 Q Well, you tell me.

7 A Just walked nonchalant.

8 Q Just kind of like I'm walking now (indicating)?

9 A Yeah, just like that.

10 Q Easy, casual?

11 A Casual.

12 Q All right.

13 And Johnny Swartz, was he a member of the Family?

14 A No.

15 Q What kind of car did Johnny Swartz have, by the

16 way?

17 A I didn't pay any attention to any of the cars.

18 I'd recognize it if I saw it.

19 Q Well, do you remember being interviewed by

20 Sergeant Whiteley on about October 31, 1970?

21 A Yes, I remember being with him.

22 Q Where was it that you were interviewed, do you

23 know?

24 A Right now I don't remember.

25 Q Well, do you remember whether it was down here

26 at his office, at the Hall of Justice or out at Spahn Ranch

27 or at the Van Nuys Police Department?

28 A I don't remember. I seen him several times.

1 Q You've talked to him quite a few times, haven't  
2 you?

3 A Yes.

4 Q Talked to him about this case a number of times?

5 A Yes.

6 Q All right. And did you tell him on October 31,  
7 1970, concerning this particular incident about the last time  
8 you saw Shorty, "I told Shorty I didn't have room at my house  
9 for him and got into my car and started to leave when I  
10 observed a blue car pull into the ranch and Charles Manson,  
11 Tex Watson, Bill Vance, Bruce Davis and Clem Tufts jumped  
12 out of the car very fast and spread out along the boardwalk."

13 Did you tell them that?

14 A Yes, it is possible.

15 Q So that you identified the car there as a blue  
16 car?

17 A Well, I remember identifying, I think it is, a  
18 dark car.

19 Q Well, you called it a blue car.

20 A Maybe I called it a blue car. It was  
21 dark. It wasn't white. It was dark. It could have been  
22 possibly a black or blue. I don't remember the particular  
23 words I used.

24 Q All right. You told them that Charles Manson,  
25 Bruce Davis, Clem Grogan, Tex Watson and Bill Vance jumped  
26 out of that car and ran toward the boardwalk, is that right?

27 A I think I said possibly Bill Vance, because I  
28 was looking for him. I had a reason for looking for him.

1 Q All right, ma'am.

2 Now, then, these pictures that we've got up on  
3 the board here, I wonder, ma'am, if you could come down and  
4 take this hand microphone here -- only problem is don't  
5 stand right under here (indicating), because if you do and  
6 point the microphone up it squeaks. It hurts everybody's  
7 ears.

8 Now, you had started, I think, to draw a mark  
9 here to the side of the corral. That would be the west  
10 side of the corral, is that right?

11 A Yes.

12 Q And you put a dot there as to where you were at  
13 the time you first saw this car come in, is that right?

14 A Yes.

15 Q All right. Now, would you like to just draw --  
16 well -- perhaps I could do it.

17 A There's a dot there.

18 Q Yes.

19 Was your car headed out in the direction of the  
20 driveway?

21 A Yes, it was.

22 Q Well, let me draw a little arrow, then, if I  
23 may, and initials up here, again "RP." All right.

24 A Yes, sir.

25 Q Okay. And this is the driveway that you were  
26 going out here along the western border of the corral?

27 A Yes.

28 Q And this is the driveway that the car came in and

1 pulled around and parked here, where we've placed the first  
2 arrow mark pointing westwardly with your initials "RP", is  
3 that right?

4 A Yes.

5 Q All right. Now, these pictures that have  
6 previously been received in evidence under the numerals  
7 80-A, -B, -C, -D, -E, -F, -G, -H, and a new one -I, you recog-  
8 nize those pictures?

9 A Yes.

10 MR. DENNY: And, your Honor, may the Court take judi-  
11 cial notice that all of the photographs in the 80-A through  
12 -H series have previously been marked in the case of People  
13 vs. Grogan and in the 31 series, 31-A through -H?

10 fls.

14 THE COURT: Yes, that is the case.  
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10-1

1 Q BY MR. DENNY: Now, ma'am, looking at -- again, if  
2 you can step back here, so all of our jurors can see, there  
3 seems to be a red line here, with an arrow, and the word "car"  
4 and the initials "R. P." on this diagram,

5 Was that made by you at an earlier proceeding?

6 A Yes, that was made by me.

7 Q And does that show the direction of the car that you  
8 say came in --

9 A Yes.

10 Q -- as you were going out?

11 A Yes.

12 Q And this is the driveway (indicating) that you were  
13 going out?

14 A Yes.

15 Q All right. Now, again, we've talked about 80-C,  
16 or 31-C, and a new 80-1 down here (indicating).

17 Now, is George Spahn's house shown over here on  
18 the right-hand corner of 80-F?

19 A Yes.

20 Q And looking up at the aerial photograph, People's  
21 29, I am pointing to a building.

22 Is that George Spahn's house?

23 A Yes.

24 Q All right. Perhaps I could write on it just  
25 "Spahn house."

26 Would that be all right?

27 A Yes.

28 (Whereupon, Mr. Denny wrote on the photograph.)

10-2

1 Q BY MR. DENNY: Now, looking perhaps at this aerial  
2 photograph -- oh, by the way, you worked what sort of hours at  
3 the Spahn Ranch? Seven days a week, right?

4 A Seven days a week, from whenever I got there in  
5 the morning, the closest to 9:00 I could get there, until 11:00  
6 or 12:00 at night.

7 Q All right. And sometimes you drove your own car,  
8 a Rambler; is that right?

9 A Yes.

10 Q And we are talking now about this area around  
11 July, August of 1969. Sometimes you drove a company truck;  
12 is that right?

13 A Yes.

14 Q All right. But whichever you did drive, you gener-  
15 ally parked it in front of George's house; is that right?

16 A Generally, I did park it in front of his house.

17 Q All right. And that would be somewhat in the area  
18 where I am pointing now (indicating)?

19 A Yes.

20 Q And there appears to be, in the aerial photograph,  
21 an "X" marked over a white automobile, with initials "E. B."  
22 beside it. Those don't have any significance to your  
23 testimony. But that then would be in the area where you  
24 normally parked your car; is that right?

25 A Yes.

26 Q All right. And on this particular night, which you  
27 say is the last night that you saw Shorty, had you parked your  
28 car in the same location?

10-3

1 A No, I hadn't.

2 Q Where had you parked your car that particular  
3 night?

4 A By the hay stack.

5 Q Now, is that the area that I am pointing to now,  
6 that we've previously marked with a dot and an arrow and an  
7 "R. P." over by the western portion of the corral?

8 A Yes.

9 Q All right. Is there some reason that that  
10 particular night you parked your car there, rather than the  
11 normal place?

12 MR. MANZELLA: Objection. Not relevant.

13 THE COURT: Sustained.

14 Q BY MR. DENNY: Well, now, you've said that you were  
15 in this location again, where the dot is by the corral, at the  
16 time you saw this other car coming in.

17 You were not stationary at that time, when the car  
18 came in, though; you were moving; is that right?

19 A From very, very slowly, because I just left  
20 talking to Mr. Shea.

21 Q All right. Now, had Shorty -- where had Shorty  
22 come from, before this conversation you had with him?

23 A He must --

24 Q What direction?

25 A -- have come from the boardwalk, because he just  
26 appeared at my car.

27 Q Well, had you walked from George Spahn's house over  
28 to your car and gotten into it?

29 A No.

10a-1

- 1 Q Where had you walked from?
- 2 A From my last routine check in the barn, and the
- 3 water trough.
- 4 Q Now, the barn is where on this aerial photograph?
- 5 Would you like to show the jury?
- 6 A Back in this vicinity (indicating). The stable.
- 7 Q Indicating the northernmost building; is that
- 8 right?
- 9 A Yes.
- 10 Q All right.
- 11 A In that vicinity.
- 12 Q I'm sorry. The southern --
- 13 A Or the -- it would be the southern, from this
- 14 direction, from the road.
- 15 Q All right. Actually, south is up in this photo-
- 16 graph and north is down; is that correct?
- 17 A Yes.
- 18 Q All right. And east is to the left, and west is
- 19 to the right; right?
- 20 A Right.
- 21 Q All right. So then you'd made your check, and
- 22 you came and got in your car and started to -- just started
- 23 to go when Shorty came up; is that right?
- 24 A Yes.
- 25 Q Had you moved your car at all when Shorty came
- 26 up to you? Had you moved forward at all?
- 27 A No, I hadn't moved.
- 28 Q Had you started your motor?



1 A I had started the motor.

2 Q All right. Then, you had this conversation with  
3 Shorty? And Shorty had been drinking somewhat; is that right?

4 A Yes, he had.

5 Q And in fact, that's one of the reasons that you  
6 were not too keen to have him come to your home that night;  
7 is that right?

8 A For that reason; and it was late.

9 Q All right. You may retake the stand, if you'd  
10 like.

11 In fact, Shorty had been drinking a little bit  
12 heavily since coming to the Spahn Ranch after the August  
13 16th raid, had he not?

14 A No. I only know I smelled it on his breath a  
15 little.

16 Q Well, he had discussed with you the fact that his  
17 wife had walked out on him, hadn't he?

18 A Yes.

19 Q And he was unhappy that his wife had left him;  
20 is that right?

21 A Yes.

22 Q And he had, in short, taken to drinking a little  
23 bit over that; isn't that correct?

24 MR. MANZELLA: Objection. The question has been asked  
25 and answered.

26 THE COURT: Sustained.

27 Q BY MR. DENNY: And this particular night, again,  
28 was like other nights, in the couple of weeks following the

1 August 16th raid, as far as Shorty's drinking?

2 In other words, he had been drinking on a kind of  
3 a regular basis since he came back; isn't that right?

4 MR. MANZELLA: Objection. The question has been  
5 asked and answered.

6 THE COURT: Overruled. You may answer.

7 THE WITNESS: Only a few times, I smelled on his  
8 breath liquor.

9 Q BY MR. DENNY: By the way, during this two-weeks  
10 period, after the August 16th raid, until you say this last  
11 time when you saw him, you didn't see Shorty every day, did  
12 you?

13 A I just can't remember. I saw him off and on.  
14 I don't even remember if it was the same day, two or three  
15 times, off and on.

16 Q All right. And it didn't worry you, if you  
17 didn't see him missing a day? You'd see him a day or so  
18 later; isn't that right?

19 A Well, I saw him every day towards the last. The  
20 last time I remember seeing him. I'd see him regular, because  
21 he lived there.

22 Q Let's talk about that.

23 Where did he live?

24 A In his car.

25 Q What kind of car?

26 A That was a white Comet.

27 Q Do you remember the year by any chance?

28 A No.

1 Q Kind of an old car?

2 A Yes.

3 Q And he lived out of the car, did he?

4 A Yes.

5 Q Slept in the car?

6 A Yes. There was no other room.

7 Q Where did most of the cowboys sleep at this  
8 time?

9 A They originally all had their own trailers,  
10 but they were confiscated, as the time went on, and they  
11 were squeezed out. If they left -- if they dared leave once,  
12 their room was gone.

13 Q Well, let's talk about this period of August  
14 16th, until August 31st.

15 Where did most of the cowboys sleep?

16 A Well, Randy had his own trailer, and he held  
17 on to it. And so did Larry Craven.

18 Q All right. How about the others?

19 A Juan, he was out in the cold a lot of times. He  
20 didn't know where to sleep.

10b fls.

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10b-1

1 Q Well, was there a place called the bunkhouse?

2 A Well, we called the storeroom the bunkhouse, and --

3 Q And the storeroom, is that the building that's the  
4 most easterly building here on the boardwalk?

5 A Well, I called the bunkhouse the storeroom, by the  
6 office.

7 Q Well, perhaps you can come down a moment, again,  
8 and with the pointer show us if there was any one of the  
9 particular buildings that were occupied by any of the cowboys,  
10 as kind of a bunkhouse, around the last of August.

11 If you can show us on 29, the aerial photo -- or,  
12 if you can show us on any of the 80 series?

13 A Well, the bunkhouse was right in here (indicating),  
14 where the office is. Here's the door to it right there  
15 (indicating).

16 Q Now, you are pointing --

17 A Here's the office.

18 Q You are pointing to 80-C. And there appears to  
19 be written above that "gun" and "J. S.," is that right?

20 A Yes.

21 Q And the door is right below the J; is that right?

22 A Yes.

23 Q And that is in fact the most easterly building of  
24 the buildings of the boardwalk; isn't that correct?

25 A Easterly, yes.

26 Q All right. So that -- fine, ma'am. You can retake  
27 the stand, if you'd like.

28 So that then, this -- during this period, at

10b-2

1 least, in the latter part of August, the cowboys were sleeping--  
2 at least some of them were sleeping in and occupying that store-  
3 room, as a sleeping quarters?

4 A No, they weren't sleeping in there. That was the  
5 old bunkhouse. They had long been ousted.

6 Q Well, who -- who was sleeping in there? Was any-  
7 body?

8 A Well, Juan sometimes slept in there.

9 Q Juan did. Anybody else?

10 A No. Larry had his own trailer, and so did Randy.  
11 And there wasn't anyone else towards the last.

12 Q Well, now, we are talking about -- when you say  
13 "towards the last" what do you mean?

14 A After the raid -- or before the raid; around that  
15 August, --

16 Q Well, now --

17 A -- period. That had been confiscated.

18 Q Confiscated by whom?

19 A Mainly Danny DeCarlo.

20 Q Well, did Danny DeCarlo stay in there?

21 A Yes.

22 Q Did he sleep in there?

23 A I don't know. He had his stuff in there.

24 Q Anybody else sleep in there?

25 A They come and go out of there. I don't know who  
26 slept in there.

27 Q All right. And that was the building, you say,  
28 toward which Shorty was walking, when these four or five people

10b-3

1 came toward him; is that right?

2 A Well, that was the end building. He had to walk  
3 there to turn the corner, to walk up the boardwalk --

4 Q Or to go --

5 A -- from where he was.

6 Q -- to go into that building; isn't that correct?

7 A Oh, he wouldn't have gone in there. He didn't  
8 sleep in there.

9 Q You say he wouldn't have?

10 A No, he wouldn't have gone in there.

11 Q Not to see anybody in there?

12 A No.

13 Q Well, how do you know?

14 A Because our cowboys weren't in there.

15 Q I beg your pardon?

16 A Our cowboys weren't in there.

17 He had no reason to go in there.

18 Q Well, you are just guessing about that, now,  
19 aren't you?

20 A I'm not guessing about it, no.

21 THE COURT: Can't you move this along a little bit?

22 THE WITNESS: He was walking up toward his car. There  
23 was -- that wasn't his bunkhouse.

24 THE COURT: There's no question pending.

25 Q BY MR. DENNY: Where was his car parked?

26 A Up by George's house.

27 Q All right. That's what I was trying to get to.

28 Would you come down? I'm sorry to keep you bounc-

10b-4

1 ing out of there.

2 But his car was parked up by George's place,  
3 wasn't it?

10c fol

4 A Yes.

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10-c

1 Q Up where your car normally was parked?

2 A I usually parked up there, yes.

3 Q All right. But his car was up there, right?

4 A It was at this time.

5 Q All right. So that from where you had your  
6 conversation with him, he was then walking across the yard,  
7 in a westerly direction toward George's house; is that correct?

8 A No, he walked alongside of my car, towards the  
9 buildings. We prefer the boardwalk to walk on. It's not so  
10 rough and stony.

11 Q Well, you say "we do." You do?

12 A We all do. We all do.

13 Q You all do. Well, suppose Shorty did, then. You  
14 say he walked, then, from your car directly -- almost directly  
15 south?

16 A I would say catty-corner.

17 Q About --

18 A In that direction, until he hit the boardwalk.

19 Q About south-southwest to get to the boardwalk,  
20 and then starting to walk --

21 A Going up the line.

22 Q -- walking easterly on the boardwalk?

23 A Yes.

24 Q Did you see him start walking easterly on the  
25 boardwalk?

26 A I saw him slant away from the direct pattern he was  
27 taking, as we were kind of pulling -- as I was pulling away,  
28 we were kind of sticking our heads out with each other.



1 Q Well, you saw him disappear into the shadows of  
2 the boardwalk, didn't you?

3 A Yes, after a while. He walked that direction,  
4 toward the boardwalk.

5 Q Well, he got on the boardwalk, didn't he?

6 A Yes. There was a space there where you could  
7 clearly see him.

8 Q All right. But he did get on the boardwalk and  
9 was walking --

10 A He went --

11 Q -- walking easterly on the boardwalk?

12 A He went almost to the boardwalk, yes.

13 Q Well, then, you didn't see him get on the board-  
14 walk?

15 A I didn't --

16 MR. MANZELLA: Objection. That question has been asked  
17 and answered.

18 THE WITNESS: I didn't actually see him get on the  
19 boardwalk.

20 THE COURT: The objection is overruled. The answer  
21 is in, again.

22 MR. DENNY: Well, it's a different answer, your Honor.

23 MR. MANZELLA: No, it isn't, your Honor.

24 THE COURT: The record speaks for itself.

25 Q BY MR. DENNY: Well, so that -- when you saw these  
26 people coming from the automobile that was parked here, where  
27 we've drawn it (indicating), facing in an easterly direction,  
28 over on the berm here (indicating), Shorty was then walking in

1 an easterly direction; is that right?

2 MR. MANZELLA: The question has been asked and answered  
3 several times.

4 THE COURT: Sustained.

5 MR. DENNY: Your Honor, it has not been asked, on  
6 this particular question, as to this particular direction, and  
7 under these particular circumstances.

8 MR. MANZELLA: The question has been asked and  
9 answered several times.

10 THE COURT: The Court believes it has been asked and  
11 answered. Sustained.

12 Q BY MR. DENNY: Ma'am, did you testify previously  
13 that Shorty was walking in a westerly direction? A westerly  
14 direction, when you saw these men come up after him, toward  
15 his back?

16 A If he had got to that point, it would be westerly.

17 Q If he had got to what point?

18 A To turn; to the angle which would take him up the  
19 boardwalk.

20 Q If he had got to the angle to turn, he would be  
21 walking in an easterly direction; is that right?

22 A No. That would be before he turned. He was  
23 walking east -- or, let's see. What is that, east? One  
24 moment. South -- turned west --

25 Q Would you like to come down again and take a look?

26 A Excuse me.

27 THE COURT: Here, you may use this pointer, rather than  
28 standing in front of the board, so that all the jurors can see.

1 THE WITNESS: Thank you.

2 Well, let me see here. Well, this picture  
3 (indicating) is clear.

4 Q BY MR. DENNY: Why don't you use the aerial  
5 photo? Which, again, we have described as south up and north  
6 down.

7 A This is south.

8 Yes, that's south, behind the corral.

9 THE COURT: That picture is reversed then?

10 THE WITNESS: Or is it south?

11 No, south is this way?

12 Q BY MR. DENNY: Yeah.

13 A South is up?

10 d fol

10d-1

1 Q That's right. All right.

2 Now, tell the jury -- or show the jury again the  
3 path that Mr. Shea took.

4 A Yes. Shorty would have had to walk south, until  
5 he cut at an angle toward -- toward the boardwalk.

6 See, this picture doesn't show it like this one  
7 (indicating) does.

8 Q And then walk west; is that right?

9 A At a western point to cut. He had to turn west  
10 to go along parallel to the boardwalk.

11 Before me met the boardwalk, he was over here  
12 (indicating). He had to go north -- no, that's south;  
13 pardon me. He had to go south, and then make an angle towards  
14 the boardwalk, to cut across the path.

15 Q And then go west?

16 A And then go west.

17 Q All right, ma'am. In which case, the people  
18 coming from the car toward him would be coming toward his  
19 face? As he's walking west?

20 A It would be to his side.

21 Q To his side?

22 A Well, it would be to the side, or the back.

23 Q Well, was it his back?

24 A Because he had his back turned.

25 Q Well --

26 A You could see the direction he was going. If he  
27 turned, he would be facing them. If he didn't turn, he would  
28 be to the side.

1 Q Ma'am, again, if you'd -- I'm sorry to get you  
2 down here.

3 A He wouldn't face them --

4 Q Just a moment. Hold on there.

5 Showing you the diagrams that you have made here  
6 on 80-C and 80-I, you've indicated that the last time you saw  
7 Shorty, he was just about at a point opposite the door of the  
8 gun room, or the old bunkhouse, or the place that Danny  
9 DeCarlo had taken over; is that correct?

10 A Yes.

11 Q All right. About at this point, where there  
12 appears to be an automobile parked in front of that gun room  
13 (indicating)?

14 A It's close enough. It's close enough. That's  
15 where he would be.

16 Q All right. And he was walking, then, toward the  
17 bunkhouse?

18 A Toward -- well, towards the boardwalk.

19 Q All right. And they were coming up at him from  
20 his back; is that right?

21 A From his back or side. He hadn't turned yet.

22 Q All right. Now, you indicated, I believe, that the  
23 moon was shining from the south; is that correct?

24 A There was moonlight.

25 Q Full moonlight; right?

26 A There was light.

27 Q Full moonlight?

28 A I don't know. I didn't check. I never checked

1 that.

2 There must have been some moon, to make light.

3 Q Directing your attention to your testimony  
4 yesterday, starting at page 7717, line 28, now, you indicated  
5 that the lighting that illuminated the scene in the last  
6 part of August, at approximately 11:00 p.m. -- concerning  
7 your last having seen Shorty -- was by moonlight; is that  
8 correct?

9 "A Yes."

10 A Yes.

11 Q (Reading.)

12 "Q And as you think back now, can you tell  
13 us approximately whether or not you were talking  
14 about a quarter moon or a half moon or something  
15 approximating a full moon?

16 "A A full moon, because it was very bright."

17 Do you remember so testifying, just yesterday?

18 A Well, after you pumped it out of me. I said it  
19 was moon, because it was light.

20 Q Well, these aren't my questions. These are Mr.  
21 Manzella's questions.

22 A All right.

23 Q Did he pump it out of you?

24 A Then it was the moonlight. It was light.

25 Q Was it a full moon, ma'am?

26 A I'm not an astrologist.

27 Q Well, you testified for this jury under oath --  
28 MR. MANZELLA: Those aren't my questions. I don't

1 know whether that makes any difference, but since Mr. Denny  
2 brought it up, those are not my questions.

3 THE COURT: That objection is overruled.

4 MR. MANZELLA: That's not an objection. I just wanted  
5 to say it, for the heck of it.

6 THE COURT: Go ahead, Mr. Denny.

7 MR. DENNY: I'm sorry, your Honor. I have quoted  
8 from the case of People vs. Grogan, the testimony of  
9 September 30th, 1971, questions by Mr. Katz, not Mr. Manzella.

10 Q You testified to the same --

11 A General idea.

12 Q -- full moon at the Grogan case --

13 A Full moon, yes.

14 Q -- on September 30, 1971; is that right?

15 A Yes.

16 Q All right. And the moonlight was coming from  
17 the south; is that right?

18 A Yeah. It appeared to be coming over the build-  
19 ings, the light.

20 Q All right. Then casting shadows, as appears  
21 actually on this aerial photograph, People's 29, casting  
22 shadows down over the buildings and toward the Santa  
23 Susanna Pass Road; is that right?

24 A Yes.

11 fls.

11-1

1 Q And you've indicated the first time you saw the  
2 automobile that came in, you were at this point that we've  
3 alluded to several times over on the green dot to the west  
4 side of the corral, is that right?

5 A Yes.

6 Q You were moving?

7 A Slowly, very slowly.

8 Q Well, how slowly, ma'am?

9 A Just taking out the first gear, shift, first  
10 shift.

11 Q Now, ma'am, isn't it a fact that as you came out  
12 of the driveway here, this driveway just to the right of the  
13 word "Ford," it was as you were coming out of that driveway,  
14 almost to the road, that this other car came in and almost  
15 squeezed you out?

16 A Well, they came in front of me with the lights.  
17 The lights hit in front of me. I can't say how close they  
18 were to me. It seemed to me like I had to wait until the  
19 car came in.

20 Q And it almost squeezed you out?

21 A Well, it wasn't that close, but you know how it  
22 is, just come in front of me with lights, you can't tell how  
23 close. I hesitated when I saw the car coming.

24 Q Let me direct your attention to your Grand Jury  
25 testimony about December 15, 1970, starting at page 839,  
26 line 15.

27 "Q What did you notice happen?

28 "A Just as I was going out the driveway --"



11-2

1 A That's a long driveway.

2 Q (Reading.)

3 "Just as I was going out the driveway,  
4 a car sped in ahead of me, almost squeezed me out  
5 and parked real quick and about four or five men  
6 got out of it."

7 Do you remember that?

8 A Yes.

9 Q All right. Now, there's one place where that  
10 driveway narrows down to a point where you could be  
11 squeezed out --

12 MR. MANZELLA: Objection, that's argumentative.

13 MR. DENNY: May I finish the question?

14 MR. MANZELLA: Unless Mr. Denny wants to take the  
15 stand.

16 Q BY MR. DENNY: -- and isn't that the point --

17 THE COURT: Let him finish the question.

18 Q BY MR. DENNY: Isn't that the point right here  
19 just before you get on the Santa Susanna Pass Road?

20 MR. MANZELLA: Argumentative.

21 THE COURT: Overruled.

22 A Yes, there's quite a space there.

23 THE COURT: You may answer.

24 THE WITNESS: There's a space there. I could have  
25 been here (indicating) and still the car could have gone  
26 in front of me. This whole driveway is in front of me. I'm  
27 pointing this way (indicating), I don't know if I came here  
28 to the edge or came out in the middle. He still came in

11-3

1 front of me to turn that corner, no matter how far back I  
2 was.

3 Q BY MR. DENNY: Well, ma'am, you said he came  
4 bouncing in here (indicating).

5 A A rough road.

6 Q Turned immediately to the right and pulled up  
7 right here where we've indicated the dot is, isn't that  
8 right?

9 A You see how far he has to go before he turns?

10 Q Ma'am, we're looking at the aerial photo now,  
11 29, and you indicated earlier to the jury, did you not, that  
12 the car bounced in here, pulled around here, around the  
13 grassy area, close to the grassy area and parked headed in  
14 a westerly direction; isn't that right?

15 A That's general -- now, this is longer than it  
16 looks in actual life.

17 Q Looking at the aerial photograph, ma'am, the car  
18 had come around here (indicating), as you described?

19 A Uh-huh.

20 Q There is only this one little short area in  
21 here where the car squeezed you out or could have squeezed  
22 you out, isn't that correct?

23 A It took a wide swing to turn there.

24 Q Yes.

25 Well, let's take a look at that diagram that  
26 you've -- of the picture 80-A, and this is your arrow;  
27 is that right?

28 A Yes. Yes, that's right.

11-4

1 Q All right. Your arrow shows the path of this  
2 car very, very close to the grass and pulling around the  
3 grass. That's your arrow, your red arrow?

4 A I put it there, yes.

5 Q All right. And that describes the path of that  
6 car coming in and making a hard right turn around that  
7 grass, isn't that right?

8 A Yes, but you see how far the grass extends.

9 Q Yes, I see how far the grass extends.

10 And it is only where the grass extends as far  
11 as it does that you could have been squeezed out by that  
12 car, isn't that right?

13 A I give the oncoming car the right-of-way.

14 Q And you slowed down as that car coming in shined  
15 its lights at you, into your face as it pulled in, and then  
16 made the turn, is that right?

17 A Yes.

18 Q So that when that car came in, you were up  
19 almost to the road, isn't that right?

20 A Not necessarily. I was creeping, I don't know.  
21 I was looking back. I don't know how far I was to the car  
22 or the exit, but a car came -- I didn't make a big note of  
23 it in my mind. It just came in ahead of me. I couldn't  
24 have gone while the car was coming in.

25 Q Because it was blocking that entrance, isn't  
26 that right?

27 A It would have been dangerous. I don't know  
28 how long they're going to swing out.

11-5

1 Q All right, ma'am. And you kept moving forward,  
2 is that right?

3 A Yes, very slowly.

4 Q It took a little period of time for the men to  
5 negotiate this area across the road, across the main yard  
6 of the ranch, is that right?

11a fls.

7 A It took a little minute or so.  
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11a-1

1 Q Meanwhile you were moving?

2 A I wasn't moving any faster than they were.

3 Q All right. And you were in what kind of car?

4 A My black Rambler.

5 Q Is it two-door, four-door?

6 A I don't even remember. Got burnt up.

7 Q In what way were you looking to see what was going  
8 on behind you when all of this was then occurring?

9 A Have to repeat it again, please.

10 Q What way were you looking behind you to observe  
11 all of this that was going on behind you?

12 A I was looking to the south.

13 Q Over your right shoulder or your left shoulder?

14 A No, the left shoulder.

15 Q Of your left shoulder out the window?

16 A On the driver's side.

17 Q Window opened or closed?

18 A It was open still from talking to Shorty.

19 Q All right. So then you were cranking your neck as  
20 you were going out here around to see what was going on there?

21 A Yes, I was.

22 Q As you were driving in by this time a north-  
23 easterly direction, is that right?

24 A Yes.

25 Q All right.

26 By the way, when was it that all of this happened?

27 Did you say about two weeks after the August 16th raid?

28 A Shortly after the raid. I don't know exactly.

11a-2

1 A week or two, I said.

2 THE COURT: We'll recess now, ladies and gentlemen, for  
3 approximately ten minutes.

4 During the recess you are admonished not to  
5 converse amongst yourselves, nor with anyone else, nor permit  
6 anyone to converse with you on any subject connected with the  
7 matter, nor form nor express any opinion on it until it is  
8 finally submitted to you.

9 (Afternoon recess.)

10 THE COURT: The jury is all present, the record should  
11 show. The defendant is present with his counsel.

12 You may proceed.

13 Q BY MR. DENNY: Ma'am, we were on the subject of when  
14 all of this business there in the yard of the Spahn Ranch the  
15 last time you say you saw Shorty occurred.

16 Let me read you your testimony from yesterday.

17 "Q BY MR. MANZELLA: All right, Mrs. Pearl,  
18 --" this is Page 5073.

19 "All right, Mrs. Pearl, when was the last time  
20 you saw Shorty Shea?

21 "A Late one evening when I was going home.

22 "Q How long after the August raid was this?

23 "A Oh, a couple of weeks.

24 "Q That was the last time you saw Shorty  
25 Shea?

26 "A Yes.

27 "Q And I take it that was the last time  
28 you heard from him, is that right?

11a-3

1 "A Yes."

2 It was a couple of weeks, then?

3 A It could have been, more or less.

4 Oh, a couple of weeks is not a definite amount. I  
5 couldn't be pinned to the exact time, the number of days. It  
6 seemed like a week or two. Between a week, a week or two,  
7 two weeks, more or less.

8 Q Well, let me read your testimony at the Grand Jury  
9 here, Page 838.

10 "Q How soon after the raid of August 16,  
11 1969, was it that you believe you last saw Shorty  
12 Shea?

13 "A A week."

14 I mean, "Answer, a week."

15 A Well, time, a day or two, isn't important in our  
16 memories. We never kept track of days, of time. Every day was  
17 a working day.

18 Q Your testimony in the Grogan case on September 28,  
19 1971.

20 "Q BY MR. KATZ: Using August 16, 1969, as a  
21 frame of reference, approximately when did this event  
22 occur?

23 "A About a week later.

24 "Q So we're talking roughly in the area of  
25 August 23rd, August 24th?

26 "A Yes."

27 A Yes, I remember, yes.

28 Q All right.

11a-4

1 A I didn't say a definite date.

2 Q August 23rd or August 24th, that area?

3 A Could have been, more or less.

4 Q All right, ma'am.

5 Well, then, all of these conversations that you say  
6 you heard were present at or these two or three between Frank  
7 Retz and George Spahn, all occurred between about August 17  
8 and August 23rd or 24th?

9 MR. MANZELLA: The question has been asked and answered.

10 THE COURT: Sustained.

11 Q BY MR. DENNY: We'd talked about Shorty living out  
12 of his car.

13 Did he have suitcases there in the car?

14 A He owned some suitcases.

15 Q Well, you saw him getting things out of the trunk  
16 of his car?

17 A The trunk.

18 Q The suitcases, didn't you?

19 A The trunk. I know he had a trunk.

20 Q No, I'm talking about --

21 A Trunk of the car.

22 Q -- trunk of the Comet.

23 A Yes, he'd open it and dig in there once in a while.

24 Q And you saw him do that, is that right?

25 A Yes.

26 Q This is right out in the broad-open area there where  
27 he parked his car?

28 A Yes.



11a-5

1 Q And other people were around at the same time you'd  
2 seen him, right?

3 A Yes.

4 Q Members of the Manson Family as well as the other  
5 cowboys?

6 A Yes.

7 Q Shorty didn't sneak up to the back of his car and  
8 open the trunk and take stuff out of it like that?

9 A No, but I didn't see him mulling around that bunch,  
10 around the car.

11 Q All right.

12 By the way, was Shorty's car in kind of bad shape,  
13 too -- to your knowledge?

14 MR. MANZELLA: Objection, the question is vague and  
15 ambiguous. Calls for speculation.

16 THE COURT: Sustained.

17 Q BY MR. DENNY: Well, let me rephrase the question.  
18 Were you aware at all of the condition of the car,  
19 the mechanical condition, the exterior condition?

20 A Not particularly. I rode in it once.

21 Q Shorty ever comment to you at the time you rode in  
22 it about brakes being bad?

23 A No.

24 MR. MANZELLA: Objection.

25 Q BY MR. DENNY: Or the tires being worn?

26 A No.

27 Q Ever have a flat tire with --

28 THE COURT: This is outside the scope of the direct,

11a-6

1 Mr. Denny. Let's proceed.

2 Q BY MR. DENNY: Now, let's get back to this moonlit  
3 night, if we may.

4 Thus far you've testified in the Grand Jury hearing  
5 about December 15, 1970, is that right?

6 A Yes.

7 Q You testified in two Grogan trials, is that  
8 right? One in July?

9 A Yes.

10 Q One in September?

11 A Yes.

12 fol

12-1

1 Q You testified in the Manson case, in August --  
2 or, I'm sorry. Also in September, is that right, of 1971?

3 A Yes.

4 Q Now, ma'am, when is the first time that you  
5 mentioned to anyone, in connection with the prosecution of  
6 this case, that it was a moonlight night?

7 A I didn't mention --

8 MR. MANZELLA: Objection --

9 Q BY MR. DENNY: -- at the time that you saw --

10 MR. MANZELLA: Objection. That's not relevant.

11 MR. DENNY: Your Honor, I can make an offer of proof.

12 THE COURT: Read the question to me, please, would you,  
13 Mr. Williams?

14 (Whereupon the record was read by the reporter.)

15 THE COURT: The objection is overruled.

16 You may answer.

17 THE WITNESS: I never mentioned it was a moonlight  
18 night, when I related the incident, to my knowledge.

19 Q BY MR. DENNY: Well, then, the first time you  
20 mentioned it was the second Grogan trial; is that right?

21 MR. MANZELLA: Objection. It's not relevant.

22 THE COURT: Sustained.

23 MR. DENNY: Well, may I make an offer of proof, your  
24 Honor?

25 THE COURT: No, you may not. You may continue.

26 Q BY MR. DENNY: Well, ma'am, isn't it a fact  
27 that you didn't mention anything about a moonlight night  
28 until you heard from someone in the prosecution that

12-2

1 Barbara Hoyt said, "Oh, I heard someone scream on a moonlight  
2 night," and this is when you said, for the first time, in  
3 September of 1971, "The last time I saw Shorty was a full  
4 moon."

5 A No.

6 MR. MANZELLA: Objection. That's a mischaracterization  
7 of her testimony.

8 THE COURT: Overruled. Has she answered?

9 THE WITNESS: I didn't even hear that Barbara Hoyt said  
10 anything like that.

11 Q BY MR. DENNY: Someone in the prosecution told  
12 you that another witness was going to say that she heard  
13 Shorty screaming on a full moon night; isn't that true, --

14 A No.

15 Q -- before you testified for the second Grogan  
16 trial?

17 A No, I never --

18 Q And before that, you had never mentioned, at  
19 any trial, any proceeding, any Grand Jury hearing, or to any  
20 police officer that there was a full moon out, the last time  
21 you saw Shorty; isn't that a fact?

22 A I never mentioned it until it was stressed to  
23 me. "It must have been light. Was it moonlight?"

24 And I said, "Well, it was light. The sky was  
25 light."

26 It was pumped into me -- "How -- how much was  
27 it?"

28 "Well, it was light."

1 Q It was pumped into you, wasn't it?

2 A Well, I --

3 MR. KAY: Your Honor, I am going to object to Mr. Denny  
4 yelling at the witness.

5 MR. DENNY: I'm sorry.

6 THE COURT: That was several decibels above --

7 Q BY MR. DENNY: I'm terribly sorry, Mrs. Pearl.  
8 It was pumped into you?

9 A It was questioned to me, "How light? How light?  
10 How light? There must have been moon. There was moon."

11 Q And when was it pumped --

12 A "And how much."

13 Q -- pumped into you?

14 A Like now. I never mentioned --

15 Q Some lawyer telling you, --

16 A No.

17 Q -- "There must have been light. There must have  
18 been light. There must have been light."

19 Isn't that right?

20 A No, I don't remember anybody mentioning light.  
21 I saw what I saw, and there was light enough to see, and  
22 this is all I was interested in.

23 Q Wasn't it Mr. Katz, the Deputy District Attorney,  
24 who tried the second Grogan case, who pumped into you --

25 A No.

26 Q -- that there must have been light?

27 A He knew there was light, if I could see.

XX  
12a fls 28

12a-1

1 Q And he told you that there must have been light, if  
2 you could see; isn't that right?

3 A No. He asked me if I had ever worked out in --  
4 and seen those people there before, with no artificial lights.

5 I was out, and there was no lights but the sky.

6 Q He questioned you about that, before the first  
7 Grogan trial, didn't he?

8 A Yeah.

9 Q And you never said anything about moonlight then,  
10 did you?

11 MR. KAY: Objection. It assumes a fact not in evidence,  
12 that she was asked.

13 THE COURT: Sustained.

14 Q BY MR. DENNY: You were questioned by Mr. Katz,  
15 before you testified at the first Grogan trial, before you  
16 testified at the Grand Jury, before you testified at the Manson  
17 trial, as to how much light there was, weren't you?

18 A That didn't change the amount of light --

19 MR. MANZELLA: Objection. The question is compound.

20 MR. DENNY: May I have the answer -- the question read  
21 back to the witness, your Honor?

22 THE COURT: All right. The answer is stricken, whatever  
23 it is, and the objection is sustained.

24 The question was compound.

25 Q BY MR. DENNY: You were questioned before you  
26 testified at the Grand Jury hearing, questioned by Mr. Katz,  
27 the Deputy D. A. who put on the Grand Jury hearing, as to how  
28 much light there was, weren't you?

12a-2

1 A It was mentioned.

2 Q And you never mentioned that there was a full moon-  
3 light, did you?

4 A I don't remember.

5 Q You were questioned by Mr. Katz before you testified  
6 at the first Grogan trial, as to how much light there was, weren't  
7 you?

8 A It was probably mentioned.

9 Q And you never said there was a full moonlight, did  
10 you?

11 A I don't remember.

12 MR. MANZELLA: That question's been asked and answered.

13 THE COURT: The --

14 THE WITNESS: I don't remember.

15 THE COURT: Excuse me just a moment.

16 If there is an objection, Mrs. Pearl, wait just a  
17 moment and let the Court rule on it.

18 THE WITNESS: All right.

19 THE COURT: The objection is overruled. The answer may  
20 remain in the record now.

21 Q BY MR. DENNY: And you were questioned before the  
22 Manson trial, as to how much light there was, the last night you  
23 saw Shorty, weren't you?

24 A It's possible.

25 Q And you never stated that there was a full moonlight  
26 night, did you?

27 A I don't know.

28 Q And the first time you ever mentioned anything about

12a-3

1 a full moonlight night was when you testified in the second  
2 Grogan trial, in September of 1971; isn't that right?

3 MR. MANZELLA: The question has been asked and answered.

4 THE COURT: Sustained.

5 Q BY MR. DENNY: Who was it, ma'am -- who was it --  
6 who pumped you and pumped you and pumped you, as you said,  
7 about it being a full moonlight night?

8 A It's never been an issue before like it is now.

9 Q Who was it, ma'am, from the prosecution, who  
10 pumped you on that subject?

11 MR. KAY: That's assuming a fact not in evidence, that  
12 anyone did.

13 THE COURT: Sustained.

14 Q BY MR. DENNY: You indicated earlier that someone  
15 had pumped you about that, did you not?

16 A Well, I was insinuating yourself.

17 Q You were insinuating --

18 MR. MANZELLA: I'm sorry. I didn't hear that answer,  
19 your Honor. Could I have it read back?

20 THE COURT: You may.

21 (Whereupon, the record was read by the reporter as  
22 follows:

23 "A Well, I was insinuating yourself.")

24 Q BY MR. DENNY: You were insinuating myself, that  
25 somebody was pumping you earlier like I'm doing now; isn't  
26 that right?

27 A Not someone. You.

28 Q I never pumped you earlier about the moon, did I?



1 A Just now.

2 Q Yes. But someone else did --

3 A No.

12a-4

4 Q -- before you testified in the Grogan case, the  
5 second Grogan case; isn't that right?

6 A I don't remember. That's detail.

7 Q That's an important detail. Will you try to  
8 remember?

9 MR. MANZELLA: Objection. Ask that Mr. Denny's  
10 comment be stricken, --

11 THE COURT: Yes.

12 MR. MANZELLA: -- and the jury instructed to disregard  
13 it.

14 THE COURT: Yes. Mr. Denny's comment is stricken, and  
15 the jury's instructed to disregard it.

16 Q BY MR. DENNY: Ma'am, will you try to remember  
17 who it was --

18 MR. MANZELLA: Object to that -- I'm sorry.

19 Q BY MR. DENNY: -- who you talked to, and to whom  
20 you said, for the first time, that this was a moonlight night?

12b fol

21 A I don't know.  
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1 MR. MANZELLA: Objection, your Honor. The question is  
2 compound, and it assumes a fact not in evidence.

3 THE COURT: The objection is overruled. The answer may  
4 remain in the record.

5 She has responded.

6 Q BY MR. DENNY: Wasn't it Mr. Katz?

7 MR. MANZELLA: Objection. The question has been asked and  
8 answered.

9 THE COURT: Sustained.

10 Q BY MR. DENNY: Or Sergeant Whiteley?

11 MR. MANZELLA: The same objection.

12 THE COURT: The objection is sustained. You needn't  
13 answer.

14 Q BY MR. DENNY: Ma'am, you indicated that Shorty  
15 got bit parts in pictures, as sort of pay for the work that he  
16 did.

17 In 1969, to your knowledge, how many bit parts did  
18 he get in the pictures that were made at the Spahn Ranch?

19 MR. MANZELLA: Objection. It assumes a fact not in  
20 evidence, that he got any.

21 Q BY MR. DENNY: If he got any.

22 THE COURT: Overruled. You may answer, if you know.

23 THE WITNESS: He probably got one, that I know of.

24 Q BY MR. DENNY: All right.

25 (Pause in the proceedings.)

26 Now, ma'am, you stated to us that you've talked a  
27 number of times with Sergeant Paul Whiteley.

28 Do you remember talking to Sergeant Paul Whiteley

1 on December 14th, 1969, at which time he interviewed you,  
2 Randy Starr and George Spahn at the Spahn Movie Ranch? December  
3 14, 1969? Just a couple of weeks before Christmas?

4 Or eleven days before Christmas, 1969?

5 A I remember talking with him.

6 Q And is it a fact that all of you stated to him,  
7 together, in his presence, that they had not seen -- or that you  
8 all had not seen Donald Jerome Shea since approximately the  
9 middle of September, 1969?

10 A I don't remember that date, that specific date,  
11 right now.

12 Q Do you remember --

13 A Because I didn't have anything to base my dates  
14 on.

15 Q Do you recall stating, in the presence of  
16 Sergeant Whiteley and Randy Starr and George Spahn, on  
17 December 14, 1969, that you had not seen Donald Jerome Shea  
18 since approximately the middle of September, 1969?

19 MR. MANZELLA: The question has been asked and answered.

20 THE COURT: You may answer that yes or no.

21 Do you recall making such a statement?

22 THE WITNESS: I recall.

23 MR. DENNY: Thank you very much. No further questions.

24  
25 REDIRECT EXAMINATION

26 BY MR. MANZELLA:

27 Q Mrs. Pearl, you said that you didn't have anything  
28 to base your dates on. What did you mean by that?

1           A       Until we got it in our heads about the time of the  
2 raid, we didn't have anything to base our time on.

3           Q       To you -- at the ranch, you worked almost every  
4 day at the ranch, didn't you? Seven days a week?

5           A       Yes.

6           Q       And the days sort of ran together for you?

7           MR. DENNY: I will object to that as leading and  
8 suggestive.

9           THE COURT: Sustained.

10          Q       BY MR. MANZELLA: Did the days kind of run  
11 together for you?

12          MR. DENNY: Object to that as leading and suggestive.

13          THE COURT: Sustained.

14          Q       BY MR. MANZELLA: Did you pay much attention to  
15 particular dates?

16          A       Not unless something particularly happened.

17          Q       And the Spahn Ranch raid, was that -- would you  
18 place that in the category of normal events at the ranch, or  
19 would that be considered an unusual event at the ranch?

20          A       An unusual event.

21          Q       And did that help you place the times or dates on  
22 which some of the things about which you've testified have  
23 occurred?

24          A       Yes.

25                   (Pause in the proceedings while a discussion off  
26 the record ensued at the counsel table among Mr. Denny,  
27 Mr. Manzella and Mr. Kay.)

28          Q       BY MR. MANZELLA: All right. Mrs. Pearl, directing

1 your attention to the 30 photographs -- you've already looked  
2 at these, I believe -- starting with People's 49, a picture of  
3 Charles Manson.

4 And directing your attention to that photograph,  
5 does that appear to be substantially the way that Manson looked  
6 during the summer of 1969?

7 A Yes.

8 Q And directing your attention to this picture,  
9 People's 77-K, which you have identified as a picture of Steve  
10 Grogan, does that appear to be substantially the way he looked  
11 in the summer of '69?

12 A Yes.

13 Q By the way, the name Clem Tufts -- Tufts or  
14 Clem Grogan has been mentioned. Clem Tufts, was that a nick-  
15 name for Steve Grogan?

16 A Yes.

17 Q All right. Directing your attention to the  
18 photograph which is People's 77-P, Bruce Davis, does that appear  
19 to be substantially the way that Bruce Davis appeared during the  
20 summer of 1969?

21 A Yes.

22 Q Now, Mrs. Pearl, you used the words pumped into you  
23 in regard to some of the last few questions that Mr. Denny  
24 asked you.

25 Were you referring to questions that occurred in  
26 the courtroom, during the course of trial?

27 A Yes.

28 Q And were you referring to the kind of questioning

1 that Mr. Denny was doing --

2 A Yes.

3 Q -- of you here just a few moments ago?

4 A Yes.

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Q Now, before you testified, nobody told you to say that there was a full moon that night, did they?

A No.

Q When Shorty told you about working at the salt mines, what did he say about that?

A Well, he thought it might be a good job. He was going to try it out, he gone a few weeks.

Q And did he say he was going to go with anybody else?

A Yes.

Q Who is that?

A Lance.

MR. DENNY: Just a moment, I'll object to this. This is ambiguous as to time.

BY MR. MANZELLA: Well, I'm getting to that, your Honor.

THE COURT: Well, better establish your foundation in view of the objection. The objection is sustained.

BY MR. MANZELLA: You said that he said that he was going to go with Lance?

A Yes.

Q When was this?

THE COURT: When was the conversation?

THE WITNESS: At my home.

BY MR. MANZELLA: And was this before he went up to the salt mines?

A Yes.

Q And you were aware that he did eventually go up

13-2

1 to the salt mines, is that correct?

2 A Yes.

3 Q And he went with Lance?

4 A Right.

5 Q And do you recall what year this was?

6 A Not really.

7 Q Do you recall whether it was during the year  
8 before the summer of 1969?

9 MR. DENNY: I'll object to that as leading and  
10 suggestive.

11 THE COURT: Sustained.

12 Q BY MR. MANZELLA: Was it in 1968?

13 MR. DENNY: Leading and suggestive.

14 MR. MANZELLA: It is not leading and suggestive. I'm  
15 asking her if it was in 1968.

16 THE COURT: Overruled.

17 MR. DENNY: It is the same thing as before, 1969.

18 THE WITNESS: I believe it was.

19 Q BY MR. MANZELLA: Now, you said that over the 13  
20 years that you knew Shorty, there were occasions when you  
21 gave him money.

22 What kinds of occasions are you talking about?

23 A Well, only if he needed something. He never  
24 asked for -- just spending money, money to spend. If he  
25 needed something, he would tell me what he needed it for.

26 Q Anything particular in mind?

27 A Well, yes, I remember one. He wanted to get  
28 his guns.



13-3

1 Q That's the occasion you've already testified  
2 about previously?

3 A Yes, it is the last thing I remember he wanted  
4 money for.

5 Q Now, in the last half of August, 1969, the  
6 period about which we've spent most of our time questioning  
7 you, did you ever see members of the Family around Shorty  
8 when he took things out of the trunk of his car; members of  
9 the Family, the Manson Family?

10 Did you ever see them around Shorty when he took  
11 things out of the trunk of his car, if you remember?

12 A I can't remember specially. There was always  
13 people around.

14 Q But you don't know specifically whether members  
15 of the Manson Family were around the car at the time that  
16 Shorty took things out of the trunk of his car?

17 MR. DENNY: Asked and answered.

18 THE COURT: Sustained.

19 MR. MANZELLA: No, it hasn't been asked and answered.

20 Q BY MR. MANZELLA: You said that people were  
21 always around.

22 Now, what I'm asking you is, do you specifically  
23 recall seeing members of the Manson Family near Shorty's  
24 car at the time he took some things out of the trunk of his  
25 car?

26 MR. DENNY: Asked and answered.

27 THE COURT: Sustained.

28 MR. MANZELLA: May I approach the bench, your Honor?

13-4

1 THE COURT: All right, you may.

2 (Whereupon, the following proceedings were had  
3 at the bench among Court and counsel, outside the  
4 hearing of the jury:)

5 MR. MANZELLA: If she said that she saw people around.  
6 I'm asking her if she saw people around the car.

7 THE COURT: Well, I assume that was in response to the  
8 question you put to her concerning whether she saw people  
9 around the car.

10 MR. MANZELLA: No, she said she saw people around. I'm  
11 asking her if she saw people around the car.

12 THE COURT: No, she said there were always people  
13 around there.

14 MR. DENNY: She said she could not remember specifically  
15 whether there were Manson people, but there was always people  
16 around.

17 MR. MANZELLA: That's not what I am asking her. I'm  
18 asking her whether there was always people around the car.

19 THE COURT: I'll sustain the objection.

20 (Whereupon, the following proceedings were had  
21 in open court within the presence and hearing of the  
22 jury:)

23 THE COURT: That answer may need some clarification.

24 When you said there was always people around,  
25 what did you mean by that?

26 THE WITNESS: It is likely there were.

27 Q BY MR. MANZELLA: Well, but you never remember  
28 seeing them, do you?

13-5

1 THE COURT: What was that, it is likely they were  
2 what?

3 THE WITNESS: It is likely they were around any time  
4 anyone opened a car door.

5 THE COURT: Well, do you remember any specific incident?

6 THE WITNESS: Any specific time, I can't remember any  
7 specific time.

8 Q BY MR. MANZELLA: All right. When you say people  
9 were around, you mean in the parking area of Spahn Ranch; is  
10 that right?

11 A Yes.

12 Q All right, Mrs. Pearl, you can see from the  
13 witness stand, I think, People's 80-A.

14 And on this photograph -- I'll put it back over  
15 here now that you've seen it.

16 A Yes.

13a fls.

13a-1

1 Q I believe you said in answer -- I believe Mr.  
2 Denny asked you if you put that arrow and the word "car"  
3 at a prior proceeding.

4 A Yes, I did.

5 Q And you said "Yes."

6 A Yes.

7 Q Now, you put that mark on that photograph yester-  
8 day in this proceeding didn't you?

9 A Yes, yes.

10 Q Why did you say you put that mark on there in a  
11 prior proceeding or why did you answer yes to Mr. Denny's  
12 question when he asked you if you had put it on in a prior  
13 proceeding; why did you say yes?

14 A Because I remembered it was my writing and I  
15 put it on.

16 Q You had forgotten that you put it on yesterday,  
17 is that right?

18 A It didn't concentrate on my mind. I just happened  
19 to remember I put it on.

20 Q All right. Now, you said that in the last half  
21 of August, 1969, there was no room for Shorty to sleep in the  
22 -- on the boardwalk, is that correct?

23 A Yes.

24 Q And why was that?

25 A It was all taken over.

26 Q By whom?

27 A By the Family?

28 Q The Manson Family?

13a-2

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A Yes.

Q Where had the cowboys slept before the Manson Family took over those buildings?

A They had slept in what we call the jail and the gypsy wagon.

Q And the bunkhouse?

A Bunkhouse, yes.

Q Now, in August of '69, let's refer to People's 29, which is the aerial photograph.

Can you see it from where you are, Mrs. Pearl?

A I can see it from here.

Q All right, directing your attention to the yard area or parking area of Spahn Ranch. The area about which we've been talking for the last few hours.

What was the ground, what material made up the ground in the parking area, the yard area of Spahn Ranch?

A Sand.

Q What color sand?

A Light sand.

Q And was it substantially as it shows in the color photograph 80-A?

A Yes.

Q And in the color photographs, the 80 series, there's some green grass shown.

Was that grass there in August of '69?

A Yes, it was there all the time.

Q By the way, was there anything distinctive about Shorty's voice?

13a-3

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A Yes, he had an unusual voice.

2

Q Did he have any kind of an accent?

3

A Yes.

4

Q What kind of an accent?

5

A He was from Boston.

6

Q I take it you're saying he had a Boston accent?

7

A Yes.

8

Q Was it unusual, aside from the fact it was a

9

Boston accent?

10

A Yes, he had a voice different from anyone else.

11

Q That you'd heard, in any event?

12

A Yes.

13

Q Now, July and August of 1969, how often did

14

Frank Retz stop by to see George Spahn?

15

A Well, every day.

16

Q Did he ever come by more than once a day?

17

A Yes.

18

Q Infrequently or frequently?

19

A Frequently.

20

Q Did you ever see Mr. Retz on this property?

21

A Yes.

22

Q What did you see him doing, anything?

23

A Looking over the landscape, mostly walking.

24

Pointing.

25

Q Did he walk a lot?

26

A Lots. He was an athletic type person who liked

27

to walk.

28

Q And was it during these walks that he often

13a-4

1 stopped in to see George Spahn?

2 A Yes.

3 Q Now, Mrs. Pearl, let's go to that -- the night,  
4 the last night that you saw Shorty.

5 Were you paying particular attention to the  
6 men who got out of that car after it drove in and parked?

7 A Yes.

8 Q Why?

9 A It was so unusual to see them all get out of  
10 the car at the same time.

11 Q Why did you pay particular attention to the  
12 incident; what was unusual about it?

13 A It was late at night. I never seen him out  
14 like that before.

15 Q And had anything occurred earlier that made you  
16 pay particular attention to what was happening at that  
17 moment?

18 A Well, just the conversation I had with Shorty.

19 Q What was it about that that made you pay  
20 particular attention to these -- the men getting out of the  
21 car?

22 A Well, in his conversation he said, "Pearl,  
23 they're out to get me."

24 MR. DENNY: Just a moment, just a moment. I'll object  
25 to that and move the answer be stricken for the purpose of  
26 objection and hearsay.

27 THE COURT: The Court will strike it for the purpose  
28 of the objection.

1 The objection is --

2 MR. DENNY: It is hearsay. It is beyond the scope of  
3 the redirect and her --

4 MR. MANZELLA: I'm sorry.

5 THE COURT: The objection is overruled. The Court will  
6 reinstate it.

7 It has previously been admitted and his remarks  
8 to Mrs. Pearl have previously been admitted to show his  
9 state of mind and this is a reiteration of the remarks or --  
10 strike that.

11 MR. DENNY: Well --

12 THE COURT: His remarks now she is stating are admitted  
13 to show his state of mind, if it does in your judgment show  
14 a state of mind.

15 MR. DENNY: I would like to approach the bench on this.

16 THE COURT: All right, you may.

17 MR. DENNY: Because there is some --

18 THE COURT: You may, for that limited purpose, only,  
19 ladies and gentlemen.

13b fls.

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13b-1

1 (Whereupon, the following proceedings were had at  
2 the bench among Court and counsel, outside the hearing of the  
3 jury:)

4 MR. DENNY: Your Honor, at the time she previously  
5 testified she did not say anything and I made a specific note in  
6 some of my other notes on this to the effect that Shorty had  
7 told her, "I think they're out to get me."

8 THE COURT: Yes.

9 MR. KAY: She said that at the Grogan trial, though.

10 THE COURT: Yes, she did not state it in this trial.

11 MR. DENNY: And she did not state it in this trial. I  
12 have specifically stayed away from that area of cross examina-  
13 tion. And this is beyond the scope of the redirect, then.

14 MR. KAY: Huh-uh.

15 MR. MANZELLA: Huh-uh.

16 MR. DENNY: This is beyond the scope of redirect for them  
17 to get in now further statements allegedly made by Shorty.

18 MR. MANZELLA: No, it isn't.

19 THE COURT: The Court doesn't think it is beyond the scope  
20 of direct. He was asking her why she paid particular attention  
21 to their activities. She responded why.

22 MR. DENNY: Well, she can say something Shorty told her,  
23 but getting into the conversation now is going to her state of  
24 mind. And you're getting hearsay on hearsay on hearsay to show  
25 her state of mind.

26 Her state of mind can be shown by the fact that  
27 Shorty had told her something.

28 MR. MANZELLA: No, but that's her answer. That's why she

13b-2

1 paid attention to it. That's her answer.

2 THE COURT: Excuse me just a minute. The Court will  
3 sustain your objection -- strike it -- and you may re-ask her.  
4 But if you wish to, you can approach the bench and I think a  
5 proper response, if the conversation was the reason, would be  
6 because of what Shorty said.

7 MR. MANZELLA: But I don't coach my witnesses, your  
8 Honor, and there would be no way of me getting it. It is  
9 her reason. It is offered on Shea's state of mind.

10 MR. DENNY: Well, now, you're offering it on her state of  
11 mind?

12 THE COURT: Excuse me.

13 MR. KAY: Your Honor --

14 (Whereupon, the following proceedings were had in  
15 open court within the presence and hearing of the jury.)

16 THE COURT: The Court will strike the last answer,  
17 ladies and gentlemen.

18 MR. MANZELLA: Your Honor, I'm sorry, the Court struck  
19 it on what grounds? Your Honor, on what grounds did your  
20 Honor sustain the objection?

21 THE COURT: The Court simply sustained the objection.

22 MR. MANZELLA: On which grounds, your Honor?

23 THE COURT: It does go beyond the scope of the direct.

24 MR. DENNY: Of cross.

25 THE COURT: Of the cross, rather.

26 MR. MANZELLA: People would ask to re-open direct for  
27 that question and ask that it be reinstated, and then close  
28 direct.

13b-3

1 MR. DENNY: I would object to that because that's not the  
2 purpose of which they're seeking to admit it at this time.

3 MR. MANZELLA: Well, your Honor, if it is within --

4 THE COURT: The Court will permit you to do it.

5 MR. MANZELLA: All right, and can the answer be rein-  
6 stated with the admonition to the jury?

7 THE COURT: You can restate your question that you wish  
8 to put on redirect that you have asked permission of the Court to  
9 put to her in re-opening.

10 MR. MANZELLA: That's the only question. I just ask  
11 that the answer be reinstated for that purpose.

12 THE COURT: Ask the question. The Court strikes the  
13 answer.

14 MR. MANZELLA: Your Honor, I'm sorry, what I am suggesting,  
15 there's no need to --

16 THE COURT: I know what you are suggesting. The Court  
17 simply wants you to restate your question.

18 MR. MANZELLA: All right.

19 Q Mrs. Pearl, tell us why did you pay particular  
20 attention to the men getting out of the car and going towards  
21 Shorty?

22 A Because of our conversation a few minutes before  
23 that.

24 Q And did you identify Manson, Davis, Grogan and  
25 Watson from the things that Mr. Denny asked you about or just  
26 because you knew that it was them?

27 A Oh, I just knew it was them.

28 Q Any doubt in your mind about that?

13b-4

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A No doubt.

MR. MANZELLA: Okay, thanks, Mrs. Pearl.

THE COURT: Recross.

MR. DENNY: May I have just a moment, your Honor?

THE COURT: Yes, you may.

RECRS  
XAM

RECROSS EXAMINATION

BY MR. DENNY:

Q Well, Mrs. Pearl, it is a fact, is it not, that various members of the -- various male members of the Manson Family came and went together to and from the ranch daily?

MR. MANZELLA: Objection, it is not relevant.

THE COURT: Sustained.

MR. DENNY: Relevant to her answer, your Honor, that this was unusual that they came in at 12:00 o'clock that night or whatever it was.

THE COURT: All right, I'll overrule the objection.

Q BY MR. DENNY: Isn't it a fact, ma'am, -- let's just take August of 1969.

In -- in singly and in pairs and in three's and four's and five's, male members of the Manson group came and went together from the ranch, isn't that right?

A They came casually and mulled around.

14 fol

14-1

1 Q Well, ma'am, I am talking about in automobiles,  
2 now.

3 They left the ranch to go places together; they  
4 came back together; right?

5 MR. MANZELLA: Objection. It's not relevant, unless  
6 Mr. Denny's referring to this period of time at night.

7 MR. DENNY: I am referring to the period of August,  
8 1969.

9 THE COURT: The objection is sustained.

10 Q BY MR. DENNY: At night. Now, ma'am, you saw them  
11 leave at night, didn't you, together? Groups of them?

12 A It didn't make a point in my mind. I had seen them  
13 come and go.

14 Q Well, ma'am, whether it made a point in your mind  
15 or not, you can tell this jury, can you not, that you did on a  
16 number of occasions in August, 1969, in the evening, see them  
17 leave the ranch area together, groups of them, Manson men,  
18 male members of the Manson Family?

19 You did see that, didn't you?

20 A Casually mulling around, is what I saw.

21 Q And getting into an automobile of some sort and  
22 driving away?

23 A Right. But casually.

24 Q All right. Whether casually or not, they did it.  
25 And they casually drove back, too, together; right?

26 A Occasionally.

27 Q Occasionally. And they weren't goody-goodies who  
28 came in at 9:00 o'clock and went to bed. They came in late,

14-2

1 frequently, about the time you were leaving; isn't that right?

2 A No, they didn't come in too much at that hour.

3 Q Sometimes came in a good deal later, after you had

4 left?

5 A Probably.

6 Q All right. Sometimes came in about 11:00 o'clock

7 or midnight; right?

8 A Apparently.

9 Q All right, ma'am. By the way, you heard Shorty

10 talk a lot. Was he kind of a quiet-spoken fellow?

11 A No.

12 Q Kind of a loud, raucous fellow?

13 A He was a loud man.

14 Q A loud man. And he had kind of a loud laugh?

15 A Yes.

16 Q A boisterous laugh; is that right?

17 A Boisterous.

18 Q Now, ma'am, he played cowboy parts in pictures,

19 didn't he?

20 A Yes.

21 Q Well, did he use his regular speaking voice in

22 pictures, that you know of?

23 A The type of part that he played fit his character.

24 Q Well --

25 A Now, a boisterous type of man; a rowdy.

26 Q Ma'am, what I'm asking is: Did he use his regular

27 voice in pictures, that you were aware of, --

28 A Yes.

14-3

- 1 Q -- playing a cowboy?
- 2 A Yes.
- 3 Q A rough, tough, boisterous man?
- 4 A Yes.
- 5 Q With a "Bahs-ton" accent?
- 6 A He had a peculiar way of talking.
- 7 Q Well, now, did he -- did he talk with his own voice?
- 8 A I'm not referring to the Boston accent. I am
- 9 referring to his peculiar voice.
- 10 Q Well, I am referring to his Boston accent, ma'am.
- 11 Did he talk with a Boston accent, or did he talk like many
- 12 cowboys talk, with kind of a western drawl?
- 13 A He put that drawl on.
- 14 Q All right. And that's the way he talked most of
- 15 time, wasn't it?
- 16 A No, not unless he was in cowboy parts.
- 17 When I talked to him, he talked with his Boston
- 18 accent.
- 19 Q Well, he played the part of the cowboy to the hilt,
- 20 even off camera, didn't he?
- 21 A Oh, he wasn't a nut over that, like you would say
- 22 some of them were. He didn't act like Randy Starr, there was
- 23 a difference,
- 24 Q I see. Did you ever hear him scream?
- 25 A No, I did not.
- 26 Q He didn't go around screaming, did he?
- 27 A No, I never heard him scream.
- 28 Q In all the 13 years you know him, you knew him, you

14-4

1 never heard him scream?

2 A No. He wasn't the type that would be afraid of  
3 anything.

4 Q All right. Now, ma'am, I want to go to this  
5 period of time that you were pumped in court, in the second  
6 Grogan trial.

7 Is this what you mean by "being pumped"? Starting  
8 at Page 709, on September 30th, 1971. And this is on cross  
9 examination.

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1 MR. MANZELLA: Your Honor, excuse me. I'll object,  
2 unless Mr. Denny can read it the way it was asked by the  
3 defense attorney in the Grogan trial.

4 THE COURT: The objection is overruled.

5 You may proceed.

6 MR. DENNY: "And is it --"

7 MR. MANZELLA: It calls for hearsay, your Honor.

8 THE COURT: Overruled.

9 MR. DENNY: (Reading.)

10 "Q And it is true, is it not, that there  
11 was no illumination, that is, there was no light  
12 illuminating the area where you believe at least  
13 that you saw or you have indicated that you saw  
14 Mr. Shea and these men?

15 "MR. KATZ: Excuse me. There's an objection  
16 on the grounds that the question is ambiguous,  
17 in that he hasn't made reference to artificial light--"

18 MR. MANZELLA: I object to Mr. Denny's reading --

19 THE COURT: Yes.

20 MR. MANZELLA: -- Mr. Katz' comments. I don't understand  
21 why that is relevant.

22 THE COURT: Yes, you needn't read the objection.

23 MR. DENNY: Your Honor, this goes to her statement that  
24 she was pumped, and --

25 THE COURT: Well, you may ask her --

26 MR. DENNY: -- and it's relative to her state of mind,  
27 as to whether she was pumped under the circumstances.

28 THE COURT: You may read the questions and answers,

1 the questions and answers that took place at the Grogan trial,  
2 in her testimony concerning the illumination, or the moon, or--

3 MR. DENNY: All right. Let's --

4 THE COURT: -- whatever it is.

5 MR. DENNY: Let's get to this, then.

6 "Q And it is true, is it not, that there was  
7 no illumination, that is, there was no light illuminat-  
8 ing the area where you believe at least that you saw or  
9 you have indicated that you saw Mr. Shea and these men?"

10 And then there's an objection, a statement by the  
11 Court.

12 "THE WITNESS: Shall I answer?

13 "Q BY MR. WEEDMAN: Yes.

14 "A Yes, there was moon.

15 "Q There was moon?

16 "A Moonlight."

17 THE WITNESS: There was moonlight.

18 Q BY MR. DENNY: Is that what you call being  
19 pumped?

20 A That part, I wasn't pumped.

21 I stated that there was a little light through  
22 the moon.

23 Q Let's go to Mr. Katz' questions, then, page  
24 717, starting at line 28, on redirect.

25 "Q Now, you indicated that the lighting  
26 that illuminated the scene in the latter part of  
27 August at approximately 11:00 p.m. concerning your  
28 having last seen Shorty was by moonlight; is that

1 "correct?

2 "A Yes.

3 "Q And as you think back now, can you tell  
4 us approximately whether or not you are talking about  
5 a quarter moon, or a half moon, or something approxi-  
6 mating a full moon?

7 "A A full moon, because it was very bright.

8 "Q And incidentally, this ranch is in Chats-  
9 worth at the very northern, northwesterly end of the  
10 San Fernando Valley; is that correct?

11 "A Yes.

12 "Q Are you able to see the stars clearly  
13 when you are working out there at night?

14 "A Yes.

15 "Q Is there any heavy atmosphere which  
16 affects your ability to clearly see the sky and the  
17 stars?

18 "A Not a thing.

19 "Q You are used to working under those  
20 conditions, are you not?

21 "A Yes."

22 Is that what you call being pumped?

23 A No, that's not being pumped. I stated that.

24 Q And the only time you were pumped was before  
25 that trial; isn't that correct?

26 A No.

27 Q All right, ma'am.

28 A It was never mentioned.

1           Q     Now, you've indicated to the jury that this  
2 picture, which has been marked 77-P, is the way Bruce Davis  
3 looked during the summer of 1969; is that right?

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A     Yes.

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41 ID

1 MR. DENNY: There's a photograph previously marked  
2 People's 41 in another proceeding, under the same case number.  
3 It had been marked 41 for identification.

4 And I would ask that this be marked 41 for  
5 identification at this time, if the People have no objection.

6 MR. MANZELLA: Was it 41 at the Manson trial?

7 MR. DENNY: I believe so, yes.

8 MR. MANZELLA: Let me check. Right.

9 THE COURT: It may be marked 41 here.

10 Q BY MR. DENNY: Showing you this photograph, is  
11 that the way Mr. Davis looked in the summer of 1969?

12 A Yes. He looked like that, too.

13 Q And I believe there has been marked either for  
14 identification or received into evidence, as People's 98, a  
15 California Department of Motor Vehicles driver's license and  
16 application.

17 Showing you the photograph on the driver's  
18 license, is that the way he looked during the summer of 1969?

19 A I saw him both ways, with the mustache and without.

20 Q Well, that is then the way he looked?

21 A I don't know what time he looked like which,  
22 but he looked like that at times.

23 Q Without the beard?

24 A Without beard or with it.

25 (Pause in the proceedings while Mr. Denny  
26 exhibited the photograph to the members of the jury:)

27 MR. DENNY: Your Honor, I have no further questions of  
28 the witness on cross examination.

14b-2

1 May we approach the bench a moment?

2 THE COURT: Yes, you may.

3 (Whereupon, the following proceedings were had at  
4 the bench among Court and counsel, outside the hearing of the  
5 jury:)

6 THE COURT: I didn't mean to preclude you from asking  
7 questions about this conversation, Mr. Manzella, if you wanted  
8 to.

9 MR. MANZELLA: I'll bring it out on redirect.

10 THE COURT: I thought maybe you misunderstood, from the  
11 way you --

12 MR. MANZELLA: I did. I did, yes.

13 THE COURT: All right.

14 MR. DENNY: I would like to take her at this point as my  
15 own witness. And again, I think it's -- under these circum-  
16 stances, unlike Sergeant Whiteley, where it would be a little  
17 ridiculous for me to wait until the end of the People's case --

18 THE COURT: I agree.

19 MR. KAY: Well, except that she's going to have to come  
20 back down with George Spahn.

21 MR. DENNY: Well, with the testimony I've gotten today,  
22 I'm not sure --

23 MR. KAY: Well, you accused us of bad faith in not  
24 calling George Spahn.

25 MR. DENNY: Well, you can accuse me of bad faith in not  
26 calling him.

27 THE COURT: All right, I'll permit you.

28 MR. KAY: May Mr. Manzella ask those questions on

14b-3

1 redirect?

2 THE COURT: Yes.

3 MR. KAY: Before Mr. Denny starts?

4 THE COURT: Yes, you may.

5 MR. KAY: Thank you, your Honor.

6 (Whereupon, the following proceedings were had in  
7 open court, within the presence and hearing of the jury:)

8 MR. DENNY: Your Honor, at this time, for whatever legal  
9 significance it may have, I would request to question this  
10 witness as to matters not covered by the People's evidence, and  
11 therefore taking her as a defense witness at this time.

12 THE COURT: Do the People wish to proceed?

13 MR. MANZELLA: No, that's all right. Mr. Denny can go  
14 first, your Honor.

15 THE COURT: All right. Go ahead. This is part of the  
16 defense evidence.

17 You may proceed.

15 fol

18  
19 RUBY PEARL,  
20 called as a witness by and on behalf of the defense, having  
21 been previously duly sworn, was examined and testified as  
22 follows:  
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## DIRECT EXAMINATION

1 BY MR. DENNY:

2 Q Mrs. Pearl, you were very much involved with  
3 George Spahn in the sale of the Spahn Ranch in Chatsworth to  
4 Mr. Frank Retz, is that right?  
5

6 MR. MANZELLA: Objection, that's vague and ambiguous  
7 as to what "very much involved" means.

8 THE COURT: Sustained.

9 Q BY MR. DENNY: Well, let me try to rephrase it  
10 if it appears ambiguous to you.

11 You were kept current of the negotiations between  
12 Mr. Spahn and Mr. Retz concerning the sale to Mr. Retz of the  
13 Spahn Ranch in Chatsworth, were you not?

14 MR. MANZELLA: I object again on the same grounds. I  
15 have no objection to her testifying as to what she knew or  
16 what she did, but I do object to that term.

17 THE COURT: It does call for a conclusion, sustained.

18 Q BY MR. DENNY: Well, did you know that there were negotia-  
19 tions between Mr. Retz and Mr. Spahn for the sale of the ranch?

20 A Yes.

21 Q Could you pull that microphone, ma'am, just a  
22 little bit --

23 A (Witness complies.)

24 Q BY MR. DENNY: Fine.

25 And were you present during some of the negotia-  
26 tions between Mr. Spahn and Mr. Retz?

27 A Some.

28 Q And were you present at times when Mr. Retz took



15-2

1 you and Mr. Spahn down to local eateries to eat and to  
2 discuss the sale or purchase of the Spahn Ranch property?

3 A Yes.

4 Q That was a general topic of conversation, at  
5 least, when Mr. Spahn and Mr. Retz got together, is that  
6 right?

7 A Yes.

8 Q All right. And was there -- excuse me, may I  
9 go into the exhibit room just a moment, your Honor?

10 THE COURT: Yes, you may.

11 (Whereupon, Mr. Denny exited the courtroom,  
12 returning shortly.)

13 Q BY MR. DENNY: Ma'am, I wonder if you could come  
14 down here again.

15 Are you familiar with this larger map, I believe  
16 it is 93.

17 Yes, People's 93, showing the Spahn Ranch area,  
18 Iverson area, the farmhouse, the outlaw shacks, certain  
19 caves, creeks, the road?

20 A Yes.

21 Q All right. And specifically this farmhouse, were  
22 you aware of any dispute between Mr. Retz and Mr. Spahn  
23 concerning the property line on that farmhouse, going through  
24 the farmhouse or to one side or the other of it?

25 A I knew they had to have it surveyed.

26 Q All right. And Mr. Retz had it surveyed?

27 A Yes.

28 Q And Mr. Spahn had it surveyed?

1           A       Years ago.

2           Q       Did he have it surveyed again in connection with  
3 the more recent survey that Mr. Retz made?

4           A       Yes.

5           Q       Was there a disagreement between the two as to  
6 the boundary line, as to where it was?

7           A       Yes.

8           Q       Were you present when there was some -- any heated  
9 discussions between Mr. Retz and Mr. Spahn as to that survey  
10 or those surveys on the boundary line?

11          A       No, I was not present.

12          Q       You never heard any argument or discussion about  
13 it?

14          MR. MANZELLA: Asked and answered, your Honor.

15          THE COURT: Sustained.

16          Q       BY MR. DENNY: All right.

17                 As to your own knowledge concerning this survey,  
18 and you -- was the survey, the later survey, the more recent  
19 survey made by Mr. Spahn, did that show that the ranch house  
20 was on his property or Retz' property?

21          A       By Mr. Spahn's surveyance, no.

22                 By Mr. Retz' surveyance, yes.

23          Q       In other words, you are saying that by Mr. Spahn's  
24 survey the farmhouse or ranch house was on Spahn's property?

25          A       Yes.

26          Q       By Mr. Retz' survey the farmhouse was on Retz'  
27 property?

28          A       Yes.

1 Q On the Mary Kelly, is that right?

2 A Yes.

3 Q All right. And did you ever have any discussion  
4 personally with Mr. Retz about this difference in surveys?

5 A No.

6 Q All right.

7 Thank you, ma'am, very much.

8 I have no further questions of the witness.

9 THE COURT: Would you approach the bench just briefly.

10 (Whereupon the following proceedings were had  
11 at the bench among Court and counsel, outside the  
12 hearing of the jury:)

13 THE COURT: Now, you wish to present evidence now of --  
14 in reopening direct of Shorty's statements to her, don't you,  
15 is that right?

16 MR. MANZELLA: Well, I don't know whether I actually have  
17 to reopen direct because Mr. Denny asked her if there was  
18 anything unusual about these men getting out of the car or  
19 the way they come onto the ranch on his recross and I was  
20 just going to ask her if that was the only thing that drew  
21 her attention to it.

22 MR. DENNY: No, no, my recross -- I didn't ask anything  
23 about that.

24 MR. MANZELLA: You asked if other people came into  
25 the ranch -- that sort of thing.

26 If it takes it, I'll ask to reopen --

27 THE COURT: Well, the Court will permit you --

28 MR. MANZELLA: -- to ask that.

1 THE COURT: Are you going into this conversation where  
2 he said --

3 MR. MANZELLA: No. I was just going to ask her what  
4 it was that made her pay attention. I'm not going to ask --  
5 that's the only question I have to ask her, and then I  
6 wanted to ask her, I think, two questions on Mr. Denny's --  
7 on cross-examination, what Mr. Denny brought out, the battle  
8 of the surveyors.

15a fls.

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1 THE COURT: All right.

2 MR. DENNY: I still think, your Honor, again, you are  
3 seeking to get in her state of mind as to why she paid partic-  
4 ular attention to these guys getting out of the car.

5 Now, if you're talking about her state of mind,  
6 you can get in the fact that someone told her something that  
7 alerted her. But as to what that person told her, then,  
8 you're getting into too dangerous ground as far as the state of  
9 mind exception. It is the state of mind exception --

10 THE COURT: Excuse me just a moment.

11 What did she say that Shea said that she had not  
12 said he said before?

13 MR. MANZELLA: It was a part of the conversation about  
14 things being weird around the ranch. That's the part she was  
15 referring to that made her pay attention.

16 THE COURT: Now, she said that on direct?

17 MR. DENNY: She was going to say, your Honor, that  
18 Shorty said "those guys are out to get me," and that's what she  
19 did not testify to on direct. And that's what she was going to  
20 testify to as to her state of mind here, in looking at the guys  
21 as carefully as she did in getting out of the car.

22 THE COURT: Of course, if the statement "those guys were  
23 out to get me" were to come in, to -- were offered to prove the  
24 truth of that, of course it would be hearsay and it would be  
25 inadmissible.

26 MR. MANZELLA: Well, it should be clear that he wasn't  
27 referring to the men that got out of the car. I mean, I don't  
28 think anybody is contending that. I mean, because clearly this

1 happened before the car drove up, so she's not referring -- she's  
2 not referring to the men who got out of the car.

3 In other words, he's not saying, "Ha, here they  
4 come. They're out to get me." This happened before the car  
5 even appeared.

6 THE COURT: Why would that be admissible under 1250(b),  
7 if it were to come in to show the decedent's subsequent conduct,  
8 that is if it were to show -- if it were offered to show that or  
9 if it were offered to show -- that is, if it were offered to show  
10 his state of mind to explain the subsequent conduct?

11 MR. KAY: What it shows --

12 THE COURT: A lack of willful disappearance?

13 MR. KAY: But it shows when he's in fear he contacts his  
14 friends. He doesn't run away from his friends and disappear.  
15 He contacts his friends and tells them he's in fear, like  
16 contacting Ruby Pearl there.

17 MR. MANZELLA: And Lance Victor. The statement to Lance  
18 Victor was substantially the same, if I remember correctly.

19 THE COURT: Fear itself is not in issue.

20 MR. KAY: No, but his state of mind and what he does  
21 because of the fear, whether he disappears and leaves the  
22 country or the state or something or whether he contacts his  
23 friends.

24 MR. DENNY: But they're not offering it for Shorty's  
25 state of mind. They're now offering it for Pearl's state of  
26 mind.

27 MR. KAY: It is relevant to both.

28 THE COURT: If they were to re-open -- I assume you are

1 asking to re-open for the conversation then?

2 MR. MANZELLA: Yes, your Honor. Yes.

3 I don't think why we're offering it is relevant.  
4 The question is, is it admissible and --

5 MR. DENNY: It is admissible only under certain limited  
6 circumstances.

7 MR. MANZELLA: Right. And what I am saying is, under the  
8 state of mind exception, it is admissible under the state of  
9 mind exceptions to the hearsay rule to show Shea's state of  
10 mind.

11 MR. DENNY: Not if you are --

12 MR. MANZELLA: Now, I want to use it because Ruby Pearl  
13 was paying attention because this was an unusual conversation.  
14 But it is admissible because it shows Shea's state of mind and  
15 it is admissible for the same reasons that Lance Victor's  
16 conversation was, that Shea, while he had made statements that  
17 he intended to go up North and so on, when he was in fear, he  
18 was not intending to abandon his friends and family, but that  
19 when he was in fear he contacted his friends and relatives.  
20 He did not intend to abandon them, but rather to continue --

21 THE COURT: It is not --

22 MR. DENNY: Well, your Honor, this is exactly the same  
23 thing as the Hamilton and Lew cases, where the Court says it is  
24 going to be impossible for the jury to make the fine discrimin-  
25 ation that not even a psychiatrist can make on the state of mind  
26 exception where you get a witness now deceased -- I mean, a  
27 declarant now deceased, stating, "I am afraid because those  
28 guys are going to get me" or "because those guys are out to get

1 me." Now, there is no way on God's earth where this jury, no  
2 matter what you tell them, is not going to accept that, that  
3 Shorty was afraid because someone had threatened to get him.  
4 And if that is so, it is inadmissible.

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15b-1

1 THE COURT: Well, the Court believes that the jury is  
2 able to distinguish it. If the Court makes it sufficiently  
3 plain that it is not to be admitted to prove the truth --

4 MR. MANZELLA: That's correct.

5 THE COURT: -- of the matter.

6 All right, let's proceed.

7 MR. DENNY: Your Honor, again, if the Court is going  
8 to say it is not to prove the truth of the matter, what is  
9 it admitted for? If it is for his state of mind, what is  
10 the state of mind towards which it is admitted?

11 THE COURT: It is to explain his subsequent conduct, to  
12 explain his conduct at the time of the --

13 MR. DENNY: To show he was in fear, that's all.

14 THE COURT: No, it is not.

15 MR. DENNY: Well, I submit that's inadmissible.

16 (Whereupon, the following proceedings were had  
17 in open court within the presence and hearing of the  
18 jury.)

19 THE COURT: Gentlemen.

20 MR. MANZELLA: Yes, your Honor.

21  
22 REDIRECT EXAMINATION

23 BY MR. MANZELLA:

24 Q Mrs. Pearl, directing your attention again to  
25 that evening, that evening on which it was the last time that  
26 you saw Shorty.

27 What was it that Shorty had said to you that  
28 made you pay attention to Manson, Davis, Grogan and Watson?

15b-2

1 A He said, "They're out to get me, Pearl." And  
2 "It is weird."

3 THE COURT: Ladies and gentlemen, that statement is not  
4 admitted to prove the truth of the matter, that is "They're  
5 out to get me" or any other statement that is attributed to  
6 Mr. Shea at that time. It is not admitted to prove the truth  
7 of the matter. It is admitted solely for the purpose of  
8 establishing Mr. Shea's state of mind to explain his conduct.

9 MR. MANZELLA: Your Honor, I just have a couple of  
10 questions on the material that Mr. Denny brought out.

11 THE COURT: Very well.

12 MR. MANZELLA: From Mrs. Pearl.

13 Q Mrs. Pearl, to your knowledge does George Spahn  
14 still communicate with Frank Retz?

15 MR. DENNY: That calls for hearsay.

16 THE COURT: Sustained.

17 Q BY MR. MANZELLA: Well, you're still in a sense  
18 employed by Mr. Spahn, is that right?

19 A Yes.

20 Q And this is up in Oregon in the new ranch that he  
21 bought up there?

22 A Yes.

23 Q All right. And you're pretty much employed in  
24 the same capacity as you were down here at the ranch in  
25 Chatsworth, is that correct?

26 A Yes.

27 Q All right.

28 I don't know if this has been brought out yet, but

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did Mr. Retz eventually purchase the ranch, Spahn Ranch in  
Chatsworth?

A Yes.

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1 Q And I take it there's no ill feeling or hostility  
2 between Mr. Spahn and Mr. Retz; is that correct?

3 MR. DENNY: Just --

4 THE WITNESS: No, none whatever.

5 Q BY MR. MANZELLA: And to your knowledge, does  
6 Mr. Spahn still communicate with Mr. Retz?

7 A Yes.

8 MR. MANZELLA: All right. Thank you. I have no  
9 further questions, your Honor.

10 THE COURT: Mr. Denny?

11  
12 RECROSS-EXAMINATION

13 BY MR. DENNY:

14 Q Well, ma'am, when you say there's no ill feeling  
15 between the two, do you remember the conversation that you and  
16 George and I and those two other people had, up in the  
17 trailer, at your place in Oregon --

18 A Yes, I remember.

19 Q -- last weekend?

20 A Yes.

21 Q And didn't George indicate at that time that he  
22 felt as if he'd been cheated --

23 A No.

24 Q -- because he only got \$7,000 an acre, instead of  
25 \$10,000 an acre, that Mary Kelly got for her land?

26 A Oh, he was just thinking over the -- the difference,  
27 that maybe he could have got more. But that meant no hard  
28 feelings.

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1 Q And didn't he also express the fact that he felt  
2 he had gotten kind of the run-around, because Frank Retz'  
3 lawyer -- Frank Retz got his lawyer to represent George and  
4 talked George into the sale?

5 A Well, there was a little difference of opinion  
6 there, as far as their legal business.

7 But I wouldn't say it was bad -- ill feelings.

8 Q No difference of opinion? The same lawyer  
9 represented George who was representing Frank; isn't that  
10 right?

11 A He thought maybe it was. I don't know.

12 Q And didn't he express a little unhappiness about  
13 Mr. Retz' lawyers having talked him into selling, to settle  
14 the little lawsuit that was involved? That is, a personal  
15 injury suit?

16 A There was little differences there in the opinions,  
17 after everything was done.

18 Q And so you couldn't really say that George had  
19 no sort of bitter feelings towards Frank Retz, could you?

20 A I don't call it bitter feelings.

21 Q He just figured he'd gotten the short end of the  
22 stick?

23 A He might have figured he could have done better.

24 MR. DENNY: All right. I have no further questions.

25 MR. MANZELLA: Nothing further.

26 May Mrs. Pearl be excused?

27 MR. DENNY: Oh, your Honor, I do have one thing. I'm  
28 sorry. May I have just a moment?

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1 THE COURT: Yes, you may.

2 (Pause in the proceedings while Mr. Denny  
3 perused his voluminous notes.)

4 MR. DENNY: I'm sorry, your Honor. It's going to take  
5 me just a few moments to look through here.

6 THE COURT: Go ahead, Mr. Denny.

7 (Further pause in the proceedings.)

8 MR. DENNY: Your Honor, I think this comes by way of  
9 reopening cross, and I'm sorry to request the privilege  
10 of doing so, but I would like to reopen cross for --

11 THE COURT: The motion is granted.

12 MR. DENNY: -- just a very few questions.

13  
14 FURTHER CROSS EXAMINATION

15 BY MR. DENNY:

16 Q Ma'am, you had indicated, I think, in response to  
17 redirect by Mr. Manzella, that his August 16th raid was more  
18 than a little bit unusual, in the life of the Spahn Ranch;  
19 is that right?

20 A Yes.

21 Q So it created, in your mind, something of a  
22 milestone or a bench mark or a high point from which you  
23 could calculate time; is that right?

24 A Yes.

25 Q All right. And as far as the time went, from  
26 the time of that raid until Manson left, was that just a  
27 few days after the raid?

28 A Yes.

1 Q All right. That is, that he left and he didn't  
2 come back again?

3 A Well, he left for a period after the raid. I  
4 don't know how many days. As I said before, I can't say how  
5 many days.

6 Q Well, it was just a few days after the raid?

7 A It was after the raid.

8 Q Well --

9 A That's how I mark my time. I don't know how many  
10 days. A week, two weeks; a few days, a week.

11 Q Well, let me --

12 A It was sometime after the raid.

13 Q Well, let me direct your attention to September  
14 30, 1971, to your testimony on page 716, starting at line 11.  
15

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16a-1

1 "Q Okay. Now, can you tell us when at  
2 least certain members of the so-called Manson  
3 Family, together with Charles Manson, left the  
4 Spahn Ranch?

5 "A When?

6 "Q Yes.

7 "A A few days after the raid.

8 "Q A few days after the raid?

9 "A Yes."

10 A Yes.

11 Q Is that right?

12 A Well, if I don't have any part to pinpoint, I don't  
13 know exact day.

14 Q But you had the raid to pinpoint; isn't that right?

15 A Yes. Well, yes. It was after that.

16 Q A few days after the raid.

17 A They were in custody a few days after the raid.

18 Q And it was just a few days after that that they  
19 left?

20 A So it was a few days after that, yet.

21 Q All right. Now, ma'am, as far as Shorty staying  
22 in the -- the little trailer, other people had stayed in that  
23 trailer behind your house, hadn't they?

24 A (No response.)

25 Q Well, Juan Flynn stayed in it for a period of time,  
26 after October or so, '69; is that right?

27 A Yes.

28 Q And Shorty had stayed there previously on a few



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1 occasions; isn't that right?

2 A Yes, previously.

3 MR. DENNY: All right. Thank you, your Honor. I have  
4 no further questions.

5 MR. MANZELLA: Just one question.

6  
7 REDIRECT EXAMINATION

8 BY MR. MANZELLA:

9 Q Mrs. Pearl, how long was it after you last saw  
10 Shorty that Charles Manson and the -- most of the members of  
11 the Family left the ranch, permanently?

12 A The next day, I believe.

13 MR. MANZELLA: All right. Thank you. I have no further  
14 questions.

15 THE COURT: Anything further?

16 MR. DENNY: Nothing further, your Honor.

17 THE COURT: All right. You may step down, and you are  
18 excused.

19 THE WITNESS: Thank you.

20 MR. KAY: The People will call Dr. William Kaufmann, if  
21 the Court wishes to proceed, your Honor.

22 THE COURT: Will it take very long?

23 MR. KAY: Dr. Kaufmann will probably take at least an  
24 hour on direct.

25 MR. MANZELLA: We'd like to start tonight, though, if we  
26 could, your Honor.

27 THE COURT: All right. We will go for ten minutes.

28 MR. KAY: May we approach the bench while the doctor is

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1 coming in?

2 THE COURT: Yes, you may.

3 MR. KAY: Thank you.

4 (Whereupon, the following proceedings were had at  
5 the bench among Court and counsel, outside the hearing of the  
6 jury:)

7 MR. KAY: The doctor has prepared a chart here, and I  
8 want to pass it out to each one of the jurors, so they can  
9 follow his testimony.

10 He is going to be reading off a lot of times and  
11 stuff, and it would be a lot easier if the jurors could follow  
12 it, rather than just --

13 MR. DENNY: I have no objection whatsoever, your Honor,  
14 to that procedure.

15 MR. KAY: Okay. And I have one for the Court, too, if you  
16 want to take that.

17 THE COURT: All right. That seems reasonable.

18 MR. KAY: Okay. Thank you. Thanks, Mr. Denny.

19 MR. DENNY: I think we should, at the close of this, have  
20 one of them received in evidence.

21 MR. KAY: Oh, yes. I'll put the original in.

22 MR. DENNY: Fine.

23 (Whereupon, the following proceedings were had in  
24 open court, within the presence and hearing of the jury:)

25 MR. KAY: Your Honor, may I pass Dr. Kaufmann's charts  
26 out to the jurors, so that each juror may have one now?

27 THE COURT: Yes, you may.

28 THE CLERK: Would you raise your right hand, please?

1 Do you solemnly swear that the testimony you are  
2 about to give in the cause now pending before this court, shall  
3 be the truth, the whole truth, and nothing but the truth, so  
4 help you Go?

5 THE WITNESS: I do.  
6

7 DR. WILLIAM JOHN KAUFMAN, III,  
8 called as a witness by and on behalf of the People, having been  
9 duly sworn, was examined and testified as follows:

10 THE CLERK: Please take the stand and be seated.

11 Please state and spell your full name.

12 THE WITNESS: My name is Dr. William John Kaufman, III;  
13 the last name is spelled K-a-u-f- as in Frank, -m-a-n-n.

14 THE COURT: Mr. Denny, does that board prevent you from  
15 seeing --

16 MR. DENNY: No, your Honor. Thank you. I can -- I've  
17 got a clear shot at him.

18 MR. KAY: I might state that the doctor will be making  
19 some demonstrations on that board. That's the reason I left  
20 it there. But probably not tonight.

16b fol

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## DIRECT EXAMINATION

BY MR. KAY:

Q Dr. Kaufmann, what is your profession?

A My profession is that of an astrophysicist and an astronomer.

Q And what is an astrophysicist?

A Well, an astrophysicist is really a theoretical astronomer. He works usually with pencils and papers and computers and tries to explain -- or understand from a theoretical viewpoint -- what the astronomer sees through his telescope.

Q All right. And are you presently Director of the Griffith Observatory?

A That's correct.

Q All right. And that's commonly referred to as the Griffith Park Observatory?

A That is correct.

Q All right. And how long have you had that job as Director of the Observatory?

A Almost two years.

Q And would you please tell the ladies and gentlemen of the jury your background and education in the field of astrophysics and astronomy.

A Yes. In 1963, I received a Bachelor of Arts degree, magna cum laude, from Adelphi University in physics. In 1965, I received a Master of Science degree from Rutgers University in New Jersey in physics.

And in 1968, I received my Ph.D. from Indiana

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University in astrophysics.

Following this, I was appointed visiting instructor at UCLA, where I taught in the astronomy department for a little over a year. And then I won a National Science Foundation post-doctoral Fellowship to continue my research at the California Institute of Technology in Pasadena.

And following this, I was appointed to my present position as Director of the Griffith Observatory.

Q All right. And, Doctor, have you testified as an expert in the fields of astronomy and astrophysics in the courts of the State of California?

A Yes, I have. Many times.

Q All right. And have you previously testified as an expert in regard to the different phases of the moon, and the amount of light that falls from the moon to the earth during each phase?

A Yes.

Q Now, in connection with your job as Director of the Griffith Observatory, are you called upon, as one of your responsibilities, to determine the various phases of the moon during different parts of the year?

A Oh, yes.

Q Now, is there some type of computation which you are required to make in order to determine the given phase of the moon in relation to the earth on a specific day?

A Yes. In addition, usually the question comes not only to determine the phase of the moon, but also where

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1 it is located at a particular longitude and latitude; where  
2 it is located relative to -- as one would see it, standing  
3 at one particular location on the earth.

4 Q And also, the time of moonrise and moonset?

5 A Absolutely.

6 Q And what type of computations are these that you  
7 make?

8 A Well, there are a variety of ways of doing the  
9 calculations. In principle, the calculation stems --  
10 follows in the following fashion: We know the orbit of the  
11 moon around the earth. Obviously we know this, because we  
12 couldn't get astronauts to the moon, if we didn't know it.

13 And based on our knowledge of the location of the  
14 moon in its orbit relative to the earth, and where the earth  
15 is located relative to how it is spinning on its axis, you  
16 can combine all this information in such a way as to give the  
17 location of the moon as seen from any particular location on  
18 earth.

19 Q Now, in connection with this, did you prepare a  
20 document for court today, showing the moonrise and moonset  
21 times in the Chatsworth area, in -- on August 26th through  
22 August 30th, 1969?

23 A That is correct.

24 Q And what is the basic source used for making  
25 the calculations of the time of moonrise and moonset?

26 A Yes. The basic source for any kind of computation  
27 of this type is a yearly periodical put out by the Naval  
28 Observatory in Washington, called the American Ephemeris

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1 and Nautical Almanac.

2 Q All right, is that book used by the astronauts  
3 to go to the moon?

4 A The data from the book, I don't know whether they  
5 actually use this book, but the computers and the programs  
6 and the data which produced this book are the same informa-  
7 tion that goes into calculating orbits to get to the moon.

8 MR. KAY: Excuse me, how long does your Honor want to  
9 go tonight because I'm going to have Dr. Kaufmann do some --

10 THE COURT: Another four minutes.

11 MR. KAY: Another four minutes.

12 MR. MANZELLA: Ask for the four-minute answer.

13 (Laughter.)

14 Q BY MR. KAY: All right, we want the four-minute  
15 answer now.

16 I'll wait for the morning to have you do the  
17 drawing or see if I can get a four-minute answer.

18 Doctor, when does the moon appear the brightest  
19 to those of us on earth?

20 A The moon appears to be as bright as it ever is  
21 when it is a full moon.

22 Q Now, how much brighter is the moon when it is  
23 full in relation to when it is in the first quarter than the  
24 last quarter?

25 A The brightness of the moon drops dramatically  
26 after you get away from the first few days, very near full  
27 moon, so that by the time you get to the phases of the  
28 first quarter and last quarter, you are receiving approximately

1 20 percent of the light that you would have of the full moon.  
2 Consequently, the full moon is about five times brighter  
3 than the first quarter or last quarter.

4 MR. KAY: Your Honor, I feel I can't really go any  
5 further without having him draw the diagram.

6 THE COURT: All right, we'll begin again tomorrow  
7 morning at 9:30, ladies and gentlemen. We'll let you go  
8 now.

9 It is almost 4:30.

10 During the recess you are admonished that you  
11 are not to converse amongst yourselves, nor with anyone else,  
12 nor permit anyone to converse with you on any subject  
13 connected with this matter, nor are you to form or express  
14 any opinion on it until it is finally submitted to you.

15 Good night. I'll see you tomorrow morning at  
16 9:30.

17 Thank you for being so attentive and punctual  
18 today.

19 (Whereupon, at 4:30 o'clock p.m. the evening  
20 adjournment was taken.)  
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