

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.

237

No. A-267861

REPORTERS' DAILY TRANSCRIPT

Friday, February 4, 1972

VOLUME 37APPEARANCES:

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

HOYT (CROSS & RE-DIRECT)

COPY

MARY LOU BRIANDI, C.S.R.
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Official Court Reporters

I N D E X

<u>PEOPLE'S WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
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E X H I B I T S

<u>PEOPLE'S:</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
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DEFENDANT'S:

E - photograph

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S - a diagram

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1 LOS ANGELES, CALIFORNIA, FRIDAY, FEBRUARY 4, 1972, 10:06 A. M.

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3 THE COURT: We're in chambers; Mr. Kay, and Mr. Denny and
4 the Court. And Mr. Denny has indicated to the Court that he
5 wishes to put on a demonstration of screams with a recording
6 device of prerecorded screams, is that it, for the purpose of
7 having the witness attempt to discern and recognize one
8 particular type of scream from another; is that right?

9 MR. DENNY: No, just to indicate to the jury, among the
10 various types of screams that have been recorded, which most
11 closely resembles -- I don't feel it is proper for me to get
12 up there and scream. I do feel, however --

13 THE COURT: I think that's a good comment.

14 MR. DENNY: I do feel, however, it is proper for the jury
15 to be given the opportunity to have her, from a series of
16 types of screams, point out that which most closely resembles
17 that which she heard, and that is what I have recorded.

18 THE COURT: What have you recorded?

19 MR. DENNY: I have recorded screams, both close-up screams
20 and far away-type sounding screams of male voices of different
21 kinds of screams.

22 THE COURT: Have you recorded them out in the area where
23 she was?

24 MR. DENNY: Precisely.

25 THE COURT: And you've recorded male screams?

26 MR. DENNY: Male screams.

27 THE COURT: I see.

28 MR. DENNY: At Spahn Ranch.

1 THE COURT: I see.

2 MR. KAY: On August of 1969?

3 MR. DENNY: And recorded them with the highest fidelity
4 recording equipment. And I can lay a foundation if the Court
5 wishes of the expertise of the engineer.

6 THE COURT: Of the screaming?

7 MR. DENNY: Not the expertise of the screaming, but the
8 expertise of the person doing the recording. It is the highest
9 fidelity that can be done with modern equipment and produced
10 with such tolerances that the human ear cannot get a higher or
11 lower range than that which is recorded by the equipment. And
12 that which is played back by the playback equipment.

13 MR. KAY: And did you do this after Spahn Ranch burned
14 down?

15 MR. DENNY: Yes.

16 MR. KAY: All right, so --

17 MR. DENNY: That's not the point I'm raising anyway.

18 It is just simply at this point the recognition
19 of the closest type of scream to this scream that she has
20 variously described.

21 MR. KAY: I think it is an improper courtroom demonstra-
22 tion, your Honor. I can't think the conditions are the same
23 and it is not Shorty's voice.

24 MR. DENNY: Well, obviously it is not Shorty's voice.
25 And the purpose is not to get her to discern Shorty's voice,
26 which she can hardly be expected to do.

27 It is simply to permit the jury to hear, short of
28 my screaming and making different screams in the courtroom,

1 which I think would be in appropriate and unprofessional for me
2 to do --

3 THE COURT: What is the purpose, to identify the scream
4 which most closely resembles the scream which she heard that
5 evening?

6 MR. DENNY: That's right.

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1 MR. KAY: I object to it. I think it is improper.
2 She heard the screams on that evening. She described them.
3 She said some were of short duration, some were of long
4 duration, went on for a long period of time. It was a long
5 period of time, it seemed to her, although maybe it wasn't
6 a long time, and I just don't think the conditions are the
7 same and it would be misleading in the courtroom --

8 MR. DENNY: The conditions don't have to be the same.

9 THE COURT: The Court sustains the objection. To use
10 an electronic device or recording and to present it in the
11 courtroom and ask her to attempt to recognize a type of
12 scream from that device does not appear to the Court to
13 approximate in any way the conditions that existed that
14 evening. I can't see its probity in any event. And I think
15 that to state for -- for anyone to state that a scream was
16 a scream of pain and horror, is amply descriptive and is a
17 description which anyone could make.

18 MR. DENNY: Well, your Honor, assuming you can make a
19 description, let me get very specific, your Honor, because
20 this is important to the defense. It is an extremely
21 important point to the defense.

22 THE COURT: All right, I'll let you be heard.

23 MR. DENNY: I can describe to you a diamond and I can
24 say to you it sparkled, it had facets on it, it was clear.
25 But a picture of that diamond done with the miracle of
26 modern camera work is more graphic than my description. And
27 the same thing, I can describe to you a scream and I can say
28 it is a scream of pain and fear --

1 THE COURT: Well, let's say she recognizes one of the
2 screams as being the type of scream that she heard.

3 MR. DENNY: The tape will be in evidence, and that's --
4 I'll introduce the tape.

5 THE COURT: The tape will be introduced in evidence?

6 MR. DENNY: As a part of the record.

7 And I have a right to do that, I believe, just as
8 much as the People have a right to produce pictures of Spahn
9 Ranch.

10 THE COURT: Let's say I allow this, where do you go
11 from there?

12 MR. DENNY: Because the jury can then determine whether
13 it is a scream of pain or fear or just a scream of somebody
14 yelling "Hey out there, hello out there." That type of thing.
15 There were many types of screams which some person might
16 describe as a scream of pain and fear and another simply
17 might describe it as someone yelling out in the bush.

18 THE COURT: I think she's simply described it, and
19 anyone could recognize a scream of pain.

20 MR. DENNY: Well, your Honor, I don't think anyone can
21 recognize -- anyone can say a scream they hear is a scream of
22 pain.

23 THE COURT: Now, you're going to have somebody testify,
24 then, that he screamed in a certain way, say an expert
25 screamer who's testified --

26 MR. DENNY: You don't have to.

27 THE COURT: You say you don't have to. What --

28 MR. DENNY: You don't have to have a person testify

1 they screamed. It is in evidence. The screams are in
2 evidence. He screamed in a certain way. You will hear that.
3 That's the whole point.

4 THE COURT: That's the Court's point. This is a
5 matter of --

6 MR. DENNY: But --

7 THE COURT: This is a matter that is not a matter of
8 expertise at all, it is a matter which anyone can determine.
9 And she has stated that she heard a scream of a particular
10 type out there that evening and to bring in the recordings
11 and go through -- take all the time to play these recordings
12 in a situation which, in the Court's opinion, would not
13 approximate those conditions, is foolishness, simply foolish-
14 ness.

15 MR. DENNY: Before the Court rules --

16 THE COURT: I have ruled.

17 MR. DENNY: I think for the record I have a right to
18 make an offer of proof as to what the conditions were, because
19 I want to bring in Mr. Ronne who is a recording engineer
20 and make my record at this point, because it is an important
21 point.

22 THE COURT: You can state it. You don't have to --

23 MR. DENNY: I want to bring Mr. Ronne in so he
24 can testify as to what the conditions are and he can testify
25 as an expert.

26 THE COURT: You can state what they are, you were
27 there.

28 MR. DENNY: Yes, certainly.

1 THE COURT: Go ahead. You can state it and I'll take
2 it that --

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1 MR. DENNY: Well, your Honor, I will tell you that what
2 Mr. Ronny would testify to, is he's been in the recording
3 business for over twelve years. That he is a recording
4 engineer, and expert in the field of electronic recordings.
5 That he has worked in making recordings for a number of
6 movie companies. That he is presently engaged to go to China
7 with President Nixon on the Chinese visit to act as the
8 recording engineer for the official party and the movies that
9 will be made of the China visit by President Nixon. He has a
10 number of other credentials.

11 That he uses the Nagra, and that's spelled
12 N-a-g-r-a recording device which is the recording equipment,
13 the portable recording equipment that is used by most of the
14 recognized experts in the field of movie and television
15 recording.

16 That he has worked on a number of documentaries
17 for Wolper and others in which this equipment is used.

18 That its fidelity ranges from approximately 50
19 hertz to 18,000 hertz, and that's spelled h-e-r-t-z, which is
20 the threshold of the upper-lower limits of the ear.

21 That the playback equipment he uses to reproduce
22 the material that he records also plays back with a fidelity
23 of from 50 to 18,000 hertz, which is the upper and lower
24 limits of the ear. So that the fidelity of the recording is,
25 in all respects, equal to that which you would hear if you
26 were at the place.

27 That the microphone he uses -- I do not know the
28 name of the microphone, which you could say, but is of a
29 higher fidelity yet than the recording equipment. So that

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1 there is no distortion in any recording either close up or far
2 away from the microphone that was used.

3 That, now, approximately a week and two days later,
4 he went with me and several other people to the Spahn Ranch.
5 The Spahn Ranch location, which is still identifiable because of
6 the foundations from the building and also because of the rock
7 and the telephone pole which is there which is identifiable
8 from the pictures, that at that time -- and it was in the
9 evening -- that at that time he recorded close up the screams
10 of four persons.

11 That thereafter, at approximately the distance of
12 150 feet he recorded the distant screams of four persons.

13 That he has the tape of those screams and that he
14 would be able to play that tape with such fidelity that it would
15 be difficult, if not impossible, for anyone to say by virtue
16 of the reproduction whether the person were in the courtroom
17 actually screaming or you were hearing it from electronic
18 equipment.

19 THE COURT: All right, the Court does not believe that
20 playing of the recording in the testimony of the -- the Court
21 does not believe the playing of the recording would at all be
22 probative or helpful to the jury.

23 MR. DENNY: Well, your Honor, I am just wondering if it
24 would be helpful to the defendant to be able to get some
25 evidence in?

26 THE COURT: Of screams, of types of screams?

27 MR. DENNY: Certainly.

28 THE COURT: As to whether or not --

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1 MR. DENNY: Your Honor, she has characterized it and
2 certainly the defendant has a right to -- this is an opinion
3 on her part, an opinion and conclusion. And we have a right
4 under the Evidence Code to go beyond that expressed opinion
5 and conclusion. She's expressed the opinion and conclusion
6 that these were screams of pain and fear.

7 Now, she hasn't done what she could do, is scream
8 it herself. She has expressed that opinion and conclusion.
9 Under the Evidence Code we have a right to go beyond that to
10 see what the basis of that opinion and conclusion is. And this
11 is what I am attempting to do.

12 THE COURT: You know what the basis of the conclusion --
13 the basis of a conclusion, what she has heard before in her
14 lifetime, just as anyone's conclusion would be. Anyone could
15 recognize a shout or a scream of pain.

16 MR. DENNY: Well, your Honor, you're assuming what she
17 heard was a scream of pain and fear.

18 THE COURT: No, I am not.

19 MR. DENNY: Well, your Honor --

20 THE COURT: I know what she has testified to.

21 MR. DENNY: Well, you don't give us the chance to test
22 that as to whether it was a scream of pain and fear.

23 THE COURT: Well --

24 MR. DENNY: If you hear a scream "augh-h-h-h-h-h-h,"
25 you may say that's not a scream of pain and fear. She may say
26 it is a scream of pain and fear. The jury has a right to know
27 what she thinks is a scream of pain and fear and whether they
28 would say whether that same scream is a scream of pain and

1 fear. We have a right to test that.

2 THE COURT: Well, knowing what the condition of Spahn
3 Ranch is at the present time and knowing what it was at that
4 time when she heard those screams, knowing the trees are
5 down, the buildings are down, I can't say that the screaming
6 that has been recorded by you would at all approximate the
7 screaming that she heard that night.

8 MR. DENNY: That's not the point, your Honor.

9 THE COURT: The Court believes it is the point.

10 MR. DENNY: Well, your Honor --

11 THE COURT: Part of the point, Mr. Denny.

12 Let's proceed.

13 MR. DENNY: May I -- may I say, your Honor, just before
14 we go out, it is not whether she can recognize screams at
15 Spahn Ranch.
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(Proceedings had on an unrelated matter.)

THE COURT: Good morning, ladies and gentlemen.

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

THE COURT: The record will show that all the jurors are present. The defendant is present with his counsel, and Mr. Kay for the People.

BARBARA HOYT,

called as a witness by and on behalf of the People, having been previously duly sworn, resumed the stand and testified further as follows:

THE COURT: Would you state your name for the record?

THE WITNESS: Barbara Hoyt.

CROSS-EXAMINATION (Continued)

BY MR. DENNY:

Q By the way, Miss Hoyt, are you wearing contact lenses now?

A Yes.

Q You haven't always worn contact lenses?

A No.

Q How long have you been wearing contact lenses?

A Off and on since about -- since I was about 15 or 16.

Q And during the time between April and August of 1969, you were not wearing contact lenses?

A No.

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1 Q During a portion of that time, you were wearing
2 glasses?

3 A Yes.

4 Q And you lost the glasses, or --

5 A Yes.

6 Q When was that?

7 A Sometime in April.

8 Q And what is your vision?

9 A I don't know, but it's really bad.

10 Q Well, when's the last time you went to an opto-
11 metrist?

12 A Uh -- not very long ago.

13 Q Well, when, ma'am?

14 A A few months ago.

15 Q Where?

16 A Dr. Coopersmith.

17 Q Coopersmith?

18 A Yes.

19 Q Where?

20 A It's -- his office is on Sherman Way.

21 Q Is that all one word, Coopersmith?

22 A Yep.

23 Q And did you determine what your vision was on
24 the basis of 20/20, 20/40, or --

25 A Well, with my contacts, it's --

26 Q Not with your contacts, ma'am. Uncorrected.

27 A Oh, I don't know what it is without my contacts.

28 Q All right. And without your contacts, you

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1 couldn't see how many hands I -- how many fingers I would be
2 holding up on this hand (indicating); is that right?

3 MR. KAY: Well, that calls for speculation, your Honor,
4 because she has her contacts in now.

5 MR. DENNY: Well, would the Court then ask her -- and I
6 would ask -- unfortunately, she can't take off her glasses
7 quite as easily, but I would ask that she remove her contact
8 lenses.

9 MR. KAY: I would object to that, because knowing people
10 who wear contact lenses, if you take your contacts out, it's
11 harder to see afterwards. It takes her eyes a period to
12 adjust.

13 MR. DENNY: That is why I would like to let her have the
14 period to adjust.

15 THE COURT: The Court -- you don't have to take your
16 contacts out.

17 But do you know whether or not from that distance
18 away from Mr. Denny -- about 20 feet, I would say -- you could
19 see the number of fingers he held?

20 THE WITNESS: I doubt it. I don't think I would.

21 MR. DENNY: Well, your Honor, may we approach the bench
22 for a moment?

23 THE COURT: Yes, you may.

24 No, you may not. Proceed with whatever you are --
25 with your next question.

26 Q BY MR. DENNY: Young lady, you've stated that
27 these screams sounded like a woman in a horror movie, is
28 that right, that you heard?

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1 A In describing these screams, they were that way,
2 yes.

3 Q Well, did he scream -- (Mr. Denny screaming)?

4 MR. KAY: Well, I'm going to object to that.

5 Q BY MR. DENNY: Is that it?

6 MR. KAY: I'm going to object to Mr. Denny screaming
7 in the courtroom.

8 THE COURT: The record will show a loud scream.

9 (Laughter, as several members of the bailiff's
10 detail entered the courtroom.)

11 Q BY MR. DENNY: Is that the type of scream?

12 MR. KAY: Your Honor, I'm going to object --

13 MR. DENNY: Your Honor, I think it's perfectly proper
14 to determine from this witness what type of scream it was.

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1 Q Was that the type of scream?

2 THE COURT: It was a surprising scream.

3 Q BY MR. DENNY: Was that the type of scream?

4 MR. KAY: Objection, your Honor. Improper courtroom
5 demonstration.

6 THE COURT: Mr. Denny is asking about the type of
7 scream. I -- I think, as to whether it's just a loud yell or
8 whether it's indicative of pain; is that it, Mr. Denny?

9 MR. DENNY: That's correct, your Honor.

10 THE WITNESS: It was more painful than --

11 Q BY MR. DENNY: (Mr. Denny screaming) Was that it?

12 THE COURT: Another scream will be recorded in the
13 record.

14 THE WITNESS: No.

15 Q BY MR. DENNY: (Mr. Denny screaming)?

16 A No.

17 Q (Mr. Denny screaming)?

18 A Louder.

19 Q Louder than that?

20 A Much louder.

21 Q (Mr. Denny screaming) Was that it?

22 A Louder.

23 Q Louder yet? This was from some distance that you
24 heard it, though, wasn't it?

25 A Yes. But it was very, very loud.

26 Q Louder yet?

27 A As loud as you can scream, I guess, would be --

28 Q Is that right?

1 THE COURT: Everybody ready?

2 (Laughter.)

3 Q BY MR. DENNY: Well, you were holding your ears
4 then, were you?

5 A I don't want to hear it.

6 Q Well, the jury has a right to hear it, ma'am.

7 MR. KAY: Well, that's argumentative.

8 THE COURT: Mr. Denny's remark will be stricken.

9 Q BY MR. DENNY: (Mr. Denny screaming) Was that it?

10 MR. KAY: Your Honor, I'm going to object to this. I
11 think this is improper.

12 THE COURT: That's the last scream, Mr. Denny.

13 Q BY MR. DENNY: Was that it?

14 A No.

15 Q Well, what was it?

16 A It was very loud, more painful. And from the
17 screams, you could -- well, from your scream, you can tell that
18 you are not -- you are not in pain. You are just screaming.

19 Q You could tell that this was pain --

20 A No -- yes. Yes, yes.

21 Q Now, what was there different about the scream,
22 the last scream that I made, and the scream that you say you
23 heard, that you define as the pain element of the scream?

24 MR. KAY: Well, I'm going to object to that. I think
25 that's awfully hard to describe.

26 MR. DENNY: Yes, it is.

27 MR. KAY: So, I would --

28 THE COURT: The objection is overruled.

2a-3

1 If you can answer, you may answer.

2 THE WITNESS: Well, I've got a picture of how it's
3 different. I don't know if I can say it. But screams --
4 yours was just a yell and his was a painful, loud scream.
5 Many of them.

6 Q BY MR. DENNY: But what made the pain element in
7 it?

8 A You could just tell.

9 Q And how could you tell?

10 A By the scream.

11 Q What about the scream?

12 MR. KAY: Asked and answered, your Honor.

13 THE COURT: Sustained.

14 Q BY MR. DENNY: Well, was it long and drawn out?

15 A Some.

16 Q I beg your pardon?

17 A Some.

18 Q Without the decibels, was it -- (Mr. Denny
19 screaming)?

20 MR. KAY: Your Honor, I am going to object. I think the
21 Court told Mr. Denny --

22 Q BY MR. DENNY: Is that right?

23 MR. KAY: -- that that was his last scream, several
24 minutes ago.

25 THE COURT: Yes, Mr. Denny. I think we've heard enough
26 screaming.

27 Q BY MR. DENNY: Well, Miss Hoyt, I would like for
28 you to be able to tell the jury, if you can -- you've heard a

2a-4

1 number of different screams, now. And you say, "According
2 to my way of thinking of it, according to my opinion, according
3 to my conclusion, it had pain written all over it."

4 A That?

5 Q No, the way -- the one you say you heard on this
6 particular moonlight night.

7 Now, can you tell the jury how -- how it was that
8 you jumped to the conclusion that those screams had pain
9 written all over them?

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1 MR. KAY: Well, objection. Argumentative and asked
2 and answered.

3 THE COURT: Sustained.

4 Q BY MR. DENNY: By the way, you were in the
5 parachute room --

6 (Pause in the proceedings while a discussion
7 off the record ensued at the clerk's desk between
8 Mr. Denny and the clerk.)

9 The parachute room is trailer; is that right?

10 A Yes.

11 Q And that particular trailer had windows in it?

12 A It had a few windows. It was a really old
13 trailer. I guess --

14 Q Well, some of the windows were blocked out, even,
15 weren't they?

16 A Yeah. I don't -- I only remember -- well, I
17 don't remember whether or not, right now, there were windows
18 at the front end of the trailer.

19 But I remember the ones in the back.

20 Q In the back, facing out toward the stream?

21 A Well, it wasn't exactly facing toward the
22 stream. Like the trailer would be here (indicating), like
23 this, and the window goes out like this --

24 Q Well, just a moment, here. Because we have a
25 diagram, and maybe you can show the jury what you mean.

26 All right. Now, would you like to indicate
27 to the jury -- you may look first and familiarize yourself
28 with it.

2b-2

1 Do you see the boardwalk along here?

2 A Yes.

3 Q And George's house here? All right.

4 Where was the parachute room? Where was the
5 trailer known as the parachute room?

6 A Right -- it's right in here (indicating).

7 Q Well, you've indicated a spot --

8 A Yeah. See, there's --

9 Q -- behind and to the right of the far right
10 building?

11 A There's (indicating) the shack -- yes. Yeah,
12 it was right next to this trailer. And it's under the tree.

13 You mark it. I don't want to get shocked.

14 Q Well, there appears to be some sort of --

15 A No. Right here (indicating).

16 Q All right. We will draw a green rectangle.

17 Now, was that facing in about the direction that
18 it's --

19 A Yeah.

20 Q -- facing there? All right.

21 And we will draw over here "P room" for parachute
22 room. All right?

23 A Yeah. The window pointed out right straight,
24 you know, one on each side.

25 There was a board on this one (indicating), so
26 you couldn't really see out of that window.

27 Q Well, you're saying there was a board on the
28 eastern window, but there was a window to the west, --

2b-3

1 A Yes.

2 Q -- is that correct? And the window to the west
3 was open?

4 A (Indicating affirmatively.)

5 Q All right. Excuse me just a moment. I'm not
6 sure whether the jury can see the green.

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

9 Q BY MR. DENNY: Again, Miss Hoyt, you've stated
10 that there was a window on this -- the eastern side of the
11 trailer that was blocked out, and a window on the western
12 side of the trailer which was open; is that correct?

13 A (Indicating affirmatively.)

14 Q You have to answer "Yes."

15 A Yes.

16 Q And again, when you say you heard these screams,
17 looking at People's 29 again, from what direction did they
18 come?

19 A West.

20 Q Over (indicating) --

21 A Yes.

22 Q -- toward west?

23 A Yeah. Down by the creek.

24 Q Down by the creek. All right.

25 (Pause in the proceedings while a discussion
26 off the record ensued at the clerk's desk between
27 Mr. Denny and the clerk.)

28 Q BY MR. DENNY: And when was it that you looked out

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the window, to discern the amount of light, in relationship
to these screams that you say you heard?

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A After I heard the first scream.

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1 Q And you looked toward the west; is that right?

2 A That's the only way you could look out the window.

3 Q Quite right. And there were trees, you say, and
4 the leaves blocking that view somewhat; is that right?

5 A Yes.

6 Q So that you couldn't really see out very well at
7 all; is that right?

8 A Oh, you could see out, but you couldn't see far,
9 is what I mean.

10 Q All right. But you could see that it was very
11 light out?

12 A Yes.

13 Q And it was from that that you discerned that
14 the moon was full?

15 A Yes, mostly.

16 Q Not having seen the moon itself? We went over
17 that.

18 A Well, I noticed it, but I didn't really look
19 at it. So I'm pretty sure it was a full moon and not --
20 you know.

21 Q And not -- you know what?

22 A That's that.

23 Q Now, when was it that you noticed the moon?

24 A Before I went to the parachute room.

25 Q On your way from some place to the parachute
26 room?

27 A Yes.

28 Q From where to the parachute room?

2c-2

1 A Well, I think that that night we had dinner in
2 the back house -- but I don't remember, really clearly, all
3 the things we did each day, because I can't tell you one day
4 from the next there.

5 Q You couldn't, could you?

6 A No, you couldn't. All you could tell is by --

7 Q You couldn't tell who was there from one day to
8 the next?

9 A To an extent.

10 Q Could you tell whether Bruce Davis was there all
11 during the period from August 19th through August, say, 29th?

12 A I believe he was.

13 Q What makes you believe that?

14 A Well, he was there during -- after the raid, he
15 didn't get arrested. Because we went up to Olancho, and --
16 and I've seen him around.

17 Q My question is: Do you know whether Bruce was
18 there between August 19th, there at the Spahn Ranch, between
19 August 19th and say about August 29th?

20 MR. KAY: Asked and answered.

21 MR. DENNY: I don't think it has been answered.

22 THE COURT: Sustained.

23 MR. DENNY: Well, your Honor, I'm not sure whether the
24 answer is yes or no. I'm not sure she has answered.

25 MR. KAY: I believe she said she thought he was there.

26 THE COURT: That's what I heard.

27 THE WITNESS: I saw him around. He was around.

28 Q BY MR. DENNY: Well, do you know --

2c-3

1 THE COURT: That may remain in the record.

2 Q BY MR. DENNY: Well, do you know he was there, or
3 are you just guessing?

4 A Well, I know he was there. But there's a -- like
5 he could have left and gone to -- like, say, a store or
6 something, and I wouldn't remember it.

3 fls.

3-1
1 Q All right, but otherwise, during each of the
2 nights he was there?

3 A Yeah, he was there.

4 Q All right. How do you know he was there when you
5 were up in Olancha part of that time?

6 A Well, I'm not talking about when I was in Olancha.
7 I'm talking about when I was at Spahn's Ranch.

8 Q I'm talking about the period August 19th and
9 August 29th. You heard the question, didn't you?

10 A Yeah, but nobody said he went anywhere when I
11 was in Olancha, and I was only in Olancha for a couple of
12 days.

13 Q Nobody said.

14 So, you're basing your earlier testimony he was
15 there on whether or not somebody told you he was or wasn't,
16 is that right?

17 A He was there.

18 MR. KAY: That's argumentative.

19 Q BY MR. DENNY: Beg pardon?

20 A He was there.

21 Q You know that?

22 A Well, after I got back from Olancha, he was there.

23 Q Where was he during the time you were in Olancha?

24 MR. KAY: Calls for speculation.

25 THE COURT: Sustained.

26 If there is an objection, wait to determine how
27 the Court rules before you answer.

28 THE WITNESS: Okay.

3-2

1 THE COURT: If the Court sustains the objection, then,
2 you don't have to.

3 Q BY MR. DENNY: Was he in Olancha when you were in
4 Olancha?

5 A No, I don't remember him being in Olancha.

6 Q You don't.

7 May I have just a moment, your Honor?

8 When were you in Olancha?

9 A A couple of days after I got out of jail I went up
10 to Olancha. Bruce had come back to Spahn's Ranch.

11 Q How do you know Bruce was in Olancha?

12 A Well, because Charlie told him to take some junk
13 up to the desert. He had a whole bunch of junk.

14 Q You're basing it on hearsay, then?

15 A Yeah.

16 Q And something you heard from Charlie that leads
17 you to believe that Bruce went to Olancha; is that right?

18 A Well, he told him to go to Olancha.

19 Q You said he told him to go to the desert.

20 A Well, that's where they were going, to Olancha.

21 Q How do you know?

22 A Because this guy named Dave Hannan, I think it
23 was, said he had a ranch up there. And then, he asked every-
24 body who wanted to go to the desert. And he told Charlie that
25 the ranch was in Olancha, and all of this stuff.

26 Q Dave Hannan did?

27 A I think that's his name.

28 Q He told Charlie in your presence?

3-3

1 A Well, he told part of it in my presence. Part of
2 it Charlie said.

3 W All right. And is that where you went in Olancha?

4 A To the ranch, yes.

5 Q To Dave Hannan's?

6 A Yes.

7 Q Well, were you aware that Mr. Davis was stopped
8 by Officer Cox with Watson and a girl on August 24, 1969?

9 MR. KAY: Assumes facts not in evidence.

10 THE COURT: It does assume facts not in evidence,
11 sustained.

12 Q BY MR. DENNY: Well, did you hear from Mr. Davis
13 that he had been stopped?

14 MR. KAY: Calls for hear- --

15 Q BY MR. DENNY: -- up in Olancha?

16 This is being offered not for the truth of the
17 matter, but whether, in fact, it was said, whether this is her
18 knowledge.

19 MR. KAY: Calls for hearsay, your Honor.

20 THE COURT: Sustained.

21 Q BY MR. DENNY: Well, is there anything that would
22 perhaps refresh your recollection as to whether Bruce Davis
23 was at the Spahn Ranch all of the time between August 19 and
24 August 29 for you?

25 A Could you say that again?

26 MR. DENNY: Would you read it back?

27 MR. KAY: Well, I'm going to object. How would she know
28 if there was anything.

3-4
1 THE COURT: Sustained.

2 MR. KAY: Anything that could refresh your recollection.

3 Q BY MR. DENNY: Well, you say that you believe --
4 you know that Bruce Davis, except for the time that you were
5 in Olancha, which was just a couple of days, was at the Spahn
6 Ranch; is that right?

7 A Uh-huh. Uh-huh.

8 Q Your answer?

9 A Yes.

10 Q All right.

11 Now, if you saw some report that showed that he were
12 not there, would that change your state of absolute knowledge,
13 do you think?

14 MR. KAY: Well, that's irrelevant.

15 THE COURT: Sustained.

16 Q BY MR. DENNY: Who else was there all the time
17 between August 19 and August 29 at the Spahn Ranch?

18 MR. KAY: That's irrelevant.

19 THE COURT: Sustained.

20 Q BY MR. DENNY: Well, was Tex there all the time?

21 MR. KAY: Irrelevant.

22 MR. DENNY: Certainly relevant to this charge.

23 THE COURT: Overruled. You may answer.

24 THE WITNESS: Between August 19 -- yeah.

25 Q BY MR. DENNY: Tex was up in Olancha with Snake when
26 you got there, wasn't he?

27 A Yes.
28

3a-1

1 Q Well, then, he wasn't there all the time between
2 August 19, 1969 --

3 A Well, I don't know the date we went up to
4 Olancha.

5 Q Do you know the date you got out of jail?

6 A No.

7 Q Do you know when you got in jail?

8 A The 16th.

9 Q All right. How long did you stay in jail?

10 A A few days.

11 Q How long is a few days?

12 A Three or four days.

13 Q You stayed in jail three or four days.

14 May I have just a moment, your Honor?

15 THE COURT: You may.

16 MR. DENNY: Your Honor, I would request that the Court
17 take judicial notice that August -- Sunday, August 24th;
18 Monday, August 25th, Tuesday, August 26th; were the days of
19 the week with those particular numerical designations for
20 August and following into September of 1969.

21 MR. KAY: Checking from my calendar that appears to be
22 correct.

23 THE COURT: So stipulated?

24 MR. KAY: It is so stipulated.

25 THE COURT: Thank you.

26 Q BY MR. DENNY: Now, Miss Hoyt, let's just go
27 below here and put the preceding week.

28 Do you remember, by the way, what day of the

1 week it was that the now famous August 16th Spahn raid was?

2 A No.

3 Q You don't know whether it was a weekend or
4 otherwise?

5 A No.

6 Q The days of the week all just seemed to melt
7 into each other at Spahn Ranch, is that right?

8 A Well, do you remember what day of the week it
9 was three years ago on August 12? No.

10 Q You were not arrested that frequently, were
11 you?

12 A No.

13 Q This was a bit unusual for you, wasn't it? This
14 arrest of August 16th.

15 MR. KAY: That's irrelevant, your Honor.

16 THE COURT: Sustained, Mr. Denny.

17 Q BY MR. DENNY: All right, now, you say that you
18 were in jail about three or four days?

19 A Yes.

20 Q Well, taking the 16th, which happened to be a
21 Saturday, as the point of demarcation, 16th -- 17th, 18th,
22 19th; was it the 19th or 20th you got out?

23 A Around there. I don't know the dates.

24 Q Well, you know the number of days, is that right?

25 A Pretty much.

26 Q All right. Well, we'll put right in between
27 here "Barbara out of jail."

28 And then, when was it that you went up to

1 Olancha?

2 A A couple of days later.

3 Q So sometime between the 21st and the 22nd, then?

4 A Perhaps.

5 Q Well, can you be any more specific for these
6 jurors here?

7 A Not really, because I didn't know the dates.
8 All I can do is guess.

9 Q I'm not talking about dates, ma'am. I'm talking
10 about number of days. The time it takes the moon to go
11 around the earth one time --

12 A Well, a couple of days.

13 Q -- is one day, and then the next day; was it
14 about two of those?

15 A It was a couple of days.

16 Q All right.

17 All right, put "Barbara Olancha."

18 All right, then, how long did you stay there?

19 A A few days.

20 Q Well, what's a few days?

21 A Three, four. Maybe two. Maybe five. I don't
22 think it was five. I don't remember exactly.

23 Q Well, say two, three, you got back on the 24th,
24 maybe?

25 A Could be.

26 Q Or was it the 25th, after, the Monday?

27 A Could be.

28 Q Well, if it could be, I'll put here "Barbara back."

1 A I don't think we stayed there a long time. We
2 only stayed a few days.

3 Q Well, maybe it was before the 24th or on the
4 24th?

5 A I can't say, Mr. Danny. I don't remember when
6 the 24th was.

7 Q It was a Sunday.

8 A Well, I didn't remember the Sunday.

9 Q Again, the days all seem to melt into each other,
10 is that right?

11 A I don't remember the dates.

12 Q All right.

13 Well, you do remember seeing Charlie and Stephanie
14 Schram driving off in that police car, don't you?

15 A Yes.

16 Q Well, if I told you that that was on the 24th,
17 would that help refresh your recollection as to whether you
18 were back from Olancho or not?

19 A Well, I would have been back by then, then.

20 Q Well, how soon were you back before then or did
21 you get back the same day that Charlie and Steph were taking
22 off for jail?

23 A It was around that time.

24 Q All right.

25 Well --

26 A It could have been a day before. It could have
27 been two days before. It could have been the same day.
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3b-1

1 Q Well, let's put a little red arrow, at any rate.
2 That may be that's the time you got back.

3 All right.

4 Now, again, you do recall -- I'm not sure whether
5 we got this pinned down or not, that when you went up there
6 Tex and Snake were already up there in Olancha, weren't they?

7 A Yes. There was a whole bunch of other stuff up
8 there. You know, big truck loads of stuff.

9 Q Other people?

10 A Huh?

11 Q Other people?

12 A No, big truck loads of motors and things like
13 that.

14 Q All right.

15 To your knowledge Tex and Snake were, if not
16 stopped by a Deputy up there, they had some little run-in
17 with a Deputy?

18 A Oh, he came around every single day.

19 Q You were there, too?

20 A Well -- uh, yeah, after I got up there, I was
21 there.

22 Q All right. Were you questioned by them every
23 single day?

24 MR. KAY: That's irrelevant, your Honor.

25 THE COURT: Sustained.

26 MR. DENNY: Your Honor, this goes to establish -- I don't
27 want to argue. There is a time element here that is important.

28 THE COURT: All right. The Court will permit you to

1 answer.

2 Q BY MR. DENNY: Were you questioned by him every
3 day?

4 A I wasn't really questioned by him.

5 Q Did he make a note, if you know, of the fact that he
6 had interviewed you?

7 A He didn't interview me.

8 Q Or make out anything when he came up to talk to
9 you, like a field investigation report or anything of that
10 kind?

11 MR. KAY: That calls for speculation.

12 Q BY MR. DENNY: Did you see him make out any kind
13 of card or report?

14 A I don't remember seeing him do that.

15 Q All right. This was Deputy Cox?

16 A That sounds right.

17 Q Inyo County Sheriff?

18 A That sounds right.

19 Q All right. And there was a little 16-year old
20 or 15-year old boy up there, too?

21 A Yeah, he was --

22 Q Just "yeah" is fine.

23 A Yes. He wasn't there when I got there, though.

24 Q Oh, he came later?

25 A No, he left earlier.

26 Q Oh, he left before you got up there?

27 A Yes.

28 Q Now, then, how long was it, you say, after you got

1 back that you heard the screams, you say?

2 A About a week.

3 Q About a week?

4 A Whenever. I don't know how long it was.

5 Q Well, let me try to refresh your recollection a
6 little bit.

7 A It was more than a couple of days.

8 Q All right.

9 You're being questioned by Mr. Kay here. Page
10 5457 of the transcript.

11 "Q All right, now, between the time that
12 you were at Spahn's Ranch after the August 16th
13 raid, that is after you were released from jail --
14 well, let me ask you this, first, in the latter
15 part of August, 1969, did you and the other members
16 of the Manson Family go to the desert, up in the
17 Barker-Meyers Ranch area?

18 "A Yes."

19 Do you remember that?

20 A Yes.

21 Q All right. Now, he wasn't leading you there, was
22 he?

23 A No.

24 Q You remembered it was the latter part of August,
25 don't you?

26 A Yes.

27 Q All right. And when you talk about its being the
28 latter part of August, what do you mean?

1 A The latter part of August.

2 Q Well, do you mean the last day or the last two days
3 or the last three days or the last week?

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1 A Just the latter part of August.

2 Q Well, what do you mean, ma'am, by the latter part of
3 August?

4 A The end of August.

5 Q Well, do you mean -- as I recall, when we talked
6 about this a little bit earlier, you had said something about
7 the last two weeks.

8 A Okay, the last two weeks of August.

9 Q Well, you know that you didn't go up to the desert
10 in the second to the last week in August, didn't you?

11 A Could you say that again?

12 Q You know you didn't go up to the desert the second
13 to the last week of August?

14 A The second to the last week of August?

15 Q Because that was -- in Olancha --

16 A I don't know what you mean by the "second or the
17 last week."

18 Q Well, there's the last week, the second to the last
19 week, the next to the last week -- you know, the week preceding
20 the last week.

21 A Uh-huh.

22 Q All right. You know you didn't go up to the desert
23 then?

24 A I went up to the desert after the raid in the
25 latter part of August.

26 Q Well, I'm trying to help you, Miss Hoyt, here, by
27 setting this thing out for you to refresh your recollection.

28 Now, you look at that.

1 You see the second to the last week is the lower
2 one here, the 17th, 18th, 19th, 20th, 21st, 22nd and the 23rd.

3 And we've got the fact now that about the 21st you
4 went to Olancha and maybe about the 24th you got back,
5 remember?

6 Do you remember that?

7 A That could be right and it could be wrong.

8 Q Well, how wrong could it be, Mrs. Hoyt?

9 A Oh, about as long as it could be right. Because
10 it could be -- after I got out of jail was -- we were only
11 there a couple of days. I don't know which date we left. We
12 were only in Olancha for a couple of days. I don't know which
13 day we came back. I didn't pay any attention to the dates, so
14 I can't really pin it down.

15 Q All right. There's just -- you know, after you get
16 back here, there's only one more week between the 24th, and you
17 say you were back in time to see -- you were back in time to
18 see Charlie and Stephanie hauled off to jail on the 24th. So
19 it was sometime between the 24th and the 31st that you left,
20 then, wasn't it?

21 A For the desert?

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Q Yeah.

A For Death Valley?

Q Yeah.

A Yes.

Q All right. About when?

A The day after the screams.

Q All right. And those screams were under the light of the full moon; is that right?

A I'm pretty sure it was full moon, yes.

Q All right. Now, if I told you that an expert had come and testified before this jury that the moon was full on August 27th, the night of August 27th to the 28th --

MR. KAY: Well, your Honor, I'm going to object to that, because Dr. Kaufmann testified that it would appear that --

THE COURT: Let him finish the question.

MR. KAY: Excuse me.

Q BY MR. DENNY: Would that help refresh your recollection as to about when you heard those screams?

MR. KAY: Well, I'm going to object to that, because Dr. Kaufmann testified that it would appear there was a full moon on the day before and the day after a full moon also, to a lay observer -- even to himself -- without sensitive electronic equipment.

THE COURT: Sustained.

Q BY MR. DENNY: Well, if I told you that an expert came and testified that on the 26th, 27th and 28th through the 29th, it looked like there was a full moon up

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1 in the sky, would that kind of help pinpoint the time when
2 you heard the screams?

3 A I know I -- I knew I heard the screams at the
4 end of August, so it doesn't really do anything.

5 Q It doesn't do anything.

6 Well, then, you say there was this conversation
7 down by the creek the very day after you heard the screams,
8 and that very same day, you left to go up to the ranch; is
9 that right?

10 A Yes.

11 Q All right. So -- here, we'll put over here
12 "almost full moons" so that at the latest, you left about
13 Friday the 29th; is that right?

14 A Could be.

15 Q All right. And that's for the Barker-Meyers
16 Ranch area?

17 MR. KAY: Well, your Honor, I'm going to object. It
18 appears that Mr. Denny has written, in front of the jury,
19 "On the 29th, left for Barker --"

20 MR. DENNY: Barker-Meyers.

21 MR. KAY: -- "Meyers," and the witness testified that
22 she could have. She didn't say that she definitely left on
23 the 29th.

24 THE COURT: All right. That's sustained.

25 Q BY MR. DENNY: All right. Let's be fair about it,
26 Miss Hoyt, and write "could have." Shall we do that? "Could
27 have," is that going to be fair?

28 MR. KAY: I'll object to Mr. Denny's comments.

4-3

1 THE COURT: Sustained.

2 Q BY MR. DENNY: All right. When else could you
3 have, humm?

4 A A day sooner, a day later. Anywhere around that
5 time. I don't know the dates.

6 Q All right. Let's take a day sooner, a day later.
7 Okay?

8 I'll make a little arrow here, "a day sooner, a
9 day later." Maybe the 28th you left, maybe the 30th you
10 left; okay? That's still the end of August; right?

11 A Yeah, that's still the end of August.

12 Q Okay. And that's as close as you can come to it;
13 is that right?

14 A I don't remember the dates.

15 Q All right. Who left? Charlie left, didn't he?

16 MR. KAY: Well, that's ambiguous. Who left, where?

17 Q BY MR. DENNY: Well, we are talking about the time
18 when you left for the Barker-Meyers Ranch, aren't we?

19 Who left at the time that you left to go to the
20 Barker-Meyers Ranch?

21 A Oh, who came with me?

22 Q Well, let's start that way. Who came with you?

23 A Okay. Brenda went up; Charlie went up; Ouish
24 and Sherry and Snake and Kitty.

25 And in the other car, Tex and Danny and Bruce.

26 There was another truck that had a whole bunch
27 of our stuff in it.

28 Q Who drove the truck?

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A I don't know who drove the truck.
Q Well, who was in the truck?
A Danny, Tex and Bruce.

4a-1

1 Q What kind of a vehicle did you go up in?

2 A Rent-A-Car.

3 Q All right. What kind of truck was this?

4 A Just an old truck.

5 Q An old truck. Now, from the time you got up
6 there until the time that you -- you left, you took off on
7 that terrible journey of 28 miles, walking, Charlie was still
8 up there; right?

9 A When I left the desert, was Charlie still up
10 there? Is that what you are asking?

11 Q Yeah.

12 A Yeah.

13 Q And he had been from the time that you all left
14 together, until the time -- that is, from the time you all
15 left Spahn's Ranch to go up to the Barker-Meyers Ranch,
16 until the time when you cut out, walked across the desert to
17 get away from them?

18 A No.

19 Q No?

20 A No.

21 Q Bruce -- how about Bruce?

22 A Let's see. I think Bruce left -- yeah, Bruce
23 left. I'm pretty sure he left.

24 Q When did Bruce leave?

25 A I remember the day that they were going to leave,
26 and that was the day Paul and -- and -- uh -- Scott and Zero
27 came up.

28 Q Paul Watkins?

4a-2

1 A Yeah.

2 Q This was --

3 A That's the day Charlie left, too. He decided to

4 leave.

5 Q This was after Paul Watkins' physical exam?

6 A I guess it's that time. He came up to the desert

7 with those two guys, and --

8 Q All right. Now, Paul came up with Scott and Zero?

9 A Uh-huh. And I don't know the date.

10 Q Well, assuming you don't know the date, Miss Hoyt, --

11 A I don't.

12 Q I appreciate that.

13 (Continuing) -- do you have any idea as to the

14 number of days that passed between the time when you all got up

15 to the ranch, the Barker-Meyers Ranch area, and the time that

16 Paul, Scott and Zero got there?

17 A Uh -- Paul, Scott and Zero got there -- it was

18 after Juan and Sadie came up.

19 Q All right. Let's put Juan and Sadie a little bit

20 ahead of them.

21 A And I don't know the date of that, either.

22 Q Well, assuming again you don't know the date, how

23 much after you all got up there -- you and Charlie and Tex and

24 all the girls -- did Juan and Sadie get up there?

25 A A few days.

26 Q Well, again, now, how many is a few days?

27 A I don't know.

28 Q Four, five, six? Three, two?

1 A Could have been.

2 Q Could have been any of those?

3 A I think it was more than two. Could have been.
4 I didn't count the days.

5 Q Well, if it was more than two, would you say three
6 or four would be more like it?

7 A Could have been,

8 MR. KAY: One of the jurors has indicated that they can't
9 hear you, Miss Hoyt. Would you try and speak right into the
10 microphone?

11 Q BY MR. DENNY: All right. Let's put down here
12 "could have been," to keep it fair.

13 THE COURT: I'll give you a short recess. You have been
14 sitting here for a long time.

15 During the recess, ladies and gentlemen, you are
16 obliged not to converse amongst yourselves nor with anyone else,
17 nor permit anyone to converse with you on any subject connected
18 with the matter, nor to form nor express any opinion on it until
19 it is finally submitted to you.

20 About ten, fifteen minutes.

21 (Mid-morning recess.)

22 THE COURT: The jurors are all present. The defendant is
23 present with counsel, Mr. Kay for the People.

24 You may proceed.

25 Q BY MR. DENNY: Now, Miss Hoyt, you told us about
26 a number of people who did go up to the Barker-Meyers Ranch
27 area.

28 You kind of failed to mention one person, possibly

4a-4

1 because he didn't go up there. How about Bill Vance?

2 A He didn't go up there when I was there. He left.

3 Q Bill Vance?

4 A Him and Ella left before we -- before the raid.

5 Q I beg your pardon?

6 A Bill Vance and Ella left the ranch before the
7 raid.

8 Q Well, that's kind of interesting.

9 MR. KAY: Well, I'll object to Mr. Denny's comment, that
10 that's kind of interesting.

11 THE COURT: Yes. Mr. Denny --

12 MR. DENNY: All right. Strike that.

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13 THE COURT: Yes. The Court will strike it.

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1 Q BY MR. DENNY: Didn't they get back -- not
2 "they".

3 Didn't Mr. Vance get back before you and Charlie
4 and the rest took off for Barker-Meyers?

5 A No. Because when Sadie came up --

6 Q Just a moment. Your answer is "No," is that
7 right?

8 A Yes.

9 Q So that your best recollection of the facts, as
10 far as Mr. Vance is concerned, is that from around the end
11 of July up certainly through the end of August, Mr. Vance
12 was not on the Spahn Ranch; is that correct?

13 A Uh -- I think he -- he didn't leave before the
14 end of July.

15 Q Well, what I am saying, from the end of July,
16 let's say --

17 A Well, I don't know the day he left, so I'll
18 disagree with that. It was around -- humm --

19 Q Well, let me help you. If I told you that Ella
20 Bailey has testified here that she left around July 28th or
21 July 29th -- let's take that as a starting point --

22 A Is that true, or are you just telling me that?

23 Q No, that's true. That's really true. That's
24 what she testified.

25 So taking that as a starting point, is it your
26 testimony -- assuming that Ella Bailey is telling the truth--
27 is it your testimony, then, that you didn't see Bill Vance
28 on the ranch any time during August; that he was not on

4b-2

1 the Spahn Ranch any time during August?

2 A I don't know the date they left. He was there
3 when me and Dave got back, and Dave left either at the end
4 of July or the beginning of August.

5 Q Well, ma'am --

6 A The beginning of August, I have to say.

7 Q Well, you say he was there --

8 A Dave was there at the beginning of August.

9 Q And Bill Vance had not left yet?

10 A I'm not sure. I remember the day they left. They
11 took somebody's truck and left it -- well, go ahead.

12 Q That was Johnny Swartz' truck, wasn't it?

13 A I don't know whose truck it was.

14 Q All right.

15 But you say that Dave was there when they left?
16 When Ella and Bill left?

17 A I think so. From what I can think of now, I think
18 he was.

19 Q All right. And Dave had gotten back in August;
20 is that right?

21 A No. Dave got back -- oh, you mean from when we
22 went to the beach?

23 Q Well, I don't know. You just said that Dave got
24 back from somewhere. Dave had been --

25 A When we went to the beach, we got back at Spahn's
26 Ranch at the end of July or the beginning of August. At
27 that time, Bill Vance and Ella were there.

28 Q All right. And there was a -- and it was a few

4b-3

1 days after you got back that they took off?

2 A Wait a minute. I can remember when -- when me
3 and Dave and Bill, we used to go down to the store, and
4 that was between the time -- that was after we got back.

5 Q And before they cut out?

6 A Yeah. And before we went to the beach. And
7 we spent some time at the beach.

8 Q Oh. And --

9 A And --

10 Q Just a moment. Just a moment. What was the
11 period of time that you and Dave spent at the beach?

12 A The end of July.

13 Q The end of July.

14 A Yes. About about a week, maybe, or so. I don't
15 really -- it was toward the end of July.

16 Q Well, now, here again we are talking about the last
17 weeks of July, or the last week of July?

18 A I don't remember the dates. I don't know the
19 dates.

20 Q Well, when did you get back to Spahn Ranch? Do
21 you have any idea when you --

22 A We got back --

23 Q -- got back?

24 A You know the time when they landed on the moon?
25 We were at the beach then, because they had it over this
26 loudspeaker at the pier.

27 Q All right. How much after that did you come back
28 to Spahn Ranch?

4b-4

1 A A few days.

2 Q Well, again, is that two, three, four, five?

3 A I'm not sure of the number of days.

4 Q Anyway, let's take just the period from August
5 16th, the Spahn Ranch raid of August 16th, to the end of
6 August. You remember that period?

7 A Yes.

8 Q Dave wasn't around then?

9 A No.

10 Q And is it your testimony at this time, before
11 this jury, that Bill Vance was not on the Spahn Ranch at
12 any time between August 16 and August 31?

13 MR. KAY: Well, that's calling for speculation. He can
14 ask her for her knowledge, whether she saw it. But Spahn's
15 Ranch is a big place.

16 THE COURT: Overruled. You may answer.

17 THE WITNESS: Between the time I got up to the desert
18 and the time that Sadie got up to the desert, he --

19 Q BY MR. DENNY: Ma'am, I'm just asking you --

20 A -- Bill Vance came to Spahn's Ranch. I don't
21 know the date. Could be at the end of August, around --
22 you know, the last days of August.

23 I don't know. I have no idea what the date was.

5 fls.

1 Q Now, then, I think you testified on direct that
2 Danny went up with Bruce and Tex, and you also just told us
3 that a little bit ago; is that right?

4 A Yes.

5 Q That is up to the Barkers-Meyers Ranch?

6 A Yes.

7 Q And how long was Danny up there before he left?

8 A He wasn't up there that long.

9 Q A couple of days?

10 A I don't know. I don't know how many days he was
11 there.

12 Q A day?

13 A Well, he was up there more than a day, I think. I
14 don't know how many days he was there. But, anyway, he left
15 pretty quick because he wanted to get -- he had a hearing with
16 his son.

17 Q So he left pretty quick.

18 Well, now, pretty quick would be about a day,
19 would you say?

20 A I don't know. I don't know how long he was there.
21 I told you I don't know the dates.

22 Q Well, you know he came back a couple of days later,
23 is that right?

24 A Yeah, he came back.

25 Q All right.

26 A But I don't know how many days that was either.

27 Q Well, didn't you testify on direct:

28 "Now, after you got up there did Danny

1 "DeCarlo leave?

2 "A Yes.

3 "Q Did he return sometime later?

4 "A Yes.

5 "Q Approximately how long was he gone?

6 "A A couple of days."

7 A Well, yeah, a couple of days.

8 Q All right.

9 A That's what he said.

10 Q So that, again, in this period when perhaps you
11 went up on the 30th, and perhaps on the 29th, if he stayed
12 there perhaps a day or so, and then he got back a couple of
13 days later, that would put it over into around the 2nd, maybe
14 even the 3rd of September; is that right?

15 A It could be. Then, again, it might not be.

16 Q All right. And when he came up, did you see him
17 with a gun, a particular gun?

18 A Yeah, I remember him having a gun.

19 Q You remember him having a gun with a kind of
20 rounded handle like a pirate gun?

21 A Yes.

22 MR. KAY: Well, your Honor, Mr. Denny has handed me a
23 picture that appears to be --

24 MR. DENNY: Well, your Honor, just a moment. If Mr. Kay
25 is going to make a speech, I would like to have him do it at
26 the bench. I would like to have it marked next in order and
27 show it to the witness. If there is going to be an objection
28 and argument on it, I would like to have it heard at the bench.

1 MR. KAY: All right. Maybe that would be preferable
2 to have it heard at the bench.

3 THE COURT: You may have it marked for identification,
4 which would be R for identification.

5 MR. DENNY: May we mark it?

6 THE COURT: And you may approach the witness.

7 The Court overrules the objection. There is no
8 question pending.

9 MR. KAY: Oh, all right.

10 Q BY MR. DENNY: I show you this photograph.

11 Does the handle appear to be the type of handle
12 that you were referring to in your testimony?

13 MR. KAY: Well, your Honor, I can't -- I'll object that
14 it is irrelevant, whether or not Mr. DeCarlo had a pirate
15 sword I can't see any relevance -- or a gun.

16 THE COURT: Sustained.

17 MR. DENNY: Your Honor, she has identified the type of
18 handle of the gun which is relevant to her testimony.

19 THE COURT: The Court doesn't believe it is relevant.
20 The Court will sustain the objection.

21 MR. DENNY: May I be heard at the bench for an offer of
22 proof?

23 THE COURT: All right, you may.

24 (Whereupon, the following proceedings were had at
25 the bench among Court and counsel, outside the hearing of the
26 jury.)

27 THE COURT: What's the relevance of this, Mr. Denny, as
28 to whether he carried a cap pistol, a slingshot or a gun?

1 MR. DENNY: Because he brought Shorty's gun with him.

2 MR. KAY: That might be relevant.

3 MR. DENNY: If Shea identifies it as a particular type
4 of weapon, and she has all through the trial, and at the Grand
5 Jury hearing, and even before the trials begun, and she has
6 identified a gun looking like other than what Shorty's gun
7 looks like. And when she has said that the gun at the Grand
8 Jury hearing, when she was shown the gun --

9 THE COURT: Shown what gun?

10 MR. DENNY: Shown one of the two guns in evidence, the
11 two of Shorty's guns in evidence, "No, it doesn't look like
12 that gun."

13 And this is particularly in regard to the guns
14 that was displayed at the dinner at the Mayer's Ranch.

15 She said it had a rounded handle like a pirate
16 gun.

17 MR. KAY: So maybe it wasn't Shorty's gun.

18 MR. DENNY: Well, I have the right to show that.

19 MR. KAY: This is outside the scope of direct examina-
20 tion.

21 MR. DENNY: It is not at all.

22 MR. KAY: There's never been any testimony from her on
23 direct of identifying any guns or seeing any guns.

24 THE COURT: I'll sustain it on that ground.

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5a-1

1 MR. DENNY: Just a moment, your Honor, she testified
2 to conversation at the Meyers Ranch.

3 THE COURT: All right.

4 MR. DENNY: Juan Flynn is also going to testify,
5 presumably, if they call him, that at that dinner Charlie
6 pulled out this gun and passed it around.

7 Now, I have the right to go into what she saw,
8 what else she saw.

9 THE COURT: Pulled out what gun?

10 MR. DENNY: Pulled out what he will say was Shorty's
11 gun.

12 THE COURT: Was that her testimony on direct?

13 MR. KAY: No, she didn't testify to seeing any gun
14 or anything like that. She didn't mention a gun.

15 MR. DENNY: Your Honor, I'm saying I have a right to
16 go into what she did see. She said she saw my client smile
17 and nod at that dinner.

18 MR. KAY: And then, she said no, I didn't see him
19 smile, I saw him nod.

20 MR. DENNY: Okay, fine.

21 MR. KAY: What does that have to do with the gun?

22 MR. DENNY: If she saw that, and there was a gun
23 being passed around, as Juan Flynn will testify, then I
24 have the right to examine her on all of what she saw at
25 that dinner. The mere fact she wasn't asked about it on
26 direct doesn't mean I don't have the right to go into it.

27 THE COURT: You may ask her about the circumstances
28 of that dinner, but at this time it doesn't appear to me

5a-2

1 the inquiry about the gun and the way you're going about it
2 is at all relevant.

3 MR. DENNY: All right.

4 (Whereupon, the following proceedings were had
5 in open court within the presence and hearing of the
6 jury:)

7 THE COURT: The objection is sustained.

8 Q BY MR. DENNY: By the way, Miss Hoyt, let's go
9 to that dinner that you talked about at the Meyers Ranch,
10 where Juan Flynn was, and Danny DeCarlo was, and Bruce, and
11 Charlie.

12 You testified to certain conversations. You
13 testified to Mr. Davis here saying, "Yeah," and nodding,
14 and "Yeah," and smiling.

15 And then, you changed and said, "No, I take that
16 back, I didn't see him smile."

17 Do you remember that?

18 A Yes.

19 Q Well, do you remember anything like a gun being
20 passed around during that particular dinner?

21 A Oh -- no, I didn't see it.

22 Q You didn't see that?

23 A I didn't see a gun being passed around. If I
24 did see it, I don't remember it.

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

26 THE COURT: Yes, you may.

27 Q BY MR. DENNY: Just so we have it clear, Mrs.
28 Hoyt, were you there from -- well, did you serve that meal?

5a-3

1 Did you help cook that meal, help prepare that meal?

2 A Yes.

3 Q You do it yourself or the other girls, too?

4 A All of us. Or most of us. I don't remember who
5 else.

6 Q And what was it? Do you remember what was
7 cooked?

8 A Yeah, I made spaghetti.

9 Q You made spaghetti?

10 A Yep.

11 Q Anything else?

12 A I think there was pudding.

13 Q What kind of pudding?

14 A I don't recall it.

15 Q Well, could I refresh your recollection?

16 How about tapioca pudding?

17 A That sounds right.

18 Q Well, I don't want to put words in your mouth,
19 Miss Hoyt. Far be it from me to do that.

20 Was it tapioca pudding?

21 A I believe so.

22 Q Do you have any independent recollection of it?

23 A Well, if you said vanilla pudding, I would have
24 said no.

25 Q All right. How about chocolate pudding?

26 A No.

27 Q Jello?

28 A No.

5a-4

1 Q Tapioca?

2 A That sounds right.

3 Q Okay, good.

4 Now, were you there, then, during all the time
5 that the men were eating?

6 A Yeah, I was there pretty much all the time, but
7 I guess I got up a couple of times and went in the kitchen
8 for this and that.

9 Q Well, the kitchen is right next to where they
10 were eating?

11 A Yes.

12 Q They were eating in the dining area, is that
13 right?

14 A Yes.

15 Q You were eating?

16 A I wasn't eating then.

17 Q Oh, you weren't eating then. Were you dieting?

18 A No, I already ate.

3b fls.

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1 Q All right. And then, you heard all of this
2 conversation, and what went on after the conversation
3 concluded; do you remember that?

4 A Uh, I remember -- uh -- I remember talking to
5 Danny -- wait, no, that was before.

6 Q Well, after --

7 A I believe Juan went out.

8 Q Juan went out and what, did the other men go out,
9 too?

10 A I don't know. I'm not really sure. This is not
11 for certain. I have a vague memory.

12 Q A vague --

13 A I have kind of a vagueish picture of it in my mind.

14 Q Everything is kind of vagueish except the conver-
15 sation?

16 A No. No.

17 Q Well, what memory do you have that's specific as
18 to what --

19 A Well, I remember --

20 Q Excuse me.

21 A -- me and Sherry were talking to Danny.

22 Q Excuse me, Miss Hoyt, if I may.

23 What specific memory do you have as to what the
24 men did after the conversations all terminated there in the
25 dining room?

26 A Well, I remember they had a cigarette, the
27 cigarettes that Sadie rolled up.

28 Q She rolled a little grass for them?

5b-2

1 A No, they were cigarettes, you know, tobacco.

2 Q It wasn't marijuana?

3 A No.

4 Q Well, now, are you sure that the men were not
5 smoking marijuana?

6 A Oh, they had up there, but this --

7 Q No, no, this particular night where you served --

8 A No, they weren't at this time.

9 Q You're sure?

10 A I'm pretty sure, because these cigarettes -- be-
11 cause I helped Sadie roll them, you know. They were just
12 roll-your-own cigarettes, tobacco.

13 Q All right. Did you all smoke them, too?

14 A I did, yes.

15 Q And you didn't get high from it?

16 A No.

17 Q You had smoked marijuana before so you knew the
18 difference, is that right?

19 MR. KAY: That's irrelevant, your Honor.

20 THE COURT: Sustained.

21 Q BY MR. DENNY: All right.

22 Now, as far as you recollect, then, you didn't
23 see any gun passed around the men, is that right?

24 A I don't remember seeing any gun passed around.

25 Q All right. But you do remember Dann DeCarlo
26 coming up to the ranch when he returned with a gun?

27 A I remember -- like we were sitting around, this
28 was daytime and him showing it to us.

1 Q All right. And what did the gun look like?

2 A A rounded handle. It looked like, you know, one
3 of those old kinds.

4 Q A pirate dueling gun?

5 A I guess so.

6 MR. DENNY: May I approach the witness?

7 THE COURT: You may.

8 Q BY MR. DENNY: Again, showing you Defendant's
9 R for identification.

10 Did it look like that gun?

11 MR. KAY: Well, your Honor, I'm going to make the same
12 objection as I did before. I don't see the relevance of
13 whether Mr. DeCarlo had a pirate gun.

14 THE COURT: Overruled. You may answer.

15 THE WITNESS: Well, it looks kind of like it.

16 Q BY MR. DENNY: Okay.

17 MR. DENNY: I'd ask that this be received in evidence at
18 this time, your Honor, so the jury may see it.

19 MR. KAY: Well, I object. I don't see any relevance.

20 THE COURT: The objection is sustained.

21 Q BY MR. DENNY: Well, they were Shorty's -- that
22 was one of Shorty's guns, wasn't it?

23 A I believe so.

24 Q That's what you were told, that it was Shorty's
25 gun, is that right?

26 A I believe so.

27 MR. KAY: Calls for hearsay, your Honor.

28 THE COURT: Yes, it does call for hearsay.

1 Q BY MR. DENNY: You had seen those guns?

2 THE COURT: The answer is stricken.

3 Q BY MR. DENNY: You had seen those guns in Shorty's
4 possession, didn't you?

5 A No, I don't remember seeing them in his possession.

6 No -- no, I don't remember seeing them at all while
7 I was at Spahn Ranch. I didn't see them.

8 Q Beg pardon?

9 A I don't think I saw them while I was at Spahn's
10 Ranch.

11 Q Well, you saw this particular gun that Danny had,
12 right?

13 A This was at the Meyers Ranch.

14 Q At Meyers.

15 Well, was it your state of mind, ma'am, when you
16 saw that gun, that that was one of Shorty's guns?

17 MR. KAY: Irrelevant, your Honor.

18 THE COURT: Sustained.

19 Q BY MR. DENNY: Did you ever see Shorty's guns,
20 ever?

21 MR. KAY: Asked and answered.

22 THE COURT: Overruled. You may answer.

23 THE WITNESS: I saw that gun and I've seen guns.
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1 Q Did you ever see Shorty's gun?

2 A When I was --

3 MR. KAY: Well, I'm going to object that it calls for
4 speculation. If she didn't know what Shorty's guns looked
5 like, how does she know she's seen it?

6 THE COURT: The objection is sustained. You may
7 rephrase it.

8 MR. DENNY: Well, every witness --

9 Q BY MR. DENNY: Miss Hoyt, you know Shorty Shea?

10 A I did.

11 Q And Shorty Shea had some guns; were you aware of
12 that?

13 A Not until I went to the desert. I don't remember
14 knowing it when I was at Spahn's Ranch.

15 THE COURT: Have you ever seen any guns in Mr. Shea's
16 possession?

17 THE WITNESS: No.

18 Q BY MR. DENNY: Now, you say you weren't aware
19 that he had any guns until you went to the desert?

20 A Yes. At least, that's what I can remember now.

21 Q And then, you saw some guns that somehow you took
22 to be Shorty's gun?

23 MR. KAY: Well, that's irrelevant. Calls for specula-
24 tion.

25 THE COURT: Sustained.

26 Q BY MR. DENNY: Let's go back just a little bit
27 to some of your earlier testimony, if we may, Miss Hoyt.

28 You indicated that at one point when you got to

5c-2

1 Spahn Ranch people were camping out in the Devil's Canyon
2 area?

3 A Yes.

4 Q Now, that Devil's Canyon area, that's not what
5 you would call west of the Spahn Ranch, is it?

6 A No.

7 Q What direction is Devil's Canyon from Spahn
8 Ranch?

9 A Uh, you go under the freeway, up that-away
10 (indicating). I guess it is north. I might get the direc-
11 tion wrong just because of not knowing which is north and
12 south, you know.

13 Q Now, would you like to come down here just a
14 minute.

15 THE COURT: You may again use that pointer, the pointer
16 behind the board there, Mr. Denny.

17 Q BY MR. DENNY: To familiarize you with this
18 particular exhibit, which is People's 92 --

19 THE COURT: The Court is having trouble hearing. Want
20 to use that microphone?

21 MR. DENNY: I'm having trouble speaking.

22 MR. KAY: That's from all that screaming.

23 MR. DENNY: That and a cold, Mr. Kay.

24 Q BY MR. DENNY: Is this the Spahn Ranch here
25 (indicating); you recognize that?

26 A Yes.

27 Q Santa Susanna Pass Road (indicating)?

28 A Yes.

5c-3

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Q Simi Valley Freeway (indicating)?

A Yes.

Q Up here is Devil's Canyon (indicating); is that correct?

A Well, when we went to Devil's Canyon, we went down here (indicating), underneath the freeway, and over here (indicating) a little bit, you know.

Q Over where it says "Waterfall"?

A Yeah.

Q And then, up into Devil's Canyon?

A Uh, I don't think I went higher up into Devil's Canyon any more. If we're talking about the same waterfall.

Q Keep the microphone up.

Would you like to move over here so the jury can see, then.

So the area is Devil's Canyon that you remember talking about is right in this area that's marked "Waterfall" (indicating); is that correct?

A Yeah, that seems right.

6 fls.

6-1

1 Q And how far is it from Spahn Ranch over to this
2 area marked "Waterfall"? Do you have any idea?

3 A I don't know. It isn't real far, because I
4 walked that one.

5 Q Well, you walked 28 miles out in the desert,
6 didn't you?

7 A Yeah. That was far.

8 Q All right. This wasn't quite that far?

9 A No.

10 Q Do you have any idea how far it is?

11 A Two, three miles, maybe.

12 Q Two, three miles?

13 A Maybe not that -- maybe not that much.

14 Q All right. Do you want to retake the stand.
15 By the way, let's get to that little trek out
16 in the desert.

17 That was a terrifying thing for you; is that
18 right?

19 A It was tiring.

20 Q And you were fearful of Charlie Manson; is that
21 right?

22 A Yes.

23 Q You were afraid that he was going to kill you?

24 A Yes.

25 Q You were afraid that he was going to kill you
26 because you were leaving that area?

27 A Yes.

28 Q You were afraid that he was going to kill you

6-2

1 because you knew all about the terrible things that he had
2 been doing; is that right?

3 A He didn't know I knew about a lot of things that
4 I did know about.

5 Q Ah! All right.

6 A But some of the things he did.

7 Q And so you snuck out (indicating) with Sherry
8 Cooper? Is that right?

9 A Hmm -- yeah, I guess you could say that.

10 Q So that Charlie wouldn't catch you; is that
11 right?

12 A Yeah.

13 Q Well, how come, then, Charlie gave you \$20
14 to help you on your way?

15 A Well, when Charlie came back down to that store,
16 that morning after we had walked there --

17 Q What store?

18 A Ballarat General Store. It's a small town.
19 There's only about four people there.

20 THE COURT: How many?

21 THE WITNESS: Four. Oh, there was two friends there,
22 Six.

23 (Laughter.)

24 So he wanted us -- he was trying to talk us
25 into coming back. So we said, no, we wouldn't go. So, he
26 gave us the \$20.

27 And we both knew at the time, you know -- and
28 late, me and Sherry even talked about it -- that he gave us

6-3

1 the \$20 just so we'd think -- "Oh, he wasn't so bad," and
2 we'd come right back up.

3 And there was another thing, too. Scott and
4 Zero were up there then, and another new guy, Jerry, and --

5 Q Well, just a moment.

6 A -- he did this all in front of them.

7 Q The fact is that after you had made this terrible
8 jaunt, Charlie met you there, at the General Store at
9 Ballarat, talked to you; you told him, no, you didn't want
10 to go back; that you were going back down to L.A.

11 And he said, "Okay. Here's twenty bucks."

12 Even asked you if you had money, didn't he?

13 A Yes, he did.

14 Q And you said, "No," didn't you?

15 A Sherry said, "No."

16 Q And then he said, "Well, here, you'll probably
17 need something downtown -- down in the city," didn't he?

18 A No, he just gave her -- he just her -- gave us
19 the \$20.

20 Q To take care of you while you were down in the
21 city; is that right?

22 A No. First, he wanted us to go back to Spahn
23 Ranch. When we wouldn't go back to the desert, he wanted us
24 to go back to Spahn Ranch.

25 Q I understand that.

26 A Well, he just gave us that so we wouldn't think
27 he was so bad, and we'd come right back up again.

28 Q Do you remember testifying this way in the

6-4

1 Watson trial on August 25th, 1971.

2 MR. KAY; Excuse me. May I have the reference?

3 MR. DENNY; Volume 16.

4 (Pause in the proceedings while a discussion
5 off the record ensued at the counsel table between
6 Mr. Denny and Mr. Kay.)

7 MR. DENNY; This was on cross-examination by Mr.

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1 Q "Q When you finally left the ranch, did he
2 give you any money?

3 "A Yes.

4 "Q How much did he give you?

5 "A \$20.

6 "Q So you could get back home; is that right?

7 "A No.

8 "Q What, then?

9 "A What?

10 "Q Why did he give you the money?

11 "A Well, he tried to talk us into coming
12 back to the ranch with him.

13 "Q And you said you weren't?

14 "A Yes.

15 "Q But he gave you \$20 anyway?

16 "A He gave us \$20 so that we would
17 think -- you know, he is not so bad after all;
18 then, we would come back eventually.

19 "Q You took the \$20 and you went on
20 home?

21 "A I went to Danny's.

22 "Q Where was that?

23 "A Inglewood.

24 "Q In the Los Angeles area?

25 "A Yes. There wasn't very much he
26 could do then, because after we had walked out
27 of the desert, there was a new guy that was there,
28 and there were two other new guys who came up to

1 "the desert --

2 "Q Actually, he gave you the \$20 bus
3 fare, didn't he?

4 "A He didn't say.

5 "Q You told him that you wanted to go
6 back to the Los Angeles area, didn't you?

7 "A Yes. He asked me if we were going
8 to go to the Spahn Ranch, and Sherry said, 'No.'
9 And he asked us if we were going to go into the
10 city, and we said, 'Yes.'

11 "Q Didn't he ask you how you were going
12 to get there?

13 "A No. He asked us if we had any
14 money, and we said, 'No.' And he asked how
15 we were going to get along in the city, without
16 any money, and he gave us \$20.

17 "Q Then you left; right?

18 "A Yes."

19 Now, wasn't that the way it happened?

20 A Yeah, that's what I just said.

21 Q He gave you the money so that you could get along
22 in the city; right? After you told him --

23 A Yes.

24 Q -- that you weren't going back to Spahn Ranch?

25 A He asked us if we had any money, and Sherry said,
26 "No," and then he gave us \$20.

27 But he didn't give it to us so we could get along
28 in the city. He -- you know, you could only tell that he gave

1 it to us so that we would think that he was -- you know, "Oh,
2 he isn't too bad. Look at this \$20 he gave us."

3 Q But you sure grabbed onto it and took it and fled
4 down to Danny DeCarlo's place, didn't you?

5 A Yes.

6 THE COURT: We'll recess now, ladies and gentlemen,
7 until 1:45.

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

13 1:45.

14 MR. DENNY: Your Honor, before the witness leaves, I
15 would like to --

16 THE COURT: Speak to the Court after the jury has left.
17 We'll break at 4:00 o'clock today, ladies and
18 gentlemen.

19 You seem unduly happy, Mrs. Muldrow.

20 MR. KAY: Aren't we all?

21 (Whereupon, at 12:02 P. M., the members of the
22 jury exited the courtroom, and the following proceedings were
23 had in their absence:)

24 MR. DENNY: Your Honor, Mr. Kay's observation about the
25 time it takes for the eye to adjust, I think, is very cogent
26 and I don't want to be unfair in testing this witness's vision
27 in any way.

28 But I do think, just as we were able to test some-

1 what the vision of Ella Bailey, that we do have the right to
2 determine just how poor her vision is at this time, and --
3 assuming that it's the same as it was two years ago.

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6b-1

1 THE COURT: Miss Hoyt? How inconvenient would it be
2 for you, when you come back at 1:45, to have taken out your
3 contact lenses?

4 THE WITNESS: Do you want me to take them out now, you
5 mean?

6 THE COURT: Well, say ten or fifteen minutes before
7 you come back to court.

8 MR. DENNY: Well, your Honor, to be fair, ten or
9 fifteen minutes is -- is a minimum period of time. That's
10 why I was making the motion at this time, because I want
11 to be fair about it and let her eyes have time to adjust.

12 THE COURT: How inconvenient would it be, Miss Hoyt?

13 THE WITNESS: It wouldn't be inconvenient.

14 THE COURT: Pardon?

15 THE WITNESS: It wouldn't be inconvenient. But the
16 thing is, when I had my glasses off before, I had them off
17 for months, and I had gotten used to seeing without them,
18 and --

19 THE COURT: Well, you can explain that on redirect, if
20 you are asked.

21 But --

22 MR. KAY: Well, your Honor, I think that Mr. Denny's
23 established on the record that her eyesight's bad. She
24 said that if he held up -- standing here behind the counsel
25 table -- if he held up four fingers, she said she doubted
26 that she would be able to see them, and that her eyesight
27 was bad.

28 I just don't see what there is to be gained that

6b-2

1 isn't already in the record.

2 THE COURT: Well, it's painstaking and detailed, but the
3 Court believes that he probably has the right to establish
4 that.

5 I don't know whether it's really material, in
6 view of the fact that it's two years since that time, and
7 her eyes may have changed substantially since she has been
8 wearing contacts.

9 I don't know how these things --

10 MR. KAY: And also, I know -- since, you know, the
11 jury's not here, I can say this. My wife wears contacts,
12 and she says that it takes her -- you know, four hours or
13 so for her eyes to adjust, after she takes them off.

14 THE COURT: Miss Hoyt, do you know how long it takes
15 your eyes to adjust after you've taken your contacts off?
16 Have you noticed?

17 THE WITNESS: I don't know how long, but even when I
18 put on my glasses after taking off my contacts, I have a
19 hard time seeing through my glasses for a while.

20 THE COURT: For how long, would you say?

21 THE WITNESS: I don't know.

22 THE COURT: I mean, an hour or --

23 THE WITNESS: I don't know. It takes a long time.
24 It takes more than ten minutes, I know that. But I didn't
25 really measure the time.

26 MR. DENNY: Well, your Honor, we have approximately an
27 hour and forty-five minutes, which I think is adequate time
28 to adjust.

6b-3

1 MR. KAY: Well, that's what Mr. Denny thinks, but that
2 might not be the case. That's the problem.

3 I think the record is clear now.

4 THE COURT: I don't know anything about contacts. I
5 probably need some expert opinion on it in order to make a
6 decision --

7 MR. DENNY: Well --

8 THE COURT: -- that would be fair.

9 But where do you intend to be this noon?

10 MR. DENNY: Well, I think she said she has glasses,
11 your Honor, that she can wear all right.

12 THE COURT: If you were to take your contacts out now,
13 could you utilize your glasses until -- oh, ten or fifteen
14 minutes before you were to retake the witness stand?

15 THE WITNESS: Yes. But I wouldn't be able to see that
16 great with my -- you know, even with my glasses for that
17 length of time.

18 THE COURT: Well, it would not be unsafe for you to
19 walk around with your glasses on, would it?

20 THE WITNESS: No. But it's just hard to see, after
21 I take them out.

22 THE COURT: We don't want you stumbling into a truck
23 or something out in traffic during this noon hour.

24 All right. If you would, remove your contact
25 lenses now, and within the -- within the next five minutes
26 or so, at some convenient place.

27 And we'll allow Mr. Denny to do his optometrist's
28 tests or whatever he's going to perform when you come back.

1 In the meantime, utilize your glasses, so that
2 you don't endanger yourself while you are walking around.

3 MR. DENNY: Thank you, your Honor.

4 THE COURT: We will see you at a quarter to 2:00.

5 MR. KAY: Yes. See you then.

6 (Whereupon, at 12:06 o'clock p.m., an adjournment
7 was taken in this matter until 1:45 o'clock p.m.
8 of the same day.)
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LOS ANGELES, CALIFORNIA, FRIDAY, FEBRUARY 4th, 1972, 1:52 P. M.

THE COURT: The jurors are all present, the record will show. The defendant is present with counsel; Mr. Kay for the People.

You may proceed.

And thank you, Mr. Size. I'll see you Monday morning.

MR. SIZE: Okay.

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

BARBARA HOYT,
having been previously duly sworn, resumed the stand and testified further as follows:

CROSS EXAMINATION (Continued)

BY MR. DENNY:

Q Now, Miss Hoyt, we spoke about your wearing contact lenses. Are you presently wearing them?

A No.

Q Pursuant to the Court's order at about noon, have you taken them off?

A Yes.

Q All right. I think I'll have to use this microphone.

And how long have you had those contacts off?

1 A Since noon.

2 Q All right. By the way, when did you last get
3 contacts?

4 A Uh -- a few months ago.

5 Q A few months ago?

6 A Yeah -- well, no, longer than that.

7 Q How long ago?

8 A I don't know.

9 Q Well, assuming we were to subpoena the doctor's
10 records in -- well, let me strike that.

11 This Dr. Coopersmith, how long have you gone to
12 him?

13 MR. KAY: That's irrelevant.

14 THE COURT: Sustained.

15 Q BY MR. DENNY: Well, when did you last get contacts?

16 A A pretty long time ago.

17 Q When, aa'am?

18 A I don't remember.

19 Q A couple of years ago?

20 A No.

21 Q A year ago?

22 A Haaa -- I don't remember.

23 Q Can you tell at this time how many fingers I'm
24 holding up?

25 A Haaa -- three. Either three or four.

26 Q All right. Can you tell how many I'm holding up
27 now?

28 A No.

1 Q What am I holding in my hand?

2 A A gun?

3 Q What kind of gun?

4 MR. KAY: Well, that assumes that she knows, anyway.
5 even if it was right up in front of her face.

6 THE COURT: Sustained.

7 Q BY MR. DENNY: Well, can you tell an automatic
8 from a revolver?

9 A A what from a what? No.

10 Q What am I holding in my hand now?

11 MR. KAY: Well, may the record reflect --

12 MR. DENNY: Well, just a moment, please. Don't let the
13 record reflect what I am holding until she says what I am
14 holding, Mr. Kay.

15 MR. KAY: Well, may the record reflect where you are
16 holding it, Mr. Denny? You are holding it down by your waist.

17 MR. DENNY: In front of me.

18 THE WITNESS: Nope.

19 Q BY MR. DENNY: What am I holding?

20 A I don't know.

21 Q Well, you tell me when you know as I walk
22 forward --

23 Your Honor, I wonder if the court diagram indicates
24 where I am standing at this point.

25 THE COURT: Well, you are standing about 15 feet away
26 from her.

27 The distance from the witness box, the front of the
28 witness box, to the railing is 20 feet, four inches.

7-1

1 MR. DENNY: All right.

2 THE COURT: You're standing about five feet this side
3 of it.

4 Q BY MR. DENNY: Now, Miss Hoyt, I'm going to walk
5 forward, and you tell me as soon as you can discern what I
6 have in my hand.

7 (Whereupon, Mr. Denny walked slowly towards
8 the witness stand.)

9 THE WITNESS: I can see you have something, but I
10 can't tell what it is except a gun -- oh, it is a knife.

11 MR. DENNY: Your Honor, would the record reflect that
12 I am approximately three feet in front of her face at this
13 point.

14 THE COURT: Yes.

15 THE WITNESS: So was Danny when he had the gun.

16 Q BY MR. DENNY: So was Danny when he had what
17 gun?

18 A When we were out in the desert and Danny had
19 that gun.

20 Q What gun?

21 A The one with the round handle.

22 Q Shorty's gun?

23 A I guess so.

24 MR. KAY: Well, I ask that be stricken, your Honor.
25 That's based on speculation. She has no way of knowing
26 whether it was Shorty's gun or not.

27 THE COURT: Sustained. It is stricken, ladies and
28 gentlemen.

7-2

1 Q BY MR. DENNY: What do I have in my hand now?

2 A Looks like a gun.

3 Q What kind of gun?

4 MR. KAY: Well, I object to that, that she would know
5 even if it were right in front of her face what kind of gun
6 it is.

7 THE COURT: The objection is sustained.

8 MR. DENNY: May the record reflect, your Honor, that
9 I am approximately the same distance, approximately 15
10 feet from her. That I was --

11 THE COURT: Yes, it may so reflect.

12 Q BY MR. DENNY: Showing you this gun, Miss Hoyt.
13 Do you recognize this gun?

14 A Looks familiar.

15 Q Well, does it look familiar -- tell me why it
16 looks familiar?

17 A Hum, I don't know.

18 Q Because you've seen it in court before?

19 A I don't know. Just looks familiar.

20 Q Well, did you see Danny with this gun?

21 A Well, when I saw Danny with that, it just
22 seemed an older kind of gun. But they had other guns like
23 that, too.

24 Q Other guns like this, the gun that I have in my
25 hand?

26 A Yeah, with the long barrel, and the (witness
27 shrugs shoulders) --

28 Q And the cylinder here?

7-3

1 A Well, I don't know what that is.

2 Q Well, you know they put bullets in that cylinder?

3 A I guess so.

4 Q Have you ever fired a gun?

5 A A rifle and a BB gun.

6 Q You were in possession of a gun at one time at
7 Spahn Ranch, weren't you?

8 A Yeah, a little teeny one.

9 Q A girl by the name of Laurie gave it to you,
10 didn't she?

11 A Yep.

12 MR. KAY: Your Honor, that's irrelevant.

13 MR. DENNY: Not to her ability to recognize guns.

14 THE COURT: It is irrelevant. The objection is
15 sustained. The objection is sustained.

16 Q BY MR. DENNY: Well, was it an automatic or a
17 revolver, do you know?

18 A I don't know the difference.

19 Q How long did you have it?

20 MR. KAY: That's irrelevant, your Honor.

21 THE COURT: Sustained.

22 MR. DENNY: Your Honor, may the record reflect the
23 last gun I did show the witness, it is one of the two guns
24 previously received as 53-A and -B. This happens to be
25 the 53-B gun.

26 THE COURT: The record may so show.

27 Q BY MR. DENNY: Now, if we can go back again,
28 Miss Hoyt, to the time about the end of --

7-4

1 A Oh, is my eye test over with?

2 Q Not entirely.

3 A Oh.

4 Q About the end of July, 1969, were you with the
5 Family when they were in the Devil's Canyon area at that
6 time?

7 A No.

8 Q Well, the Family wasn't at the Devil's Canyon
9 area after August, were they?

10 A In, uh -- right before the raid I was in
11 Devil's Canyon, just those few days.

12 Q Well, hadn't the rest of the Family moved back
13 to the ranch?

14 A You -- some -- some people were living at
15 Devil's Canyon, some people were living at the ranch.

16 Q Well, who was living at Devil's Canyon?

17 A Uh, I remember Snake was there.

18 Q That's Dianne Bluestein?

19 A Yes.

20 And Katie was there for a while.

21 Q Katie Krenwinkel?

22 A Yes.

23 And Sadie was there for a while.

24 Q That's Susan Atkins?

25 A Susan Atkins.

26 And Gypsy was there for a little while.

27 Q That's Catherine Share?

28 A Yes.

1 That new boy that got --

2 Q Well, excuse me for interrupting you just a
3 moment, but when you say these people were there for a
4 little while, are you now talking about the period of time
5 just before the raid on the ranch on August 16th?

6 A Yes, at the time I was there.

7 Well, I know Snake was there earlier.

8 Q All right.

9 Who else was there in this period of time
10 before the ranch was raided on August 16?

11 A Brenda.

12 Laurie was there.

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7a-1

1 Q What's Lloyd's last name?

2 A I don't know.

3 Uh, Charlie was down there some of the times.

4 Q Staying there?

5 A He was back and forth.

6 Q Well, did he stay there overnight?

7 A I don't remember if he stayed overnight.

8 Uh, I can't think of who else was there. If I
9 think of somebody else, I'll let you know.

10 Q Would you do that?

11 In the meantime, would you tell me who was at the
12 ranch during this period of time just before the ranch was
13 raided?

14 A Squeaky was there.

15 MR. KAY: Well, your Honor, I'm going to object that
16 this is irrelevant.

17 THE COURT: Overruled. You may answer.

18 THE WITNESS: Squeaky was at the ranch.

19 Uh, Charlie was at the ranch, too. He was at both
20 places.

21 Uh, Little Patty was at the ranch.

22 So was Leslie and Clem.

23 And I think Tex was at the ranch and Bruce.

24 And -- I don't know. If I think of any more, I'll
25 let you know.

26 Q BY MR. DENNY: All right, you do that.

27 When did you first see Shorty?

28 A After we got out of jail.

1 Q Hadn't you seen Shorty before then?

2 A No.

3 Q During all the time you were in the Manson Family,
4 you hadn't seen Shorty before then, is that right?

5 A Right.

6 Q You'd been at the ranch for a period of time before
7 then, hadn't you?

8 MR. KAY: Well, that's ambiguous, "period of time."

9 Q BY MR. DENNY: Well, between --

10 MR. KAY: The def- --

11 Q BY MR. DENNY: Between April of 1969 and August,
12 the last of August, as you put it, 1969 --

13 A Well --

14 Q -- you had been at the ranch other than after the
15 raid, is that right?

16 A Yeah, but not that much.

17 Q You hadn't been there that much, had you?

18 A No, because we moved there, oh, around the second --
19 I think it was after the second week in April we went to
20 Spahn's Ranch and I was there for the first week in May. And
21 I was there for about a week in the middle of July or a few
22 days in the middle of July. And then, the end of July and
23 August.

24 Q All right. And during all those periods of time,
25 other than after August 16th, you never saw Shorty; is that
26 right?

27 A Could you say that again?

28 MR. DENNY: Mrs. Briandi, could you read it back, please?

1 (Whereupon, the record was read by the reporter
2 as follows:

3 "Q All right. And during all those
4 periods of time, other than after August 16th,
5 you never saw Shorty; is that right?"

6 A I saw him after August 16th.

7 Q No, I'm saying all of the periods of time before
8 you said that you were at the ranch you had not seen Shorty?

9 A Oh, no, no. If I had, I don't know it.

10 Q All right. When do you first remember seeing
11 Shorty?

12 A After we got out of jail.

13 Q That was about three or four days after August
14 16th, is that right?

15 A Right.

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1 Q And then you were at the ranch for a couple of
2 days, you said, before you went up to Olancha; is that
3 right?

4 A Yes, sir.

5 Q Now, did you see him both of those couple of
6 days?

7 A I don't remember.

8 Q Are you sure he was there?

9 A Yeah, I saw him around.

10 Q Are you sure?

11 A Yeah.

12 Q Are you just as sure as that Bruce was there?

13 MR. KAY: Well, that's argumentative.

14 THE WITNESS: Yes. Yes, he was -- oh, I'm sorry.

15 THE COURT: The answer may remain in the record.

16 The objection is overruled.

17 Q BY MR. DENNY: All right. So that you are
18 positive that both of those days, between the time that
19 you got out of jail and the time that you went to Olancha,
20 Shorty was there?

21 A (Pause) I'm pretty sure.

22 Q Well, there's some doubt in your mind, though,
23 isn't there?

24 A There's a little bit, but that's all.

25 Q All right. A reasonable doubt, would you say?

26 MR. KAY: Well, I --

27 THE WITNESS: A little bit.

28 MR. KAY: -- ask that be stricken, your Honor.

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THE COURT: Yes. Sustained.

Q BY MR. DENNY: And when you --

THE COURT: The question and the answer are stricken.

Q BY MR. DENNY: When you got back, after you got back from Olancha, which you say was around the 24th or thereabouts, or until the time that you left -- which was maybe the 28th, 29th or 30th -- did you see Shorty there?

A Yes.

Q You are sure that Shorty was there every day?

A I saw him on a daily basis.

Q You are sure that Shorty was there every day?

A I saw him on a daily basis.

Q Are you sure that Shorty was there every day?

MR. KAY: Asked and answered.

THE COURT: Sustained.

Q BY MR. DENNY: Well, do you have some doubt about his being there on Monday, the 25th of August?

MR. KAY: That assumes a fact not in evidence, that she specifically remembers Monday the 25th of August.

MR. DENNY: Well, that's what I am trying to determine, your Honor.

THE COURT: The objection is overruled.

THE WITNESS: I don't remember the dates.

Q BY MR. DENNY: Are you sure that he was there Tuesday, the 26th of August?

A I don't remember the dates.

Q Are you sure that he was there Wednesday, the 27th?

8-3

1 A I don't remember the dates.

2 Q Well, are you sure that he was there Monday,
3 Tuesday and Wednesday of the last week of August?

4 MR. KAY: Asked and answered.

5 THE COURT: Sustained.

6 Q BY MR. DENNY: Are you sure that he was there
7 every day of the last week of August?

8 MR. KAY: Asked and answered.

9 THE COURT: Sustained.

10 THE WITNESS: Could I put my contacts back on?

11 THE COURT: Yes, you may.

12 THE WITNESS: I have to go to the bathroom to do it.

13 THE COURT: Does it take long?

14 THE WITNESS: No. It will only take me a few minutes.

15 MR. DENNY: I have no objection, your Honor.

16 THE COURT: All right, you can step down, then, and
17 put your contacts on.

18 MR. KAY: Your Honor, I wonder if, before the witness
19 puts her contacts on, if I could just ask a couple of ques-
20 tions, which I was going to on redirect, because -- as long
21 as --

22 THE COURT: All right.

23 MR. KAY: May I ask just a couple of questions?

24 THE COURT: All right. Would you resume the stand?

25
26 REDIRECT EXAMINATION

27 BY MR. KAY:

28 Q Miss Hoyt, I would like to have you demonstrate,

1 using me as kind of a guinea pig or something, how close the
2 conversation -- how close you were to the conversation at
3 Meyers Ranch, that you've related, that you heard between
4 Mr. Hanson and Mr. Davis.

5 If you could just position me, tell me where to
6 stand.

7 A All right. Come forward.

8 Q (Mr. Kay gradually moving toward the witness
9 stand.)

10 A Okay. From me, not from this (indicating).

11 THE COURT: Indicating from you?

12 THE WITNESS: Yes, from me.

13 THE COURT: Indicating about six or seven feet.
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1 Q BY MR. KAY: All right. And did you have any
2 trouble seeing Mr. Manson and Mr. Davis during the conversation
3 at this distance?

4 A No.

5 Q All right. And do you have any problem at all with
6 your hearing?

7 A No.

8 MR. KAY: Thank you. I have no further questions.

9 MR. DENNY: Well, just a moment. Just a moment,
10 Miss Hoyt.

11 I would like to resume questioning, your Honor,
12 because I have some other things in that connection that I had
13 forgotten about.

14 THE COURT: If it's concerning her eyesight --

15 MR. DENNY: Yes, it is, your Honor.

16 THE COURT: -- let's dispose of it, so that the witness
17 can put her contacts on.

18 MR. DENNY: I will try to do that as quickly as possible,
19 your Honor. There are a couple of things, however.

20 THE COURT: All right. We will proceed, Mr. Denny.

21
22 FURTHER CROSS EXAMINATION

23 BY MR. DENNY:

24 Q By the way, Miss Hoyt, the time that Mr. Watkins
25 got there, when was that?

26 MR. KAY: Got where? That's ambiguous.

27 MR. DENNY: I'm sorry.

28 Q Got to the Barker-Meyers Ranch?

CROSS

8a-2

1 A He was there when we got up there.

2 Q And when did he leave?

3 MR. KAY: Well, your Honor, I don't see what this has to
4 do with an eye test.

5 THE COURT: I don't either.

6 MR. DENNY: Well, the Court will.

7 THE COURT: All right. The objection is sustained.

8 MR. KAY: Thank you.

9 Q BY MR. DENNY: You have been looking at me,
10 Miss Hoyt, have you not?

11 A Yes.

12 Q And what have I been doing?

13 A You have been talking.

14 Q What else?

15 A I didn't notice.

16 You've got your hand in your pocket.

17 Q But you were looking at me as I was asking you
18 those questions, weren't you?

19 A I guess so.

20 MR. DENNY: Well, may the record reflect that all during
21 the time I was asking those questions, your Honor, I was
22 nodding my head up and down?

23 THE COURT: Yes.

24 THE WITNESS: I didn't notice your head.

25 THE COURT: You appeared to be.

26 MR. DENNY: And may the record also reflect that I was
27 standing here approximately where Mr. Kay was, when he asked
28 her how far she was from the --

1 MR. KAY: Oh, that's not correct.

2 THE COURT: You are standing about three or four feet
3 farther back than he was, the record may show.

4 MR. DENNY: All right. She can put her glasses back on,
5 if she wants.

6 THE COURT: All right. Miss Hoyt, the Court would permit
7 you to take a few minutes.

8 MR. KAY: May we take a five-minute recess, then, your
9 Honor?

10 THE COURT: All right. We will be in recess. During the
11 recess, do not converse amongst yourselves nor with anyone else
12 about this matter.

13 You may leave the jury box or stay, as you wish.

14 (Mid-afternoon recess.)
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1 THE COURT: The jurors are all present.

2 The defendant is present with his counsel.

3 You may proceed, Mr. Denny.

4 Q BY MR. DENNY: By the way, Miss Hoyt, this
5 dinner that you talked about, what time of the day or night
6 was that?

7 A I don't know what time it was. I didn't have
8 a watch.

9 Q Well, was it high noon or was it dark?

10 A It was dark.

11 Q And if it was dark in September, that was still
12 Daylight Savings Time, right?

13 A I don't know.

14 Oh, it was evening.

15 Q All right. Now, how was that particular ranch
16 house lighted?

17 A Ham, I don't remember.

18 Q Is it you don't remember because you don't want
19 to remember?

20 A I just don't remember.

21 Q It was lighted by candlelight?

22 A I don't remember. I don't remember there was any
23 electricity. I don't think there was in either of the
24 houses.

25 Q That's right, there was no electricity.

26 So when it was dark, the only way you could see
27 inside those buildings was by candle or kerosene lamp?

28 A Yes.

1 Q And on that particular night that you have talked
2 about, what was the illumination? How was that provided?

3 MR. KAY: Asked and answered.

4 THE COURT: Sustained.

5 Q BY MR. DENNY: Well, is it a fact that there were
6 only candles?

7 MR. KAY: Asked and answered.

8 MR. DENNY: I think that's proper cross-examination.
9 She says she doesn't remember. I think I can try refreshing
10 her recollection by telling her --

11 THE COURT: She's answered it. Sustained.

12 Q BY MR. DENNY: How is your vision in candlelight?

13 A It is not as good as if it were in daylight.

14 Q Like this?

15 A This isn't daylight.

16 Q It is not as good as if it is like this, either?

17 A No.

18 Of course, again, I have my glasses off for a
19 real long time, then, and I got used to seeing without them.
20 And over just two hours of not having my contacts in, is in
21 no way comparing them with when I hadn't been wearing my
22 glasses over a period of months.

23 Q All right, Miss Hoyt. Well, again, you were --
24 apparently not according to proper schedule as far as this
25 question when I asked it before -- but is it a fact that Mr.
26 Watkins was there when you got to the Barker-Meyers Ranch
27 area?

28 A Yes, he was --

1 Q How long after you arrived there did he leave?

2 A Well, I don't remember the day he left. I guess
3 he left while I was not in -- you know, the same area that
4 he was in.

5 Q Well, you all ate together, didn't you?

6 A No. No, Paul and Brooks and Big Paul stayed
7 at Barker Ranch and they weren't in the Family at this time.

8 Q Paul Watkins is the person you refer to as Paul,
9 and Brooks Posten is the person you refer to as Brooks, and
10 Big Paul is Paul Crockett; is that right?

11 A Yes.

12 Q And they were staying together as a sort of
13 threesome down at the Barker Ranch while the rest of the Manson
14 Family stayed up at the Meyers Ranch or over at the Meyers
15 Ranch, is that right?

16 A Well, sometimes we were at the Barker Ranch and
17 sometimes we were at the Meyers Ranch and -- oh, when Juan
18 came up he kind of moved in with Paul and Little Paul,
19 Brooks.

20 Q Well, was there a time at which everyone except
21 Paul, Big Paul, Little Paul, Brooks and Juan were all living
22 at the Meyers Ranch? Everyone except them? All the rest
23 of the Manson Family members were living at the Meyers Ranch?

24 A Uh, I don't think Juan was there.

25 MR. KAY: Well --

26 Q BY MR. DENNY: I beg pardon?

27 A I don't think Juan was there. I wasn't living
28 there.

1 Q Juan was not living at the Meyers Ranch?

2 A Wait, wait, he might have spent a couple of
3 nights.

4 Q That's what I am asking.

5 He went then to live with Paul, Big Paul and
6 Brooks at the Barker Ranch?

7 A Yes.

8 Q After he did that, were all of the rest of the
9 Manson Family members living at the Meyers Ranch?

10 A The ones that were up there were.

11 Q All right. And how long was that? About how
12 long after you had gotten there did that particular division
13 of people occur?

14 A I don't know the number of days.

15 Q Approximately?

16 A I don't know, a few days.

17 Q A few days is what?

18 A I don't know. I don't remember the number of
19 days.

20 Q Well, was it before or after this dinner that you
21 seem to remember so vividly?

22 A Was what, when we were at the Meyers Ranch?

23 Q When there was the division of personnel that we
24 are talking about.

25 A The division was already there.

26 Q All right. When was it in relationship to this
27 dinner that you do remember that Juan moved in with Big Paul,
28 Little Paul and Brooks?

1 A It was sort of both times.

2 Q Both times what?

3 A It was sort of before and after. Because after-
4 wards he stayed with them after that. I don't know if it
9a file. 5 was right after.
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1 Q Well, before that had he stayed with them? Had
2 he moved in with them?

3 A I don't know if he moved in with them. I don't
4 know that much about what Juan did.

5 Q Well, you knew whether he was present or not at
6 Meyers Ranch at dinner?

7 A Yeah.

8 Q Whether he was regularly present for dinner, don't
9 you remember?

10 A He wasn't always -- he wasn't always regularly
11 present for dinner because he wasn't only there.

12 Q Well, were all the other members of the Manson
13 Family always present for dinner?

14 A The ones that were up there.

15 Q All right.

16 Now, going back again to the conversations which
17 you say Mr. Manson had when all the Family ate together down
18 at Spahn's Ranch --

19 By the way, again, you said that between the time
20 when you got out of jail and the time when you went up to the
21 Barker-Meyers Ranch, you were living at the Devil's Canyon
22 area?

23 A No, before the raid.

24 Q Oh, before the raid?

25 A Yes, a few days before the raid.

26 Q Oh,

27 A In fact, the night we came back was the morning
28 after that the raid happened.

9a-2

1 Q Okay. I'm sorry, say that again.

2 A We stayed in Devil's Canyon. We came back one
3 night. The next morning the raid happened.

4 Q All right. So that after -- after you got out of
5 jail, in other words, during the time you were in Olancha,
6 you were all at the Spahn Ranch area and none of the Manson
7 Family members were in the Devil's Canyon area; is that right?

8 A Would you say that again?

9 Q After you got out of jail, following the arrest of
10 August 16, you and all of the other members of the Manson
11 Family who were out of jail at that point began living at the
12 Spahn Ranch and nobody was living any more from the Manson
13 Family in the Devil's Canyon area; is that right?

14 MR. KAY: That calls for speculation. How can she answer
15 that if she wasn't there in Devil's Canyon.

16 THE COURT: Sustained.

17 Q BY MR. DENNY: Well, it doesn't cause you any
18 speculation to remember who of the Family was living at the
19 Spahn Ranch, does it; you do remember that?

20 A Uh-huh.

21 Q All right. Were all of the Family members living
22 at the Spahn Ranch during that period of time, after you got
23 out and before they left for the desert?

24 A Snake and Tex were in Olancha.

25 Q All right.

26 A You know, there were a real lot of people going
27 around. I mean, you know, around the ranch.

28 Q I'm talking about the Manson Family members. You

1 know who they were, didn't you?

2 A Sure I did.

3 Q All right. Were they living there at the Spahn
4 Ranch after everybody got out of jail and before everybody
5 went up to the desert?

6 A Yeah, as far as I know.

7 Q But you all ate together?

8 A Yeah, but I don't remember if somebody left or
9 somebody came back.

10 Q Oh, don't you remember that Bruce Davis was there
11 eating with all of you?

12 A Bruce Davis was usually there. There were times
13 when I didn't go to dinner. I spent some time in the para-
14 chute room with the babies, so I don't know who was there.

15 Q How many times were you there in the parachute
16 room those nights between the time you got out of jail, the
17 time you went to Olancha, the time when you got back from
18 Olancha and the time when you finally left?

19 A I don't know.

20 Q There were only five days total there, weren't
21 you; maybe six all together?

22 A I don't know.

23 Q Well, weren't there just a couple of days after
24 you got out of jail before you went to Olancha?

25 A Yes.

26 Q And then, weren't there five or six days from the
27 time you got back from Olancha for the desert?

28 A I guess so.

1 Q Some of those days you say you were taking care of
2 the babies in the parachute room?

3 A Oh, no, that was before, before the raid.

4 Q All the days, then, you were having dinner with the
5 rest of the Family members; is that right?

6 A No, no.

7 Q Some of those days you were not?

8 A Right.

9 Q How many days were you not?

10 A I don't know.

11 Q How many, say, out of those eight days?

12 How many were you not eating dinner with the
13 Manson Family out of those eight days?

14 A I don't know.

15 Q How many were you eating dinner with out of those
16 eight days?

17 A I don't know that either.

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1 Q Well, how many days was Bruce Davis there eating
2 dinner with the Manson Family, then?

3 A As far as I know he was usually there.

4 Q But you don't know for sure, is that right?

5 A I don't know how many days he was there.

6 Q You don't?

7 A I don't know the number of days which -- I don't
8 even know the number of days between that.

9 Q Well, you've testified to the fact that Charlie
10 Manson had conversations about Shorty Shea after everybody got
11 out of jail, is that right?

12 A Yes.

13 Q You've testified that these conversations were every
14 night at dinner, right?

15 A Yes.

16 Q And you testified that Bruce Davis was there?

17 A Right.

18 Q During each of those times, is that right?

19 A Yes.

20 Q Well, you don't know what was discussed at dinner
21 during the times that you weren't at dinner, do you?

22 A Most of the time I was there.

23 Q Oh, now, most of the time you were there?

24 A In fact, just about all the time that I was there.
25 But I don't know the number of days I was there, and that's what
26 I told you.

27 Q Didn't you just testify a few minutes ago there were
28 a number of days when you weren't there?

1 MR. KAY: Objection, argumentative.

2 THE COURT: Sustained.

3 Q BY MR. DENNY: Well, now, is it your testimony most
4 of the dates you were not up in Olancha, after you got out of
5 jail, you were then eating dinner --

6 A I don't know the number of days which I were and
7 which I wasn't. That's what I said.

8 Q I thought you said most of the days you were.

9 A Most of the days I was.

10 Q All right. How many days were you not there?

11 A I don't know.

12 Q All right. Now, these conversations -- first of all,
13 you said Charlie did all of the talking, is that right?

14 A Uh, yeah, other people would agree or say some-
15 thing else, but as far as -- yeah.

16 Q They wouldn't disagree with Charlie?

17 A No.

18 Q It was not the habit of the Manson Family
19 members to disagree with what Charlie said?

20 A No.

21 Q Charlie lectured, is that right?

22 A Yes.

23 Q And Charlie told people what to do, is that right?

24 A Yes.

25 Q And people would say, "yeah, yeah, yeah," and
26 agree with him, is that right?

27 A Yes.

28 MR. KAY: Well, that calls for speculation and hearsay,

1 your Honor.

2 MR. DENNY: Well, she's testified --

3 THE COURT: Gentlemen, stop arguing. Just state the
4 objection and if I wish to hear argument, I'll hear it at the
5 bench.

6 Objection is overruled.

7 THE WITNESS: What was the question?

8 Q BY MR. DENNY: People would say, "yeah, yeah,
9 yeah," and people would agree with him?

10 A Yeah. They said other things, too.

11 Q Like "right on"?

12 A I don't remember them saying, "right on."

13 Q Like what other things?

14 MR. KAY: That's immaterial.

15 THE COURT: That's immaterial. Let's move this along,
16 Mr. Denny.

17 Q BY MR. DENNY: Would they say, "yeah, that's
18 groovy"?

19 MR. KAY: Same objection, your Honor.

20 THE COURT: Sustained.

21 Q BY MR. DENNY: Well, how did they express their
22 agreement when you said, "Yeah, they said other things," in
23 agreement? How did they express that?

24 MR. KAY: Same objection, your Honor.

25 MR. DENNY: Your Honor, I would like to be heard on
26 that.

27 THE COURT: Sustained.

28 Q BY MR. DENNY: Well, you said at this conversation

1 up at the Meyers Ranch that Bruce Davis said, "Yeah, yeah,
2 yeah" several times; isn't that right?

3 A Yeah.

4 Q That's no different than anybody else did down at
5 the Spahn Ranch on a regular basis, isn't that right?

6 A Sure, they did.

7 MR. KAY: That's --

8 THE WITNESS: Go ahead.

9 MR. KAY: Your Honor, I'm going to object. That's a
10 mischaracterization of the testimony and calls for speculation,
11 because the others weren't saying "yeah" in response to certain
12 things Mr. Manson said at the time.

13 MR. DENNY: She just said --

14 THE COURT: Raise your objection and the Court will
15 rule on the objection. Don't argue, Mr. Kay, please.

16 The objection is sustained.

17 Q BY MR. DENNY: Well, you just told us, didn't
18 you -- let me strike that.

19 It is a fact that down below at the Spahn Ranch,
20 when the people would agree with Charlie, just go along with
21 whatever he was saying, would say, "Yeah, yeah, yeah," is that
22 right?

23 MR. KAY: Same objection.

24 THE COURT: Overruled. You may answer.

25 THE WITNESS: They said other things, too.

26 Q What other things?

27 THE COURT: You needn't answer that. It is immaterial.

28 Let's proceed.

1 MR. DENNY: Well, your Honor, I would like to be heard on
2 this.

3 THE COURT: You may not. Let's move it along.

4 Q BY MR. DENNY: Now, you've told us that there was
5 an expression "now" or "come to now"; is that right?

6 A Yes.

7 Q Did Manson Family members also use an expression,
8 "Now, that's far out"?

9 A Yes.

10 Q What did that mean?

11 A It is far out.

12 Q What did that mean?

13 A Oh, let's see, that was pretty neat or whatever.

14 Q Anything else besides that's pretty neat?

15 A That isn't what they say. That's just my, uh,
16 word to try to explain what was far out, what that meant. It
17 meant the same thing to the Family, I guess, as anybody else who
18 ever said it.

19 Q Well, what was that?

20 A Well, they agree with it. It is a positive
21 agreement.

22 Q It is "far out" means, "Yeah, it happened"?

23 A Oh, it can mean it happened or it was fun or it was
24 groovy or whatever, you know.

10-1

1 Q Or that that's really something?

2 A It could mean that, too.

3 Q All right.

4 A It depends on the way you say it, just like when
5 you say anything else.

6 Q It depends on the way you say it: Is that right?

7 A Well, I don't know.

8 Q It depends on the way Bruce Davis says it, when
9 you said he said, "Wow, that's far out," up at the Meyers
10 Ranch; is that right?

11 MR. KAY: Argumentative, your Honor.

12 THE COURT: Sustained, Mr. Denny.

13 (Pause in the proceedings while Mr. Denny
14 perused his notes.)

15 Q BY MR. DENNY: By the way, getting back to the
16 "come to now" and talking about fear, that was kind of
17 Charlie's trip, wasn't it? He tried to instill fear into
18 people?

19 A Yes.

20 Q He tried to instill fear into you?

21 A Yes.

22 Q How did he try to instill fear into you?

23 MR. KAY: That's irrelevant.

24 THE COURT: Sustained.

25 MR. DENNY: It goes to bias and prejudice, your Honor.

26 THE COURT: Overruled -- sustained.

27 Q BY MR. DENNY: Well, Charlie beat up on you some,
28 didn't he?

10-2

1 A No.

2 Q He forced you to have intercourse with Juan Flynn?

3 MR. KAY: That's irrelevant --

4 THE COURT: And asked and answered.

5 MR. KAY: -- and it's --

6 Q BY MR. DENNY: He threatened you?

7 MR. KAY: It's irrelevant, your Honor.

8 MR. DENNY: Your Honor, certainly it goes to bias
9 and prejudice.

10 THE COURT: Overruled -- sustained.

11 You've covered a good part of this, Mr. Denny.

12 Q BY MR. DENNY: You were in fear of Charlie; is
13 that right?

14 A Yes.

15 Q All right.

16 And Charlie told you he had killed people, to
17 put you in fear; isn't that right?

18 A He told he had killed people, but --

19 Q And did that put you in fear?

20 A Well, at first, I didn't believe it.

21 Q All right. And then you finally kind of
22 believed it?

23 A Oh, yes.

24 Q And that put you in fear?

25 A Yes.

26 Q And that's what he wanted, wasn't it? And this
27 is what he told you? He wanted you to be in fear?

28 MR. KAY: That calls for speculation, as to what he

10-3

1 wanted.

2 THE COURT: Yes.

3 MR. DENNY: I am asking: Is that what he told her?

4 MR. KAY: Well, that's irrelevant.

5 THE COURT: That's not what you asked, and the
6 objection is sustained.

7 Q BY MR. DENNY: Did he not tell you that he wanted
8 you to be in fear?

9 MR. KAY: That's irrelevant, your Honor.

10 THE COURT: Sustained.

11 Q BY MR. DENNY: Miss Hoyt, you say Charlie told
12 you -- or, within your presence said -- that he had killed
13 Shorty Shea; is that right?

14 A Yes.

15 Q And you said that you ran away, because you were
16 in fear; is that right?

17 A Yes.

18 Well, that wasn't the only reason I left, though.

19 Q All right. And Charlie told you a lot of other
20 things that put you in fear --

21 A Oh, yes.

22 Q -- about killings; right?

23 A And other things.

24 Q Killings that -- like tossing babies down the
25 well at Spahn Ranch?

26 A I didn't hear about that.

27 Q Oh, you didn't hear about that?

28 Or about killing a black man in a narcotics

10-4

1 transaction?

2 MR. KAY: This is irrelevant, your Honor.

3 MR. DENNY: Your Honor, again it goes --

4 THE COURT: Sustained, Mr. Denny.

5 MR. DENNY: Well, may I have a chance to cite some law
6 to the Court at the bench? I would like to do that, your
7 Honor.

8 THE COURT: No. The Court asks you to move on, please.

9 You've pretty well covered this, now.

10 Q BY MR. DENNY: When was it that they started
11 discussing Shorty?

12 A It was the day after it happened.

13 Q No, no, no. No, when was it that they started
14 discussing --

15 A Well, his presence?

16 Q Yeah.

17 A Uh -- right after we got out of the jail; right
18 after he got there.

10a fls.

10a-1

1 Q And what was it that you said you heard, overheard
2 at these dinners, about what they said about Shorty?

3 A Do you want me to repeat it?

4 Q Well, let's just take it a step at a time.
5 Did you say that Charlie said that Shorty was
6 an ex-policeman?

7 A Yes.

8 Q And that Shorty had caused the raid?

9 A Yes.

10 Q Well, now, you had been there all up through
11 August, the end of July, and up through August. And Shorty
12 wasn't even there, was he?

13 A Not that I know of.

14 Q Well, did you think it was a little funny,
15 Miss Hoyt?

16 A I didn't think about it at all.

17 Q Oh. But you remembered it? You remembered the
18 conversations?

19 A Yes. I didn't think it -- I didn't think about his
20 not being there.

21 Q Well, did you think about somebody saying that
22 this man who wasn't even there had caused the raid?

23 A I didn't think too much about it.

24 I didn't try to decide whether he was right or
25 not -- or wrong.

26 Q Oh. Well, whether who? Manson or --

27 A Or whoever was saying whatever.

28 Q You just sat and just sort of took it all in; is

10a-2

1 that right?

2 A I took -- I guess I took a lot of things in, yes.

3 Q All right. And Charlie said that Shorty was
4 scheming with Frank Retz to get them kicked off the property;
5 is that right?

6 A Yes. They were having a great big border dispute
7 about the back house.

8 Q Who was?

9 A Frank Retz. He wanted -- he said it was his, and
10 Charlie said it was --

11 MR. KAY: Well, this is non-responsive to the question,
12 your Honor.

13 THE COURT: Well, the answer may remain.

14 The objection is overruled.

15 MR. KAY: All right.

16 Q BY MR. DENNY: This is part of the conversations at
17 dinner that you overheard; right?

18 A Um-hmm.

19 Q And Charlie said that, according to George Spahn,
20 the back house, by George's survey, belonged to George; isn't
21 that right?

22 A Yes.

23 Q And everybody knew about this big sort of border-
24 line feud going on between Retz and Spahn; is that right?

25 MR. KAY: Well, that calls for speculation, what every-
26 body --

27 MR. DENNY: Strike the question.

28 Q That was the topic of conversation, this borderline

1a-3

1 dispute between Retz and Spahn; isn't that right?

2 MR. KAY: Well, that's ambiguous. Among whom, the
3 topic of conversation?

4 Q BY MR. DENNEY: At these dinners that you have so
5 testified about.

6 A (No response.)

7 MR. KAY: I didn't object.

8 Q BY MR. DENNEY: There's no objection. You can
9 answer.

10 A It was one of the topics of conversation, --

11 Q All right.

12 A -- and they had --

13 Q And Charlie said that -- well, strike that.

14 All right. Now, you are saying that Charlie, at
15 this point, just as soon as everybody got out of jail here,
16 said that Shorty was scheming with Frank Retz to get them
17 kicked off the property?

18 A I believe that -- that part of it happened later.

19 Q Oh! When did that happen?

20 A I don't know when they all came into it. I
21 don't remember -- you know, when they started talking about
22 him in the first place. But all of a sudden, they just
23 were.

24 Q I thought you said you remembered, just as soon as
25 everybody got out of jail --

26 A Well, right after that, everybody just started
27 talking about it.

28 Q And saying that Shorty was conspiring with Frank

10a-4 1 Retz to get the people kicked off the ranch; is that right?

2 A Yes.

3 Q Didn't it seem a little funny to you that this guy,
4 who hadn't even been around, was accused now of conspiring to
5 get them kicked off the ranch?

6 MR. KAY: That's irrelevant, your Honor.

7 THE COURT: Sustained.

8 Q BY MR. DENNY: And they didn't say, in these
9 conversations, "Well, we are going to go kill Shorty." Hanson
10 didn't say that, did he?

11 A There was a conversation when something to that
12 effect was said.

13 Q Oh? You were present?

14 A Yes. It was not said by Charlie.

15 Q Well, who said it?

16 A It was either Brenda or Squeaky. I can't remember
17 who.

18 Q And you didn't take any action to save poor
19 Shorty?

10b fol

10b-1

1 MR. KAY: Well --

2 THE WITNESS: They didn't say they were going to kill
3 him.

4 Q BY MR. DENNY: Oh, they didn't?

5 A They just said he would be taken care of.

6 Q Oh. Is that right?

7 And you knew Shorty by then?

8 A Yes.

9 Q You had seen him around; is that right?

10 A Yeah, I had seen him around.

11 Q And you thought there was a plot to take care of
12 Shorty?

13 A I didn't think that much about it.

14 Q But you remembered it?

15 A Yes.

16 Q All right. I think you also said that at this
17 conversation, Manson said -- at these conversations, at
18 dinnertime, Manson said Shorty was bad-mouthing the ranch;
19 is that right?

20 A Yes.

21 Q Now, what else?

22 A Everybody else said that, too.

23 Q What does "bad-mouthing the ranch" mean, Miss
24 Hoyt? What does "bad-mouthing" mean, in the vernacular of
25 the group there?

26 MR. KAY: Well, that's irrelevant. It's not what it
27 means to her. It's what it means to the person who said it.

28 Q BY MR. DENNY: What did "bad-mouthing" mean --

10b-2

1 THE COURT: Sustained.

2 Q BY MR. DENNY: -- to Mr. Manson, if you know?

3 A Ask him.

4 Q All right. When you heard it, what did it mean
5 to you?

6 MR. KAY: That's irrelevant.

7 THE COURT: Sustained. It's a rather common phrase.
8 I think nearly all of us know what it means.

9 Q BY MR. DENNY: Well, did he say in what way
10 Shorty was bad-mouthing the ranch? The ranch that he had
11 gone to, lived in, loved for so many years?

12 Did he say in what way Shorty was bad-mouthing
13 the ranch?

14 A You are not going to object?

15 MR. KAY: No.

16 THE WITNESS: Could you repeat that?

17 MR. DENNY: Would you read it back, Mr. Williams?

18 (Whereupon the record was read by the reporter
19 as follows:

20 "Q Well, did he say in what way Shorty was
21 bad-mouthing the ranch? The ranch that he had gone
22 to, lived in, loved for so many years?

23 "Did he say in what way Shorty was
24 bad-mouthing the ranch?"

25 THE WITNESS: Well, they were talking about how he
26 was an informant, and -- you know, a spy for the police --
27 or whatever you want to call it. So --

28 Q That's not what --

10b-3

1 A So I just took it to mean that he was bad-
2 mouthing the ranch to the police.

3 Q Oh, you took it?

4 A But Charlie --

5 Q You took it?

6 A Well, you asked me how I took it.

7 Q Well, I thought you were quoting Charlie. Weren't
8 you quoting Charlie, when you told the jury here that Charlie
9 said that Shorty was bad-mouthing the ranch?

10 MR. KAY: That's a mischaracterization --

11 THE WITNESS: Yes.

12 MR. KAY: Of her testimony, and it's argumentative.

13 MR. DENNY: Well, she just --

14 THE COURT: All right. She's answered she was quoting
15 Charlie.

16 The answer may remain in.

17 Q BY MR. DENNY: All right. So Charlie used the
18 word "bad-mouthing the ranch," is that right?

19 A Yes.

20 Q Okay.

21 THE COURT: I think we've covered that, Mr. Denny.
22 I think we have that in the record.

23 MR. DENNY: Well, it changes, your Honor, and I want
24 to make sure it's in the record.

25 Q Now, you hitchhiked across the country, you said?

26 A Yes.

27 Q Looking for your friend, Karate Dave; is that
28 right?

10b-4

1 A Yes.

2 Q And you didn't have any money, did you?

3 MR. KAY: That's irrelevant, your Honor.

4 THE COURT: Sustained.

5 Q BY MR. DENNY: Well, you made six phone calls
6 back to the ranch, from various parts across the country;
7 is that right?

8 A I made a few phone calls.

9 Q You said six phone calls, didn't you?

10 A I said: Around six phone calls.

11 Q All right.

12 A I didn't say six for sure.

13 Q About half a dozen; is that right?

14 A Yeah.

15 Q Is that six?

16 A Yeah, half a dozen is six.

17 I said: About half a dozen.
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10b-4
10b file

10c-1

1 Q All right. And you said that Squeaky answered five
2 out of those six times; is that right?

3 A I said: Squeaky answered most times.

4 (Pause in the proceedings while Mr. Denny
5 perused a transcript.)

6 Q "Q All right. And when you called the
7 Spahn Ranch, was there somebody that would answer
8 the phone on each of the occasions that you called?

9 "A Yes.

10 "Q And who was that?

11 "A That was Squeaky. And I can only think
12 of about one time when she didn't, when I called."

13 Do you recall that?

14 A Yes.

15 Q All right.

16 A But then, I didn't say five times.

17 Q Who answered the other time?

18 A I didn't even say six times. And I didn't say she
19 answered five times.

20 I said about a half a dozen.

21 Q All right, Miss Hoyt.

22 A Okay.

23 Q And who answered the other time?

24 A I don't remember.

25 Q Male or female?

26 A I don't remember.

27 Q All you remember is good old Squeak' answering?

28 A Yeah, good old Squeaky answered usually. Huh!

10-2
1 Q Were you calling collect?

2 A No.

3 Q Oh, you did have money to make phone calls?

4 A Yeah.

5 Q What were you calling about?

6 MR. KAY: That's irrelevant.

7 THE COURT: Sustained.

8 Q BY MR. DENNY: Well, were you looking for
9 Karate Dave back at the ranch?

10 MR. KAY: This is irrelevant, your Honor.

11 MR. DENNY: Well, your Honor --

12 THE COURT: Sustained.

13 MR. DENNY: -- I would like to be heard on that, your
14 Honor, as to the relevancy of that.

15 THE COURT: All right, Mr. Denny.

16 MR. DENNY: Thank you.

17 (Whereupon, the following proceedings were had
18 at the bench among Court and counsel, outside the hearing of
19 the jury:)

20 MR. DENNY: Your Honor?

21 THE COURT: All right. What you want to inquire about
22 is the subject of her phone calls; is that correct? And for
23 what purpose?

24 MR. DENNY: Because this is the first time that I have
25 heard, in all of the discovery and all of the trials and all of
26 the testimony, that she made phone calls.

27 And I think the testimony was elicited purely,
28 mainly and simply to tie in with the testimony of Magdalene

10c-3

1 Shea and the other girl, Babcock's.

2 MR. KAY: Hey! I didn't even think of that.

3 MR. DENNY: -- the wife, as to who answered, a female
4 voice answering the phone.

5 And whether Mr. Kay thought of it or not, --

6 MR. KAY: That's good.

7 MR. DENNY: -- I'm sure, the way his facile brain would
8 work, he would argue that to the jury.

9 Now, I don't believe that this girl, who is off on
10 a toot, off on a lark, called five or six times back to Spahn
11 Ranch.

12 And I think it is relevant and material to find
13 out why she -- who at that point was out looking for her boy-
14 friend, Dave -- would call five times, just -- so it happens
15 that she can testify here that Squeaky answered.

16 MR. KAY: I think it's irrelevant, why she called. Just
17 ask her -- you asked whether she did call, and she said she
18 did.

19 THE COURT: What Mr. Denny means is that he wants to
20 cross examine her concerning the subject of her calls, to test
21 her credibility on the subject whether or not she called.

22 MR. DENNY: That's right.

23 MR. KAY: But what difference does it make why she
24 called, if she called?

25 MR. DENNY: Well, because I don't believe she called.
26 And you are accepting the fact that she did, and I want to
27 have the right to test that credibility, to determine whether
28 or not she --

10c-4

1 THE COURT: All right. Generally. But I will not let you
2 go into the conversations.

3 MR. DENNY: I don't want to go into a great deal, your
4 Honor.

5 THE COURT: The Court would not permit you to go into the
6 conversations at all.

7 MR. DENNY: No. I understand that, your Honor. Thank
8 you.

9 (Whereupon, the following proceedings were had in
10 open court, within the presence and hearing of the jury:)

11 Q BY MR. DENNY: Miss Hoyt, getting back to these
12 phone calls, let's take the first one, just for point of
13 reference.

14 Why did you call back to the ranch?

15 A To see if they heard from Dave.

16 Q And a second one?

17 A The same reason.

18 Q The third one?

19 A Well, I remember all of them were about the same
20 reason, except the last one is, I told them I would just be
21 coming back.

22 Q All right. So all of these calls were made in
23 search of your lost love, Dave? Is that right?

24 A That's right.

25 Q Did you ever find out from any of those calls where
26 he was?

27 THE COURT: You needn't answer that.
28

11-1

1 Q BY MR. DENNY: As far as the period of time,
2 ma'am, between the time when you say you heard these screams--
3 well, first of all, what time of the day was it that you would
4 generally see Shorty during those, maybe, eight days that you
5 were actually on the ranch from the time you got out of jail
6 until the time you left?

7 A What time of day was it, usually?

8 Q Uh-huh.

9 A Well, mostly on the times I can remember seeing
10 Shorty, it was afternoon, evening. Just during the day.

11 Q Well, it would generally be around the evening
12 time, wouldn't it?

13 A Yes, most of the time I figured it would be just
14 around the evening and afternoon.

15 Q All right.

16 Now, you testified that after you heard the
17 screams, then you went down, and then there was this conversa-
18 tion down at the creek bed between Charlie and Danny, and then
19 it was very shortly after that -- and that was in the after-
20 noon, wasn't it?

21 A Afternoon or early evening.

22 Q It was just after that that you left for the
23 Barker-Meyers Ranch area?

24 A Yeah, but -- you know, we didn't leave until it
25 was dusk.

26 Q Did you have dinner there at the Spahn Ranch
27 before you left, do you remember?

28 A Hmm, I can't remember.

11-2,

1 Q Do you have any recollection about that little
2 dinner?

3 A I remember we stopped at the gas station and got
4 ice cream cones on the way and I remember when we left we
5 saw the police watching the ranch and I remember -- you know,
6 I don't remember -- I don't think we did.

7 Q All right. So -- would you have left before you
8 would have normally had eaten dinner, if you had?

9 A Yes.

10 Q And when did you normally eat dinner?

11 A Later.

12 Q When?

13 A Later.

14 Q When?

15 A Later.

16 MR. KAY: Asked and answered, your Honor.

17 THE COURT: Sustained.

18 Q BY MR. DENNY: When is later?

19 A Well, it would depend on the day, too, because
20 sometimes we'd eat at different times, too, because usually
21 at that time we'd eat -- well, it would be dark for a while.

22 Q Well, what time of night was it around that time?

23 A I don't know what time it was.

24 Q Would the moon be up?

25 A No, it would depend on the night.

26 Q All right. So that actually by the time you left,
27 there was only about, oh, some 16 or some hours from the time
28 you say you heard those screams until the time you left; is

11-3

1 that right?

2 A I didn't count the hours.

3 Q Well, count them now.

4 Maybe 18?

5 A Maybe.

6 Q And you normally didn't see Shorty between the
7 hours of midnight and 8:00 o'clock in the morning, did you?

8 A I wasn't normally up between the hours of
9 midnight and 8:00 o'clock in the morning.

10 Q When did you normally get up?

11 A I don't know what time it was because I didn't
12 have a watch.

13 Q And you normally didn't see Shorty in the morning
14 anyway up until noon, right?

15 A That's right. If I think of any specific times
16 when I saw Shorty in the morning, I'll tell you.

17 Q And in the afternoon, you were down at the creek,
18 among other places, having a conversation or listening to
19 this conversation with Charlie and Danny, right?

20 A Well, I had just gone down to the creek just
21 before the conversation.

22 Q All right. But you normally didn't see Shorty
23 anyway until the evening, right?

24 A Afternoon and evening.

25 Q All right. And the evening.

26 A Those were the times I remember seeing him.

27 Q All right. And then, this evening was the evening
28 that you took off to Barker-Meyers Ranch, isn't it?

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A Yes.

Q All right. And you say you never saw Shorty again?

A No, I did not.

Q You never went back to Spahn Ranch again, did you?

A No.

By the way, were you awakened out of a sleep by the screams?

A When -- I was asleep. I just laid down to go to sleep.

Q Well, had you kind of dozed off?

A No. I mean, I just got in the bed and laid down, you know.

Q Now, there were other people on the ranch at that time, were there not?

A Yes.

Q Who was on the ranch at that time?

A Well --

MR. KAY: That calls for speculation. If she was in bed, how would she know?

Q BY MR. DENNY: Well, let's --

THE COURT: Sustained.

Q BY MR. DENNY: -- go back just a little bit. Before you went to bed, you were with other members of the Manson Family; that's right?

A Yes.

Q And you said you saw Shorty that evening, right? You fed him dinner?

A Yes.

11-5

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Q Fed him his last supper, is that right?

2

A Yes.

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Q All right. And the other cowboys were there,

4

too?

11a fls.

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A Yes, as far as I know.

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1 Q Well, who were they?

2 A You want me to name all the other cowboys at the
3 ranch?

4 Q No, ma'am, I want you to name all of the cowboys
5 that were there that evening at supper time.

6 A Well, everybody was not in my scope of vision at
7 that time.

8 Q Your scope of vision was rather limited at that
9 time anyway, wasn't it?

10 A Well, you should have seen yourself. You came out
11 the door, you bumped into that (indicating), and you bumped
12 into that (indicating), and you tell me my eyes are bad.

13 Q Was your scope of vision a little bit limited at
14 that time?

15 THE COURT: Just answer the question. Don't argue with
16 Mr. Denny.

17 THE WITNESS: It was limited, but I got used to seeing
18 without my glasses. But it was.

19 Q BY MR. DENNY: I'm just asking you, ma'am.

20 A It was.

21 Q Having gotten used to seeing things, who did you
22 see that night at dinner time? Who were the cowboys?

23 A I don't remember.

24 Q All you remember is Shorty?

25 A Well, Shorty came into the kitchen, and then I
26 handed him his plate.

27 Q Well, how about the other cowboys? They ate there,
28 too, didn't they?

11a-2

1 A They usually ate. When you go see the cowboys,
2 you've got to go find them.

3 Q How about Johnny Swartz?

4 A I've got to find him, too.

5 Q Well, was he there that night?

6 A Yeah, I think he was.

7 Q How about Randy Starr, was he there that night?

8 A I don't remember.

9 Q How about Larry, the cowboy Larry; was he there?

10 A Which Larry? Larry Craven?

11 Q Yeah.

12 A Uh, I did not see Larry. I don't remember seeing
13 Larry at this time. I mean, when I gave Shorty his dinner.

14 Q How about George?

15 A George was always in the house. I didn't see him
16 at that time.

17 Q You knew he was there?

18 A Unless he went off with Pearl, because they usually
19 went downtown to eat.

20 Q But he usually slept at his place there, didn't
21 he?

22 A Yes.

23 Q You said Squeaky was generally there with him?

24 A Yes.

25 Q All the time?

26 A Yes.

27 Q Right-hand girl?

28 A Yes.

11a-3

1 Q In Randy Starr's trailer, was it next to the
2 parachute room; wasn't it?

3 A Yes.

4 Q How about Vern Plummley; was he there?

5 A I think he was there about that time.

6 Q Any other cowboys you can think of who were
7 there?

8 A Juan was around.

9 Q Juan was there, is that right?

10 Who else?

11 A I don't know.

12 Q Where did Juan sleep?

13 A I don't know.

14 Q Where did Vern sleep?

15 A Who?

16 Q Vern Plummley?

17 A Oh, he slept in Randy's trailer. Fixed up
18 Randy's trailer.

19 Q Both of them right next to your parachute room,
20 is that right?

21 A What, the -- Randy's trailer?

22 Q Vern and Randy.

23 A I don't remember. I think Randy left or some-
24 thing.

25 Q You're not sure about that?

26 A I'm not sure.

27 Q Or about the time that he might have left?

28 A No.

1 Q All right.

2 And Larry Craven, where did he sleep?

3 A There was a red trailer.

4 Q Where was that?

5 A Next to the parachute room.

6 Q Again, right next to where you were, is that right?

7 A That's right.

8 Q And Johnny Swartz, where did he sleep?

9 A Johnny Swartz had a trailer that was on the other
10 side of George's house, if he slept there, you know.

11 Now, I don't know if these people were sleeping
12 in these places. I'm just telling you where these places are.

13 Q All right.

14 Well, is it your testimony, then, that you don't
15 know whether they were there?

16 A I didn't make bed-checks.

17 Q You didn't.

18 People didn't make bed-checks on you either?

19 A I don't think so.

20 Q Well, you generally bedded down with Dave, didn't
21 you?

22 MR. KAY: That's irrelevant.

23 THE COURT: Sustained.

24 Q BY MR. DENNY: I'm a little curious, ma'am, to
25 your statement that you slept on the floor after you say you
26 heard the screams.

27 You remember that?

28 A Yes. I remember waking up from there.

1 Q Well, did you fall out of bed or what?
2 A I don't think I did.
3 Q Did you go to sleep on the floor?
4 A I think so.
5 Q Why did you go to sleep on the floor?
6 A Probably because I was scared.
7 Q How did you think that would help you?
8 A I don't know. I just wanted to hide, you know.
9 Q You didn't go under the bed, did you?
10 A You couldn't get under the bed.
11 Q By the way, when Juan Flynn came up to the Barker-
12 Meyers Ranch, he came up with Sadie?
13 A Yes.
14 Q And do you remember what kind of vehicle he came
15 up in?
16 A A brand new dune buggy.
17 Q A brand new dune buggy.
18 You're sure of that?
19 A It might not have been brand new as far as years
20 go, but it wasn't one of our old ones.
21 Q You're sure it was a dune buggy?
22 A Yes.
23 Q Not a truck?
24 A It was a dune buggy.
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12-1

1 Q Okay. And when you testified that Tex and
2 Charlie and Bruce -- when you testified on direct examina-
3 tion, that is -- that Tex and Charlie and Bruce drove up in
4 another car, you simply misspoke yourself; is that right?

5 A Tex and Charlie -- yeah, they came up in another
6 car. It was a truck.

7 Q Oh, another car that was a truck?

8 A I believe I described that to you.

9 Q On cross, you did, but -- see --

10 A Well, I meant "vehicle," then; pardon me.
11 They just came up in a -- well, you know. They
12 didn't --

13 Q Well, I just want to make sure.

14 I direct your attention back to 5550 of
15 yesterday's transcript.

16 "Q All right. And when you were up there,
17 did you see Danny DeCarlo?

18 "A Yes.

19 "Q All right. And --

20 "A Oh, Danny and Bruce went, too, in another
21 car. I forgot about them."

22 Now, did you mean car, or did you mean truck?

23 A They came up in a truck.

24 Q Okay.

25 MR. KAY: Your Honor, I wonder if we could approach
26 the bench a minute.

27 THE COURT: Yes, you may.

28 MR. KAY: Thank you.

12-2

(Whereupon the following proceedings were had at the bench among Court and counsel, outside the hearing of the jury.)

MR. KAY: I would like to elicit aid from the Court, if at all possible. I'll represent that Miss Hoyt is a college student. Her semester just started on Wednesday -- let's see; today's Friday -- Wednesday, Thursday, Friday she has missed the first three days.

MR. DENNY: Well, your voice is carrying over to the jurors.

MR. KAY: Okay. She has missed the first three days of classes. Now, I wonder if there is any way that we can move along cross-examination, so we can possibly finish today, so that she wouldn't have to miss the fourth straight day of classes?

THE COURT: How much longer do you anticipate--

MR. DENNY: I have ever intention of finishing today.

THE COURT: All right. I should think you might do that.

All right.

MR. DENNY: She does happen to be a rather important witness, your Honor.

THE COURT: Well, all of these witnesses are important.

The Court will take a short recess, but what -- let's see. OFF the record.

(Whereupon proceedings were had among Court and counsel, which were not reported.)

(Whereupon the following proceedings were had

12-3

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

3 THE COURT: We will give you another recess, of about
4 ten minutes. During the recess, you are not to converse
5 amongst yourselves nor with anyone else, nor permit anyone
6 else to converse with you on any subject connected with the
7 matter, nor to form or express any opinion on the matter
8 until it is finally submitted to you.

9 You may step down, too, Miss Hoyt.

10 (Mid-afternoon recess.)

11 THE COURT: The jurors are all present, the record
12 may so show. Mr. Denny is present with the defendant; Mr.
13 Kay is present.

14 We are ready to proceed.

15 Q BY MR. DENNY: Miss Hoyt, these buildings here
16 (indicating), along the boardwalk --

17 A Do you want me to get down?

18 Q No, that's all right.

19 (Continuing) -- that are displayed in People's
20 29, do you know what the buildings were called, going, say,
21 from left to right?

22 A Well, at the very end was the office; and next
23 to that was Danny's bunkhouse.

24 Q The bunkhouse?

25 A Yeah, or --

26 Q The gun room?

27 A Yeah.

28 Q All right.

12-4

1 A And there was a saloon. And then there was
2 another part in -- I believe it was in between there, that --
3 that they kept these old -- you know, those old stagecoaches?
4 Kept those in. Nobody went in there.

5 And there was a kitchen.

6 Q Well, when you say "nobody went in" that place,
7 was that kind of a storage area?

8 A Well, I mean, people went in there; but it was
9 not a lived-in place.

12a fls.

12a-1

1 Q Not a lived-in place?

2 A Yes, right.

3 Q But people could get in there?

4 A Yeah, you could.

5 Q All right. Was that also called the jail?

6 A Now, it was -- there was a jail there.

7 Q And people stored unwanted things, or temporarily

8 stored things in there?

9 A I don't know. All I know is -- the stagecoach

10 things were in there.

11 Q All right. Were you ever in there?

12 A Hmm -- one time I went in to look at the stage-

13 coach.

14 Q All right.

15 A We went in there looking for chicken eggs, too.

16 Q All right. No trouble getting in?

17 A No.

18 Q The door wasn't locked, was it?

19 A Well, you kind of had to go from the back way, as

20 I remember it.

21 Q Did Danny have a whole lot of guns in that gun

22 room?

23 MR. XAY: That's irrelevant.

24 THE COURT: Sustained.

25 Q BY MR. DENNY: Now, when you went out to the Barker-

26 Meyers Ranch area -- this was kind of a part of a mass exodus

27 of the whole Manson group, is that right?

28 A Well, when I went up, it was only us, those that

12a-2

1 I already mentioned.

2 Charlie said he wanted to get the girls who were
3 under 18 there.

4 Q Well, all the men went up, too, didn't they?

5 A Not all of them.

6 Q Well, all but Clem? Bruce went up, Tex went up,
7 Juan came up?

8 A Yeah. Well, that was later, when Juan came up.

9 Q Not much later, was it?

10 A No.

11 Q All right. This was all part of, then, the mass
12 migration of the Manson group up to the desert; is that right?

13 A I guess it was part of it. I don't know.

14 Q Well, it had been planned for some time, to go
15 up there?

16 A Well, everybody wanted to go up to the desert, I
17 suppose, but the -- that the certain time to go up wasn't
18 really planned.

19 Q All right. But there had been a lot of discussion
20 about getting things together, getting the dune buggies together
21 to go up there? That was part of the discussions at these
22 dinner meetings, wasn't it?

23 A Yeah. This was discussed from the time I came to
24 the group.

25 Q All right. And so that from the time you came to
26 the group in April, April 1st of 1969, until the time the
27 Family finally did move up to the ranch, that was the objec-
28 tive of the Family; is that right?

12a-3

1 A Yes.

2 Well, what they wanted to do, they wanted to find
3 the bottomless pit.

4 Q All right. But to find it, they had to go up to
5 the desert there; right?

6 A Right.

7 Q Yes. And that was the plan?

8 A Yes.

9 Q And the move was consistent with the plan?

10 MR. KAY: Well, that calls for speculation.

11 THE COURT: Sustained.

12 Q BY MR. DENNY: Well, the move was a part of that
13 plan?

14 MR. KAY: That calls for speculation.

15 Sustained.

16 Q BY MR. DENNY: Now, you were there when -- well,
17 was Linda Kasabian there during the time you were there?

18 A She was there part of the time I was there.

19 Q What part?

20 A (No response.)

21 MR. KAY: That's irrelevant, your Honor.

22 MR. DENNY: Again, it goes to her memory of who was
23 there.

24 THE COURT: Overruled. You may answer.

25 THE WITNESS: When I got back from hitchhiking across the
26 country, till about the raid.

27 Q BY MR. DENNY: Was she there after the raid?

28 A No.

12a-4

1 Q She left from jail; do you know?
2 A From jail?
3 Q Was she arrested?
4 A Oh, no.
5 Q Well, where was she at the time of the raid; do
6 you know?
7 A She left.
8 Q Before the raid?
9 A Yes. She took somebody's car.
10 Q A Peugeot?
11 A I don't know. I don't know what kind of car they
12 call it -- except a Volkswagen, I know.
13 Q All right. And when she came to the ranch, she
14 brought \$5,000 with her; is that right?
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MR. KAY: Well, that calls for speculation.

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Q BY MR. DENNY: If you know.

3

THE COURT: Sustained.

4

Q BY MR. DENNY: Well, do you have any personal knowledge that --

6

THE COURT: It's immaterial, Mr. Denny.

7

MR. DENNY: Your Honor, I would like to argue the materiality of that, in view of some conversation that we had had back in chambers.

10

THE COURT: All right. The Court will allow you to approach the bench, if you wish --

12

MR. DENNY: Thank you.

13

THE COURT: -- to put it in the record.

14

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

15

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17

MR. DENNY: Your Honor, part of the motive, apparently, that is going to be argued by the People is that Charlie needed money, and this is why he killed Gary Hinman, to get up to the desert, as part of the plan.

18

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21

And it's very material and relevant to show that in -- at the time shortly before they left for the desert, they had some \$5,000, which Linda Kasabian gave to the Family, and that they had that \$5,000.

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MR. KAY: Well, No. 1, Linda Kasabian gave the \$5,000 to the Family approximately on July 6th, 1969. So they had it about four -- well, four weeks before the Hinman murder.

So I don't see the relevance.

12b-2

1 MR. DENNY: Well, it's certainly relevant.

2 THE COURT: Well, let's assume that he had \$5,000.
3 Do you mean that's all the money they needed or wanted?

4 MR. DENNY: But -- well, but it shows that they didn't
5 necessarily need any more money. Everybody needs more
6 money.

7 THE COURT: How do you know that they planned to stay
8 in the desert -- how does anybody know that?

9 MR. DENNY: Well, we don't. But at least, it's
10 relevant to show that they did have some money.

11 Otherwise, the People are going to be able to
12 argue they didn't have any money.

13 MR. KAY: We are not going to argue that.

14 MR. DENNY: Well, they certainly argued it in chambers,
15 as part of what they would argue to this jury.

16 And I don't know what they are going to argue,
17 but I certainly --

18 MR. KAY: I am not going to.

19 THE COURT: Well, the defense should certainly be able
20 to argue the facts, too.

21 You may ask her whether or not she knew whether
22 there was any money.

23 MR. DENNY: Well, that's what I tried to do.

24 THE COURT: Well, you asked her whether Linda Kasabian
25 gave any money.

26 MR. DENNY: Well --

27 THE COURT: I think I'll permit it.

28 MR. KAY: If she knows; if she has personal knowledge.

THE COURT: Yes.

13 fls.

13-1

(Whereupon, the following proceedings were had in open court within the presence and hearing of the jury:)

Q BY MR. DENNY: Now, I'm just asking you if you know of your own personal knowledge at this point whether the Family had, at about the time you got back there, that is back from your hitchhiking venture, about \$5,000 that Linda Kasabian had given to the Family?

A Uh, when I got back Charlie had a lot of money. He gave me and Dave a hundred dollar bill to go to the beach. He gave us a hundred dollar bill to go to the beach.

Q Thank you, Miss Hoyt.

Do you know about whether the Family had about \$5,000 that Linda Kasabian had given them?

MR. KAY: Asked and answered.

MR. DENNY: I don't think she's answered that.

THE COURT: Overruled. You may answer.

A I can't really be sure. Most of that, what I heard, has been later from on TV and stuff.

Q BY MR. DENNY: I don't want you to answer from TV.

A I was aware at the time that Linda had brought them some money. Oh, yeah, because these two guys came up --

Q All right, well, without going into all the background and history of it, you were aware she had brought them a lot of money and at the time you got back that Charlie had a lot of money and gave you and Dave hundred dollar bills to go to the beach?

A He just gave us one hundred dollar bill. Charlie

13-2

1 had gave me and Dave a hundred dollar bill to go to the
2 beach. And I found out about this when those two guys came
3 up.

4 Q All right, Miss Hoyt, thank you.

5 All right, Miss Hoyt, now, let's finally get to
6 this business of the dinner up at Meyers and the conversation.

7 You testified before the Grand Jury, after having
8 had a number of conferences with Deputy D.A.'s, police
9 officers, et cetera, -- we've gone over that yesterday, is
10 that right?

11 A Uh-huh.

12 Q And do you recall about how many times, again,
13 conferences you had had, not after the Grand Jury hearing in
14 December, in December 15, 16, of 1970, but before that?

15 MR. KAY: Asked and answered. This has been gone into.

16 THE COURT: Sustained.

17 Q BY MR. DENNY: All right.

18 I do recall it was a number of times, is that
19 right?

20 A (Nods head.)

21 Q All right. And up until that time you had never
22 told any of them, had you, that Bruce had said, "Yeah,"
23 during portions of Charlie's conversation and Bruce had said,
24 "Yeah," and nodded his head and smiled? You never told them
25 that, had you?

26 MR. KAY: Objection, it assumes a fact not in evidence
27 that she was asked.

28 THE COURT: Sustained.

13-3

1 Q BY MR. DENNY: Had you ever been asked about what
2 the people did at that conversation other than Charlie?

3 A I don't remember being asked.

4 Q You don't remember being asked.

5 Well, let's get to how you were asked.

6 Were you asked what happened at that particular
7 conversation; were you asked that by police officers?

8 A Yeah, I told them about what happened.

9 Q And you told them everything you remembered
10 about what had happened before you testified at the Grand
11 Jury hearing; is that right?

12 A I told them. I don't think I really told them
13 about Bruce that much.

14 Q No, you didn't, did you?

15 MR. KAY: Well, I'll object to Mr. Denny's comment.
16 That's not a proper question.

17 THE COURT: Sustained.

18 Q BY MR. DENNY: Well --

19 THE COURT: Mr. Denny's comment is again stricken.

20 Q BY MR. DENNY: Well, Miss Hoyt, you were asked
21 who was there at this conversation that you supposedly over-
22 heard, right?

23 A Yes, I believe I was asked who was there.

24 Q You were asked what was said, isn't that right?

25 A Uh, uh-huh.

26 Q The answer is "Yes"?

27 A Yeah, I believe so.

28 Q And you were asked what was said by whom, isn't

13-4

1 that right?

2 A I don't remember.

3 Q Well, would anything jiggle your memory to help
4 you, like a report or anything like that?

5 MR. KAY: Well, that's objectionable. How would she know,
6 your Honor. Calls for speculation.

7 THE COURT: Sustained.

8 Did you make any report of this or any record
9 of the -- did you make any -- do you have any notes or record
10 of it?

11 THE WITNESS: Do I?

12 THE COURT: Yes.

13a file. 13

13 THE WITNESS: No, I don't think so.
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1 Q BY MR. DENNY: Well, you talked to Mr. Katz in
2 November, November of 1970, November 18, 1970, at 9:25 A. M.;
3 Mr. Katz and Mr. Whiteley? They asked you about this
4 particular alleged conversation up at the Meyers Ranch, didn't
5 they?

6 A Could have.

7 Q Did they?

8 A They could have.

9 Q And did they ask you who -- did they ask you what
10 was said?

11 A I don't remember.

12 Q Well, do you remember in, say, the month before
13 you testified before the Grand Jury, the return of the
14 indictment in this case on the Shea matter, do you remember
15 how many times you spoke with Mr. Katz?

16 A How many, I don't know.

17 Q I'm just talking about the month, now.

18 A I don't know how many times I did that month.

19 Q November 15 to December 16 --

20 Well, did you talk to him every day?

21 A I don't believe so.

22 Q Every other day?

23 A I don't know.

24 Q Four or five times?

25 A I don't know.

26 Q Do you have any recollection of how many times
27 you talked to him?

28 A No.

13a-2

1 Q Well, he pumped you quite a bit for as much informa-
2 tion as he could get to present to the Grand Jury, didn't he?

3 MR. KAY: That's argumentative, your Honor.

4 THE COURT: Sustained.

5 Q BY MR. DENNY: He questioned you thoroughly? He
6 questioned you? Let's not even say "thoroughly." He questioned
7 you for a long time, each time he talked to you in that month
8 before you testified, isn't that right?

9 A That he questioned me for a long time?

10 Q Yes.

11 A I don't remember how long those things went.

12 Q Well, do you have difficulty remembering back to
13 November of 1970?

14 A Nothing particularly great happened in November,
15 1970.

16 Q Except that you were prepared to testify before
17 the Grand Jury in December, is that right?

18 MR. KAY: Well, that's argumentative.

19 Q BY MR. DENNY: Well, you don't normally testify
20 before Grand Juries as a matter of course, do you?

21 A Seems like it.

22 Q Become a professional witness, have you?

23 A Just the pay.

24 THE COURT: Will counsel approach the bench?

25 (Whereupon, the following proceedings were had at
26 the bench among Court and counsel, outside the hearing of the
27 jury:)

28 THE COURT: The Court has not previously admonished you

1 in front of the jury, you're going to have to restrain yourself
2 from making these comments in the guise of a rhetorical
3 question.

4 MR. DENNY: I do apologize. I do apologize.

5 THE COURT: I understand your feelings in the matter,
6 but --

7 MR. DENNY: I think she just about brought that on.

8 THE COURT: Counsel learns to restrain himself during
9 the course of trial.

10 MR. DENNY: I do apologize to the Court.

11 (Whereupon, the following proceedings were had in
12 open court within the presence and hearing of the jury:)

13 Q BY MR. DENNY: Miss Hoyt, it was somewhat
14 unusual, at least your testifying before the Grand Jury in
15 December of 1970, is that right?

16 A I did it twice.

17 Q Well, it didn't become commonplace by virtue of
18 the fact that you did it twice, did it?

19 A I don't know. It wasn't that great big of a
20 thing.

21 Q Testifying before the Grand Jury on a serious
22 murder charge wasn't that big of a thing for you, is that
23 right?

24 A I'm not saying it wasn't serious. I mean it
25 didn't have an emotional effect on me that would be described
26 as that big of a thing because -- I don't know, I was just
27 getting used to testifying. That doesn't mean it is not
28 serious.

1 Q All right. You were getting used to testifying.

2 And I want to find out before you testified at that
3 time, is it a fact that, say, within the two weeks prior to
4 your appearance on about December 15th, 1970, Mr. Katz asked
5 you to describe to him in as much detail as you could, what
6 happened at this alleged Meyers Ranch dinner and the conversa-
7 tion that you say Charlie had; isn't that a fact?

8 A Well, I told him what Charlie said.

9 Q Is that a fact, ma'am, that he asked you to describe
10 it in as much detail as you could?

11 A I don't remember.

12 Q Did he ask you in sum and substance, "Tell me what
13 was said and who said what"?

14 A I don't remember. I just told him what Charlie
15 said, that's all. I didn't really think that much about Bruce
16 then, though.

17 Q Well, you weren't a reluctant witness at that point,
18 then, were you?

19 A No.

20 Q The People hadn't threatened you?

21 A Which people?

13b fol

13b-1

1 Q Mr. Katz, the prosecution, they hadn't threatened
2 you at all?

3 MR. KAY: Well, that assumes a fact not in evidence that
4 they ever did.

5 MR. DENNY: I'm assuming that they didn't.

6 THE COURT: The question doesn't assume a fact not in
7 evidence. You can answer it.

8 THE WITNESS: No, they never did.

9 Q BY MR. DENNY: All right. So you were a willing
10 witness telling Mr. Katz before you appeared before the Grand
11 Jury everything you could remember about that dinner, is that
12 right?

13 A Well, I just told them about the dinner.

14 Q And you told them everything you could remember
15 about the dinner, isn't that right?

16 A Pretty much.

17 Q And they asked you, they probed?

18 A I don't remember them --

19 Q Mr. Katz and Mr. Whiteley said, "Can you remember
20 if anybody else said anything;" did they do that?

21 A I don't remember.

22 Q All right.

23 A I didn't really think that much about what Bruce
24 said.

25 Q But Mr. Katz did, and Mr. Whiteley did; didn't
26 they? They asked you at that time, didn't they?

27 MR. KAY: That calls for speculation.

28 MR. DENNY: I'm not speculating.

1 THE COURT: Well, "they asked you," the objection is
2 overruled. You may answer that.

3 THE WITNESS: Would you say that again?

4 MR. DENNY: Miss Briandi, would you read that back?

5 THE COURT: Perhaps you can restate it. I'll sustain the
6 objection.

7 Q BY MR. DENNY: All right.

8 Mr. Katz and Mr. Whiteley, when they were question-
9 ing you, they asked you what Bruce said, didn't they?

10 A I don't remember.

11 Q They asked you what Tex said?

12 A I don't believe Tex said anything.

13 Q Did they ask you?

14 A I don't remember.

15 Q Isn't that what you told them; Tex didn't say
16 anything?

17 A I don't remember.

18 Q Did they ask you what Juan said?

19 A I don't remember.

20 Q Did they ask you what Danny said?

21 A I don't remember.

22 Q You can't remember back to December, 1970?

23 A Well, I --

24 MR. KAY: That's argumentative, your Honor.

25 THE COURT: Sustained.

26 Q BY MR. DENNY: All right. So you testified before
27 the Grand Jury.

28 And then, on May 20, 1971, Mr. Manzella came out to

1 see you at Pierce College; is that right?

2 A Yes.

3 Q Mr. Manzella told you, in effect, "We've got some
4 trouble getting that statement in against Bruce Davis unless
5 you can come up with some statements that he made during the
6 course of that dinner agreeing with Charlie"; is that right?

7 MR. KAY: Well, that's argumentative and assumes facts
8 not in evidence that Mr. Manzella said anything like that.

9 THE COURT: Sustained.

10 MR. DENNY: Well, this is cross examination, your Honor.

11 THE COURT: Well, you may rephrase it.

12 Q BY MR. DENNY: You did have a conversation with
13 Mr. Manzella on May 20 at Pierce College, isn't that right?

14 A I had one at Pierce College. I don't remember the
15 date.

16 Q Well, if I show you a memorandum --

17 A I still won't remember the date. If it is the
18 date that's down there, that's the date that's down there. I
19 don't remember.

20 Q All right.

21 Assuming the date that's down there is at it is,
22 May 20, 1971, you did have a conversation with Mr. Manzella
23 at Pierce College; is that right?

24 A Yes.

25 Q Morning or afternoon?

26 A It was afternoon, after my psychology class.

27 Q Where?

28 A What room?

1 Q Yes.

2 A It was, I believe 4.

3 Q All right.

4 A In the administration room or something like that,
5 4.

6 Q Did Mr. Manzella tell you, in effect, "Look, we're
7 having trouble with some evidence here"?

8 A I don't think he told me anything about any
9 evidence.

10 Q Did he tell you, we'd like you to kind of refresh
11 or to jog your memory some, to think back to that conversation
12 at the Barker-Meyers Ranch or the Meyers Ranch"; did he tell
13 you that?

14 MR. KAY: Well, I object to the form of the question.

15 MR. DENNY: Let me rephrase the question.

16 MR. KAY: I have no objection to him asking her what he
17 said, if anything.

18 THE COURT: Sustained.

19 MR. DENNY: Let me --

20 Q Did he tell you in sum and substance, "Look,
21 we want you to think back" -- oh, by the way, was he alone or
22 was he with someone?

23 A He was alone, I think.

24 Q Well, do you remember?

25 A Well, there were other people in the room, but I
26 don't think he came with anybody.

27 Q All right.

28 Now, did he say, "We want you to" -- or "I want

1 you to think back to that conversation at the Meyers Ranch that
2 you testified about at the Grand Jury hearing"; did he tell you
3 something like that?

13c fol

4 A I don't remember.
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1 Q Well, did he tell you, "Look, it is important
2 to find out if Bruce said anything"; did he tell you that?

3 MR. KAY: Well, I'll object to the form of the question,
4 hearsay.

5 THE COURT: Sustained.

6 MR. DENNY: Well, this goes to her credibility, your
7 Honor.

8 THE COURT: The objection is sustained.

9 Q BY MR. DENNY: Well, did he tell you, "Look, we
10 can't get that evidence in against Bruce unless you say that
11 Bruce said something"; did he tell you that?

12 A I don't remember. I don't think he told me that.

13 Q But you don't remember what he told you, do you?

14 A Well, I remember him coming down and asking me,
15 you know, questions about the Shea thing and me telling him
16 about it.

17 Q Well, what do you remember him telling you about
18 the Shea thing?

19 A I don't remember. Just --

20 MR. KAY: I think that's a mischaracterization of her
21 testimony. She said she remembered her telling him about it.

22 MR. DENNY: May we have the reporter read back the
23 last two questions and answers, your Honor?

24 THE COURT: The record speaks for itself. The objection
25 is overruled.

26 Q BY MR. DENNY: You don't remember what he told
27 you about the Shea thing, is that right?

28 A Well, mostly I told him.

13c-2

1 Q All right. And he asked you to tell him, is that
2 right?

3 A Yeah, he asked me --

4 Q And he asked you about one conversation; isn't
5 that right, one specific conversation?

6 A No, he asked me about lots of them.

7 Q Oh, he did.

8 Q Do you remember that?

9 A Well, I know I told him about the other ones.
10 I don't remember the specific questions he asked me, though.

11 Q Well, then, I asked you if he said, "Look, we're
12 having trouble getting this testimony in against Bruce unless
13 you can think of something"; is it your testimony he didn't
14 make that statement?

15 A I don't believe he made that statement, and I
16 didn't say "No." I said, "I didn't remember it," and that
17 doesn't even sound familiar to me.

18 Q Oh, well, now, then, you did make some statements
19 to him, is that right, about what Bruce supposedly said?

20 A I made some statements to him about what Bruce
21 said.

22 Q And what Bruce did?

23 A (No response.)

24 Q Got as far as telling him not only what he said
25 but what he did, is that right?

26 A I just told him what I told him.

27 Q Well, what did you tell him?

28 A I don't remember that meeting all that well.

13c-3

1 Q Well, you don't remember a meeting as recently as
2 May 20, 1971?

3 MR. KAY: That's argumentative, your Honor.

4 THE COURT: Sustained.

5 Q BY MR. DENNY: Well, let me refresh your
6 recollection.

7 Did you tell him this: "When Manson said that
8 they had killed Shorty, he looked at Bruce Davis who smiled
9 and said 'Yeah,'"

10 Do you remember telling him that?

11 A That does sound familiar.

12 Q You even told him, not just what he said, "Yeah,"
13 but that he smiled, right?

14 A I guess so.

15 Q Well, he wasn't misquoting you there, was he?

16 A I don't think so.

17 Q All right. And then --

18 A I can't really be sure about the smiling, though,
19 any more.

20 Q Well, now, why can't you be sure about the smiling
21 any more? Is it because this jury knows you couldn't see that
22 far?

23 MR. KAY: Objection, it is argumentative.

24 THE COURT: The objection is sustained.

25 Q BY MR. DENNY: Well, what makes you not so sure
26 about the smiling any more, Miss Hoyt?

27 A Because after three years one tends to forget.

28 Q Oh, but you didn't forget on May 20, 1971, is that

13c-4

1 right?

2 A I guess not.

3 Q You remembered right down to his smile, isn't that
4 right?

5 A Well, if I said it, I guess so.

6 Q But you forget it now, is that right?

7 A I don't remember all that much of the smile. It
8 is kind of, you know --

9 Q Well, let's go on.

10 A I remember he was very happy. He wasn't sad
11 about it or anything.

12 Q Let's go on.

13 When Manson said, "He was hard to kill when you
14 brought him to now," he looked at Davis and again Davis
15 smiled and said, "It sure was."

16 Do you remember telling Mr. Manzella that?

17 A I remember those words, saying that.

18 Q And you even said, "Then, Davis smiled" is that
19 right?

20 A Yeah, he was very happy.

21 Q Well -- oh, do you remember that now that he
22 smiled?

23 A I'm not really sure about the smile, because like
24 the faces are kind of hazy now, you know. If I think back --
25 you can look at things again. That's kind of hazy now.

14 fls.

14-1

1 Q And the faces were kind of hazy then, weren't
2 they?

3 A No. They were quite visible.

4 Q In the --

5 A I got really used to seeing without my glasses.

6 Q In the candlelight?

7 A In any light.

8 Q In the candlelight, you said, you saw less well;
9 isn't that right?

10 A Yes.

11 Q Well, did you see Bruce smile, then?

12 A I can't remember any more.

13 Q Between May --

14 A That's why I said that -- that the smiling part
15 is not that much in my memory as the rest of it.

16 Q Well, that's --

17 A Not now.

18 Q Well, let's go on.

19 A Okay.

20 Q When Manson said that -- "When Shorty got to now,
21 Clem cut his head off," he again looked at Davis, and Davis
22 smiled and said, "Yeah, that was far out."

23 A Yeah, he said that.

24 Q You remembered he smiled, then?

25 A He was very happy.

26 Q Did he smile then?

27 A Hmm?

28 Q Did he smile then?

1 A I remember him being happy.

2 Q Did he smile then?

3 A I believe he did.

4 Q Do you remember?

5 A I just told you: That's kind of foggy in my
6 memory now.

7 Q Well, on three separate instances here, where
8 Mr. Davis is supposed to have chimed in to this conversation
9 of Mr. Manson's, that you say Mr. Manson had, each time you say
10 Davis smiled and said, "Yeah;" Davis smiled and said, "it sure
11 was;" Davis smiled and said, "yeah, that was far out."

12 But now, you don't remember that; is that right?
13 That he smiled on those occasions?

14 A I remember him being happy. But his smiling face
15 is foggy.

16 Q Because three years is a long time to remember; is
17 that right?

18 A Three years is a long time.

19 Q And three years is a long time to remember not only
20 whether a man smiled, but whether, at particular instances
21 (indicating) in the middle of a supposed conversation, he said,
22 "Yeah," or, "that was far out."

23 Isn't that right?

24 A Yeah. But I did.

25 Q Sure. You're sure?

26 A Yes.

27 MR. DENNY: All right. I have no further questions of
28 this witness.

1 MR. KAY: Thank you, your Honor. I have a few
2 questions.

3
4 REDIRECT EXAMINATION

5 BY MR. KAY:

6 Q On cross examination, Miss Hoyt, you told Mr. Denny
7 that either Brenda or Gypsy said of Shorty that he would be
8 taken care of.

9 Do you remember when they said this, in relation
10 to when you heard Shorty screaming?

11 A Yes.

12 MR. DENNY: I will object to that as calling for hearsay.

13 THE COURT: Read it to me again. I'm sorry.

14 (Whereupon, the record was read by the reporter
15 as follows:

16 "Q On cross examination, Miss Hoyt, you told
17 Mr. Denny that either Brenda or Gypsy said of Shorty that he
18 would be taken care of.

19 Do you remember when they said this, in relation
20 to when you heard Shorty screaming?

21 "A Yes.")

22 MR. DENNY: That was testified to on cross examination.

23 THE COURT: Yes. The Court recollects that.

24 MR. DENNY: That's still hearsay, your Honor.

25 MR. KAY: I'm not asking --

26 THE COURT: The objection is overruled.

27 THE WITNESS: Yes.

28 Q BY MR. KAY: And when was that, in relation to

14-4
XXXX

1 when you heard Shorty screaming?

2 A That was before.

3 Q Do you remember when before?

4 A It was after I gave him the dinner.

5 Q All right. So it was that same evening?

6 A Yes.

7 (Whereupon, a discussion off the record ensued
8 at the counsel table between Mr. Kay and the reporter.)

9 Q BY MR. KAY: Oh, I'm sorry. Mr. Williams has
10 correctly informed me -- did you say "Brenda and Squeaky" or
11 "Brenda and Gypsy"? Or rather, "Brenda or Gypsy"?

12 A It was Brenda or Squeaky who said that.

14a fol

14a-1

MR. KAY: Oh, I'm sorry. I had misstated.

Thank you, Mr. Williams.

THE WITNESS: But Gypsy was there.

Q BY MR. KAY: All right. But did she say anything?

A I don't remember her saying anything.

Q All right. Now, before January of -- of this year, 1972, on the many occasions that I've interviewed you, have I -- have we ever talked about the Shea case?

A No. We have talked about the Tate-La Bianca case.

Q All right. And on the many occasions that Mr. Bugliosi has interviewed you, has he ever asked you anything about the Shea case?

A No.

Q Now --

MR. DENNY: I'm sorry to interrupt, your Honor. But could I have the two questions before the Bugliosi question reread?

THE COURT: Mr. Williams, two questions before the Bugliosi question, together with the answers.

(Whereupon the record was read by the reporter as follows:

"Q Now, before January of this year, 1972, on the many occasions that I've interviewed you, have I -- have we ever talked about the Shea case?

"A No. We have talked about the Tate-La Bianca case.")

14a-2

1 THE REPORTER: That's just one question. Was that
2 enough?

3 MR. DENNY: Yes. Thank you.

4 Q BY MR. KAY: All right. Now, Miss Hoyt, in the
5 Manson case, in the case when he was prosecuted for the
6 Hinman and Shea murders, where you testified, when was it
7 that you first mentioned that you thought that there was a
8 full moon? Was that on direct examination by Mr. Mansella,
9 or was that on cross-examination by Mr. Kanarek?

10 A On cross-examination.

11 Q Do you know what a Boston accent is?

12 A No.

13 Q Now, Mr. Denny, on cross-examination, questioned
14 you about going to Hawaii with one of the Family members.

15 Who did you go with?

16 A Ruth Morehouse.

17 Q All right. And was this before you testified
18 at the Tate-La Bianca case?

19 A Yes.

20 MR. KAY: All right. Let's see.

21 If I may have a moment, your Honor?

22 THE COURT: You may.

23 (Pause in the proceedings.)

24 Q BY MR. KAY: Mr. Denny asked you this question
25 on cross-examination yesterday, page 5550.

26 "Q BY MR. DENNY: All right. But unfortunately,
27 it seems, something happened at that juncture, --"
28 this is referring to Hawaii -- "and that kind of turned

14a-3

1 "you a little bit bitter, after that Hawaiian stint;
2 is that right? A little bitter against some of the
3 Manson people?"

4 What happened in Hawaii, Barbara?

5 MR. DENNY: I'll object to that as irrelevant and
6 immaterial, unless we are going to try that case.

7 MR. KAY: Well, I think it's -- Mr. Denny brought it
8 up on bias and prejudice. I think that I should be allowed
9 to go into it very briefly.

10 MR. DENNY: I'll just raise the relevancy, because it
11 is going to take time on cross, then, your Honor.

12 THE COURT: I'll sustain the objection.

13 Q BY MR. KAY: Miss Hoyt, as a result of something
14 that was done to you in Hawaii, would you come into the
15 courtroom and lie about Mr. Davis and what he has done?

16 A No.

17 Q All right. As a result of anything that the
18 Family has done to you, or said to you, would you come into
19 this courtroom and lie against Mr. Davis?

20 A No.

21 Q Now, before you talked to Mr. Manzella, out in
22 Pierce College where you are a student, do you recall
23 specifically anyone asking you specifically what Bruce Davis
24 said at the Meyers Ranch dinner?

25 A No.

26 Q And in fact, at the Grand Jury, when you
27 testified in the indictment on this case, you were only
28 asked what Charlie said at that dinner; isn't that true?

14a-4

1 MR. DENNY: Just a moment. I'll object to that. The
2 Grand Jury transcript speaks for itself, if he wants to read
3 that.

4 MR. KAY: All right. At page --

5 THE COURT: All right. I'll sustain that objection --
6 no, overruled. You may answer the question.

7 THE WITNESS: I don't really remember.

8 MR. KAY: May I approach the witness, your Honor?

9 THE COURT: Yes, you may.

10 THE WITNESS: But I don't remember saying anything
11 about Bruce.

14b file

14b-1

1 Q Directing your attention to page 329, and
2 Volume II of three volumes, page 242 through 515, inclusive,
3 your testimony starts at page 316.

4 You see that, "BARBARA HOYT"?

5 A Yeah.

6 Q All right. Now, directing your attention to
7 page 329, line 21, question -- or, actually line 20, it
8 starts.

9 "All right. Tell us what Charlie said
10 about Shorty."

11 Do you see that there?

12 A Yes.

13 Q And do you remember having any other question
14 asked of you, about the conversation at Meyers Ranch?

15 A No.

16 Q Now, at these conversations that you were telling
17 Mr. Denny about, at Spahn's Ranch, the dinner conversations,
18 after you got out of jail and before you went to Olancha,
19 and after you got back from Olancha, in those conversations
20 did Mr. Manson make any mention of the fact that he wanted
21 to stay at Spahn's Ranch?

22 A Yes.

23 Q And what did he say?

24 A He said he needed it.

25 MR. DENNY: I'm sorry, your Honor. I'll object. I
26 was looking at a transcript.

27 Move that the answer be stricken for the purpose
28 of an objection.

14b-2

1 It's calling for hearsay.

2 THE COURT: All right. I'll strike it. Ladies and
3 gentlemen, the Court strikes it for the purpose of the
4 objection.

5 The objection is hearsay?

6 MR. DENNY: Yes, your Honor.

7 THE COURT: And the objection is sustained.

8 MR. KAY: Well, your Honor, I believe it's the -- the
9 witness said it was part of the same conversations that she's
10 testified to on direct and cross-examination, the dinner
11 conversations at --

12 THE COURT: I missed that.

13 Would you read the question to me, please?

14 (Whereupon the record was read by the reporter
15 as follows:

16 "Q Now, at these conversations that you were
17 telling Mr. Denny about, at Spahn's Ranch, the dinner
18 conversations, after you got out of jail and before you
19 went to Olancha, and after you got back from Olancha,
20 in those conversations did Mr. Manson make any mention
21 of the fact that he wanted to stay at Spahn's Ranch?")

22 THE COURT: I will sustain the objection. It is
23 stricken.

24 MR. KAY: On -- may I ask on what ground, so I can
25 possibly lay a foundation or --

26 THE COURT: On the grounds of the objection.

27 MR. KAY: Very well.

28 May I have just a moment, your Honor?

14b-3

(Pause in the proceedings.)

Q BY MR. KAY: Oh. On the evening that you served Shorty his dinner that you've already testified to, do you remember specifically serving any other cowboys besides Shorty dinner, on that evening?

A No.

Q Do you specifically remember -- well, let me ask you this:

Were you out in the kitchen the whole time?

You said when you were serving dinner to Shorty, that he came out to the kitchen?

A Yes.

Q All right. Now, were you out there --

A No. I was in the kitchen.

Q You were in the kitchen?

A Yes.

Q All right. Did any of the other cowboys, do you remember, did they come into the kitchen?

A No.

Q And did you go into the area where the cowboys were eating?

A Well, the cowboys just generally ate where they wanted to. But I didn't take the food out. I just handed them that.

Q And you served Shorty his dinner?

A Yes.

Q And also, Miss Hoyt, do you get any witness fees or any financial compensation of any kind by testifying here?

14b-4

1 A You won't give them to me.

2 MR. KAY: You're right. No further questions.

3 THE COURT: Mr. Kay's remark, "You're right," is
4 stricken, ladies and gentlemen.

5 Any further questions?

6 MR. DENNY: Just briefly, your Honor. And I do mean
7 brief.

8
9 RECROSS-EXAMINATION

10 BY MR. DENNY:

11 Q Mr. Kay asked you -- and I had Mr. Williams read
12 it back to me -- "Before January of this year, did I --"
13 that is, Mr. Kay -- "say anything to you or discuss to you
14 about the Shea case?"

15 Right?

16 A Yes.

17 Q All right.

18 Miss Hoyt, Mr. Kay is only one of a number of
19 Deputy District Attorneys that you've talked to about this
20 case; isn't that right?

21 A Yes.

22 Q Before January of 1972, did you talk to Mr. Katz
23 at length about the Shea case?

24 A Yes.

14c fls.

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14c-1

1 Q Before January of 1972, did you talk with Mr.
2 Manzella at length about the Shea case?

3 A Yes.

4 Q Before January of 1972, did you talk with
5 Sergeant Whiteley of the Sheriff's Department at length about
6 the Shea case?

7 A I believe so.

8 Q Before January of 1972, did you talk with
9 Deputy Guenther of the Sheriff's Department, at length about
10 the Shea case?

11 A No.

12 Q Before 1972, did you talk with Deputy Gleason
13 about the Shea case?

14 A Yes.

15 Q Before 1972, did you talk with Officer Sartuche
16 and his partner, Officer Nielsen, at length about the Shea
17 case?

18 A I think mostly I talked about -- with them about
19 the thing over in Hawaii and the Tate-La Bianca trial.

20 Q But you did talk with them about the Shea case
21 also, as early as December 29th, 1969; isn't that right?

22 A Well, I know I -- I told them a few things about
23 it.

24 Q All right. And you have been talking with
25 officers and Deputy D.A.'s and Deputy Sheriffs about the Shea
26 case, every aspect of the Shea case, since at least December
27 2nd, 1969? Isn't that right?

28 A No.

14c-2

1 Q December 29, 1969, isn't that right?

2 A No.

3 Q Well, when did you start, ma'am?

4 A I don't know. Just -- the -- in the early times,
5 when the Tate-La Bianca trial was going on, I only talked
6 about -- you know, I just mentioned it.

7 Q Well, Miss Hoyt, we went back yesterday and talked
8 about this report of Sergeants Nielsen and Sartuche, in which
9 you said, "On one particular evening sometime between August,
10 1969, and August 31, she recalls hearings screams that sounded
11 as if they were coming from the creek. These screams sounded
12 as if they were from a male."

13 And that was on December 29th, 1969.

14 Do you remember that?

15 A I don't remember the date.

16 Q Well, you remember testifying here that it was in
17 December, not November, when you started talking to people
18 about all of these pieces?

19 A Yes. It was after September -- after December.

20 Q All right. And from after December of 1969,
21 right on up to the Grand Jury hearing, right on up until
22 May 20th, you would talk with numbers of Deputy D.A.'s,
23 Sheriff's officers and LAPD officers about the Shea case;
24 isn't that right?

25 MR. KAY: Asked and answered, your Honor.

26 THE COURT: Sustained.

27 Q BY MR. DENNY: And it was not until May 20, 1971,
28 when Mr. Manzella came out to visit you, after all of those

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interviews, after all of those discussions, that you remembered
three phrases that Mr. Davis uttered at a dinner that had
occurred over two years earlier; is that right?

1 MR. KAY: Objection, it assumes facts not in evidence
2 that she ever forgot or that she was ever asked.

3 THE COURT: Sustained.

4 Q BY MR. DENNY: It was not until May 20, 1972 --
5 strike that.

6 -- May 20, 1971, after being interviewed by all
7 of those officers, all of those deputies, all of those Deputy
8 D. A.'s that you told any one of them three phrases and three
9 smiles that Mr. Davis had uttered and Mr. Davis had made
10 according to you, over two years earlier; is that right?

11 MR. KAY: Assumes facts not in evidence that she was ever
12 asked.

13 MR. DENNY: Doesn't have to be asked. That's the form
14 of the question.

15 THE COURT: Sustained -- Overruled. I'll let her answer.

16 THE WITNESS: Would you repeat it again?

17 MR. DENNY: Will you read it again, Miss Briandi?

18 Let me -- I don't need it read again.

19 It was not --

20 THE COURT: Well, let the reporter read it.

21 Read it, Mrs. Briandi.

22 (Whereupon, the question was read by the
23 reporter as follows:

24 "Q It was not until May 20, 1972 --
25 strike that.

26 "-- May 20, 1971, after being interviewed
27 by all of those officers, all of those deputies,
28 all of those Deputy D. A.'s that you told any one

1 "of these three phrases and three smiles that Mr.
2 Davis had uttered and Mr. Davis had made, accord-
3 ing to you, over two years earlier; is that right?"

4 THE WITNESS: Probably.

5 Q BY MR. DENNY: Probably.

6 MR. KAY: Well, I object to Mr. Denny's comment. I
7 don't think that's a question. He just made a statement and I
8 ask it be stricken.

9 THE COURT: You may ask your next question, Mr. Denny.

10 Q BY MR. DENNY: And so when Mr. Kay hadn't talked
11 to you before January of 1972, that statement that you made
12 to Mr. Manzella was already ready for him to use, isn't that
13 right?

14 MR. KAY: That's argumentative and irrelevant.

15 THE COURT: Sustained.

16 MR. DENNY: All right, I have no further questions.

17 MR. KAY: I just have two brief questions.

18
19 REDIRECT EXAMINATION

20 BY MR. KAY:

21 Q Miss Hoyt, did Mr. Manzella ever tell you what to
22 say that Bruce said out at Meyers Ranch?

23 A No.

24 Q And Sartuche, the officer that Mr. Denny's
25 questioned you about, he was one of Mr. Bugliosi and my
26 detectives on the Tate-LaBianca trial, an L. A. police
27 officer, wasn't he?

28 A Yes.

1 Q And he was on the Tate-LaBianca case?

2 MR. DENNY: Object.

3 THE WITNESS: I don't know.

4 MR. DENNY: Irrelevant and immaterial.

5 THE COURT: Sustained.

6 MR. KAY: No further questions.

7 May this witness be excused?

8 THE COURT: Yes.

9 MR. DENNY: I would like to have her remain on call,
10 subject to call.

11 THE COURT: Keep your whereabouts known to Mr. Kay, would
12 you please, and you may or may not be called. And you are
13 excused for now.

14 And ladies and gentlemen, you are excused for the
15 weekend, and I hope it is a pleasant weekend for you.

16 During the recess, you are admonished that you are
17 not to converse amongst yourselves, nor with anyone else, nor
18 permit anyone to converse with you on any subject connected
19 with this matter, nor form or express any opinion on it until
20 it is finally submitted to you.

21 And certainly, there may be some press releases
22 concerning Mr. Manson or the Manson Family over this weekend,
23 and then possibly in the news this evening, and I don't want
24 that remark of mine to impel you to go to the newspapers or
25 television to find out what I am talking about but, I will,
26 rather, and instead, ask you -- ask that you take affirmative
27 steps to avoid reading the newspaper concerning Mr. Manson,
28 any of the purported Manson Family members or from exposing

1 yourself to any of the news media releases concerning
2 Mr. Manson or any of the Manson Family people.

3 All right, good night, see you Monday morning at
4 9:30.

5 (Whereupon, at 4:15 P. M., the jury retired from
6 the courtroom, and the following proceedings were had:)

7 MR. DENNY: Could we get back on the record for this
8 purpose?

9 THE COURT: Yes.

10 MR. DENNY: Your Honor, I would request the diagram or
11 the chart that I made of the time of the last week of August
12 and the first week of September and the notation thereon be
13 marked simply for identification purposes at this time.

14 THE COURT: The next in order.

15 MR. DENNY: S, I think it would be. Defendant's S
16 for identification.

17 THE COURT: So it would be S for identification.

18 MR. DENNY: Fine.

19 (Whereupon, at 4:17 P. M., an adjournment was
20 taken in this matter.)
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