

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

COPY

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

CHARLES MANSON, SUSAN ATKINS,
LESLIE VAN HOUTEN, PATRICIA KRENWINKEL,

Defendants.

49

No. A253156

REPORTERS' DAILY TRANSCRIPT

Tuesday, August 11, 1970

A. M. SESSION

APPEARANCES:

For the People:

AARON H. STOVITZ and
VINCENT T. BUGLIOSI,
DEPUTY DISTRICT ATTORNEYS

For Deft. Manson:

I. A. KANAREK, Esq.

For Deft. Atkins:

DAYE SHINN, Esq.

For Deft. Van Houten:

RONALD HUGHES, Esq.

For Deft. Krenwinkel:

PAUL FITZGERALD, Esq.

For Linda Kasabian:

GARY FLEISCHMAN, Esq.
RONALD L. GOLDMAN, Esq.

VOLUME 49

JOSEPH B. HOLLOMBE, CSR.,
MURRAY MEHLMAN, CSR.,
Official Reporters

PAGES 6916 to 7001

I N D E X

PEOPLE 'S WITNESSES:

CROSS

KASABIAN, Linda

6917 (K)

E X H I B I T S

PEOPLE 'S:

FOR IDENTIFICATION

EVIDENCE

26 - Photograph of window and screen

6916

90 - Photograph showing pair of hands
tied with a leather thong

6929

91 - Photograph

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92 - Photograph

6930

93 - Photograph

6930

LOS ANGELES, CALIFORNIA, TUESDAY, AUGUST 11, 1970

9:52 A.M.

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(The following proceedings were had in open court in the presence and hearing of the jury, all defendants and all counsel being present:)

THE COURT: All parties, counsel and jurors are present.

You may proceed, Mr. Kanarek.

MR. KANAREK: Yes, your Honor. Your Honor, I wonder if I may pass to the jury Exhibit No. 26 and offer that in evidence, your Honor?

MR. STOVITZ: No objection, your Honor.

MR. FITZGERALD: May I have just a moment?

MR. KANAREK: There is no objection -- I don't believe there is any objection from any counsel, your Honor.

THE COURT: People's 26 is being offered in evidence, is that right?

MR. KANAREK: Yes, your Honor.

THE COURT: It will be received. It will be exhibited to the jury.

(Exhibit 26 in evidence is then given to the jury for its perusal.)

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1 LINDA KASABIAN,

2 the witness on the stand at the time of the adjournment,
3 resumed the stand and testified further as follows:

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5 CROSS-EXAMINATION (Continued)

6 BY MR. KANAREK:

7 Q Mrs. Kasabian, directing your attention to
8 this exhibit --

9 MR. KANAREK: May I approach the witness, your Honor?

10 THE COURT: You may.

11 Q BY MR. KANAREK: Directing your attention to
12 this Exhibit 26, Mrs. Kasabian, would you take that.

13 Now, would you tell us, Mrs. Kasabian, when
14 you looked in that window what did you see?

15 A I saw this table.

16 Q Pardon?

17 A The table.

18 Q You saw the table. What else did you see?

19 A It looks like this right here, but I'm not
20 sure, some sort of a bouquet.

21 Q Here is a marking pencil, would you draw a
22 circle at or near the table and just write "table," and
23 "LK" after it?

24 (Witness complies.)

25 And when you looked in the window, what else
26 did you see?

1 MR. BUGLIOSI: Well, your Honor, wait a while.

2 Again, these photographs, I think, I would
3 almost say it is a deliberate effort on Mr. Kanarek's part --

4 MR. KANAREK: If he is going to malign me he should
5 do it at the bench.

6 THE COURT: That will be enough.

7 MR. BUGLIOSI: He has a table here --

8 THE COURT: What is your objection?

9 MR. BUGLIOSI: I object on the ground that is
10 improper marking of this photograph. It shows a table
11 and it shows Linda Kasabian on top of the table.

12 MR. KANAREK: Your Honor, I think everyone in this
13 courtroom recognizes that we do not have here a full-scale
14 model of the table and this is done in courtrooms throughout
15 the United States of America and Mr. Bugliosi is less than
16 nit-picking.

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1 MR. BUGLIOSI: Your Honor, I would ask that the
2 Court direct that where this zero is that Linda Kasabian
3 draw an arrow and put down "This is the table that she
4 saw through the window."

5 THE COURT: The marking "LK" is obviously confusing.
6 There is no necessity to have any marking at all. She
7 testified that she saw a table.

8 MR. KANAREK: Very well.

9 THE COURT: We will strike the letters "LK".

10 MR. KANAREK: May there be some marking on this
11 picture to show that she has stated that she saw the
12 table, your Honor?

13 MR. STOVITZ: I believe the record speaks for
14 itself. That is why we have a Daily Transcript.

15 THE COURT: That is correct.

16 MR. KANAREK: Well, I think more confusion will
17 come about if we strike it. May we leave it?

18 THE COURT: Strike out the letters "LK" and leave
19 the circle.

20 MR. KANAREK: Very well, your Honor.

21 Will you do that, Mrs. Kasabian?

22 (The witness complies.)

23 MR. KANAREK: Thank you.

24 Q Now, when you looked inside of this window,
25 you say you saw something else besides the table. What
26 did you see?

1 A It looked like a bouquet of flowers. I don't
2 know if that was it, but it looked something like that.

3 MR. KANAREK: Would you put a circle right adjacent
4 to the bouquet of flowers?

5 (Witness complies.)

6 MR. BUGLIOSI: Again, your Honor, I would object
7 to the markings on the photograph. I see two circles
8 here. One on a table and one near a bouquet of flowers.
9 I would ask the Court to direct Mrs. Kasabian or Mr.
10 Kanarek to identify what these circles mean.

11 I just see two circles. I think the circles
12 should be identified, your Honor, as a bouquet of flowers,
13 a table, something.

14 THE COURT: I think it is self-explanatory.

15 Let's proceed.

16 BY MR. KANAREK:

17 Q Now, Mrs. Kasabian, did you see anything else
18 as you looked through this window?

19 A No.

20 Q And when you looked through the window, Mrs.
21 Kasabian, what was your intent? What was your purpose
22 in looking through the window?

23 A I was standing at the window beside Tex.

24 Q I mean, what was your purpose in looking
25 through the window?

26 MR. BUGLIOSI: That assumes a fact not in evidence,

1 your Honor, that she had a purpose in looking through
2 the window.

3 THE COURT: Overruled.

4 You may answer.

5 THE WITNESS: I just looked through the window
6 while I was standing there.

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1 Q BY MR. KANAREK: And you were there to assist
2 Tex; is that correct?

3 A I came from around the house to tell him that
4 I had just been there, yes.

5 Q Pardon?

6 A I had just come from behind the house, and I
7 told him that I went back there.

8 Q But my question is: As you stood beside Tex,
9 was your intent and purpose to assist Tex?

10 A No,, I don't think so.

11 Q What was your purpose, then, in standing
12 beside Tex if it wasn't to assist and help Tex?

13 A To tell him that I had just gone behind the house.

14 Q I see. Thank you.

15 Now, Mrs. Kasabian, directing your attention to
16 a time, Mrs. Kasabian -- I will withdraw that.

17 Were there times when you went panhandling,
18 Mrs. Kasabian?

19 A Yes.

20 Q When you went panhandling, were there times
21 when you asked for money and people didn't give you the
22 money?

23 A Sure.

24 Q And on occasions when people didn't give you the
25 money that you were seeking, did you call them pigs?

26 MR. BUGLIOSI: I object, your Honor, on the ground

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1 it is irrelevant.

2 THE COURT: Sustained.

3 MR. KANAREK: Q Well, Mrs. Kasabian, during the
4 month or so, the five weeks, that you stayed at Spahn
5 Ranch, did you go panhandling?

6 A Yes.

7 Q And during the month or so that you were at the
8 Spahn Ranch and you went panhandling, did people refuse to
9 give you money?

10 A Yes.

11 Q All right.

12 When, during this period of time that you were
13 staying at the Spahn Ranch, people refused to give you
14 money, did you call them pigs?

15 MR. BUGLIOSI: I object, your Honor, on the grounds
16 that it is irrelevant, and also repetitious.

17 MR. KANAREK: Your Honor, it is very material,
18 because Mr. Bugliosi raised this entire issue as to this
19 particular witness being enticed into the Spahn Ranch.

20 THE COURT: Sustained.

21 Ask your next question.

22 MR. KANAREK: May I make an offer of proof?

23 THE COURT: It won't be necessary.

24 MR. KANAREK: Q Mrs. Kasabian, you have
25 testified previously when Mr. Fitzgerald was examining you
26 that you have been at communes all over the country.

1 A Yes.

2 Q Is that correct?

3 A Yes.

4 Q What was your intent and purpose, Mrs.
5 Kasabian, in going to these communes all over the country?

6 MR. BUGLIOSI: I object as irrelevant, your Honor.

7 THE COURT: Sustained.

8 MR. KANAREK: Your Honor, the issue has been
9 raised by Mr. Bugliosi. It is in the record.

10 THE COURT: The objection is sustained.

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1 BY MR. KANAREK:

2 Q Mrs. Kasabian, now, directing your attention
3 to the time you tell us that was the first time that you
4 knew of the passing away of Mr. and Mrs. La Bianca, that
5 was when?

6 A Say that again, when?

7 Q When did you first come to realize that Mr.
8 and Mrs. La Bianca had passed away?

9 A Through a newspaper when I was in Miami.

10 Q And would you tell us, Mrs. Kasabian, what
11 did that newspaper say?

12 MR. BUGLIOSI: I object, your Honor, calls for hear-
13 say.

14 MR. KANAREK: Your Honor, this has to do with her
15 state of mind. It is not offered for the truth of the
16 matter asserted in the newspaper.

17 THE COURT: It's already testified to. That is what
18 she discovered.

19 The objection is sustained.

20 MR. KANAREK: Your Honor, it is not offered for the
21 truth.

22 THE COURT: I understand.

23 BY MR. KANAREK:

24 Q You read this in a newspaper?

25 A Yes.

26 Q And would you give us the substance of what

1 the newspaper said.

2 MR. BUGLIOSI: Object, your Honor. It calls for
3 hearsay.

4 MR. KANAREK: May we approach the bench, your Honor.

5 THE COURT: Overruled. You may answer.

6 THE WITNESS: I don't remember what it said.

7 I remember it had an article about Sharon Tate
8 and it showed pictures, and then I saw an article on the
9 La Blancas.

10 I don't remember what it says.

11 BY MR. KANAREK:

12 Q You don't remember what it said?

13 A No.

14 Q Then, will you tell us, Mrs. Kasabian, how do
15 you know that the La Blancas were murdered on the night,
16 the second night?

17 How did you make that association, Mrs. Kasa-
18 bian?

19 A I don't know now.

20 Q Pardon?

21 A I don't know now. I cannot remember how or
22 what made me think it was them. I don't know.

23 Q Can it be you are not telling us the truth?

24 MR. BUGLIOSI: I object, your Honor, it's argumenta-
25 tive.

26 THE COURT: Overruled.

1 THE WITNESS: I am telling you the truth.

2 BY MR. KANAREK:

3 Q Pardon?

4 A I am telling you the truth.

5 Q You are telling me the truth.

6 A Yes.

7 Q That you had no knowledge whatsoever about
8 the passing away of the La Blancas until you read it in
9 the Miami, Florida, newspaper?

10 A That's right.

11 Q Pardon?

12 A That's right.

13 Q I see.

14 You have told us that you heard in the automo-
15 bile, you say, you heard statements concerning killings
16 on what you call the second night.

17 Is that right?

18 A Yes.

19 Q Directing your attention to that language,
20 Mrs. Kasabian, was your state of mind such that you felt
21 that there was going to be any killing?

22 A Yes.

23 Q And after you left the La Blanca's, was your
24 state of mind such that you thought there was any killing
25 in the La Blancas?

26 A I don't understand your question.

1 Q When you left the La Bianca residence?

2 A I never went into the residence.

3 Q Pardon?

4 A I never went into the house.

5 Q You never went into the house?

6 A Right.

7 MR. KANAREK: May I approach the witness, your Honor.

8 THE COURT: You may.

9 MR. STOVITZ: Your Honor, that photograph has not been
10 marked. May we approach the bench, your Honor?

11 THE COURT: Do not display any photographs, Mr.
12 Kanarek. I want to see them first.

13 MR. KANAREK: Yes.

14 THE COURT: And I want to understand what you are
15 doing.

16 MR. KANAREK: Yes, your Honor.

17 May we approach the bench, then, if counsel
18 wishes?

19 I have no objection.

20 But the picture was upside down when she uttered
21 her gasp.

22 MR. STOVITZ: Let the record reflect the picture was
23 upside down when she uttered her gasp, but it was faced
24 towards her.

25 THE COURT: You may approach the bench.

26 (The following proceedings were had at the bench

1 out of the hearing of the jury:)

2 MR. KANAREK: If I may, your Honor, it is my position,
3 it is my position that this witness tied up this person
4 with the thong that she lost that night; that I wish to
5 interrogate her on it.

6 Obviously these hands are tied by a thong,
7 the very thong, that is, I believe, in this courtroom.

8 I believe the prosecution is making that
9 representation.

10 THE COURT: You may interrogate her on that subject,
11 but the photograph should be marked and identified.

12 MR. KANAREK: Certainly, your Honor.

13 MR. STOVITZ: May the photograph be marked as
14 People's next for identification?

15 THE COURT: Do you have some others you intend to show
16 her that have not been marked? I will mark them right now.

17 MR. KANAREK: Certainly, your Honor.

18 THE COURT: So we won't waste a lot of time.

19 MR. STOVITZ: Does your Honor have 90 as the next
20 number?

21 THE COURT: 90.

22 MR. STOVITZ: Grand Jury No. 49 will be marked 90.
23 It shows a pair of hands tied with a leather lace.

24 MR. FITZGERALD: Hang on just for a second until the
25 Clerk gets here.

26 THE CLERK: That will be 90, your Honor.

1 THE COURT: This will be marked 91.

2 MR. STOVITZ: Grand Jury Exhibit 50 will be 91.

3 MR. KANAREK: Yes.

4 MR. STOVITZ: The Grand Jury Exhibit No. 51 will be
5 92, your Honor.

6 THE COURT: 92 for identification.

7 MR. STOVITZ: And Grand Jury Exhibit No. 52 will be
8 93 for identification.

9 THE COURT: It will be so marked.

10 Now, Mr. Kanarek, when you display the picture
11 to the witness, she does not have to hold it in her hand;
12 all you have to do is show it to her or, if you want to,
13 lay it on the ledge in front of her. You may do that.

14 She is under no compulsion to take it in her
15 hand and hold it.

16 MR. KANAREK: Yes, your Honor, there is detail --

17 THE COURT: You ask her about the detail. You hold
18 it yourself or lay it on the ledge.

19 MR. KANAREK: Very well, your Honor.

20 MR. SHINN: You mean face down, your Honor?

21 MR. STOVITZ: So the jury cannot see it.

22 THE COURT: If he is displaying it to the witness,
23 I want it face up. He doesn't have to display it to the
24 jury.

25 MR. KANAREK: Your Honor can tell by the way I am
26 handling these pictures that I am trying --

THE COURT: Let's proceed.

(The following proceedings were had in open court in the presence and hearing of the jury:)

MR. KANAREK: Your Honor, may I approach the witness?

THE COURT: You may.

Q BY MR. KANAREK: Now, Mrs. Kasabian, I am going to lay down in front of you --

MR. KANAREK: Would your Honor ask the jurors is it possible they can see when it is laid down. I know your Honor does not wish them to see this picture.

Maybe your Honor can interrogate.

THE COURT: Then I suggest you hold it, Mr. Kanarek.

MR. KANAREK: Very well, I will.

Q BY MR. KANAREK: Mrs. Kasabian, would you please look at this picture.

All right, now, directing your attention, Mrs. Kasabian, to this picture which is marked Exhibit 90, it appears to be hands that are tied behind their back -- behind the back of a prisoner, is that correct?

A Yes.

Q Now, directing your attention to the --

MR. KANAREK: May I have that thong, your Honor, from the clerk?

THE COURT: What is the identification, Mr. Kanarek?

MR. STOVITZ: What is the number, Counsel?

THE CLERK: 75. It is in that group there.

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MR. STOVITZ: Here you are, Counsel.

MR. FITZGERALD: What is it?

THE CLERK: 75.

MR. KANAREK: Thank you.

Q BY MR. KANAREK: Now, Mrs. Kasabian, I show you a leather thong that you tell us appears to be similar to the leather thong that you had, what you call the second night, Mrs. Kasabian.

I ask you, Mrs. Kasabian, does that leather thong appear to you to be the same leather thong that has -- that has been used to tie the hands of this human being?

MR. STOVITZ: Object to the question. It calls for a conclusion and an expert opinion, your Honor.

THE COURT: Sustained.

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1 MR. KANAREK: Q Now, Mrs. Kasabian, is it a
2 fair statement that you have used leather thongs and used
3 them to tie knots?

4 A To tie knots?

5 Q You have used leather thongs to tie things up;
6 is that correct?

7 A Yes.

8 Q Pardon?

9 A Yes.

10 Q And you have used leather thongs similar to
11 this to tie things up?

12 A To tie things together, yes.

13 Q Is that correct?

14 A Yes.

15 Q Now, you say you were exhausted on this so-
16 called second night, Mrs. Kasabian. Was your exhaustion
17 such that you do not remember everything that happened
18 that night clearly?

19 A I can't remember all the conversations and
20 things like that.

21 Q Do you remember everything that happened other
22 than conversations that night clearly?

23 A Yes.

24 Q No question about it in your mind?

25 A No.

26 Q Pardon?

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1 A No.

2 Q Now, did you, Mrs. Kasabian -- you were mobile,
3 you weren't paralyzed; is that right?

4 A Excuse me?

5 Q You could move your body about?

6 A Oh, yes.

7 Q Directing your attention to the time that you
8 say you were in an automobile and you heard conversation
9 concerning killing -- is that correct?

10 A Yes.

11 Q On the second night.
12 Now, at that time, Mrs. Kasabian, had you for-
13 gotten about the events of the previous night?

14 A I am not sure. I don't remember thinking about
15 them.

16 Q That is, you don't remember, on the second
17 night, thinking about the events of the previous night?

18 A Right.

19 Q Is that correct?

20 A Yes.

21 Q Is there some reason that you weren't thinking
22 about what happened on the previous night?

23 MR. STOVITZ: That is not the answer that she gave.
24 She says she can't remember thinking about
25 them, Counsel, and it assumes a fact not in evidence that
26 she wasn't thinking about them.

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Kanarek
1 THE COURT: Sustained.

2 MR. KANAREK: Q Well, directing your attention --
3 now, you have exhibited great shock at some of these
4 pictures, Mrs. Kasabian; you tell us you saw these events
5 at the Tate residence that displeased you, and so forth.

6 Are you telling us that right now, as you sit
7 on the witness stand, you don't remember, on the second
8 night, whether or not there was still in your mind the
9 events of the previous night?

10 MR. STOVITZ: I object to the question in that form
11 as argumentative, your Honor.

12 THE COURT: Well, I think it is ambiguous, also.

13 The objection is sustained.

14 MR. KANAREK: Very well, your Honor.

15 Q Having in mind, Mrs. Kasabian -- you say you
16 left the Spahn Ranch on this night, and you went to
17 Pasadena, you say. Now, when you left the Spahn Ranch on
18 the night that you went to Pasadena, did you have in mind,
19 as you left the ranch, what had occurred the previous
20 night?

21 A Yes, I think I did.

22 Q You think you did or you know you did?

23 A Well, I remember one incident where I remember
24 thinking about it.

25 Q Pardon?

26 A I can remember now one incident where I remember

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1 thinking about it.

2 Q There was one incident when you remembered
3 thinking about the previous night?

↑ ↑ 4 A Yes. 77

5 Q And outside of that one incident, how long in
6 time did you think about the previous night, referring to
7 this one incident?

8 MR. BUGLIOSI: It is an ambiguous question, your
9 Honor.

10 THE COURT: Read the question.

11 (The question was read by the reporter.)

12 THE COURT: Do you understand the question?

13 THE WITNESS: Not really.
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1 BY MR. KANAREK:

2 Q Well, you have said that there was some kind of
3 incident.

4 A Yes.

5 Q Well, let me ask you this: Before this
6 incident occurred, had you been thinking about the previous
7 night?

8 A Not that I can remember.

9 Q I see.

10 So this incident came about and you thought
11 about the previous night?

12 A Yes.

13 Q How long did you think about the previous night
14 during this incident?

15 A I don't know.

16 Q Well, can you give us an estimate of the time
17 involved that you were doing the thinking about the previous
18 night?

19 A Well, I was asked to do something, and that is
20 what brought the previous night to my attention.

21 Q Well, my question is --

22 A I don't know how long it took.

23 Q Pardon?

24 A I don't know how long.

25 Q You have no idea as to the duration of the
26 time?

1 A No.

2 Q Then, when this incident passed, Mrs. Kasabian,
3 the events of the previous night passed in your mind; is
4 that correct?

5 A Excuse me?

6 Q After this incident that you have spoken of,
7 after whatever time was involved in that incident, after
8 that incident had passed, then you no longer were thinking
9 about the previous night; is that correct?

10 A I don't know. I can't remember thinking about
11 it after.

12 Q You don't remember for sure thinking about the
13 previous night after that one incident?

14 A Right.

15 Q So, then you are driving down from the Spahn
16 Ranch, and you drove about the Los Angeles area; is that
17 right?

18 A I guess so. I don't know what areas it was.

19 Q You don't know what areas?

20 A I don't know if we were in the Los Angeles area.
21 I know we were in Pasadena.

22 Q While you were on the Spahn Ranch, Mrs. Kasabian,
23 did you, from time to time, drive an automobile from the
24 Spahn Ranch during the month or so you were there?

25 A Yes.

26 Q You drove on garbage runs?

- 1 A Yes, right.
- 2 Q You drove the car; right?
- 3 A Yes, uh-huh.
- 4 Q And you drove on other -- concerning other
5 matters from the Spahn Ranch during that approximately
6 five-week period you say you were there; is that right?
- 7 A Yes.
- 8 Q And you drove more than one automobile; is
9 that right?
- 10 A Yes.
- 11 Q And you left the Spahn Ranch and made it back
12 to the Spahn Ranch on your own; is that right?
- 13 A I don't understand.
- 14 Q Well, what I mean is, you left the Spahn Ranch
15 on occasions during the month when you were driving an
16 automobile, and you drove back, you found your way back?
- 17 A Yes.
- 18 Q You went into the Los Angeles area, did whatever
19 you had to do, and came back; is that right?
- 20 A Yes.
- 21 Q As a matter of fact, you drove automobiles
22 into the Los Angeles area, you parked the automobile and
23 went panhandling; is that correct?
- 24 A No.
25 I went hitchhiking when I did that.
- 26 Q Pardon?

1 A I hitchhiked when I went panhandling.

2 Q Then on this evening when you say you don't
3 know where you were driving, were you under the influence
4 of some drug?

5 A No.

6 Q Had you taken some drug that day?

7 A No.

8 Q And your mind was completely clear?

9 A Except for being tired, yes.

10 Q You were exhausted?

11 A Yes.

12 Q Then, on this day, you drove about the Los
13 Angeles area and went to Pasadena; is that correct?

14 A Yes.

15 Q Now, after you drove along going to Pasadena,
16 you say you stopped at some house?

17 A Yes.

18 Q Is that correct?

19 A Yes.

20 Q Now, as you stopped at that house, Mrs. Kasabian,
21 did you have in mind the offense of the previous night?

22 A I am not sure.

23 Q You are not sure that you did?

24 A That is what I just said.

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1 Q I see.

2 And your state of mind was that a house, you
3 tell us, was going to be picked out for someone to be killed;
4 is that right?

5 A Yes.

6 Q And you didn't have any memory of what happened
7 the previous night?

8 MR. BUGLIOSI: I object. She didn't testify to that.
9 She said she doesn't recall at this time whether on the
10 second night she was thinking about the first night, not
11 that she has forgotten now what happened the first night.

12 THE COURT: She can answer the question.

13 MR. KANAREK: I object to Mr. Bugliosi's interruption.

14 THE COURT: The objection is overruled.

15 Let's continue.

16 MR. KANAREK: Thank you.

17 Can we have the question put to the witness,
18 your Honor?

19 THE COURT: Reframe the question, Mr. Kanarek.

20 MR. KANAREK: Very well.

21 Q At the time, Mrs. Kasabian, that you
22 tell us that your state of mind was that someone was going
23 to be killed in a house in Pasadena, at that time you did
24 not have any memory of what had occurred the night before;
25 is that correct?

26 A Not that I can remember now.

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1 Q I see.

2 You had forgotten what had occurred the night
3 before?4 A I don't know if I had forgotten it. I just,
5 don't remember thinking about it.

6 Q I see.

7 And then you went here and there, and you
8 ended up next to a house, adjacent to a house of someone
9 that you knew, Mr. True; is that correct?

10 A Yes.

11 Q Now, when you were adjacent to Mr. True,
12 Mrs. Kasabian, did you have any memory of what had occurred
13 the night before?

14 A Not that I can remember.

15 Q You weren't thinking, you had no memory of
16 what had occurred; is that right? Is that correct?

17 A Yes.

18 Q Then, directing your attention, while the
19 automobile was driving from wherever it came, from the
20 Pasadena area to wherever it came to the True home, you had
21 no memory of what had occurred the night before; is that
22 right?23 A I don't remember thinking about the night before.24 Q Well, is it a fair statement that you had no
25 memory of what had occurred during the interval of time,
26 that is, I am now referring to your thinking during the

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1 interval of time from the time you left Pasadena until
2 the time that you arrived adjacent, near the True residence.

3 MR. STOVITZ: I object.

4 Sorry, Counsel. Had you finished your
5 question?

6 MR. KANAREK: No, your Honor.

7 MR. STOVITZ: I am sorry.

8 MR. KANAREK: Q Mrs. Kasabian, directing your
9 attention to your thinking, to your memory, at that time
10 when you went from Pasadena to the area adjacent to the True
11 house.

12 Had you, at that time, any memory of what
13 had occurred the previous night?

14 MR. STOVITZ: I object to the question, your Honor,
15 as ambiguous, and having been asked and answered.

16 MR. KANAREK: That hasn't been asked and answered,
17 your Honor.

18 THE COURT: I think it is ambiguous, Mr. Kanarek.
19 I don't know what you mean by having any memory.

20 MR. KANAREK: May I ask if the witness understands
21 the question?

22 THE COURT: The Court also has to understand it so
23 I can rule on the objection.

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MR. KANAREK: Very well, your Honor.

THE COURT: The objection is sustained.

BY MR. KANAREK:

Q Do you have any meaning in your mind as to the word "memory," Mrs. Kasabian?

A Yes.

Q What does the word, memory, mean to you?

A To remember.

Q To remember, right?

A Uh-huh.

Q Now, then, may I ask, directing your attention to the time interval from the time you were in Pasadena until the time that you arrived near the True home, did you remember what occurred the night before?

A I don't know if I did or not. I cannot remember now if I did.

Q Well, would you look back at that ride that you say occurred and tell us?

A I cannot remember.

Q I see.

Now, then, directing your attention, Mrs. Kasabian, to the time after you left the La Blancas, after you left the area of Mr. True's home, the time that you drove, you say, to the beach.

As you drove to the beach did you have in your mind thoughts of what had occurred the night before?

1 A I don't remember.

2 Q Now, did you do anything, Mrs. Kasabian, to
3 alert anyone to some killings that you say were to occur
4 in the house next door to where Mr. True lived?

5 A No.

6 Q Pardon?

7 A No.

8 Q Did you go up and knock on the door of Mr.
9 True?

10 A No, I never got out of the car.

11 Q Pardon?

12 A I never got out of the car.

13 Q Were you chained to the automobile?

14 MR. STOVITZ: That is argumentative, your Honor.

15 MR. KANAREK: I am asking her a question, your Honor.

16 THE COURT: Overruled, you may answer.

17 THE WITNESS: No, I was not chained to the automobile.

18 BY MR. KANAREK:

19 Q Were you under the influence of any drugs?

20 A No, no drugs.

21 Q And you had the power to get out of the auto-
22 mobile and go knock on a door, is that correct?

23 A No.

24 Q Pardon?

25 A No.

26 Q You had no power to move out of the automobile?

1 A I was not told to so I didn't.

2 Q I see, you were then under someone's power,
3 so that you could not move out of the automobile, is that
4 what you are saying, Mrs. Kasabian?

5 A I was not told to get out of the automobile,
6 right.

7 Q You were not told to?

8 A Uh-huh.

9 Q And directing your attention to your state of
10 mind, was your state of mind such that you were not free
11 to get out of the automobile?

12 A Yes.

13 Q I see, and what is the reason you were not
14 free to get out of the automobile?

15 A Because Charlie was telling me to do this and
16 do that.

17 Q And because Charlie was telling you to do this
18 and to do that --

19 A Yes.

20 Q -- you did not get out of the automobile, is
21 that right?

22 A Right, he did not tell me to.

23 Q I see.

24 And directing your attention to your state
25 of mind, did you want to get out of the automobile but
26 there was this force of Charlie that was so great that

1 you just could not resist it, is that what it was?

2 MR. STOVITZ: I object to the question as argumenta-
3 tive, your Honor.

4 THE COURT: Overruled.

5 THE WITNESS: Would you repeat that again.

6 MR. KANAREK: May it be read, your Honor?

7 THE COURT: Read the question.

8 (Whereupon the reporter reads the question as
9 follows:

10 "Q I see. And directing your attention
11 to your state of mind, did you want to get out of
12 the automobile but there was this force of Charlie
13 that was so great that you just could not resist
14 it, is that what it was?"

15 THE WITNESS: No.

16 BY MR. KANAREK:

17 Q Well, then, what was the reason, Mrs. Kasabian,
18 you did not get out of the automobile?

19 A Because he did not tell me to get out of the
20 automobile.

21 Q Did Charlie tell you to light a cigarette?

22 A Sure.

23 Q Charlie told you to smoke the cigarette as
24 far as you smoked it?

25 A No.

26 Q He did not tell you when to stop smoking the

1 cigarette?

2 A No.

3 Q I see, did he tell you to light the cigarette?

4 A I remember lighting a cigarette for him.

5 Q For him?

6 Pardon?

7 A I remember lighting a cigarette for him, yes.

8 Q I'm talking about did you smoke a cigarette?

9 A Yes.

10 Q Did Charlie tell you to light the cigarette that
11 you smoked?

12 A No.

13 Q Did Charlie tell you to breathe?

14 A No.

15 Q Did Charlie tell you to stop smoking the
16 cigarette you were smoking at a certain point?

17 A No.

18 Q So you were doing everything that you wanted
19 to do on your own, is that correct?

20 A Yes, I guess so.

21 Q So that when you tell us you did not get out
22 of the automobile because of Charlie, that is poppycock,
23 isn't it, Mrs. Kasabian?

24 MR. STOVITZ: Argumentative, your Honor.

25 THE COURT: Sustained.
26

1 BY MR. KANAREK:

2 Q Well, Mrs. Kasabian, is it a fair statement
3 that when you tell us that you did not get out of the
4 automobile because Charlie told you to do something or not
5 to do something, that is just -- just an excuse, isn't it,
6 Mrs. Kasabian?

7 MR. STOVITZ: Argumentative, your Honor.

8 THE COURT: Overruled.

9 THE WITNESS: No, it's not an excuse, it's the truth.

10 BY MR. KANAREK:

11 Q Well, Mrs. Kasabian, when did this hold that
12 Charlie had upon you, when did that hold no longer exist?

13 A The day I left.

14 Q The day you left?

15 A Yes.

16 Q Now, Mrs. Kasabian, you told us previously that
17 before you went to the Tate residence the people there were
18 piggies, is that right?

19 A I just presume they were, yes.

20 Q And while you were seeing these events, while
21 you were seeing these events they became human beings?

22 A Uh-huh.

23 Q Is that right?

24 A Sure, there was no such thing as piggies.

25 Q At that point they were no longer piggies,
26 they became real people?

1 A Yes.

2 Q Well, at that point did Mr. Manson -- was Mr.
3 Manson's hold over you gone?

4 A I don't understand.

5 Q You don't understand that.

6 Well, were you under Mr. Manson's spell when you
7 were at the Tate residence?

8 MR. STOVITZ: Asked and answered, your Honor, she
9 covered this quite thoroughly yesterday.

10 I object to the question as being repetitious.

11 THE COURT: Overruled.

12 THE WITNESS: Well, he told me to go there but he
13 wasn't there to tell me what to do.

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1 Q Well, would you answer the question,
Mrs. Kasabian?

2 MR. STOVITZ: Submit the question has been answered,
3 your Honor.

4 THE COURT: Overruled, you may answer.

5 THE WITNESS: I thought I just answered it.

6 MR. KANAREK: May the question be read, your Honor?

7 THE COURT: She said she answered it, Mr. Kanarek,
8 frame another question.

9 Q BY MR. KANAREK: Mrs. Kasabian, when you went
10 to the Tate residence were you under Mr. Manson's spell?

11 MR. STOVITZ: Object to the question, your Honor,
12 as ambiguous.

13 THE COURT: Sustained.

14 Q BY MR. KANAREK: That was just a few days, that
15 is, the time that you were at the Tate residence was a
16 few days before you saw the man in the desert, you talked
17 with the tall man in the desert, Mr. Breckenridge?

18 A A few days before?

19 Q Is that correct?

20 A No.

21 Q Well, about what day was it that you talked
22 with Mr. Breckenridge?

23 A The day after I ran away.

24 Q Well, the day that you say you ran away, what
25 day was that?
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A The third day after the second night.

2

Q All right, you had no problem with time then, right?

3

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A No, I can remember it.

5

Q I see. All right, you tell us when you spoke to Mr. Breckenridge you in fact were a witch?

6

7

May I ask you, were you a witch on the night that you were at the Tate residence?

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MR. STOVITZ: I object to the question, your Honor. In that form it is compound and unintelligible.

10

11

Also it calls for hearsay. The question contains hearsay within it.

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THE COURT: It is also a characterization of the former testimony.

14

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The objection is sustained.

16

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Q BY MR. KANAREK: On the night of the Tate -- on the night that you were at the Tate residence, how many days, Mrs. Kasabian, was that before the day that you talked to Mr. Breckenridge in the desert, when you tell us you were a witch?

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MR. STOVITZ: Your Honor, that is not her testimony. I object to the question.

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THE COURT: Sustained.

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Q BY MR. KANAREK: How many days before the time that you spoke to Mr. Breckenridge were you at the Tate residence, Mrs. Kasabian?

26

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A Five.

1 Q About five days?

2 A Yes, sir.

3 Q And at the time on the day that you were at
4 the Tate residence had you prior to that time considered
5 yourself Yana, the Witch?

6 A I was made to believe that I was a witch, yes.

7 Q Somebody forced you to believe that you were a
8 witch?

9 A They did not force me, no.

10 Q Pardon?

11 A I was not forced physically, no.

12 Q Now, your state of mind was before you went to
13 the Tate residence that you were a witch, is that correct?

14 A Yes.

15 Q And while you were at the Tate residence you
16 believed you were a witch, is that correct?

17 A I don't remember thinking about me being a
18 witch but --

19 Q But in that period of time, Mrs. Kasabian, in
20 that period of time you thought of yourself as a witch,
21 is that correct?

22 A Yes.

23 Q And on what you call the second night, in that
24 period of time you thought of yourself as a witch?

25 A I guess so.
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1 Q Well, in fact you know so. There is no guess
2 so.

3 A I don't know what I thought of myself on the
4 second night.

5 Q Pardon?

6 A I don't know what I thought of myself as on
7 the second night.

8 Q In fact, Mrs. Kasabian, throughout this whole
9 period of time you considered yourself a witch?

10 A I thought I was a witch, yes.

11 Q During this whole period of time, correct?

12 A Yes.

13 Q Now, Mrs. Kasabian, then directing your
14 attention, directing your attention to the period of time
15 after you left the area where Mr. True lived, in that
16 period of time until the time that you got back to the
17 Spahn Ranch did you have any memory of what had occurred,
18 what had occurred the night before, did you remember what
19 had occurred the night before?

20 A I cannot remember if I did.

21 Q You don't know for sure that you did?

22 A No, I cannot remember a thought.

23 Q As to what you were thinking about what had
24 happened on the night before?

25 A Right.

26 MR. KANAREK: May I have a moment, your Honor?

1 THE COURT: We will take our morning recess at this
time, Mr. Kanarek.

2 Ladies and gentlemen, do not converse with
3 anyone nor form or express any opinion regarding the case
4 until it is finally submitted to you.

5 The Court will recess for 15 minutes.

6 MR. STOVITZ: Your Honor, before the jury returns
7 may we have a brief audience with your Honor, may counsel
8 talk to your Honor either in chambers or at the bench or
9 any place.

10 THE COURT: Very well.

11 MR. STOVITZ: A very brief audience, thank you.

12 (Recess.)
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1 THE COURT: All parties, counsel and jurors are
2 present.

3 Did you wish to approach the bench, gentlemen?

4 MR. STOVITZ: Yes, please, your Honor.

5 (Whereupon, all counsel approach the bench and
6 the following proceedings occur at the bench outside of the
7 hearing of the jury:)

8 MR. STOVITZ: Your Honor, I would like the record to
9 reflect that Mr. Kanarek commenced his cross-examination
10 on Monday, August the 3rd, at Page 5960 of the reporters'
11 transcript.

12 On Tuesday, August the 4th, I asked Mr. Kanarek
13 about how long he would be so that I could schedule my
14 witnesses, and he said about two or three days.

15 He didn't want to make that public, but he
16 came to me, approached me, and said about two or three
17 days.

18 We have now consumed 1,000 pages of transcript,
19 taking out the 90 pages that we consumed of voir dire of
20 the jury.

21 I think that cross-examination has become some-
22 what tedious. I am not objective enough to say whether he is
23 making any points. Perhaps, in your Honor's view --

24 THE COURT: I am aware of how long it has been.

25 Are you making some kind of a motion or
26 objection?

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1 MR. STOVITZ: Yes. I ask your Honor to use your
2 Honor's discretion in limiting Mr. Kanarek's cross-
3 examination to the rest of this morning.

4 I think he has had a fair time to cross-
5 examine this witness on every element of this case that is
6 pertinent to the issues in this case.

7 THE COURT: Do you wish to respond, Mr. Kanarek?

8 MR. KANAREK: First of all, I would like the record
9 to reveal, your Honor, that I did not approach Mr. Stovitz
10 about a week about the two or three-day estimate. I don't
11 know what he is talking about.

12 MR. STOVITZ: You told me it would be two or three
13 days.

14 THE COURT: That doesn't make any difference anyway.

15 MR. KANAREK: No. But the record should be as
16 accurate as possible.

17 I have certain subject matter that I have out-
18 lined, and when I have finished, then I will be through.

19 THE COURT: I have no desire to foreclose any
20 counsel from intensive and extended cross-examination, if
21 that is what he wants to do. On the other hand, I think
22 that possibly an estimate now would be of great help to the
23 Court and other counsel.

24 MR. KANAREK: Yes, your Honor.

25 I would think -- you see, if I may say this,
26 your Honor --

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1 I know I have stated this before and I
2 believe a lot of this could be short-circuited if the
3 prosecution would do what I believe is realistic, that is,
4 to stipulate --

5 THE COURT: Certainly every case would be shortened
6 if the opposition were willing to stipulate their case away.

7 Let's not waste time talking about that.

8 MR. KANAREK: I think, your Honor, we can as lawyers
9 agree, certainly as a matter of law she is an accomplice
10 at this point.

11 THE COURT: Mr. Kanarek, all I want to hear from you
12 is if you have an estimate.

13 MR. KANAREK: Since your Honor is asking me I would
14 say -- I would say -- the best way I can put it in this
15 case, it could possibly be several days.

16 THE COURT: Well, of course it could possibly be
17 a month, but it isn't going to be.

18 MR. KANAREK: Well, what I am saying is I am under
19 the orders of the Court, there is subject matter here which --

20 THE COURT: I think you have to bear in mind one
21 thing, Mr. Kanarek, Mr. Fitzgerald made a very extensive
22 cross-examination in this case and covered a good many, if
23 not all of the points, that you are now covering and there
24 is a limit to how many times you can go over the same
25 ground.

26 You are approaching that limit.

1 MR. KANAREK: Very well, as I say I don't believe
2 that I have.

3 THE COURT: Now, if you intend to go until I stop you,
4 rest assured that I will stop you.

5 MR. KANAREK: No, I don't intend to go until you
6 stop me.

7 I might point this out to the Court, while we
8 are at the bench, I make a motion, your Honor, that we
9 have an evidentiary hearing --

10 THE COURT: That is what we are having now, that is
11 what this trial is.

12 MR. KANAREK: I am talking about Mr. Bugliosi's
13 very cavalier attitude in connection with the discovery of
14 Mrs. Kasabian.

15 Mr. Bugliosi made a --

16 THE COURT: I don't want to get off into that
17 subject.

18 MR. KANAREK: In other words, I would like testimony.

19 THE COURT: Just bear in mind what I told you about
20 the cross-examination.

21 I do not intend to foreclose any counsel as
22 long as he seems to be doing something, but yesterday, I
23 must say, you seemed to be wandering very aimlessly and
24 slowly. We wasted a good part of the day as far as I am
25 concerned.

26 Today things have picked up a bit, but you just

cannot go over the same ground endlessly.

1
2 MR. KANAREK: Your Honor, may I make this motion:

3 I make the motion that Mr. Bugliosi be sworn
4 because we have certain statements that have been made by
5 this witness, we only have been given those statements in
6 very recent days.

7 Mr. Bugliosi deigned to --

8 THE COURT: I don't know what you're talking about.
9 You put it in the form of a written motion and file it with
10 the Court, Mr. Kanarek, and support it with some kind of
11 declaration or affidavit.

12 Let's get on with the trial.

13 (The following proceedings were had in open
14 court in the presence and hearing of the jury:)

15 THE COURT: Let's proceed, Mr. Kanarek, ask the
16 question.

17 Q BY MR. KANAREK: Mrs. Kasabian, would you tell
18 us from what period of time until -- I will withdraw that.

19 You have told us that you and your husband
20 and Mr. Melton were planning a trip to South America.

21 A Yes.
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1 Q Now, for what period of time were you planning
2 this trip to South America, Mrs. Kasabian?

3 A Well, they had been planning it for quite a
4 while.

5 Q Pardon?

6 A They had been planning it for quite a while.

7 Q In connection with this trip, was this trip
8 discussed by you, your husband and Mr. Melton at a time --
9 I will withdraw that and ask you this:

10 When was the last time you discussed this trip
11 with your husband and Mr. Melton prior to the time that
12 you went to the Spahn Ranch?

13 A I don't know.

14 Q Well, would you give us an estimate of --

15 A The last time we spoke about it?

16 Q Yes, prior to the time that you went to the
17 Spahn Ranch.

18 A I don't know when the last time was.

19 Q Well, you have no idea as to what time that
20 would be in connection with the time when you went to
21 Spahn Ranch?

22 A It seems that we were always talking about it,
23 so maybe the day I left was the last time. I'm not sure.

24 Q The day you left was the last time?

25 A I'm not sure but it could have been.

26 Q And you knew when you went to the Spahn Ranch

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1 that your husband and Mr. Melton were thinking about going
2 to South America?

3 A Yes.

4 MR. KANAREK: May I approach the witness, your Honor?

5 THE COURT: You may.

6 (Mr. Kanarek shows a photograph to Mr.
7 Bugliosi and Mr. Stovitz.)

8 BY MR. KANAREK:

9 Q Now, Mrs. La Bianca -- Mrs. Kasabian -- I show
10 you a picture and ask you, Mrs. Kasabian --

11 MR. FITZGERALD: May we have for the record the number
12 of the exhibit?

13 MR. KANAREK: It is Exhibit No. 91, your Honor.

14 MR. STOVITZ: Now, may counsel comply with the
15 Court's request previously to put it down on the witness
16 box?

17 MR. KANAREK: Well, your Honor, I don't believe that
18 the jurors wish to see it at this time.

19 THE COURT: He may hold it, Mr. Stovitz, as I
20 indicated.

21 BY MR. KANAREK:

22 Q Now, directing your attention, Mrs. Kasabian,
23 to this picture.

24 Do you recall everything that you did on what
25 you have termed the second night?

26 MR. STOVITZ: Just a moment.

1 I object to that question, your Honor. The
2 showing of this picture to this witness has nothing to do
3 with that question.

4 MR. KANAREK: It most certainly does, your Honor.
5 I don't see how Mr. Stovitz --

6 MR. STOVITZ: Then I submit that that question is
7 unintelligible if you show the witness the picture at
8 the same time.

8a fls. 9 THE COURT: The objection is sustained.

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1 MR. KANAREK: Q Mrs. Kasabian, directing your
2 attention to this picture. You tell us that on the night
3 in question, the second night, you considered that you were
4 a witch; correct?

5 MR. BUGLIOSI: It has no relation to the picture, your
6 Honor. The same objection.

7 THE COURT: Overruled.

8 You may answer.

9 THE WITNESS: Yes, I guess so.

10 MR. KANAREK: Q You considered that you were a
11 witch; right?

12 A Yes.

13 Q And is your state of mind such that witches
14 have supernatural powers?

15 A That is what I thought, but I didn't.

16 Q You were a witch that did not have supernatural
17 powers; is that correct?

18 A Right.

19 Q Would you tell us what your characteristics
20 as a witch were?

21 MR. STOVITZ: May the record show, your Honor, that
22 counsel is displaying Exhibit No. 91 to this witness for
23 about a minute and a half with no relevancy to the picture
24 at all?

25 MR. KANAREK: Well, your Honor, I disagree with that
26 statement.

1 THE COURT: Let's proceed.

2 MR. KANAREK: May I have an answer to the question?

3 MR. STOVITZ: May the picture be lowered, Counsel?

4 MR. KANAREK: Your Honor, if your Honor please, I
5 am certain your Honor realizes that the jury at this time --

6 THE COURT: That is enough, Mr. Kanarek; and also you,
7 Mr. Stovitz.

8 Now, you have interrupted enough times, and I
9 have told you, I have told both of you.

10 MR. STOVITZ: I make the objection.

11 THE COURT: If you have an objection, you may make
12 the objection.

13 State it with the grounds.

14 MR. STOVITZ: The last questions asked of this
15 witness had nothing to do whatsoever with the showing and
16 displaying of this photograph to this witness or to the
17 Court.

18 THE COURT: Your objection is overruled.

19 Let's proceed.

20 MR. KANAREK: May I have an answer to that question,
21 your Honor?

22 THE COURT: Reframe the question.

23 MR. KANAREK: Q Would you tell us, Mr. Kasabian,
24 as to what you thought your powers as a witch were on what
25 you have termed the second night? ↑↑

26 MR. STOVITZ: I object to the question. It assumes



1 facts not in evidence, that she believed she had any
2 powers as a witch, your Honor.

3 THE COURT: Overruled.

4 THE WITNESS: ~~That's right,~~ I didn't have any powers.

5 MR. KAMAREK: You had no powers as a witch?

6 A Right.

7 Q I see.

8 Well, then, when you tell us that on the second
9 night you thought you were a witch, what do you mean by
10 that, Mrs. Kasabian?

11 A I was made to believe I was a witch right from
12 the beginning. So, I don't know if I thought on the
13 second night, "I am a witch." I don't know. I don't
14 recall those kind of thoughts.

15 Q I see.

16 You were made to believe that you were a witch
17 right from the beginning?

18 A Yes.

19 Q And you believed you were a witch; is that
20 right?

21 A Yes.

22 Q And you believed you were a witch because some-
23 body made you believe you were a witch?

24 A Well, not physically made me believe. They
25 always said, "You are a witch," you know, "We are all
26 witches," and things like that.

1 Q They said what?

2 A That we are all witches, that I am a witch,
3 they are a witch.

4 Q So, when you say that you believed that you were
5 a witch, what did you believe that your capacity was?
6 What did you believe you could do as a witch?

7 MR. STOVITZ: I object to the question, your Honor.
8 It has no relationship whatsoever to this photograph.

9 I object to counsel displaying this photograph
10 to the witness when the questions bear no relation to the
11 photograph.

12 THE COURT: The question has already been answered.
13 Sustained.

14 Place the photograph face down, Mr. Kanarek.

15 MR. KANAREK: Yes, sir.

16 Q Directing your attention to this photograph
17 which I have now placed face down, Mrs. Kasabian.

18 Did you see the scene that is depicted in that
19 photograph?

20 A No.

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Q Pardon?

A No.

Q Did you see it as a witch?

A No.

Q Now, then, could you tell us when you say that you thought you were a witch -- I will withdraw that.

When you say that you were in fact a witch, what do you mean by that?

MR. BUGLIOSI: Objection, asked and answered.

THE COURT: Sustained.

BY MR. KANAREK:

Q Directing your attention to your state of mind, Mrs. Kasabian, as a witch, what did that mean to you on the second night when you thought you were a witch?

MR. BUGLIOSI: Same objection.

THE COURT: Sustained.

BY MR. KANAREK:

Q Now, you had conversation with Mr. Breckenridge concerning your capacity as a witch, is that correct?

A Yes, I think so.

Q And did you indicate -- did you tell Mr. Breckenridge that you had powers as a witch?

A No, I don't recall that.

Q What did you tell Mr. Breckenridge that your

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1 powers were as a witch?

2 A I don't recall telling him that I had any
3 powers.

4 Q Well, in your discussions with Mr. Breckenridge
5 concerning your being a witch --

6 THE COURT: You may resume your examination from
7 counsel table, Mr. Kanarek.

8 (Mr. Kanarek returns to counsel table.)

9 BY MR. KANAREK:

10 Q -- what did you tell him, Mrs. Kasabian?

11 A I just remember telling him that I was a witch.

12 Q What else did you tell him other than the fact
13 that you were a witch?

14 MR. BUGLIOSI: Too broad a question, your Honor, I
15 object on that ground, it's too broad a question.

16 THE COURT: Well, if you are talking about a specific
17 conversation the question is all right. It's ambiguous,
18 sustained.

19 BY MR. KANAREK:

20 Q I'm speaking of a specific conversation that
21 you had with Mr. Breckenridge while you were on the trip
22 to Taos, New Mexico?

23 A I remember telling him that my name was Yana.

24 MR. BUGLIOSI: May I inquire, your Honor, are we
25 talking about this witch conversation now, or what? I don't
26 know.

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1 I cannot tell by his question what he is
2 addressing her attention to.

3 Again I object. It is ambiguous and too broad.

4 THE COURT: You should fix the conversation more
5 definitely, Mr. Kanarek.

6 MR. KANAREK: Yes, your Honor.

7 THE COURT: So we can tell what the answer is.

8 BY MR. KANAREK:

9 Q Mrs. Kasabian, when you spoke with Mr. Brecken-
10 ridge on your trip to Taos, New Mexico, did you have more
11 than one conversation with Mr. Breckenridge concerning
12 your witchcraft?

13 A I did not have any witchcraft. I didn't really
14 know what a witch was.

15 Q You didn't?

16 A And I still don't. T. P.

17 Q Then you were having a delusion when you told
18 them that you were a witch, is that right?

19 A Yes, more or less.

20 Q Pardon?

21 A Yes.

22 Q And therefore -- therefore -- I withdraw that.

23 Then during the entire time when you thought
24 that you were a witch, Mrs. Kasabian, you were having a
25 delusion, is that correct?

26 MR. BUGLIOSI: Calls for a conclusion, your Honor.

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THE COURT: Sustained.

BY MR. KANAREK:

Q Would you say, Mrs. Kasabian, that you had feelings about being a witch at times when you took LSD?

A No.

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1 Q At any time when you took LSD did you feel
2 that you were a witch during the time you were on a trip?

3 MR. BUGLIOSI: Asked and answered.

4 THE COURT: Sustained.

5 BY MR. KANAREK:

6 Q Now, you have told us, Mrs. Kasabian, that
7 when you took LSD you had all kinds of strange hallucina-
8 tions in your mind, right?

9 A No, they were mostly visual hallucinations.

10 Q They were mostly visual?

11 A Yes, sir.

12 Q But they are not strange to you?

13 A I don't understand what you mean by strange.

14 Q Well, may I ask you, at times when you thought
15 you were a witch were you hallucinating?

16 MR. BUGLIOSI: Asked and answered, your Honor.

17 THE COURT: Sustained.

18 BY MR. KANAREK:

19 Q Well, have you had any hallucinations, Mrs.
20 Kasabian, wherein you thought you were a witch?

21 MR. BUGLIOSI: Repetitious, your Honor.

22 MR. KANAREK: Your Honor, that has not been asked.
23 I used the word "illusion," your Honor. The word hallucina-
24 tion has not been used.

25 THE COURT: Sustained.

26

1 BY MR. KANAREK:

2 Q At times, Mrs. Kasabian, when you had taken
3 LSD, have any of these visual things that you have seen
4 involve witchcraft?

5 A I don't know what witchcraft is so I cannot
6 tell you.

7 Q Well, at times when you had taken LSD have these
8 hallucinations involved visual effects of your being a
9 witch?

10 MR. BUGLIOSI: Asked and answered.

11 THE COURT: You may answer.

12 THE WITNESS: No.

13 BY MR. KANAREK:

14 Q Then at the time when you were talking to
15 Mr. Breckenridge you had left the Spahn Ranch, right?

16 A Right.

17 Q Now, at that time when you spoke with Mr.
18 Breckenridge you thought you were a witch?

19 MR. BUGLIOSI: Asked and answered, your Honor.

20 THE COURT: Sustained.

21 MR. KANAREK: This is foundational, your Honor.

22 THE COURT: The objection is sustained.

23 BY MR. KANAREK:

24 Q Well, at the time, Mrs. Kasabian, when you
25 spoke with Mr. Breckenridge and told him that you were a
26 witch and you in fact thought you were a witch, you certainly

1 were not at the Spahn Ranch, correct?

2 A Right.

3 Q And you were not under the influence of anyone,
4 right?

5 A No.

6 Q You were under the influence of someone?

7 A My thinking was.

8 Q Your thinking was? I see.

9 And your thinking was that at that time your
10 thinking was dictated by someone else?

11 A No, I still had thoughts that were put into me
12 when I was back at the Ranch.

13 Q I see.

14 Now, directing your attention to before you ever
15 went to the Ranch, you had been to many communes, is that
16 correct?

17 A Yes.

18 Q And directing your attention before you went ✓✓
19 to the Ranch, you had studied witchcraft, is that correct?

20 A No.

21 Q Before you ever went to the Ranch, Mrs. Kasabian,
22 had you read books about witches?

23 A No.

24 Q Well, you hesitate. ✓✓

25 A Well, I remember a book but it was not about
26 witches.

1 Q Well, my question is concerning witches?

2 A No.

3 Q Before you went to the Ranch?

4 A No, I never read a book.

5 Q You never read a book before you went to the
6 Ranch?

7 A About witchcraft.

8 Q I see, and at the time -- at the time that you--
9 when you and your husband and Mr. Melton were in the Topanga
10 Canyon area did you and your husband and Mr. Melton discuss
11 witchcraft?

12 A No.

13 Q Did you at the time you were in any communes,
14 prior to the time that you went to Topanga Canyon, thinking
15 of all the communes you have been in throughout the United
16 States, at any time did you discuss the occult?

17 MR. STOVITZ: What?

18 MR. BUGLIOSI: Ambiguous question.

19 MR. KANAREK: Occult, o-c-c-u-l-t.

20 MR. BUGLIOSI: Unintelligible, your Honor.

21 THE COURT: Do you understand the question?

22 THE WITNESS: Yes.

23 THE COURT: You may answer.

24 THE WITNESS: Well, I know when I was living in
25 Taos, there was a group of people living down by the
26 Hot Springs in a great big cave. I never went into the

1 cave but I was told these people were practicing witch-
2 craft.

3 They had a cauldron and all sorts of things.

4 BY MR. KANAREK:

5 Q And this was before you went to the Spahn
6 Ranch, right?

7 A Yes.

8 Q Now, then, directing your attention to other
9 areas of the United States, you have been in communes in
10 these areas where you have considered the subject of
11 witchcraft, isn't that right?

12 MR. STOVITZ: Object to the question, your Honor.
13 She was never in that commune where they had the cauldron,
14 your Honor, and this is a characterization of her testimony.

15 THE COURT: Sustained.

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1 Q Well, directing your attention to other communes
2 that you have been in. Have you engaged in studies and
3 discussions concerning the workings of the human mind,
4 Mrs. Kasabian?

5 MR. STOVITZ: I object to the question as immaterial,
6 irrelevant and having nothing to do with the issues in
7 this case.

8 THE COURT: Sustained.

9 MR. KANAREK: Q One of the reasons that you
10 took LSD, Mrs. Kasabian, is because, from your viewpoint,
11 it expanded your mind; is that correct?

12 A Yes.

13 Q Pardon?

14 A Yes.

15 Q And it allowed you to look into areas of
16 thinking that you couldn't see without taking the LSD;
17 is that right?

18 MR. BUGLIOSI: Calls for a conclusion, your Honor.

19 THE COURT: Overruled.

20 THE WITNESS: I don't quite understand your question.

21 MR. KANAREK: Q Well, was one of your purposes
22 for taking LSD, was one of these purposes to expand your
23 thinking powers so that you could think and see things,
24 visual effects, as you have told us, that you couldn't
25 see without the benefit of LSD?

26 A I still don't quite understand.

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Q You don't understand that question?

A No.

Q Was one of the purposes that you took LSD so that you could expand your thinking powers and think and see things that you couldn't see when you were not under the influence of LSD?

A Possibly.

Q Possibly?

A Yes.

Q The answer is yes, isn't it?

A Well, I took it mostly for God realization and self-realization, and if that means,, you know, expanding my mind into unthinkable things, then I guess the answer is yes.

Q And what do you mean by God-realization?

A Well, to find out if there really is a God and who he is and what he does, and what my purpose here on earth is, and things of this nature.

Q And that is why you took LSD?

A Yes.

Q Now, you stated you also took it for self-realization?

A Yes.

Q And what do you mean by that?

A To find out who I am and what I am and where I am going. ✓

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1 Q Now, then, directing your attention -- and this
2 was before you ever came to the Spahn Ranch; right?

3 A Yes.

4 Q Now, directing your attention to your
5 experiences in connection with the God-realization.

6 Would you tell us what, as a result of taking
7 LSD, you came to realize about God?

8 A He is.

9 Q Pardon?

10 A He is.

11 Q What do you mean by that?

12 A God is, period.

13 Q What do you mean by it when you say, "God is"?

14 A He just is. He is the Supreme Being, he is
15 the creator of this universe.

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1 Q I see.

2 And before you took LSD, you weren't sure of it;
3 is that correct?

4 A I really had no religious background.

5 Q You had no religious background?

6 A Right.

7 Q In your life?

8 A Well, I had a little bit when I was young, but
9 nothing, you know --

10 Q Nothing that amounted to anything until you
11 took LSD; right?

12 A Yes.

13 Q Then you took LSD, and based upon the LSD you
14 realized that God is.

15 A Yes.

16 Q Is that correct?

17 A Yes, uh-huh.

18 Q And that was before you ever went to the
19 Spahn Ranch?

20 A Yes.

21 Q Would you tell us what occurred during the times
22 you were under the influence of LSD that made you believe
23 that God is?

24 MR. STOVITZ: I object to the --

25 THE WITNESS: That I can't put into words.

26 MR. STOVITZ: I will withdraw my objection.

MR. KANAREK: Q You can't put it into words?

A No.

Q Well, would you put into words to the best of your ability?

MR. BUGLIOSI: That calls for testimony that would be irrelevant to the issues in this case, your Honor.

THE COURT: Sustained.

MR. KANAREK: Your Honor, it is very relevant.

THE COURT: The objection is sustained.

MR. KANAREK: Q Now, while you were at the Spahn Ranch, you had already had -- you had already taken LSD many, many times. Did you have this God-realization?

MR. BUGLIOSI: That is an ambiguous question, your Honor.

THE COURT: Sustained.

MR. KANAREK: Q Did you think, while you were at the Spahn Ranch, that God is, as you have put it?

A I think while I was at the ranch I more or less forgot about Him.

Q You forgot about God at the Spahn Ranch?

A Yes. I never thought about Him.

Q Pardon?

A I never thought about Him.

Q In other words, from the instant you crossed over the boundary from Pasa -- from Santa Susana Pass Road to the Spahn Ranch, you forgot about God; is that

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1 correct?

2 MR. STOVITZ: I object to the question as argumentative,
3 your Honor.

4 THE COURT: Sustained.

5 MR. KANAREK: Q At what point, Mrs. Kasabian,
6 did you forget that God is, when you went to the Spahn
7 Ranch?

8 A I don't know.

9 Q Pardon?

10 A Possibly before I got to the ranch. I don't
11 know.

12 Q You say now possibly before you got to the
13 ranch?

14 A Yes.

15 Q Well, if it was before you got to the ranch,
16 would you tell us when it was that this change occurred?

17 A I don't know.

18 Q Well, what caused the change before you got to
19 the Spahn Ranch?

20 MR. BUGLIOSI: That is assuming a fact not in
21 evidence.

22 MR. KANAREK: She just said it was.

23 MR. BUGLIOSI: She said possibly. She didn't know.

24 Anything is possible, Mr. Kanarek.

25 THE COURT: Sustained.

26 MR. KANAREK: Q When is it possible, Mrs. Kasabian,

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1 that you forgot that God is at a time prior to the time
2 that you came to the Spahn Ranch?

3 MR. BUGLIOSI: Repetitious and ambiguous.

4 THE COURT: Sustained.

5 MR. KANAREK: Q Mrs. Kasabian, did you forget
6 about God before you came to the Spahn Ranch or afterwards?

7 MR. BUGLIOSI: Asked and answered.

8 THE COURT: Sustained.

9 MR. KANAREK: Q Are you telling us, Mrs. Kasabian,
10 that until this time in 1965 or 1966 when you first took
11 LSD, that until that time you had no awareness of God;
12 is that right?

13 A I was searching. I really didn't know.

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Q You were searching?

A Yes.

Q And you took LSD in your quest for God?

A Yes.

Q And you took peyote in your quest for God?

A Yes.

Q And you took hash in your quest for God?

A Yes.

Q And you smoked marijuana thousands of times in your quest for God?

MR. STOVITZ: I object to the question. That is not her testimony whatsoever.

THE COURT: Overruled.

You may answer.

THE WITNESS: What was your last question?

MR. KANAREH Q You smoked marijuana thousands of times in your quest for God; is that right?

A Not only for God.

Q Pardon?

A Not only for God, but that is why I got into it.

Q That is why you got into it?

A Yes.

Q Into what?

A Smoking pot and taking drugs.

Q You say that is not the only reason. What other reason was there?

1 A Well, about smoking pot, I just really dug
2 smoking it. It relaxed me.

3 Q Made you enjoy sexual intercourse more?

4 MR. BUGLIOSI: That is badgering the witness, your
5 Honor.

6 THE COURT: Sustained.

7 MR. KANAREK: Q Then, what other reasons were
8 there other than the search for God, Mrs. Kasabian?

9 A I just told you.

10 MR. STOVITZ: Smoking marijuana, or what, Counsel?

11 I object to the question as ambiguous.

12 THE COURT: Sustained.

13 MR. KANAREK: Did you have any other reasons for
14 taking peyote other than your quest for God?

15 A No.

16 Q That was your only reason?

17 A Uh-huh, yes.

18 Q Your only reason for taking hash was your
19 quest for God?

20 A No. I dug hash. I just liked, you know,
21 the effect it gave me.

22 Q You liked the effect it had given you?

23 A Yes.

24 Q Then, as far as LSD was concerned, the only
25 reason you took that was your quest for God?

26 A Yes.

1 Q What about self-realization?

2 A Well, that is intertwined.

3 Q The two are together?

4 A Yes.

5 Q Now, you have, then, for a period of maybe
6 since 1965 or '66 taken all these drugs up until July of
7 1969. Then you go to the Spahn Ranch, and all of that
8 four years of endeavor to acquaint yourself with God and
9 to get self-realization, all of that is gone when you go
10 to the Spahn Ranch; is that right?

11 MR. STOVITZ: Argumentative, your Honor.

12 THE COURT: Sustained.

13 MR. KANAREK: Q After you went to the Spahn
14 Ranch, Mrs. Kasabian, all of this seeking that you have
15 done for God and self-realization, did all of that end
16 when you went to the Spahn Ranch?

17 A I don't know exactly when it ended.

18 Q Well, would you think for a moment and tell us
19 when it ended?

20 A Okay. (Pause.)

21 THE COURT: Ask your next question, Mr. Kanarek.
22 Let's proceed.

23 MR. KANAREK: Q When you were in Taos, New
24 Mexico, you took LSD; right?

25 A Yes.

26 MR. STOVITZ: Is this after the ranch or before the

1 ranch, your Honor?

2 I object to the question as unintelligible.

3 THE COURT: Sustained.

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1 BY MR. KANAREK:

2 Q After you had been with Mr. Breckenridge,
3 you went to Taos, New Mexico; is that correct?

4 A Yes.

5 Q And while you were in Taos, New Mexico, you
6 took LSD?

7 MR. BUGLIOSI: That has been asked and answered over
8 a week ago, your Honor.

9 THE COURT: Sustained.

10 BY MR. KANAREK:

11 Q Now, Mrs. Kasabian, directing your attention
12 to the LSD that you took after you left the Spahn Ranch.

13 Did you do that for God realization and self-
14 realization?

15 A I never took LSD after the Ranch.

16 Q You never took LSD after the Ranch?

17 A Uh-huh, yes.

18 Q Then, directing your attention to Taos, New
19 Mexico, when you were there. Did you take any drugs in
20 Taos, New Mexico?

21 A Not in Taos itself, no.

22 Q Did you take any drugs after you left the
23 Spahn Ranch?

24 MR. BUGLIOSI: Asked and answered over a week ago,
25 your Honor.

26 THE COURT: Sustained.

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1 BY MR. KANAREK:

2 Q Did you, Mrs. Kasabian, in taking the drugs
3 that you took after you left the Spahn Ranch, did you take
4 them for God realization and self-realization?

5 A I am not really sure. I am not sure.

6 Q You are not sure?

7 A Uh-huh, yes.

8 Q You mean you don't know why you took it?

9 A No.

10 Q Pardon?

11 A No, I don't.

12 Q You took them for the same reason that you
13 always took them, because you dug them; is that right?

14 A I don't know why I took it that day.

15 Q Pardon?

16 A I don't know why I took it that day.

17 Q I see.

18 Are you telling us that every time you took
19 LSD before that, before you were at the Spahn Ranch, you
20 did it only for God realization and self-realization, for
21 no other reason?

22 A Also because I liked it.

23 Q Also because you liked the LSD?

24 A Sure.

25 Q In other words, you liked the effect it gave
26 you; is that right?

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1 A Yes.

2 Q And yesterday you told us that you are thanking
3 God for the immunity that you are getting in connection
4 with the seven counts of murder and one count of
5 conspiracy; you are thanking God, is that right?

6 A Yes.

7 Q Now, is that the God that you have come to
8 realize as the result of taking LSD?

9 A No. I have realized him more.

10 Q Pardon?

11 A I have realized him more than the God the
12 LSD showed me since I have been in jail.

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1 MR. KANAREK: May that answer be read back, your
2 Honor?

3 THE COURT: Read the answer.

4 (Whereupon the reporter reads the record.)

5 MR. KANAREK: I see.

6 Q In other words, the short period of time that
7 you are speaking of has shown you a God that is higher
8 than the God of LSD?

9 A Yes.

10 Q Is that correct?

11 A Yes, sort of, yes.

12 Q But you are seeking to get out of jail, right?

13 MR. BUGLIOSI: Asked and answered several days ago,
14 your Honor.

15 THE COURT: Sustained.

16 BY MR. KANAREK:

17 Q Well, then, would you prefer to stay in jail
18 the rest of your life and maybe you will retain your
19 feeling towards this God that is above LSD.

20 MR. BUGLIOSI: Argumentative, compound, ambiguous.

21 THE COURT: Sustained.

22 BY MR. KANAREK:

23 Q Mrs. Kasabian, are you putting us all on?

24 MR. BUGLIOSI: Your Honor, this is all argumentative.

25 THE COURT: Sustained.
26

1 BY MR. KANAREK:

2 Q Mrs. Kasabian, are you telling us the truth,
3 Mrs. Kasabian, when you tell us that you have now as a
4 result of this short period of time in jail, since last
5 December, that you have now come to realize what God is?

6 A Yes.

7 Q Pardon?

8 A Yes.

9 Q You are telling us the truth?

10 A Yes.

11 Q I see. And directing your attention to this
12 truth that you are telling us, did that come about because
13 of the fact that you are getting your freedom?

14 MR. BUGLIOSI: That is an ambiguous question, your
15 Honor.

16 THE COURT: Sustained.

17 BY MR. KANAREK:

18 Q Now, Mrs. Kasabian, when you left the Spahn
19 Ranch after having been there for some five weeks you left
20 because you were scared.

21 Is that a fair statement, Mrs. Kasabian?

22 MR. BUGLIOSI: It has been gone into ad nauseam, your
23 Honor. I object on that ground, on the ground it has been
24 asked and answered.

25 THE COURT: Sustained.

26 MR. KANAREK: May I have a moment, your Honor?

(Pause.)

1
2 BY MR. KANAREK:

3 Q Now, Mrs. Kasabian, you have told us that you
4 had -- that while you were at -- that while you were at
5 the Tate residence in this period of time between the
6 time that you did not see anybody hurt and the time that
7 you did see somebody hurt, you changed your mind that the
8 people there were not piggies; they were human.

9 Do you remember telling us that?

10 A Yes.

11 Q Now, the next night, the next night did you
12 consider the people that you were going out to kill that
13 night --

14 MR. STOVITZ: That assumes a fact that she was going
15 to kill, your Honor, I object.

16 MR. KANAREK: May I finish the question?

17 MR. STOVITZ: I'm sorry. Your Honor, I thought he
18 had paused sufficient for me to object.

19 BY MR. KANAREK:

20 Q Directing your attention, Mrs. Kasabian, to
21 the people that you were going out to the next night, you
22 tell us, did you consider those people to be piggies?

23 MR. STOVITZ: Are you finished now, Counsel?

24 MR. KANAREK: Yes.

25 MR. STOVITZ: I object to the question, your Honor,
26 as improper cross-examination, a characterization of her

testimony.

She never said she considered the people to be piggies. She never said she intended to go out and kill.

THE COURT: Overruled, you may answer.

THE WITNESS: I did not consider anybody a piggy any more.

BY MR. KANAREK:

Q You did not?

A No.

Q Any more?

A No.

Q I see. After the first night you did not consider anyone a pig?

A No.

Q Then directing your attention to your conversation that you say you engaged in in the automobile, where you said, "Not that house, not that house," at the time that you uttered those words you thought that Mr. True was in that house, is that correct?

A Yes.

Q And you did not quarrel about anything happening in the house next door, is that correct?

A No.

Q You had no quarrel with that?

A No.

Q You had no quarrel with the people in the house

1 next door getting killed, did you?

2 A No, I guess not.

3 Q You really did not.

4 And, Mrs. Kasabian, you considered your state
5 of mind was such that you considered the people in the house
6 next door to be piggies, is that correct?

7 A I don't think so.

8 Q Well, would you tell us what did you consider
9 the people in the house next door to be then?

10 A I don't know.

11 Q Pardon?

12 A I don't know.

13 Q You don't know?

14 A They were just people.

15 Q They were just people?

16 A Yes.

17 Q And you knew, your state of mind was such
18 that these people in the house next door were going to be
19 killed?

20 A Yes.

21 Q And you tell us you were along on this trip of
22 your own free will, is that correct?

23 MR. STOVITZ: I object to the question, your Honor.
24 We have now learned there is another definition for the
25 word "trip" besides journey.

26 I would like to know what context counsel is

asking the question in.

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THE COURT: Do you understand the question?

THE WITNESS: No, you will have to repeat it.

THE COURT: Reframe your question.

MR. KANAREK: May it be read, your Honor?

THE COURT: She does not understand the question.

MR. KANAREK: Oh, I'm sorry.

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1 Q BY MR. KANAREK: Mrs. Kasabian, directing your
2 attention to this second night, Mrs. Kasabian, you were on
3 that journey, if I may put it that way, you were on that
4 journey of your own free will, is that correct?

5 A What do you mean by my own free will?

6 Q Well, do you understand the question?

7 A Not entirely, no.

8 Q What is there about the question that you
9 don't understand?

10 A I don't understand what you mean by my own
11 free will.

12 Q You don't understand what those words mean?

13 A Well, in a sense I was not under my own free
14 will.

15 Q Well, all that we are asking, Mrs. Kasabian,
16 is that you just answer the question.

17 A I think I just did.

18 Q Pardon?

19 A I think I just did.

20 Q Well, you were not under any drug?

21 A No.

22 Q Is that right?

23 A No.

24 Q At this point you had put God aside, is that
25 right?

26 A Yes, I never thought of him.

Q Pardon?

A I never really thought of him.

Q You did not think of God?

MR. BUGLIOSI: That is what she just said, Counsel.

I object to the question as being repetitious.

MR. KANAREK: Well, your Honor, the witness --

THE COURT: Ask your question, Mr. Kanarek.

MR. KANAREK: The witness is just a little bit low, your Honor.

THE COURT: Keep your voice up.

Q BY MR. KANAREK: Directing your attention, Mrs. Kasabian, to, let us say, when you came back to California after having been somewhere else, let us say on June the 27th or June 26th, 1969.

At that point you had God, is that right?

A No, I don't think I did.

Q You did not have God at that time before you ever met anyone at the Spahn Ranch?

A No, I think I let him go when I was back East.

Q I see. Tell us when you let go of God.

A I don't know exactly when.

Q Well, about when, back when you were back East did you let go of God?

A I don't know.

Q Well, can you tell us about what month and year that was?

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1 THE COURT: I will sustain my own objection.

2 Will counsel approach the bench?

3 (The following proceedings were had at the
4 bench out of the hearing of the jury:)

5 THE COURT: Mr. Kanarek, you are just wasting time
6 now.

7 It is obvious to me that you have no legitimate
8 end to your cross-examination in mind. If you have you are
9 saving it for some other time because you are just wasting
10 time.

11 MR. KANAREK: May I respond to that?

12 THE COURT: You may in a minute.

13 MR. KANAREK: Yes.

14 THE COURT: The second thing is, when you resume
15 after recess I expect you to be fully prepared to start
16 your examination the minute this Court convenes, and not
17 stand around for ten minutes like you did the last time,
18 looking for exhibits and fumbling for your notes and
19 standing there in dead silence.

20 We have no time to waste.

21 MR. KANAREK: I have a mechanical problem getting
22 exhibits.

23 THE COURT: You get it during the recess.

24 MR. KANAREK: I can't, your Honor, the clerk isn't
25 there.

26 THE COURT: He is here. I don't want any time wasting.

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MR. KANAREK: Your Honor, I am not wasting time.

THE COURT: Yes, you are.

MR. KANAREK: Counsel, your Honor --

THE COURT: I told you, I have warned you, I don't expect to have to do that again.

Now, let's bear that in mind.

All right, now, you may respond.

MR. KANAREK: Well, yes, your Honor, the fact of the matter is we have a witness on the witness stand who is obviously a mental case. There is no question -- well, what I'm saying is this, your Honor --

THE COURT: Mr. Kanarek, there is no point in making an argument to me like you were talking to a jury.

It does not impress me one bit. Now, if you have something directed to what I said to you, you may respond. Otherwise, don't waste my time.

MR. KANAREK: What I'm trying to point out to the Court --

THE COURT: All right.

MR. KANAREK: -- is that the prosecution opened up this entire subject. We cannot take the words --

THE COURT: I simply told you what I think at the moment.

Now, if you have some cross-examination you wish to continue with, you may do so.

I have not foreclosed your right to cross-examine.

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1 but I am certainly going to start sustaining objections of
2 what I think is a sheer waste of time, confusing, mis-
3 leading, and that is the way it is getting very rapidly.

4 We will adjourn until 2:00 p.m.

5 (The following proceedings were had in open
6 court in the presence and hearing of the jury:)

7 THE COURT: Ladies and gentlemen, do not converse
8 with anyone nor form or express an opinion regarding the
9 case until it is finally submitted to you.

10 The Court will adjourn until 2:00 p.m.

11 (Whereupon, an adjournment was taken to
12 reconvene at 2:00 p.m., same day.)

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