

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 104

HON. CHARLES H. OLDER, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

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

Defendants.

89

No. A253156

COPY

REPORTERS' DAILY TRANSCRIPT  
Thursday, September 17, 1970  
A. M. SESSION

APPEARANCES:

For the People:

DONALD A. MUSICH,  
STEPHEN RUSSELL KAY,  
[REDACTED] and  
VINCENT T. BUGLIOSI,  
DEPUTY DISTRICT ATTORNEYS

For Deft. Manson:

I. A. KANAREK, Esq.

For Deft. Atkins:

DAYE SHINN, Esq.

For Deft. Van Houten:

[REDACTED]  
RONALD HUGHES, Esq.

For Deft. Krenwinkel:

PAUL FITZGERALD, Esq.

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



1 LOS ANGELES, CALIFORNIA, THURSDAY, SEPTEMBER 17, 1970

2 9:50 o'clock a.m.

3 - - - -

4 (The following proceedings were had in the  
5 chambers of the court out of the hearing of the jury,  
6 all counsel being present:)

7 THE COURT: The record will show all counsel are  
8 present.

9 I called you into chambers because I have  
10 received a letter from, apparently, a prisoner at San  
11 Quentin who claims to have had a conversation with Mr.  
12 Manson prior to his arrest, that is, the prisoner's  
13 arrest, in May of 1969, wherein he states that he had met  
14 Mr. Manson several times in Hollywood and Mr. Manson told  
15 him something of his plans, including the Benedict Canyon  
16 affair.

17 So I will give the letter to the Clerk. It is  
18 available to any counsel who wants to read it.

19 It may or may not mean anything.

20 MR. BUGLIOSI: I have a brief comment, your Honor.

21 A couple of days ago I mentioned that one of  
22 our star witnesses was threatened with her life.

23 About two days after I spoke to you in chambers  
24 she was found in Honolulu almost dead. We intend to  
25 pursue the matter to the limit.

26 There apparently was an attempted murder.

1 I mentioned the threat one day and the next day  
2 she was almost murdered.

3 THE COURT: Who was the witness?

4 MR. BUGLIOSI: Barbara White. It was a member of  
5 the Family that gave her an overdose, and I state to  
6 defense counsel again, because I am going to do everything  
7 within my power to get this out in front of the jury,  
8 and this particular member of the Family is going to be  
9 prosecuted either by our office or by Honolulu.

10 I just tell the Court this because I ask the  
11 Court for some type of help. Apparently the defendants  
12 and members of their Family will stop at nothing.

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MR. HUGHES: May we inquire who this person is?

MR. BUGLIOSI: Apparently, my discussion several days ago back in chambers had no effect because after the discussion she was found in Honolulu with enough LSD in her to kill two people and she was on the brink of death for several days and now she is just coming around.

MR. HUGHES: May I ask who the person is?

MR. BUGLIOSI: The victim is Barbara Hoyt.

MR. HUGHES: I know that. You told me that.

MR. BUGLIOSI: The other party I would rather not mention. I think if you will talk to anyone, they will tell you. Ask Sandra Goode or anyone like that.

MR. KANAREK: I make a motion that Mr. Bugliosi be sworn, your Honor.

THE COURT: Mr. Kanarek, this is just a gratuitous statement by Mr. Bugliosi and has nothing whatever to do with this case and I won't dignify it by listening to any motion by anyone.

MR. KANAREK: May I just make one comment?

It is my position, and I know that I have stated it previously --

THE COURT: There is no need to make a statement. What Mr. Bugliosi said is his opinion. He may be right or wrong, I have no idea. It has nothing to do with this case at this point.

MR. KANAREK: I was going to make a statement

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1 concerning jeopardy.

2 If the prosecution deliberately introduces error  
3 into the case - -

4 THE COURT: There is no need to make a statement,  
5 Mr. Kanarek. There is nothing before me at this time.

6 Is there any reason why we should not go back  
7 into court and resume the trial at this time?

8 Very well.

9 (Whereupon, the following proceedings occur in  
10 open court, all defendants, counsel and jurors present:)

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

13 You may proceed, Mr. Bugliosi.

14 MR. BUGLIOSI: Mr. De Carlo.

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1 DANNY DE CARLO,

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

5 THE CLERK: Be seated, please.

6 Would you state your name, sir.

7 THE WITNESS: Danny De Carlo.

8 THE CLERK: You are still under oath, sir.

9  
10 DIRECT EXAMINATION (RESUMED)

11 BY MR. BUGLIOSI:

12 Q Danny, when we left off last Friday you were  
13 telling us about Manson discussing cutting the throats of  
14 pigs and hanging them up.

15 MR. KANAREK: Your Honor, may we approach the bench  
16 briefly on this?

17 THE COURT: If you have an objection, state it,  
18 Mr. Kanarek.

19 MR. KANAREK: I would like to enunciate it at the  
20 bench if I may, perhaps I can expedite the matter by  
21 making some point to the Court.

22 THE COURT: If you have an objection, state it.

23 MR. KANAREK: Yes, your Honor, I object to that  
24 particular question on the grounds that it is leading and  
25 suggestive.

26 Furthermore, your Honor, the prejudicial value

1 far outweighs the probative value in view of the fact of the  
2 inability of this witness to tie this down to time, place  
3 and who was present.

4 THE COURT: Overruled.

5 MR. KANAREK: May I have a continuing objection,  
6 then, your Honor, on the grounds that the probative value is  
7 far outweighed by the prejudicial value.

8 May I have that continuing objection?

9 THE COURT: No, you may not.

10 MR. KANAREK: I may not!

11 THE COURT: Let's proceed.

12 Q BY MR. BUGLIOSI: Also about the neighbors  
13 leaving town, and the police turning in their tin badges.

14 Did Mr. Manson tell you why the neighbors would  
15 leave town and the police would turn in their tin badges?

16 A Well, they would be afraid.

17 Q Did he say anything else?

18 A It would blow their minds.

19 Q It would blow whose minds?

20 A Well, the minds of the public.

21 Q Did he say anything about a maniac?

22 MR. KANAREK: That was leading and suggestive, I  
23 suggest, your Honor.

24 THE COURT: Read the question, please.

25 (Whereupon, the reporter reads the pending  
26 question as follows:



1 "Q Did he say anything about a  
2 maniac?"

3 THE COURT: Overruled.

4 Q BY MR. BUGLIOSI: In this discussion about pigs  
5 did he say anything about a maniac?

6 ~~MR. SHINN: I am going to object on the grounds it is  
7 immaterial and irrelevant, Your Honor.~~

8 THE COURT: Overruled.

9 ~~MR. SHINN: It is asking for a conclusion.~~

10 THE WITNESS: There would be a maniac on the loose.

11 Q BY MR. BUGLIOSI: People would think there was a  
12 maniac on the loose?

13 A Yeah.

14 Q Did Manson ever say anything about the  
15 Establishment?

16 MR. SHINN: Your Honor, it is ambiguous. I object on  
17 those grounds, your Honor.

18 THE COURT: Overruled.

19 THE WITNESS: The Establishment was no good.

20 Q BY MR. BUGLIOSI: Did Mr. Manson say that?

21 A Yeah.

22 Q You mentioned earlier in your testimony, Danny,  
23 that Manson spoke of Helter Skelter.

24 Would the term Helter Skelter come up in any  
25 particular context in a sentence?

26 How would he use the term Helter Skelter?

1 MR. KANAREK: May I inquire on voir dire as to whether  
2 this witness knows what the word "context" means?

3 THE COURT: Denied.

4 THE WITNESS: It means trouble.

5 Q BY MR. BUGLIOSI: Right, but how would he use  
6 the term "Helter Skelter," in a sentence?

7 A Well, "Helter Skelter" is coming down fast."

8 Q Danny, have you ever heard of Revelation 9?

9 A Yeah.

10 Q Where and when did you hear of Revelation 9 for  
11 the first time?

12 A I heard it at the ranch.

13 Q Approximately when?

14 A In June.

15 Q Of 1969?

16 A Yeah.

17 Q Did you ever hear Manson mention Revelation 9?

18 A Yeah.

19 Q Did he ever mention it to you?

20 MR. KANAREK: May we have a foundation, your Honor,  
21 as to time and who was present?

22 MR. BUGLIOSI: I am laying the foundation now, your  
23 Honor.

24 Q Did Manson ever mention Revelation 9 to you,  
25 Danny?

26 A Yeah.

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Q On how many occasions?

A A couple.

Q During what period of time?

A I don't know.

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Q Was it between March of '69 and August of '69?

A Yes.

Q At Spahn Ranch?

A Yes.

Q Do you know who was present when he mentioned Revelation 9 to you?

A No.

Q Were there other people present?

A I don't know.

Q What did Manson say to you about Revelation 9?

MR. FITZGERALD: Hearsay as to Krenwinkel.

MR. SHINN: Also hearsay as to Susan Atkins.

MR. HUGHES: And as to Leslie Van Houten.

THE COURT: Overruled.

You may answer.

THE WITNESS: Well, Revelation 9, I don't know,  
"Ran down the destiny."

BY MR. BUGLIOSI:

Q Of what?

A Of the world.

Q This is what Manson told you?

A Right.

Q Did he ever tell you to read Revelations 9?

A Yes.

Q Did you ever do it?

A No.

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1 Q Had you ever heard of Revelation 9 before you  
2 came to Spahn Ranch?

3 A No.

4 Q Did you ever hear Manson mention Revelation 9  
5 to other people?

6 A Yes.

7 Q To whom?

8 A I don't know. To other people.

9 Q At the Ranch?

10 A Yes.

11 Q Many times?

12 A No.

13 Q Did he ever discuss Revelation 9 at dinnertime?

14 A Maybe once.

15 Q To the Family?

16 A Yes.

17 Q Did Charles Manson ever say anything to you,  
18 Danny, about death?

19 MR. FITZGERALD: Leading and suggestive.

20 THE COURT: Overruled.

21 A Well, you shouldn't be afraid to die. Death  
22 meant nothing.

23 BY MR. BUGLIOSI:

24 Q This is what Manson told you?

25 A Yes.

26 Q On how many occasions?

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A Once.

Q Where at?

A I don't know.

Q Was it at Spahn Ranch?

A Yes.

Q Between March and August of '69?

A Yes.

Q Was anyone else present in addition to yourself and Mr. Manson?

A I don't know.

Q Did you ever shoot at a bird at Spahn Ranch?

MR. FITZGERALD: Leading and suggestive.

THE COURT: Overruled.

MR. FITZGERALD: And immaterial and irrelevant.

MR. SHINN: Join in the objection.

THE COURT: Overruled.

THE WITNESS: Yes. I shot at a number of them.

BY MR. BUGLIOSI:

Q Did you ever shoot at a bird at Spahn Ranch in Mr. Manson's presence?

MR. FITZGERALD: Immaterial and irrelevant. Calls for hearsay.

MR. SHINN: Join in the objection.

THE COURT: Hearsay, Mr. Fitzgerald? What do you mean by that?

MR. FITZGERALD: I don't know what he is going to

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testify to but I assume that he is going to testify to a conversation.

Obviously, shooting a bird isn't relevant.

THE COURT: The question doesn't call for hearsay.

MR. FITZGERALD: Immaterial and irrelevant.

THE COURT: Objection overruled.

MR. BUGLIOSI: Do you want me to repeat the question, Danny?

THE WITNESS: Yes.

4a fls.

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1 BY MR. BUGLIOSI:

2 Q Did you ever shoot at a bird at Spahn Ranch  
3 in Charles Manson's presence?

4 A Yes.

5 Q When was that?

6 A July.

7 Q OF '69?

8 A Yes.

9 Q Who else was present at that time, if anyone,  
10 in addition to yourself and Mr. Manson?

11 A I don't know.

12 Q Did Manson say anything to you when you shot  
13 at the bird?

14 MR. FITZGERALD: Calls for hearsay, immaterial and  
15 irrelevant.

16 MR. KANAREK: Join, your Honor.

17 THE COURT: Overruled.

18 THE WITNESS: He didn't like me shooting at the  
19 bird.

20 BY MR. BUGLIOSI:

21 Q Did he say anything else?

22 A I'd rather shoot people than a bird. ✓

23 Q This is what Mr. Manson said?

24 A Right.

25 MR. KANAREK: Your Honor, could we approach the  
26 bench?



1 THE COURT: Do you have an objection?

2 MR. KANAREK: Yes.

3 THE COURT: State it.

4 MR. KANAREK: I would ask that that be stricken,  
5 your Honor, that the response be stricken, on the grounds  
6 that the prejudicial value far outweighs any probative  
7 value.

8 There is no foundation laid, your Honor, as  
9 to time and place.

10 MR. FITZGERALD: Move to strike. Hearsay as to  
11 Patricia Krenwinkel.

12 THE COURT: Motion is denied.

13 MR. HUGHES: Move to strike. Hearsay as to  
14 Lealie Van Houten.

15 THE COURT: Denied.

16 MR. FITZGERALD: May I ask a question for the  
17 purpose of interposing an objection, your Honor?

18 The question I have in mind is whether or not  
19 Patricia Krenwinkel was present at the time this alleged  
20 conversation took place.

21 MR. BUGLIOSI: Q Was Miss Krenwinkel present  
22 during that conversation, Danny?

23 A No.

24 Q Was Lealie Van Houten present?

25 A No.

26 Q Was Susan Atkins present?

A No. I don't know.

1 MR. FITZGERALD: I will renew my motion to strike.  
2 Hearsay as to Krenwinkel.

3 MR. KANAREK: I will join on the grounds of hearsay.

4 MR. SHINN: Join on behalf of Susan Atkins.

5 MR. HUGHES: Join on behalf of Leslie Van Houten.

6 THE COURT: Do you wish to be heard, Mr. Bugliosi?

7 MR. BUGLIOSI: It can be limited to Mr. Manson.

8 THE COURT: All right.

9 The jury is admonished to consider this  
10 testimony, the answer to the question and the previous  
11 answers with regard to Mr. Manson's statements in the  
12 presence of this witness when none of the other defendants  
13 were present, to be considered only as to Mr. Manson and  
14 not to be considered for any purpose as to the other  
15 defendants.

16 BY MR. BUGLIOSI:

17 Q How old are you, Danny?

18 A 26.

19 Q How old is Mr. Manson, if you know?

20 MR. KANAREK: That is calling for a conclusion, your  
21 Honor, on the part of this witness, clearly.

22 MR. BUGLIOSI: Age is an opinion that the witness  
23 can testify to, your Honor.

24 THE COURT: You didn't ask him that.

25 MR. BUGLIOSI: All right.  
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Q Do you have an opinion as to Mr. Manson's age?  
A 34, 35, I guess.

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1 Q What about Bruce Davis?

2 MR. KANAREK: Your Honor, I must object to that.

3 "What about Bruce Davis?" That is an incomplete question.

4 THE COURT: It is ambiguous. Sustained.

5 MR. BUGLIOSI: Q Do you have any opinion as to  
6 his age?

7 A No.

8 Q You have no opinion as to his approximate age?

9 A I don't know. Maybe the same age as me, 26,  
10 I guess.

11 Q What about Tex Watson? Do you have any opinion  
12 as to his age?

13 A 25.

14 Q What about Clem?

15 A I don't know, 22.

16 Q What about the girls in the Family? Do you have  
17 any opinion as to their ages?

18 I am referring to the 13 girls now that were  
19 living at Spahn Ranch when you first came there in March of  
20 '69.

21 MR. KANAREK: Your Honor, that is ambiguous. I think  
22 if he is going to ask an opinion, may he ask it as to each  
23 person? I don't think he can lump them together. He is  
24 talking about 13 people, your Honor.

25 THE COURT: Well, it is ambiguous, Mr. Bugliosi,

26 Are you talking about a range of ages, or what?

1 MR. BUGLIOSI: Let me lay more of a foundation.  
2 Q Do you have any opinion as to Susan Atkins'  
3 age?  
4 A 21.  
5 Q Leslie Van Houten?  
6 A About 19.  
7 Q Patricia Krenwinkel?  
8 A 20.  
9 Q Do you know a girl by the name of Ruth Morehouse?  
10 A Yes.  
11 Q Was she a member of the Family?  
12 A Yes.  
13 Q Do you have any opinion as to her age?  
14 A 18.  
15 Q Did you know a girl by the name of Simi Valley  
16 Sherri?  
17 A Yes?  
18 Q Do you have any opinion as to her age?  
19 A 17.  
20 Q Was she a member of the Family?  
21 A Yes.  
22 Q Do you know Dianne Lake?  
23 A No.  
24 Q Did you know a girl by the name of Snake?  
25 A Yes.  
26 Q Was she a member of the Family?

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A Yes.

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Q How old was she, in your opinion?

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A She was 18.

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Q Did you know a girl by the name of Squeaky?

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A Yes.

6

Q Was she a member of the Family?

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A Yes.

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Q Do you have any opinion as to her age?

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A 21.

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Q Do you know Sandra Goode?

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A Yes.

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Q Do you have any opinion as to her age?

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A I don't know. About 23.

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Q Was she also a member of the Family?

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A Yes.

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1 Q Did you know a girl by the name of Brenda  
2 McCann?

3 A Yeah.

4 Q Was she a member of the Family?

5 A Yeah.

6 Q Do you have any opinion as to her age?

7 A 21.

8 Q Did you know a girl by the name of Gypsy?

9 A Yeah.

10 Q Was she a member of the Family?

11 A Yeah.

12 Q Do you have an opinion as to her age?

13 A 25.

14 Q Did you know a girl by the name of Catherine  
15 Gillis?

16 A Yeah.

17 Q Was she a member of the Family?

18 A Yeah.

19 Q Any opinion as to her age?

20 A I don't know, around 20, I guess.

21 Q Did you know a girl by the name of Katie  
22 Lutesinger?

23 A Yeah.

24 Q Was she a member of the Family?

25 A Yeah.

26 Q Any opinion as to her age?

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A 18 or 19.

Q Did you know a girl by the name of Stephanie Schram?

A Yeah.

Q Was she a member of the Family?

A Not really.

Q When did you see Stephanie at Spahn Ranch?

A I think it was in August sometime.

Q August of '69?

A Right.

Q For what period of time?

A Just a couple of days.

Q Did you ever see her up at Barker Ranch?

A No.

Q Do you have any opinion as to Stephanie's age?

A 18 -- 19.

Q Do you know what the word "opinion" means, Danny?

A Yeah.

Q In your mind, what is an opinion?

A My own idea.

Q Or someone else's idea, is that right?

A Well, my own idea.

Q Can someone else have an opinion?

A Oh, yeah.

Q So an opinion is an idea?



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A Yeah.

Q About something?

A Right.

Q Did you ever hear Tex Watson give an opinion about anything during your stay at Spahn Ranch?

MR. FITZGERALD: Immaterial, irrelevant.

MR. KANAREK: Calling for a conclusion, your Honor.

MR. SHINN: Join in the objection.

MR. BUGLIOSI: He already testified as to what an opinion is, your Honor.

It is a rather simple word, it is not ambiguous.

THE COURT: Overruled. You may answer.

THE WITNESS: No.

Q BY MR. BUGLIOSI: Did you ever talk to Tex?

A A couple of times.

Q At Spahn Ranch?

A Well, I talked at different places.

Q Among them the Spahn Ranch?

A Yeah.

Q Between March and August of 1969?

A Yeah.

Q Did you speak to him up at Barker Ranch?

A Yeah.

Q Did Tex ever talk to you about his philosophy on life?

A No.

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Q What would he normally talk to you about?

MR. FITZGERALD: Immaterial and irrelevant.

MR. KANAREK: Calling for a conclusion, your Honor.

MR. SHINN: Join in the objection.

MR. KANAREK: It's ambiguous.

MR. HUGHES: Join in the objection.

THE COURT: Overruled.

THE WITNESS: We talked about drinking.

Q BY MR. BUGLIOSI: So you and Tex would talk about drinking?

A Right.

Q You drank quite a bit out at Spahn Ranch, didn't you, Danny?

A Yeah.

Q Were you drunk every day?

A Yeah.

Q Was your main reason for being out at Spahn Ranch the drinking and the women?

MR. FITZGERALD: Leading and suggestive.

MR. KANAREK: Also the prejudicial value far outweighs the probative value.

For his reason for being there, your Honor.

THE COURT: Sustained.

Q BY MR. BUGLIOSI: Did you ever hear Tex Watson tell Charles Manson or ask Mr. Manson to do anything at all during your stay at Spahn Ranch? ✓

1 MR. SHINN: Object on the ground it is hearsay,  
2 your Honor.

3 MR. KANAREK: Calls for a conclusion, your Honor.

4 MR. BUGLIOSI: "Tell or ask," your Honor, very  
5 common, simple words.

6 THE COURT: Read the question, please.

7 {Whereupon, the reporter reads the pending  
8 question as follows:

9 "Q Did you ever hear Tex Watson  
10 tell Charles Manson or ask Mr. Manson to do any-  
11 thing at all during your stay at Spahn Ranch?"

12 THE COURT: Overruled. You may answer.

13 THE WITNESS: No. ✓

14 Q BY MR. BUGLIOSI: You testified, Danny, that  
15 Tex Watson was the mechanic, the dune buggy mechanic, in the  
16 Family.

17 Did Charles Manson have any job in the Family,  
18 to your knowledge?

19 MR. KANAREK: Your Honor, may I object to that, your  
20 Honor, that is assuming facts not in evidence, that  
21 Mr. Watson was the only one.

22 I don't believe the evidence reveals he was the  
23 mechanic. I think the question is ambiguous in form and  
24 calls for a conclusion.

25 THE COURT: Overruled.

26 THE WITNESS: No, not really.

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1 Q BY MR. BUGLIOSI: Did you use to see Charles  
2 Manson almost every day out at Spahn Ranch?

3 A Yeah.

4 Q What would you observe him normally to be doing?

5 MR. KANAREK: That is ambiguous, your Honor, and it  
6 calls for a conclusion. It is --

7 THE COURT: Overruled.

8 THE WITNESS: He wasn't doing nothing.

9 THE COURT: Read the answer, please.

10 THE REPORTER: "He wasn't doing nothing."

11 Q BY MR. BUGLIOSI: Just walking around?

12 A Just walking around.

13 Q Do you know what the word "supervise" means?

14 A Yeah.

15 Q What does it mean in your mind?

16 A To watch what other people was doing.

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1 Q To watch them?

2 A Supervise, to watch them.

3 Q Does it also mean in your mind to direct  
4 people?

5 MR. KANAREK: Leading and suggestive, your Honor.

6 THE COURT: Overruled.

7 THE WITNESS: Yeah, it could.

8 BY MR. BUGLIOSI:

9 Q If I were just watching you work on a gun,  
10 in your mind would I be supervising you?

11 MR. KANAREK: Your Honor, in the context of these  
12 proceedings I think that that question is unfair, your  
13 Honor --

14 MR. BUGLIOSI: I'm trying to ascertain, your Honor--

15 MR. KANAREK: -- as an example, your Honor, I  
16 object.

17 The prejudicial value outweighs the probative  
18 value.

19 Mr. Bugliosi's choice of example is, I think,  
20 unfortunate.

21 THE COURT: Overruled.

22 THE WITNESS: If you was watching me you would not  
23 be supervising me.

24 BY MR. BUGLIOSI:

25 Q All right, what is your definition then of  
26 what the word supervise means?

5a-2

1 MR. KANAREK: Asked and answered, your Honor.

2 THE COURT: Overruled.

3 THE WITNESS: To watch people, what they are doing.

4 BY MR. BUGLIOSI:

5 Q Just to stand around and look at them, is that  
6 what you mean that the word supervise means?

7 A Yeah, to watch them, watch what they are  
8 doing.

9 Q With any purpose in mind?

10 A To make sure they do it right.

11 Q When Manson used to be walking around Spahn  
12 Ranch during the period that you were out there, would he  
13 be doing any supervising?

14 MR. KANAREK: Soliciting a conclusion, your Honor.

15 THE COURT: Sustained.

16 BY MR. BUGLIOSI:

17 Q Do you know what a Buck knife is, Danny?

18 A Yeah.

19 Q Did you ever see any Buck knives at Spahn  
20 Ranch?

21 A Yeah, we had a few.

22 Q When was the first time you saw Buck knives  
23 out at Spahn Ranch?

24 A July or August.

25 Q Of 1969?

26 A Yeah.

5a-3

1 Q Would you tell the Judge and the jury the  
2 circumstances under which you saw the Buck knives?

3 A Well, there was a bunch of them bought, and  
4 they were brought into where I was staying at.

5 Q How many Buck knives?

6 A About ten of them.

7 Q Do you know who bought them?

8 A I'm not sure, I think Gypsy did, I'm not sure.

9 Q Gypsy?

10 A Yeah.

11 Q And where were these Buck knives kept out at  
12 the Ranch, if you know?

13 A They would just wear them.

14 Q Who used to wear them?

15 A Well, we all did.

16 Q Members of the Family wore them?

17 A Right.

18 Q Did Tex Watson wear a Buck knife?

19 A Sometimes.

20 Q Did Charles Manson wear a Buck knife?

21 A Sometimes.

22 Q They used to wear them on their persons?

23 A Yeah.

24 Q Did the girls wear Buck knives on their  
25 persons?

26 A Not really. Sometimes they would.

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Q And you say Gypsy bought a bunch of them?

A Yeah.

Q Do you remember again how many?

A It was around ten. I'm not sure.

Q Were all of the Buck knives the same or did they appear to be the same?

A Yeah.

Q Are you familiar with the blade of the Buck knives?

A Yeah.

Q Do you have any opinion as to the length of the blades?

MR. KANAREK: Again, your Honor, is he asking for range -- it is ambiguous.

MR. BUGLIOSI: He said all of them were the same.

MR. KANAREK: I did not hear that.

BY MR. BUGLIOSI:

Q Were all of the Buck knives the same, Danny?

A Yeah.

Q Do you have any opinion as to the length of the blades of these Buck knives?

A About six inches.

Q What about the thickness of the blade of these Buck knives?

A About an inch.

Q I'm talking about thickness now.



5a-5

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A Thickness? About an eighth of an inch.

2

Q What about the width of the blade?

3

A The width would be about an inch.

4

Q I show you People's 39 for identification,  
have you ever seen that knife before?

5

6

A Yeah.

7

Q Out at Spahn Ranch?

8

A Yeah.

9

Q When did you see this Buck knife for the first  
time out at Spahn Ranch?

10

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A I think Linda had it.

12

Q Linda who?

13

A Kasabian.

14

Q All right, is that when she first came to the  
Family?

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5b fls.

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A Yeah.

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JB-1

1 Q Do you know when she first came to the Family?

2 A In August sometime, maybe the latter part of  
3 July.

4 Q 1969?

5 A Yeah.

6 Q These 10 or so buck knives that Gypsy brought to  
7 the ranch, the ones that you just estimated the dimensions  
8 of the blade on, were they the same as this knife right here,  
9 People's 39?

10 A No.

11 Q Are they larger or smaller than this knife?

12 A About the same size.

13 Q The blades?

14 A No, the blade was longer.

15 Q The blades of these ten knives were longer than  
16 the blades on People's 39?

17 A Yeah.

18 Q At any time while you were at Spahn Ranch,  
19 Danny, did you become aware that one or more of the girls  
20 in the Family had bought some black T-shirts?

21 MR. KANAREK: That is assuming facts not in evidence,  
22 your Honor.

23 THE COURT: He is asking a question.

24 MR. KANAREK: Pardon?

25 THE COURT: He is asking whether or not that is a  
26 fact.

1 MR. KANAREK: Then may I object on the ground it is  
2 also leading and suggestive, your Honor?

3 THE COURT: Overruled.

4 THE WITNESS: Yeah.

5 Q BY MR. BUGLIOSI: When did you become aware of  
6 this?

7 A The last half of July, beginning of August.

8 Q 1969?

9 A Right.

10 Q You were arrested, you say, on August 16th,  
11 1969?

12 A Yeah.

13 Q At Spahn Ranch?

14 A Yeah.

15 Q Now, when you estimate these times, like the last  
16 part of July, are you using August 16th, 1969 as a base of  
17 reference?

18 A Yeah.

19 Q Would you relate the circumstances surrounding  
20 your seeing these black T-shirts out at Spahn Ranch?

21 A I saw them in the bunk house.

22 Q Would you go into a little more detail.

23 MR. KANAREK: Your Honor, I must object to that.  
24 That is ambiguous, asking for more detail.

25 THE COURT: It is ambiguous, Mr. Bugliosi. Sustained.

26 Q BY MR. BUGLIOSI: Could you go into a little bit

1 more depth, Danny, elaborate a little more, give us a few  
2 more of the details surrounding your seeing these black  
3 T-shirts at Spahn Ranch late July of 1969.

4 MR. KANAREK: It is the same question, your Honor.

5 THE COURT: Overruled.

6 THE WITNESS: Well, there were some T-shirts that were  
7 bought.

8 Q BY MR. BUGLIOSI: By whom?

9 A I am not sure, I think Gypsy.

10 Q Do you know where they were bought?

11 A No.

12 Q And you saw these black T-shirts out there?

13 A Yeah.

14 Q Do you recall if they had short sleeves or long  
15 sleeves?

16 A Short sleeves.

17 Q Did they have any pockets on them?

18 A Yeah, I think they did.

19 Q Do you know where the pockets were?

20 A They were on the shirt.

21 Q Do you know where on the T-shirt?

22 A It was on the left side.

23 Q Near the breast?

24 A Yeah.

25 Q I show you People's 52 for identification, a  
26 black T-shirt.

1 Does this T-shirt resemble the black T-shirt  
2 you saw at Spahn Ranch or does it appear to be difference?

3 A It looks like a black T-shirt.

4 Q I realize this is a black T-shirt, but does this  
5 appear to be the same type of black T-shirt you saw out at  
6 Spahn Ranch or does it appear to be different?

7 A It looks like the same.  
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Q You slept in the bunk house out at Spahn Ranch?

A Yes.

Q Was that also called the Undertaking Room?

A Yes.

Q The bunk house was among the group of buildings in the front part of the ranch?

A Yes.

Q What was your job, if you had a job, in the Family?

A I took care of the guns.

Q The firearms, the guns?

A Yes.

Q Were the guns and the firearms kept in the bunk house?

A Yes.

Q So they were kept in the same room where you lived?

A Yes.

Q What was your job with respect to these firearms? Did you repair them?

A Yes. I maintained them.

Q In June, July and August of 1969, during that period of time, do you recall what firearms were at the ranch?

A Yes.

Q Would you please relate what firearms were at the

6-2

1 ranch?

2 A A 303 British Enfield.

3 Q I think you will have to go a little bit  
4 slower.5 A A .22 rifle. A .20 gauge. A 30 caliber carbine.  
6 We had a 12-gauge riot gun. An M-1 carbine, and a sub-  
7 machine gun.

8 Q Any other firearms?

9 MR. KANAREK: Your Honor, may we approach the bench  
10 at this point in connection with this line of questioning?

11 THE COURT: I see no necessity for it, Mr. Kanarek.

12 If you have an objection, you may state it.

13 MR. KANAREK: Yes, your Honor.

14 I would ask that this last question and answer  
15 be stricken on the grounds that the prejudicial value  
16 far outweighs the probative value as far as anything to do  
17 with this case, your Honor.

18 THE COURT: Overruled.

19 THE WITNESS: There was a pistol.

20 MR. BUGLIOSI: Q What kind of a pistol?

21 A A .22.

22 Q A .22 caliber?

23 A Yes.

24 Q When you say a pistol, are you referring to an  
25 automatic or a semi-automatic or a revolver?

26 A A revolver.

1 Q So there was a .22 caliber revolver at Spahn  
2 Ranch?  
3 A Yes.  
4 Q Do you know where the revolver was kept?  
5 A It was kept in the bunk house.  
6 Q With you?  
7 A Yes.  
8 Q Are you fairly familiar with firearms, Danny?  
9 A Yes.  
10 Q What is your present occupation?  
11 A Gunsmith.  
12 Q Do you have your own gun shop?  
13 A Yes.  
14 Q Were you ever in the Armed Services?  
15 A Yes.  
16 Q The Coast Guard?  
17 A Yes.  
18 Q During what period of time?  
19 A '61 to '65.  
20 Q What was your job in the Coast Guard?  
21 A Weapons instructor.  
22 Q What did that job involve?  
23 A Taking care of the guns, teaching people how to  
24 use them, demolition, mines, rockets, everything.  
25 Q And you have owned guns of your own; right?  
26 A Yes.



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Q This .22 caliber revolver at Spahn Ranch, could you describe it?

A A .22. I think it was a High Standard Buntline, a long barrel.

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Q Do you know how long the barrel was?

A About eight inches.

Q Do you know how many shots it fired or held in the chamber?

A Nine shots.

Q Do you know what type of grip it had?

A Wood.

Q Any particular type of wood?

A Possibly walnut.

Q Did you see this .22 caliber revolver almost every day at Spahn Ranch?

A Almost.

Q During what period of time?

A June to August.

Q Of 1969?

A Yes.

Q Did you clean the .22 caliber revolver?

A Yes.

Q Several times?

A Yes.

Q Did you ever see Charles Manson fire it?

A Yes.

Q The .22 caliber?

A Yes.

Q Many times?

A Yes.

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Q Did you see him fire other firearms that were kept in the bunkhouse?

MR. KANAREK: Your Honor, that is immaterial.

MR. BUGLIOSI: It is foundational, your Honor.

THE COURT: Overruled.

THE WITNESS: Yes.

BY MR. BUGLIOSI:

Q Did he appear to have a favorite gun that he fired the most?

MR. KANAREK: That is calling for a conclusion, your Honor.

THE COURT: Overruled.

THE WITNESS: Yes.

BY MR. BUGLIOSI:

Q Which gun was that?

A The .22.

Q The .22 caliber revolver?

A Yes.

*(Recall that he only told that at first Manson did not take firearms. Manson told De Carlo he killed him a little later. Of course the principal murder weapon in the State was the .22 caliber revolver in the bathroom window was a .22)*

Q Do you know where Mr. Manson fired the .22 caliber revolver at Spahn Ranch?

A We shot the guns all over.

Q You shot the guns too; right?

A Yes, I shot them.

Q Do you know where Manson fired the .22 revolver?

A Behind the ranch. He would go behind the ranch and shoot them.

TT

6a-3

1 MR. BUGLIOSI: Your Honor, I have here a photograph  
2 depicting an area in the woods.

3 May that be marked as People's next in order?

252 Id.

4 THE COURT: 252 for identification.

5 MR. BUGLIOSI: I have another photograph that appears  
6 to depict the same area only a closer-up view.

7 May that be marked as People's 253 for identi-  
8 fication?

253 Id.

9 THE COURT: It will be so marked.

10 (Mr. Bugliosi shows the photographs to opposing  
11 counsel.)

12 BY MR. BUGLIOSI:

13 Q I show you People's 252 for identification.

14 Do you know what is shown in that photograph,  
15 Danny?

16 Other than a man, do you know what is shown  
17 in that photograph?

18 A Yes. This is behind the ranch.

19 Q Is this the area that you saw Mr. Manson fire  
20 the .22 caliber revolver?

21 A Yes.

22 Q I show you People's 253 for identification.

23 Does this appear to be a closer-up view of  
24 the photograph of People's 252?

25 A Yes.

26 Q This appears to be the area, the general area,

where Mr. Manson used to fire the .22 caliber revolver?

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A Yes.

Q Other than when Mr. Manson fired that .22 caliber revolver you have been talking about, Danny, did you ever see him carry the gun on his person?

A Yes.

Q Where would he carry it on his person?

A In a holster.

Q Did Mr. Manson ever say he had received this revolver from anyone?

MR. KANAREK: I object, your Honor, on the grounds of hearsay.

THE COURT: Overruled.

THE WITNESS: Yes.

BY MR. BUGLIOSI:

Q When did he tell you this?

A In June.

Q Of 1969?

A Yes.

Q Do you know who was present during that conversation?

A No.

Q But you and he were?

A Yes.

Q It took place at Spahn Ranch?

A Yes.

Q What did Mr. Manson tell you with respect to that .22 caliber revolver?

MR. KANAREK: I object on the grounds of improper foundation, your Honor.

THE COURT: Overruled.

THE WITNESS: Well, he traded my truck for it.

THE COURT: What was the answer?

(The answer was read by the reporter.)

BY MR. BUGLIOSI:

Q What did Mr. Manson tell you?

A That he traded my truck for it.

Q And that someone gave him the gun?

A Yes. Right.

6b fls.

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6B-1

1 Q When is the last time, if at all, that you saw  
2 that revolver at Spahn Ranch?

3 MR. KANAREK: Your Honor, that is ambiguous, "the last  
4 time, if at all."

5 He has already testified -- I don't understand  
6 that question, your Honor.

7 THE COURT: I am not sure I do either, Mr. Bugliosi.

8 Reframe your question.

9 MR. BUGLIOSI: Very well.

10 Q When is the last time you saw that revolver,  
11 Danny?

12 A In August.

13 Q Of 1969?

14 A Yes.

15 Q Using August the 16th, 1969, the date of your  
16 arrest, as a base of reference, Danny, when is the last  
17 time that you saw that revolver, approximately?

18 A A couple of weeks before.

19 Q August 16th?

20 A Right.

21 Q Do you know what happened to the revolver?

22 MR. KANAREK: That is calling for a conclusion, your  
23 Honor.

24 THE WITNESS: No.

25 THE COURT: Your question is ambiguous, Mr. Bugliosi,  
26 as to time, place, and so forth.

6B2

1 Sustained.

2 Q BY MR. BUGLIOSI: Had you been seeing that  
3 revolver every day up until two weeks before August 16th,  
4 1969? V V

5 A Yes.

6 Q And then one day it was no longer there?

7 A Yes.

8 MR. KANAREK: Leading and suggestive, Your Honor.  
9 THE COURT: Overruled.

10 MR. BUGLIOSI: Q Do you know what happened to  
11 it?

12 A No.

13 Q Did you give it to anyone?

14 A No.

15 Q Did it just disappear from the bunk house?

16 A Yes.

17 MR. KANAREK: That is calling for a conclusion on the  
18 part of this witness, Your Honor.  
19 THE COURT: Overruled.

20 MR. BUGLIOSI: Q Did you ever see it again at  
21 the ranch?

22 A No. ↑ ↑

23 MR. BUGLIOSI: Your Honor, I have here a little piece  
24 of paper that appears to be a drawing of a revolver.

25 May it be marked People's next in order?

26 THE COURT: 254 for identification.

MR. KANAREK: If Mr. Bugliosi is going to use this,



33  
1 may I look at it, first, your Honor?

2 THE COURT: You may.

3 (Mr. Bugliosi shows a document to Mr. Kanarek.)

4 MR. BUGLIOSI: Q I show you People's 254 for  
5 identification.

6 Do you know what is shown on this piece of paper,  
7 Danny?

8 MR. KANAREK: Your Honor, may I -- I will object to this  
9 question on the grounds of hearsay, your Honor. As to this  
10 proceeding, any interrogation concerning this document is  
11 hearsay.

12 THE COURT: I think the question is objectionable in  
13 that form, Mr. Bugliosi, unless this witness is the one  
14 who made the drawing.

15 MR. BUGLIOSI: He is, your Honor. I am just laying  
16 a foundation for it.

17 THE COURT: The foundation should be laid first.

18 MR. BUGLIOSI: Very well.

19 Q Have you ever seen this piece of paper before,  
20 Danny?

21 A Yes.

22 Q There appears to be a drawing on this  
23 piece of paper, Danny. Is that your drawing?

24 A Yes.

25 Q You have never earned your living as an artist,  
26 have you, Danny?

1 A No.

2 Q What were you attempting to draw here on this  
3 piece of paper?

4 MR. KANAREK: Hearsay, your Honor.

5 THE COURT: Overruled.

6 THE WITNESS: A pistol.

7 MR. BUGLIOSI: Q What pistol?

8 A That pistol.

9 Q When you say "that pistol," are you referring to  
10 the .22 caliber revolver?

11 MR. KANAREK: Leading and suggestive and hearsay, your  
12 Honor.

13 THE COURT: Overruled.

14 THE WITNESS: Yes.

15 MR. BUGLIOSI: Q When did you make this  
16 drawing, Danny?

17 A A couple of months ago.

18 Q A couple of months ago?

19 A Six months ago. Somewhere around there.

20 Q Was it before Christmas of 1969?

21 A Yes.

22 Q Where did you make the drawing?

23 A At the LAPD.

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6c-1

1 Q Please relate the circumstances surrounding  
2 your making this drawing.

3 MR. FITZGERALD: Immaterial and irrelevant.

4 MR. KANAREK: And hearsay, and a conclusion.

5 MR. SHINN: Join in the objection.

6 THE COURT: It would appear to be irrelevant, Mr.  
7 Bugliosi.

8 MR. BUGLIOSI: All right.

9 THE COURT: The objection is sustained.

10 BY MR. BUGLIOSI:

11 Q You had a conversation with the police, I  
12 take it, at the Los Angeles Police Department; is that  
13 correct?

14 A Yes.

15 Q And did you relate to them the firearms that  
16 were at Spahn Ranch?

17 MR. KANAREK: Hearsay, your Honor.

18 THE COURT: Overruled.

19 THE WITNESS: Yes.

20 They asked me what guns were up there.  
21 BY MR. BUGLIOSI:

22 Q And you told them?

23 A Yes.

24 Q Did they mention to you -- did they say  
25 anything about a .22 caliber revolver?

26 A No.

6c-2

1 Q Did you tell them about a .22 caliber revolver?

2 MR. KANAREK: Hearsay, your Honor.

3 MR. FITZGERALD: Calls for hearsay.

4 THE COURT: Sustained.

5 BY MR. BUGLIOSI:

6 Q They did not mention anything to you about a  
7 .22 caliber revolver; is that correct?

8 A Right.

9 Q Did they tell you that they believed a .22  
10 caliber revolver was involved in the Tate homicides?

11 MR. KANAREK: Leading and suggestive, hearsay and  
12 conclusion, your Honor.

13 MR. FITZGERALD: Join in the objection.

14 MR. BUGLIOSI: It is not offered for the truth of  
15 the matter, your Honor. It is not hearsay.

16 MR. KANAREK: There is no foundation. Furthermore,  
17 it is vague.

18 THE COURT: Read the question.

19 (The question was read by the reporter.)

20 MR. BUGLIOSI: It is not offered for the truth of  
21 the matter, your Honor.

22 THE COURT: Perhaps you had better approach the  
23 bench, Mr. Bugliosi.

24 MR. BUGLIOSI: Very well.

25 (Whereupon all counsel approach the bench  
26 and the following proceedings occur at the bench outside

6c-3

1 of the hearing of the jury.)

2 MR. BUGLIOSI: Your Honor, what I am trying to show  
3 is that he drew this picture, and it does resemble, I  
4 think, the .22 caliber revolver.

5 I am trying to show that the police never told  
6 him what to draw. They never told him a .22 caliber  
7 revolver was involved in the killings. They never told  
8 him how to draw it or gave him any instructions at all.

9 They never said a revolver was involved in  
10 the Tate killings.

11 But he mentioned to them a number of firearms,  
12 and when he mentioned the .22 caliber revolver, they asked  
13 him to draw a picture.

14 I am trying to show that that picture was  
15 completely on his own and was not as a result of any  
16 direction or encouragement by the Los Angeles Police  
17 Department.

18 In other words, he never got any instructions  
19 from them. He was never given any hint or anything. So,  
20 their statements to him are not offered for the truth of  
21 the matter, but only as circumstantial evidence of his  
22 state of mind when he drew the picture.

23 Otherwise, the argument could be made that  
24 they told him that a .22 caliber revolver was used in  
25 the eight homicides.

7 fls.

26

7-1

1 They show it on the picture of what the gun  
2 could look like and they asked him for a picture of it.  
3 I'm trying to avoid this.

4 This was completely on his own.

5 MR. HUGHES: Your Honor, I heard a tape recording  
6 of the Los Angeles Police Department conversations with  
7 Mr. DeCarlo, and in these conversations they show him a  
8 .22 caliber revolver, probably not this particular one but  
9 apparently the Los Angeles Police Department at one time  
10 had a Buntline revolver and showed it to Mr. DeCarlo in  
11 the Los Angeles Police Department interview.

12 MR. BUGLIOSI: May I ask a question:

13 Was it shown to him before he drew the picture?

14 MR. HUGHES: I don't recall he drew a picture.

15 THE COURT: I think the question calls for hearsay,  
16 Mr. Bugliosi, as far as making the argument you suggested  
17 I don't see how anybody can make such an argument;  
18 there would be no evidence, at least there is none so  
19 far.

20 You cannot make the argument unless there is  
21 some evidence to support it.

22 MR. BUGLIOSI: That is true. But isn't that kind  
23 of a negative thing?

24 "Did they tell you that the revolver  
25 was used in the Tate homicide?"

26 Now, if he says no to that, there is no hearsay.

7-2

1 In other words, they did not say anything to him.

2 THE COURT: I think you may ask a witness if he had  
3 a conversation with someone about a particular subject.  
4 If the answer to that is yes or no, that is not hearsay.

5 But if you include in the question the  
6 substance of what it is you are trying to find out was  
7 said, you go beyond it.

8 MR. BUGLIOSI: If I say "Did they tell you what type  
9 of revolver to draw," a particular type, and he says no  
10 again; I am not introducing into the record any statement  
11 by the Los Angeles Police Department.

12 I think hearsay has to be a statement, an  
13 out-of-court statement.

14 THE COURT: I think that is correct.

15 MR. BUGLIOSI: Offered for the truth of the matter.

16 THE COURT: I think the present problem is one of  
17 the form of the question.

18 MR. KANAREK: Your Honor, I would ask that the  
19 jury be admonished not to consider that last statement  
20 about the tape, homicide and the gun for any purpose.

21 I think it is most prejudicial in the context  
22 of these proceedings.

23 I ask your Honor to admonish the jury not to  
24 consider that.

25 THE COURT: That motion is denied.

26 We will take our recess at this time.

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

3 THE COURT: Ladies and gentlemen, do not converse  
4 with anyone, and do not form or express an opinion regarding  
5 the case until it is finally submitted to you.

6 The court will recess for 15 minutes.

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

3 MR. KANAREK: May we approach the bench, your Honor,  
4 for an important matter.

5 I represent to the Court it is very important.

6 THE COURT: Very well.

7 (The following proceedings were had by the  
8 Court out of the hearing of the jury:)

9 MR. KANAREK: Your Honor, during the recess I tried  
10 to speak with Mr. De Carlo.

11 I tried to be as gentlemanly as possible.

12 I said, "May I speak with you?"

13 Mr. Bugliosi told me to "Get my ass out of there."

14 Mr. Bugliosi forbid me to speak with Mr. De  
15 Carlo. He told me to "Get going, you asshole."

16 Those are approximately his exact words.

17 Under Walker vs. Superior Court and the law that  
18 is associated with it that is a violation of fundamental  
19 due process.

20 It is suppression of evidence for the prosecution  
21 to do what they have done by this conduct of Mr. Bugliosi's.

22 I would ask your Honor to issue an order to  
23 show cause in re contempt. It is an indirect contempt to  
24 the Court.

25 It is conduct on the part of the prosecutor that  
26 deprives the defendant of the right to a fair trial. I

1 make those representations to the Court.

2 MR. BUGLIOSI: May I be heard, your Honor?

3 THE COURT: Yes.

4 MR. BUGLIOSI: I was talking to Mr. De Carlo and  
5 Mr. Kanarek comes right in the middle of our conversation  
6 and says, "Danny, I'd like to talk to you for a couple of  
7 minutes; would you come over here and sit down?"

8 Complete rudeness, crudeness, interrupted me.

9 I said, "I'm talking to him now; when I get  
10 through you can talk to him." I said, "He is my witness now,"  
11 I said, "When you call him to the stand you can talk to  
12 him."

13 That was not good enough for him; he wanted to  
14 do it immediately.

15 I would also call the Court's attention to a  
16 couple of days ago when I witnessed this myself:

17 The jury had left, De Carlo was on the witness  
18 stand; I wanted to talk to De Carlo.

19 Mr. Kanarek moved in. De Carlo tried to get off  
20 the witness stand; Mr. Kanarek bodily pushed Mr. De Carlo  
21 back onto the witness stand.

22 I am not going to tolerate his boorishness. He  
23 is my witness now; I want to interview him. When I am  
24 through he can.

25 I told Mr. De Carlo several times, "If you want  
26 to talk to Mr. Kanarek, it's a free country, you can do so."

1 I have no objection to his talking to Mr. Kanarek.  
2 I do object to his boorishness when I am talking to a  
3 witness, to come in right between us trying to take the  
4 witness away from me.

5 THE COURT: All right --

6 MR. KANAREK: May we have an evidentiary hearing now,  
7 your Honor?

8 THE COURT: No, Mr. Kanarek, apparently there is no  
9 problem, except you trying to interrupt when Mr. Bugliosi  
10 was trying to interview a witness.

11 Do you deny what Mr. Bugliosi said?

12 MR. KANAREK: Yes, your Honor, I do.  
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1 MR. BUGLIOSI: I was talking to Mr. DeCarlo when you  
2 came up.

3 THE COURT: Well, try again during the noon recess  
4 when Mr. Bugliosi isn't talking with the witness.

5 MR. BUGLIOSI: Your Honor, one further point.

6 You had indicated last week that you wanted  
7 us to put on the tape on the conversation between Mr.  
8 Spahn and Sergeant Calkins and myself. He hadn't found  
9 the tape yet.

10 THE COURT: What I indicated was that he should have  
11 an opportunity to find the tape or to be able to state  
12 under oath that he could not find it.

13 MR. BUGLIOSI: Right.

14 THE COURT: Before I ruled.

15 MR. BUGLIOSI: When do you want to do it?

16 THE COURT: On the search and seizure.

17 MR. BUGLIOSI: When do you want to continue on with  
18 the shell casing matter?

19 THE COURT: It is up to you.

20 If Sergeant Calkins -- it was Sergeant Calkins,  
21 wasn't it?

22 MR. BUGLIOSI: Yes. He is seated at the table.  
23 He can't find it.

24 THE COURT: And is he prepared to say that he couldn't  
25 find it?

26 MR. BUGLIOSI: Yes.

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1 THE COURT: Up to now.

2 MR. BUGLIOSI: How about tomorrow morning before we  
3 call the jury in? Will that be all right?

4 THE COURT: Yes.

5 MR. BUGLIOSI: Very well.

6 (Whereupon all counsel return to their respec-  
7 tive places at counsel table and the following proceedings  
8 occur in open court within the presence and hearing of  
9 the jury:)

10 MR. BUGLIOSI: Q Danny, before you made this  
11 drawing -- before you made it -- did the police give you  
12 any instructions on how to make this drawing?

13 A No.

14 MR. FITZGERALD: Objection. Calls for hearsay.

15 MR. KANAREK: And assumes facts not in evidence.

16 THE COURT: The answer is already in, gentlemen.

17 Would you pull the microphone up a little  
18 closer to your mouth, Mr. DeCarlo? Even closer. It is  
19 difficult to hear your answers.

20 BY MR. BUGLIOSI:

21 Q Your answer is no?

22 A No.

23 MR. BUGLIOSI: Q Did they tell you the length of  
24 the barrel?

25 A No.

26 MR. FITZGERALD: Objection. Calls for hearsay.

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MR. KANAREK: Join in the objection.

MR. SHINN: Join.

THE COURT: Just a moment.

Let's go back and read the first question and answer as well as the last questions and answer.

(Whereupon the record was read by the reporter.)

THE COURT: The objections are overruled.

BY MR. BUGLIOSI:

Q Did they tell you anything at all about the revolver before you made a drawing of it?

A No.

MR. KANAREK: Calling for a conclusion.

THE COURT: Overruled.

BY MR. BUGLIOSI:

Q Did they show you any photograph of a revolver before you made this drawing?

A No.

8a fls.

8A-1

1 Q Did they show you any photograph of any firearms  
2 whatsoever before you made this drawing?

3 A No.

4 Q I show you People's 40 for identification,  
5 Danny.

6 Have you ever seen that revolver before? ✓✓

7 A I saw one similar to it.

8 Q Take a good look at it.

9 ~~(Pause while the witness examines.)~~

10 MR. BUGLIOSI: Q Have you taken a good look  
11 at it?

12 A Yes. I know the gun.

13 MR. KANAREK: I didn't hear that.

14 MR. BUGLIOSI: You say you know the gun?

15 THE COURT: Read the answer.

16 Mr. De Carlo, will you speak up, sir. It is  
17 difficult to understand your answers.

18 (The answer was read by the reporter.)

19 MR. BUGLIOSI: Q Does this appear to be the  
20 revolver that you have been referring to in your testimony?

21 MR. KANAREK: Leading and suggestive, your Honor.

22 THE COURT: Overruled.

23 THE WITNESS: It is similar to it.

24 MR. BUGLIOSI: Q Does it appear to differ in  
25 any fashion?

26 A The trigger guard is broken.

Q Apart from the damaged condition, does this ↑↑

1 revolver here, People 's 40, appear to differ in any manner  
2 from the revolver that used to be kept in the bunk house?

3 A I can't be sure.

4 Q Why can't you be sure of it?

5 A I don't know. I don't know the serial number of  
6 it. I am not sure that is it.

7 Q In other words, you don't know what the serial  
8 number of this revolver is; is that correct?

9 A No.

10 Q Did you know what the serial number of the .22  
11 caliber revolver that was kept in the bunk house, do you  
12 know what that serial number was?

13 A No.

14 Q Apart from the serial number, does this appear  
15 to be the revolver that was in the bunk house?

16 A Yes. Similar to it.

17 ~~Q Does it appear to be different in any fashion?~~

18 ~~A It has got a broken trigger guard.~~

19 ~~Q Apart from the damaged condition, does this~~  
20 ~~revolver here, People 's 40, appear to be different in any~~  
21 ~~manner whatsoever from the revolver that was kept in the~~  
22 ~~bunk house?~~

23 ~~Now, I am not talking about the damaged condition,~~  
24 ~~Danny.~~

25 ~~A Yes, it is similar to the one.~~

26 Q Does it appear to be different in any fashion,



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Mr. De Carlo?

MR. FITZGERALD: Asked and answered three times, your Honor.

THE COURT: Overruled.

THE WITNESS: No.

MR. BUGLIOSI: Q People 's 254, this drawing. When you drew this picture or this drawing, Danny, were you attempting to draw that revolver there, People 's 40?

MR. KANAREK: Conclusion, hearsay, your Honor.

THE COURT: Sustained as to the form of the question.

MR. BUGLIOSI: Q What type of revolver were you attempting to draw in this drawing here, People 's 254 for identification?

A That one there.

Q People 's 40?

A A pistol similar to that.

Q People 's 40?

A Yes.

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1 Q Looking at the left-hand grip of this revolver,  
2 what type of wood does that appear to you to be?

3 A Walnut.

4 Q This extension here, Danny, beneath the barrel,  
5 what do you call that extension?

6 A Ejection spring housing.

7 Q Ejection spring housing?

8 A Right.

9 Q It appears to be a little bent, is that  
10 correct?

11 A Yeah.

12 Q When the revolver was out at Spahn Ranch was  
13 the ejection spring housing bent?

14 A No.

15 Q Feel the barrel on that revolver, Danny, does  
16 it appear to be loose to you?

17 A Yeah.

18 Q Was the barrel loose on the revolver when it  
19 was out at Spahn Ranch?

20 A No.

21 MR. HUGHES: I move that be stricken, your Honor.

22 I object to the use of the term "the revolver"  
23 as though this were identified as the revolver that was  
24 out at Spahn Ranch.

25 The witness has stated, your Honor, that this  
26 revolver resembles the revolver at Spahn Ranch, but he is

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1 not certain as to this being the revolver.

2 MR. BUGLIOSI: It's a matter of cross-examination,  
3 your Honor.

4 THE COURT: Well, that is not a matter of cross-  
5 examination. I think the objection is a good one.

6 Perhaps it is just a matter of ambiguity of  
7 the wording of the question, Mr. Bugliosi.

8 You are referring to whatever revolver was at  
9 Spahn Ranch, is that right?

10 MR. BUGLIOSI: Yes, your Honor.

11 THE COURT: All right, well, be sure your questions  
12 so indicate.

13 BY MR. BUGLIOSI:

14 Q This revolver that I am holding in my hand right  
15 now, does this appear to be the same revolver that was kept  
16 in your bunkhouse?

17 MR. FITZGERALD: Asked and answered.

18 THE COURT: Overruled.

19 THE WITNESS: Yeah.

20 BY MR. BUGLIOSI:

21 Q All right, when this revolver was in the  
22 bunkhouse, was the barrel loose?

23 MR. SHINN: Your Honor, I object to the word  
24 "this revolver," your Honor.

25 MR. BUGLIOSI: He already said it appears to be the  
26 same revolver, your Honor.

1 THE COURT: Well, I'm going to sustain the objection,  
2 Mr. Bugliosi.

3 I think it calls for something behind the  
4 testimony of the witness.

5 BY MR. BUGLIOSI:

6 Q This .22 caliber revolver that was kept in  
7 the bunkhouse, was the barrel loose on it, Danny?

8 A No.

9 Q Directing your attention to the trigger guard  
10 on this revolver here, People's 40, it appears to be  
11 broken, is that correct?

12 A Yeah.

13 Q Was the trigger guard on the .22 caliber  
14 revolver in the bunkhouse broken?

15 A No.

16 Q I direct your attention to the right-hand  
17 grip on People's 40. It appears to be missing.

18 A Yeah.

19 Q Was the right-hand grip missing on the .22  
20 caliber that was in the bunkhouse?

21 A No.

22 Q Does this revolver here, People's 40, appear  
23 to be the revolver that you say Mr. Manson used to fire?

24 A Yeah.

25 Q Does this revolver here appear to be the  
26 revolver that Mr. Manson told you he got on a trade-in for

1 your truck?

2 A Yeah.

3 Q This is the revolver that you say disappeared  
4 from the bunkhouse a couple of weeks before August 16th?

5 A Yeah.

6 Q When that .22 caliber revolver was in the  
7 bunkhouse at Spahn Ranch did it appear to be in good  
8 operating order?

9 A Yeah.

10 Q Have you ever heard of a war surplus store in  
11 Santa Monica called Jack Frost?

12 A Yeah.

13 Q Have you ever been to that war surplus store?

14 A Yeah.

15 Q When?

16 A In June.

17 Q Of 1969?

18 A Yeah.

19 Q Did you go there with anyone?

20 A Yeah.

21 Q Whom did you go there with?

22 A Oh, me, Charlie and a few other people.

23 Q When you say "Charlie," are you referring to  
24 Charles Manson?

25 A Yeah.

26 Q Did Mr. Manson buy anything at the store?

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A Yeah.

Q Do you know what he bought?

A Yeah.

Q What did he buy?

A He bought some gas cans; he bought some radios;  
he bought some line.

Q When you say "line," what are you referring  
to?

A Some nylon line.

Q Have you ever heard of the word rope?

A Yeah.

Q Are you using the word line to be synonymous  
with rope?

A Yeah.

Q Is line a Coast Guard term?

A Yeah.

Q For rope?

A Yeah.

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Q Did he buy anything else?

A No.

Q To your knowledge did he pay for these articles with cash or on a credit card?

MR. KANAREK: Immaterial, your Honor. That has nothing but prejudicial value. No probative value as far as anything before the Court.

THE COURT: Overruled. You may answer.

THE WITNESS: He paid cash.

Q BY MR. BUGLIOSI: Do you know how much line or rope he bought?

A About 150 feet.

Q Do you know what color the rope was?

A White.

Q Do you know how many strands it had?

A Three.

Q Do you know what material it was made out of?

MR. KANAREK: That would be calling for a conclusion, your Honor.

THE COURT: Overruled.

THE WITNESS: Nylon.

Q BY MR. BUGLIOSI: Did you work with line in the Coast Guard?

A Yeah.

Q Fairly familiar with ropes?

A Yeah.

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1 Q I show you People's 41 for identification, take  
2 a good look at that rope, Danny.

3 Are you looking at it?

4 A Yeah.

5 Q Does this rope appear to be the same or  
6 different from the rope that Mr. Manson bought at Jack  
7 Frost's store in June of 1969?

8 MR. KAWAREK: Your Honor, I must object to that.  
9 There is no foundation and it calls for a  
10 conclusion. It is incompetent, your Honor, it is an  
11 incompetent question as far as these proceedings are  
12 concerned.

13 THE COURT: Overruled. You may answer.

14 THE WITNESS: It was similar.

15 Q BY MR. BUGLIOSI: Did it appear to be different  
16 in any fashion?

17 A No.

18 Q Would you say it appears to be the same?

19 MR. KAWAREK: That is calling for a conclusion, your  
20 Honor.

21 THE COURT: Overruled.

22 THE WITNESS: I am not sure.

23 Q BY MR. BUGLIOSI: I realize you are not sure,  
24 Danny. I am just asking you for an opinion now:

25 Q Does it appear to be the same type of rope that  
26 Mr. Manson bought?

A Yeah.



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1 Q This rope that I am showing you now appears to  
2 be discolored in certain areas.

3 I take it it was not discolored when the rope  
4 was bought by Mr. Manson, is that correct?

5 MR. KANAREK: That is assuming facts not in evidence,  
6 your Honor, the wording of that question.

7 THE COURT: Overruled, you may answer.

8 THE WITNESS: No.

9 Q BY MR. BUGLIOSI: It was not discolored when  
10 Mr. Manson bought it, is that correct?

11 A No.

12 THE COURT: The answer is now ambiguous.

13 MR. BUGLIOSI: Yes, I was going to clarify it.

14 Q BY MR. BUGLIOSI: The rope that Mr. Manson  
15 bought was new, I take it, is that correct?

16 A Yeah.

17 Q And it was not discolored?

18 A No.

19 Q It was not?

20 A No.

21 Q Was this rope Mr. Manson bought brought back to  
22 Spahn Ranch?

23 A Yeah.

24 Q Did you see it at the ranch?

25 A Yeah.

26 Q Do you know what it was used for at the ranch?

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1 A Towing.

2 Q Towing things?

3 A Yeah.

4 Q Was this rope still at Spahn Ranch in August of  
5 1969 to your knowledge?

6 A Yeah.

7 Q I show you People's 48 for identification, do  
8 you know what is shown in that photograph?

9 A Yeah.

10 Q What is shown in that photograph?

11 A Dune buggy.

12 Q Do you know whose dune buggy it is?

13 A Yeah.

14 Q Whose?

15 A It's Charlie's.

16 Q Charles Manson?

17 A Yeah.

18 Q Did you see this dune buggy out at Spahn Ranch?

19 A Yeah.

20 Q The rope that I showed you, People's 41 for  
21 identification, did you ever see that rope in this dune  
22 buggy?

23 A Yeah.

24 Q Where in the dune buggy?

25 A Oh, behind the seat.

26 Q I show you People's 47 for identification, do

1 you know what these items are?

2 A Yeah.

3 MR. SHINN: Your Honor, I want to make an objection,  
4 Your Honor, on the grounds, your Honor, there is no offer  
5 of proof what these exhibits are for, your Honor.

6 THE COURT: There is no what?

7 MR. SHINN: I request the prosecution make an offer  
8 of proof why he is introducing this evidence right now, your  
9 Honor.

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1 THE COURT: Order of proof?

2 MR. SHINN: Yes, your Honor. These are not in  
3 evidence.

4 THE COURT: I don't know what you mean, Mr. Shinn.  
5 What do you mean by an order of proof?

6 MR. HUGHES: Your Honor, I believe he said an offer  
7 of proof.

8 You said "offer," did you not?

9 MR. SHINN: Yes.

10 I don't think there is any testimony as to  
11 these items that Mr. Bugliosi is attempting to introduce  
12 at this moment, your Honor.

13 There is no evidence as to who used these  
14 knives, these articles,

15 THE COURT: Overruled.

16 BY MR. BUGLIOSI:

17 Q People's 47. Have you ever seen those items  
18 before?

19 A Yes.

20 Q Do you know what they are?

21 A Yes. It is a knife.

22 Q You call this a knife?

23 A A sword.

24 Q Where have you seen this knife or sword before?

25 MR. KANAREK: That is assuming that he has, your  
26 Honor.

1 THE COURT: Sustained.

2 BY MR. BUGLIOSI:

3 Q Have you ever seen that knife or sword before?

4 A Yes.

5 Q Where did you see it for the first time?

6 A For the first time?

7 Q Yes.

8 A I saw it at the ranch.

9 Q The Spahn Ranch?

10 A Yes.

11 Q Did you ever see Charles Manson with this sword  
12 or knife?

13 MR. KANAREK: Leading and suggestive, your Honor.

14 THE COURT: Overruled.

15 THE WITNESS: Yes.

16 BY MR. BUGLIOSI:

17 Q Did you ever see him carry it on his person?

18 A Just in his hand.

19 Q Many times or just once?

20 A A couple of times.

21 Q Directing your attention to People's 48 for  
22 identification, this photograph of Mr. Manson's dune buggy.  
23 Specifically directing your attention to the left side of  
24 the dune buggy near the steering wheel.

25 Does this appear to be the sword depicted in  
26 the photograph?

1 MR. KANAREK: Your Honor, may we approach the bench  
2 on this, your Honor?

3 THE COURT: Do you have an objection, Mr. Kanarek?

4 MR. KANAREK: Yes, your Honor.

5 THE COURT: You may state it.

6 MR. KANAREK: Your Honor, I urge upon the Court --

7 THE COURT: Just state the objection, Mr. Kanarek.

8 MR. KANAREK: That the prejudicial value far outweighs  
9 any probative value.

10 It has nothing to do with anything that is  
11 connected with this case.

12 THE COURT: Overruled.

13 MR. SHINN: Join in the motion, your Honor.

14 THE WITNESS: Yes.

15 BY MR. BUGLIOSI:

16 Q Does the sword in this photograph, People's  
17 48, appear to you to be the same sword here as People's  
18 47 for identification?

19 MR. KANAREK: Your Honor, that opinion or that ques-  
20 tion solicits an answer, your Honor, that is hearsay and  
21 conclusion.

22 I don't think that this witness is the one  
23 to make such a comparison.

24 THE COURT: I think there is a question of ambiguity  
25 there, Mr. Bugliosi.

26 I will sustain the objection.

1 MR. BUGLIOSI: Very well.

2 Q Directing your attention again to this sword,  
3 Danny, in this photograph.

4 Have you ever seen that sword before? The one  
5 that is shown in this photograph?

6 A Yes.

7 Q Is the sword in this photograph this sword  
8 right here, People's 47?

9 MR. KANAREK: Same objection, your Honor.

10 THE COURT: Sustained.

11 Let me see the picture, Mr. Bugliosi?

12 (Mr. Bugliosi hands the photograph to the Court.)

13 THE COURT: All right.

14 MR. BUGLIOSI: Objection sustained, your Honor?

15 THE COURT: Yes.

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1 MR. BUGLIOSI: Q I show you People's 47 for  
2 identification, this sword here.

3 Did you ever see that sword on the side of  
4 Mr. Manson's dune buggy, the way this sword here is?

5 MR. KANAREK: That is calling for a conclusion, your  
6 Honor.

7 THE COURT: I think on the present state of the  
8 testimony it is calling for a conclusion, Mr. Bugliosi.

9 MR. BUGLIOSI: Your Honor, he has identified this  
10 sword as being at the Spahn Ranch. Now I am asking if he  
11 has ever seen this sword on the side of Mr. Manson's dune  
12 buggy.

13 THE COURT: Wasn't his answer that it was similar?

14 MR. BUGLIOSI: I think he said this is the one that  
15 used to be at the Spahn Ranch, your Honor.

16 THE COURT: My recollection of the testimony now is  
17 that the two are similar rather than identical.

18 MR. BUGLIOSI: Let me go back just for a moment, your  
19 Honor.

20 Looking at this sword here for a moment,  
21 People's 47.

22 Have you ever seen this particular sword before?

23 A Yes.

24 Q Did you see this sword out at the Spahn Ranch?

25 A Yes.

26 Q Are you familiar with this sword?



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A I am not real familiar with it.

Q How many times did you see it out at Spahn Ranch?

A A lot.

Q A lot?

A Yes.

Q Incidentally, when it was out at Spahn Ranch, was it broken in two the way it is right now?

A No.

Q The blade was not broken?

A No.

Q Now, when you saw this sword out at the Spahn Ranch, did you ever see it on the side of Mr. Manson's dune buggy?

A Yes.

Q The way the sword is in this photograph?

A Yes.

Q Were there any walkie-talkies out at Spahn Ranch, Danny?

A Yes.

Q During the period of time that you were out there?

A Yes.

Q What were the walkie-talkies used for, if anything?

A For when the police come.

Q They were used for when the police came?

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A Yes.

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Q As advance warning?

3

MR. KANAREK: Leading and suggestive, your Honor.

4

THE COURT: Overruled.

5

THE WITNESS: Yes.

6

MR. BUGLIOSI: Out at the Spahn Ranch, Danny, did you ever see Charles Manson wear any type of a leather rope or leather thong around his neck?

9

MR. KANAREK: Leading and suggestive, your Honor.

10

THE COURT: Overruled.

11

THE WITNESS: I did once.

12

MR. BUGLIOSI: Q Do you know how thick the leather was?

13

14

A An eighth of an inch.

15

Q When did you see Mr. Manson with this leather rope or thong around his neck?

16

17

A I don't know.

18

Q Was it before you were arrested on August 16th?

19

A I don't know.

20

Q Do you recall what color the leather was?

21

A It was brown.

22

Q Do you know how long the leather rope or thong was?

23

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A No.

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Q You say it was around his neck?

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A Yes.

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Q Where did it extend down to?

A Around his chest.

Q Mid-chest?

A Yes.

Q About the center of his chest?

A Yes.

Q Was it tied there at that point?

A Yes.

Q Besides Charles Manson, did you ever see any other member of the Family wear any leather thong around their neck?

A No. I don't know.

Q Did you ever see Tex Watson wear a leather thong around his neck?

A No.

Q I show you People's 241 for identification.

Do these leather thongs or leather rope appear to be the same or different from the type that Mr. Manson wore around his neck?

MR. KANAREK: Your Honor, may we approach the bench, your Honor?

THE COURT: Do you have an objection, Mr. Kanarek?

MR. KANAREK: Yes.

LOB

10b-1

1 THE COURT: You may state it.

2 MR. KANAREK: Well, your Honor, my objection is  
3 that in view of the fact that there are many many such  
4 items in the community and in our area, I object that the  
5 prejudicial value far outweighs any probative value to  
6 this question.

7 THE COURT: Overruled.

8 THE WITNESS: Similar.

9 BY MR. BUGLIOSI:

10 Q Do they appear to be different in any fashion?

11 A No.

12 Q While you were out at Spahn Ranch with Charles  
13 Manson, did you ever hear him call himself by any name  
14 other than Charles Manson?

15 A Yes.

16 Q What did he call himself?

17 A The devil.

18 Q Would he ever say anything about the devil?

19 MR. KANAREK: That would be calling for a conclusion,  
20 your Honor, and hearsay.

21 THE COURT: Overruled.

22 You may answer yes or no.

23 THE WITNESS: Oh, that the devil --

24 MR. BUGLIOSI: No. You could answer this yes or  
25 no, Danny.

26 Q Did Charles Manson ever say anything about the

10b-2

1 devil?

2 A Yes.

3 Q When did he say this to you?

4 MR. KANAREK: May we have a foundation, your Honor?

5 THE COURT: That is what he is trying to do now,  
6 Mr. Kanarek.

7 MR. KANAREK: Very well.

8 BY MR. BUGLIOSI:

9 Q When did he talk to you about the devil?

10 A I don't know.

11 Q Was it once or more than once?

12 A A couple of times.

13 Q Between March and August of '69?

14 A Yes.

15 Q Do you know who was present when he talked to  
16 you about the devil?

17 A No.

18 Q Pardon?

19 A No.

20 Q What did he say about the devil?

21 MR. KANAREK: Your Honor, I object on the grounds of  
22 improper foundation.

23 THE COURT: In what respect?

24 MR. KANAREK: That if the witness can't delineate with  
25 some precision, your Honor, because of the long period of  
26 time between March and August and he has no knowledge as  
to who was present, that because of this, your Honor, there

1 is inadequate foundation.

2 THE COURT: Overruled.

3 BY MR. BUGLIOSI:

4 Q What did he say to you about the devil, Danny?

5 A Well, that he would eventually be the leader.

6 Q He said the devil would eventually be the  
7 leader?

8 A Right.

9 Q Did he say anything else to you about the  
10 devil?

11 A No.

12 Q Did he say anything about the devil being on  
13 the loose?

14 MR. KANAREK: Leading and suggestive, your Honor.

15 THE COURT: Overruled.

16 THE WITNESS: Yes.

17 MR. BUGLIOSI: What did he say?

18 THE WITNESS: Well, he said he was the devil.

19 BY MR. BUGLIOSI:

20 Q When you say "he," you mean Charles Manson?

21 A Yes.

22 MR. KANAREK: Your Honor, may I -- and I do make a  
23 motion that that be stricken on the ground that the  
24 prejudicial value far outweighs any provative value?

25 THE COURT: Motion is denied.  
26

1 BY MR. BUGLIOSI:

2 Q Now, when he said he was the devil, did he  
3 say anything about the devil being on the loose?

4 A Yes.

5 Q What did he say?

6 A He said the devil is on the loose.

7 Q And he was the devil?

8 A Right.

9 Q Did Charles Manson ever tell you what his  
10 feelings were about sexual intercourse among the men and  
11 women in the Family?

12 MR. KANAREK: I object, your Honor, on the ground  
13 that it solicits a conclusion, it is hearsay, it solicits  
14 hearsay; and the prejudicial value far outweighs any  
15 probative value.

16 THE COURT: Overruled.

17 MR. FITZGERALD: Hearsay as to Patricia Krenwinkel.

18 MR. HUGHES: Hearsay as to Leslie Van Houten.

19 THE COURT: Overruled.

20 The testimony will be limited and the jury is  
21 so admonished as to Mr. Manson only and it is not to be  
22 considered for any purpose with regard to the other  
23 defendants.

24 MR. KANAREK: Your Honor, may I have a continuing  
25 objection, in order not to -- that Mr. Bugliosi may  
26 question with fluidity, may I have a continuing objection

1 on the grounds that any conversation should be kept out on  
2 the grounds that the prejudicial value outweighs any  
3 probative value?

4 May I have that, your Honor?

5 THE COURT: No, you may not.

6 MR. BUGLIOSI: Do you remember my question, Danny?

7 Do you want me to restate it?

8 THE WITNESS: Yes.

9 BY MR. BUGLIOSI:

10 Q Did Charles Manson ever tell you what his  
11 feelings were about sexual intercourse among the men and  
12 women in his Family?

13 A Yes.

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1 Q When did he have this conversation with you?

2 A Oh, I don't know when.

3 Q Once or more than once?

4 A More than once.

5 Q Out at Spahn Ranch?

6 A Yeah.

7 Q Between March and August of 1969?

8 A Yeah.

9 Q In addition to yourself and Mr. Manson was any-  
10 one else present during these conversations?

11 A I don't know.

12 Q What did he say to you?

13 MR. KANAREK: I object, your Honor -- may I have a  
14 continuing objection on foundation also, your Honor, so there  
15 will be fluidity?

16 THE COURT: No, you may not.

17 Q BY MR. BUGLIOSI: What did he say to you, Danny?

18 A He said a girl should make love with all of the  
19 men. I go for that, too.

20 Q You didn't argue with him on that?

21 A No, uh-uh.

22 Q Did you ever have sex with Linda Kasabian?

23 A Yeah.

24 Q How many times?

25 A I think twice.

26 Q You say that Charles Manson used to play his

11-2

1 guitar and sing songs, is that correct?

2 A Yeah, he was good.

3 Q Did you ever hear him say anything about whether  
4 he had any ambitions in the field of music?

5 A He would like to record.

6 Q He said he wanted to record some of his songs?

7 A Yeah.

8 Q Have them published?

9 A Yeah.

10 Q Did he tell you this more than once?

11 A Just once.

12 Q Did you ever hear Mr. Manson say anything about  
13 making a movie?

14 A Yeah.

15 Q When was that?

16 A Sometime in June.

17 Q Of '69?

18 A Yeah.

19 Q Who was present during the conversation?

20 A I cannot remember.

21 Q What did he say?

22 A He said he wanted to make a movie.

23 Q I take it you know what narcotics are, don't  
24 you, Danny?

25 A Yeah.

26 Q Do you know what acid is?

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A Yeah.

Q LSD?

A Yeah.

Q Did you ever see any LSD out at the ranch?

A Yeah.

Q Did Charles Manson ever talk to you about LSD?

MR. KANAREK: I object to that, your Honor, on the grounds it is hearsay, a conclusion, and the prejudicial value far outweighs the probative value.

THE COURT: Overruled.

THE WITNESS: Yes.

Q BY MR. BUGLIOSI: When did he have this conversation with you about LSD?

A I don't know -- it wasn't really a conversation, just --

Q What was it?

A Well, he liked it.

Q Manson told you he liked LSD?

A Yeah.

MR. KANAREK: Your Honor, may we approach the bench, your Honor?

THE COURT: No. If you have an objection you may make it, Mr. Kanarek.

MR. KANAREK: Your Honor, it is more than just an objection which I have.

I would like to make some argument to the Court in

1-4

1 connection with this.

2 THE COURT: If you have an objection, state it.

3 MR. KANAREK: My objection is, your Honor, that the  
4 prejudicial value far outweighs any probative value.

5 It also has aspects of conclusion and hearsay.

6 I would like to make a motion and argument to  
7 the Court outside of the presence of the jury if I may.

8 THE COURT: State your motion, if you have one.

9 MR. KANAREK: I would rather not do it in the  
10 presence of the jury, your Honor.

11 THE COURT: The objection is overruled.

12 Let's proceed.

13 MR. KANAREK: Thank you, your Honor.

14 Q BY MR. BUGLIOSI: After you were arrested on  
15 August 16th, 1969, I take it you were released shortly  
16 thereafter?

17 A Yeah.

18 Q 72 hours later?

19 A Yeah.

20 Q What did you do after you were released?

21 MR. KANAREK: Your Honor, this is subsequent. I must  
22 object.

23 This invites all kinds of possible error, your  
24 Honor, it is ambiguous.

25 May I object on that ground?

26 THE COURT: Overruled.

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THE WITNESS: I went back to Venice.

Q BY MR. BUGLIOSI: You stayed there for a few days?

A Yeah.

Q And then returned to Spahn Ranch?

A Yeah.

Q How long did you stay at Spahn Ranch that time?

A About a week.

Q What did you do next?

A I went out to the desert.

Q Barker Ranch?

A Yeah.

Q Is that in Inyo County?

A Yeah, I think so.

Q Near Death Valley?

A Yeah.

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1 Q Whom did you go there with?

2 A Me, Bruce, Tex, Charlie and a few of the broads

3 went.

4 Q You, Charles Manson, Tex Watson, Bruce Davis, is

5 that right?

6 A Yeah.

7 Q And you say a few of the girls?

8 A Yeah.

9 Q Do you know which girls?

10 A Yeah.

11 Q Which ones?

12 A Kitty.

13 Q Kitty? Is that Lutesinger?

14 A Yeah.

15 Q Whom else?

16 A Huih and Sherri.

17 Q You say "Huih," you mean Ruth Moorehouse?

18 A Yes.

19 Q And Sherri is Simi Valley Sherri?

20 A Yes.

21 Q What did the rest of the Family do -- strike

22 that.

23 Did the rest of the Family remain back at Spahn

24 Ranch?

25 A Yeah.

26 Q Did you hear anyone tell them to stay there?

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- 1 A Yeah.
- 2 Q Who?
- 3 A Charlie.
- 4 Q When did this conversation take place?
- 5 A Before we was getting ready to go to the desert.
- 6 Q Who was present?
- 7 A I don't know.
- 8 Q You were present, is that correct?
- 9 A Yeah, I was there.
- 10 Q And Charles Manson?
- 11 A Yeah.
- 12 Q Anyone else that you know of?
- 13 A No.
- 14 Q Was Patricia Krenwinkel present?
- 15 A Yeah.
- 16 Q Did Charlie tell Miss Krenwinkel anything?
- 17 A I think he said, "Go to the Fountain of the  
18 World."
- 19 Q You have heard Manson tell Patricia Krenwinkel to  
20 go to the Fountain of the World?
- 21 A Yeah.
- 22 Q Is that a religious sect?
- 23 A I don't know if it is, I don't know.
- 24 Q Is it a religious group?
- 25 A I don't know.
- 26 Q Do you know anything about the group?

1 A Not very much.

2 Q Is the Fountain of the World about a mile from  
3 the Spahn Ranch?

4 A Yeah.

5 Q And you have heard Charlie tell Miss Krenwinkel  
6 to go to the Fountain of the World?

7 A Yeah.

8 Q Did he say anything else to her?

9 A To see if we could stay there.

10 Q When you say "we," you refer to the Family?

11 A Yeah.

12 Q So he told her to go to the Fountain of the World  
13 and find out if the Family could stay there?

14 A Yeah.

15 Q This was while -- this was about the time that  
16 he, you, Tex, Bruce and the girls were leaving for Barker,  
17 is that correct?

18 A Yeah.

19 Q Did he tell Miss Krenwinkel anything else about  
20 what was going to happen to the Family?

21 A No.

22 Q Did he say that eventually they would join him  
23 up at Barker Ranch?

24 MR. KANAREK: Leading and suggestive, your Honor.

25 THE COURT: Overruled.

26 THE WITNESS: Yeah, eventually.



1 Q BY MR. BUGLIOSI: So part of the Family went up  
2 to Barker and the rest of the Family remained back at  
3 Spahn, is that correct?

4 A Yeah.

5 Q When Manson told Krenwinkel these things, did  
6 she say anything to him?

7 A No.

8 Q Did she say she would do it?

9 A Yeah.

10 Q How long did you stay at Barker Ranch?

11 A A couple of weeks.

12 Q So you left Barker then in early September or  
13 mid-September, 1969?

14 A Yeah.

15 Q You came back to Los Angeles?

16 A Yeah.

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MR. BUGLIOSI: No further questions.

THE COURT: Mr. Fitzgerald?

CROSS-EXAMINATION

BY MR. FITZGERALD:

Q Your occupation is that of a gunsmith, Mr. DeCarlo?

A Yes.

Q Where is your gunshop?

A (Pause.)

Q Did you hear the question?

A (Pause.)

Q Did you hear the question?

A Yes, I heard.

Q Did you understand the question?

A Yes. You asked me where my gunshop was at.

Q Did you understand that question?

A Yes.

Q Is there some reason why you can't answer it?

A You wouldn't give me a chance.

Q All right.

A It is in Oregon.

Q Whereabouts in Oregon?

MR. BUGLIOSI: I object on the grounds it is irrelevant.

MR. KANAREK: Smith vs. Illinois, your Honor.

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I will join in the question of Mr. Fitzgerald.

THE COURT: Overruled.

You may answer.

THE WITNESS: (Pause.)

THE COURT: You may answer.

THE WITNESS: Repeat the question.

BY MR. FITZGERALD:

Q What is the address of your gunshop?

A It is up in Oregon.

Q Does it have an address?

THE WITNESS: Do I have to tell him my address?

THE COURT: Answer the question, sir.

THE WITNESS: I refuse to answer.

MR. FITZGERALD: Q Where do you live?

A In Oregon.

Q What is your address?

MR. BUGLIOSI: Same objection, your Honor. It is irrelevant where the man lives. I don't see any relevance to the issues in this case where he resides, the location.

THE COURT: Overruled.

You may answer.

THE WITNESS: I refuse to answer.

THE COURT: You are ordered to answer, Mr. DeCarlo.

THE WITNESS: I live in Medford.

BY MR. FITZGERALD:

Q Is that a city in Oregon?

12-3

1 A Yes. It is a little town.

2 Q What is your address within Medford?

3 A 1305 North Riverside.

4 Q And how long have you been a gunsmith?

5 A All my live.

6 Q And how long have you been a gunsmith in

7 Medford, Oregon?

8 A Oh, about six months.

9 Q And you previously resided in Los Angeles

10 County?

11 A Yes.

12 Q For how long a period of time did you reside

13 in Los Angeles County?

14 A 15 years.

15 Q Directing your attention to the year 1969,

16 were you employed at any time as a gunsmith during the

17 year 1969?

18 A No.

19 Q Directing your attention to the year 1968,

20 were you employed as a gunsmith at any time?

21 A No.

22 Q Were you employed during the year 1969 in

23 any capacity?

24 A Yes. I worked at a gas station.

25 Q When did you terminate your employment at the

26 gas station?

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A In December.

Q In December of 1969?

A Yes.

Q When did you begin work at the gas station?

A In December.

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1 Q Other than the month of December, 1969, were you  
2 gainfully employed during the other 11 months of the year?

3 A No.

4 Q Are you a professional prosecution witness,  
5 Mr. De Carlo?

6 MR. BUGLIOSI: I object, your Honor. It is argu-  
7 mentative. It is ridiculous.  
8 THE COURT: Sustained.

9 MR. FITZGERALD: Q How many times have you  
10 testified in court in the last year, Mr. De Carlo?

11 MR. BUGLIOSI: Immaterial, your Honor.

12 THE COURT: Overruled.

13 MR. FITZGERALD: Q How many times have you  
14 testified in court in the last year, Mr. De Carlo?

15 MR. BUGLIOSI: Ambiguous. I object on that ground,  
16 your Honor.

17 MR. KANAREK: May I suggest that Mr. Bugliosi is  
18 interrupting Mr. Fitzgerald's questions?

19 MR. BUGLIOSI: I object on the ground that it is  
20 immaterial, your Honor.

21 THE COURT: Overruled.

22 You may answer.

23 THE WITNESS: Three.

24 MR. FITZGERALD: Q On all three of those  
25 occasions, have you been a prosecution witness?

26 MR. MUSICH: Your Honor, I will object to going into  
this area.

1 I hope counsel realizes that he may open some  
2 doors, and I would like to approach the bench on this.

3 THE COURT: You are asking to approach the bench,  
4 Mr. Musich?

5 MR. MUSICH: I will object to the relevance of the  
6 question first.

7 THE COURT: Overruled.

8 THE WITNESS: Yes.

9 THE COURT: It is 12:00 o'clock, Mr. Fitzgerald.

10 MR. FITZGERALD: Thank you.

11 THE COURT: Ladies and gentlemen, do not converse  
12 with anyone or form or express any opinion regarding the  
13 case until it is finally submitted to you.

14 The Court will recess until 2:00 p.m.

15 (Whereupon, at 12:01 p.m. the court was in  
16 recess.)

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