

COPY

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.

94

No. A253156

REPORTERS' DAILY TRANSCRIPT  
Monday, September 21, 1970  
P. 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

I N D E X

PEOPLE'S WITNESSES:      DIRECT   CROSS   REDIRECT   RECROSS

LEE, William (Cont'd)	10983Sh	11012B
LALLY, Eleanor	11015	11019K
PEARL, Ruby	11022	

E X H I B I T S

PEOPLE'S:      FOR IDENTIFICATION      IN EVIDENCE

255 - Chart	11002
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1 LOS ANGELES, CALIFORNIA, MONDAY, SEPTEMBER 21, 1970

2 2:06 o'clock p.m.

3 - - - -

4 (The following proceedings occur in chambers,  
5 all counsel present, defendants not present:)

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

8 As I understand, someone wanted to have a  
9 conference in chambers.

10 MR. BUGLIOSI: Yes. I want to briefly respond on  
11 the record to the affidavit filed by Mr. Kanarek and give  
12 the Court background on it.

13 Then, if the Court, after hearing my statement  
14 on the record, wants a hearing, I would welcome a hearing  
15 in open court in front of the press.

16 THE COURT: You are talking about, I assume, the  
17 document which was handed to me by the Clerk earlier this  
18 morning which consists of an Order to Show Cause in Re  
19 Contempt apparently intended for me to sign, and a  
20 declaration of Sandra Good on behalf of the Order to Show  
21 Cause in Re Contempt against Vincent Bugliosi?

22 MR. BUGLIOSI: Yes, sir.

23 THE COURT: Deputy District Attorney. Which papers  
24 bear the name of I. A. Kanarek, Attorney at Law, attorney  
25 for Defendant Charles Manson, up in the upper left-hand  
26 corner.

MR. BUGLIOSI: Yes.

I don't think it will take me more than five or six minutes to relate.

Sandra Good, as I understand it, comes from a fairly good family down in San Diego.

She came into my office two or three times several months ago, just walked in, knocked on the door and came in, and I sat down and talked to her.

I told her that I couldn't understand why someone that came from a nice family like hers would associate herself with this group out at Spahn Ranch when, in my opinion, their credo, their religion, was murder.

And she denied that. She said we are all peace loving out there.

She said, furthermore, what about all the murders that are taking place in Vietnam?

I said, well, just let's assume for the sake of argument that these are murders in Vietnam. What has that to do with the fact that several people were murdered in August supposedly by members of your Family?

13 fls.



-1  
1 She could not see the connection; she felt that  
2 if there were murders in Viet-Nam and these murders weren't  
3 bad -- but she reaffirmed her family had nothing to do with  
4 these murders.

5 I said to her, I said, "Sandra, if you want to,"  
6 I said, "you can continue living this life believing in  
7 helter skelter and living off the herbs and living like a  
8 nomad."

9 I said, "In fact, I have a little nomadic blood  
10 myself; I would like to be as free as a mountain goat now  
11 and then, <sup>the</sup> so," I said, "I can't criticize you for wanting  
12 to travel here and there; but I want to tell you one thing,  
13 I want this to be burnt in your mind," I said, "The next  
14 time murder is in the wind at Spahn Ranch, you know what  
15 murder in the wind means?"

16 She said, "Yes."

17 I said, "In other words, the next time they are  
18 talking about murder at Spahn Ranch, I want you to remember,  
19 Sandra, that other people like to live as much as you do  
20 and I want you to act as a human being, and I want you to  
21 do everything possible to prevent these murders. You know  
22 what I mean."

23 She said, "Yes."

24 I kept telling her five or six times -- the  
25 Court is aware of the Barbara Hoyt incident, and I am  
26 satisfied that Sandra Goode knew about it, in fact she did

1 tell me she knew that Barbara Hoyt went to Honolulu.

2 She told me that a couple of days ago outside of  
3 court.

4 So I walked out of court and I saw her there  
5 Friday afternoon. She had an X on her forehead, and she had  
6 a blank, vacant look on her face.

7 And I started to talk to her and I said,  
8 "Sandra," I said, "I'm very, very disappointed in you,"  
9 I said, "There is no question in my mind that you knew that  
10 Barbara was taken to Honolulu for the purpose of having her  
11 murdered."

12 I said, "You were with the group out there that  
13 night, you, Clem and the rest of them, you talked her into  
14 going to Honolulu; then, of course when she went up there  
15 the next thing she ended up in an alley with enough LSD  
16 to kill two people."

17 She wouldn't answer me.

18 But the first important factor is this, as I  
19 was talking to her, I spoke to her four or five or six  
20 minutes, she had a knife at her side; she never reached for  
21 it or took it out, but five or six times, as I talked to  
22 her, she reached down to her knife and started to play with  
23 it like this.

24 I could only draw one inference, she was trying  
25 to frighten me. She would not pull it out. I would talk  
26 with her some more and she would reach down and play with

1 the knife.

2 I did not use any curse words; I didn't shout  
3 at her. "Sandra," I said, "you are heading for trouble. You  
4 come from a good family, and I advise you you are  
5 on the wrong track."

6 So I turned around and walked away from her.

7 She was with two long-haired -- I presume they  
8 are hippies, I presume from the Spahn Ranch; they started  
9 to follow me.

10 Of course she had the knife. I stopped, turned  
11 around. They stopped. I walked again, I stopped, and they  
12 stopped. So I did it a third time and they stopped. They  
13 were following me!

14 So I turned around and went over to her and I  
15 said, "Look, you're nothing but a God-damned bitch," and  
16 I said, "I don't know whether you are involved in this  
17 attempted murder but," I said, "if I find out you are a  
18 part of that attempted murder, I will do everything within  
19 my power to see to it that you end up in jail."

20 That is the extent, that is the extent. I  
21 deny everything else in that allegation.

22 I did call her a God-damned bitch.  
23  
24  
25  
26



13a-1

1 THE COURT: Where did this take place?

2 MR. BUGLIOSI: Outside of the Hall of Justice Friday  
3 afternoon.

4 And I did threaten her if anything happened I  
5 would see to it that she got in jail.

6 But I prefaced it by saying "if."

7 That is not in that affidavit. That is not  
8 in that affidavit. I said "If I find out that you were  
9 involved in this attempted murder," I said, "I will do  
10 everything in my power to see to it that you end up behind  
11 bars."

12 I don't have anything further.

13 THE COURT: To slightly regress for the moment, I  
14 noticed somebody back in the courtroom today who appeared  
15 to be the same person I have seen sitting outside here  
16 on the wall a couple of times; she was wearing black  
17 today, right in the center of the court in the very back  
18 and appeared to be the same one I saw the other day sitting  
19 outside wearing a sheath knife outside her leg or some-  
20 thing.

21 I assumed only from reading the newspapers --  
22 in other words, that it was Sandra Good.

23 In other words, I had seen articles several  
24 days in a row that she was hanging around the Hall of  
25 Justice.

26 MR. BUGLIOSI: She was sleeping overnight. As I



13a-2

1 was talking to her she looked sort of crazy; she didn't  
2 answer me; she was playing with a knife.

3 THE COURT: Of course she would not have the knife  
4 in the courtroom. That would have been taken away from  
5 her by the deputies outside.

6 MR. BUGLIOSI: If there is any person outside who I  
7 believe to be a member of the Family who has a knife on  
8 her and starts playing with it and follows me down the  
9 street, my response to her was exceptionally mild.

10 In all sincerity and due candor, what I should  
11 have done, I should have become physical with her at that  
12 point because here is someone with a knife, and I'm  
13 satisfied she is a member of the Family and she is follow-  
14 ing me down the street.

15 I don't think I have to wait until she does  
16 something.

17 So I was mild with her. I did call her a  
18 God-damned bitch. I did say that if I had proof or "If I  
19 find out you are involved in this attempted murder I will  
20 do everything possible" -- and that is the truth, I don't  
21 retract that.

22 But I am just not going to put up with their  
23 waiting for me down there and looking at their knives and  
24 following me around, I'm not going to tolerate it.

25 THE COURT: All right.

26 MR. KANAREK: May I be heard, your Honor?

13a-3

1 THE COURT: Go ahead.

2 MR. KANAREK: We ask that the order to show cause  
3 in re contempt be issued and that testimony be taken under  
4 oath.

5 THE COURT: What is the contempt, the alleged  
6 contempt?

7 MR. KANAREK: The contempt is interfering with a  
8 subpoenaed witness.

9 It is an indirect contempt. She is a subpoenaed  
10 witness. It is interfering with the orderly processes of  
11 this court to threaten a witness.

12 THE COURT: It depends on the circumstances, doesn't  
13 it?

14 MR. KANAREK: Your Honor, this girl under oath --

15 THE COURT: And whether or not it was a threat.

16 MR. KANAREK: That is for the Court to determine  
17 by an evidentiary hearing.

18 THE COURT: I can tell you right now, gentlemen, I  
19 don't see anything in this declaration of Sandra Good that  
20 in my opinion constitutes contemptuous behavior on the  
21 part of Mr. Bugliosi even if everything in it is assumed  
22 to be true.

23 MR. KANAREK: Well, your Honor, as I was saying,  
24 your Honor is the one, we contend that it is contemptuous,  
25 that it is an attempt --

14 fls.

4-1

1 THE COURT: You contend that?

2 MR. KANAREK: Yes, your Honor.

3 If I would do that, if I had done that, I  
4 probably would be in jail right now.

5 THE COURT: If your name was substituted for  
6 Mr. Bugliosi's in that declaration, Mr. Kanarek, I would  
7 feel just exactly the same way.

8 MR. KANAREK: By the way, when I say this, your Honor,  
9 I quarrel with the Court's saying that this is not con-  
10 tempt, but when I say I would be in jail, I am not saying  
11 as to this. I am not making the allegation that your  
12 Honor would treat me any differently than Mr. Bugliosi in  
13 connection with these proceedings, and I don't want the  
14 record to reveal that.

15 I believe that your Honor has, on other occasions,  
16 treated members of the defense, including myself, in a  
17 manner different than Mr. Bugliosi and violated equal  
18 protection of the law, but I am not saying it in connection  
19 with this matter.

20 My position is this: That I would be in jail as  
21 a result of State action, not by your Honor but by the  
22 prosecution, if I made those kinds of statements to  
23 Mr. De Carlo.

24 THE COURT: You are not in jail, so let's not get off  
25 on that subject.

26 MR. KANAREK: Very well, your Honor.



1           It is my position that that is clearly contempt,  
2 a contempt to intimidate a witness, which is interfering  
3 with the orderly processes of the Court.

4           As I say, if I had said that to Danny De Carlo,  
5 Mr. Bugliosi would have seen that a citizen's arrest was  
6 made and all of that.

7           That is what I allege.

8           There is one other point that I would like to  
9 bring to the Court's attention, and that is that just after  
10 the noon recess Mr. Bugliosi, who previously has stated  
11 to me that he was going to use every trick he possibly  
12 could find to convict Charles Manson and put him in the gas  
13 chamber, just at the beginning of the noon recess  
14 Mr. Bugliosi approached and spoke to Charles Manson, over  
15 my express objections.

16           I forbade Mr. Bugliosi to speak to Mr. Manson.  
17 He, nevertheless, approached Mr. Manson, who was in custody

18           MR. KAY: And who requested to talk to Mr. Bugliosi.

19           MR. BUGLIOSI: All three defense attorneys urged it,  
20 and Manson said, "I want to talk to you."

21           MR. KANAREK: But I forbade him.

22           That is why we have independent counsel, your  
23 Honor. I forbade Mr. Bugliosi to speak with him. Mr.  
24 Bugliosi, nevertheless, engaged in a conversation with  
25 Mr. Manson.

26           My position is, your Honor, that it is a



1 violation of the Sixth Amendment right to effective coun-  
2 sel for the prosecution to approach a defendant without the  
3 permission of his counsel.  
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14A

14a-1

1 Mr. Manson is a man who admittedly hasn't had  
2 much schooling, he doesn't read well; Mr. Manson is a  
3 person who is vulnerable in connection with these types of  
4 importunations by Mr. Bugliosi.

5 It is my position that this is a clear violation  
6 of law itself, and I ask the Court to issue an order to  
7 show cause in re contempt as to the conduct of Mr. Bugliosi  
8 in this regard, your Honor.

9 THE COURT: What is the contempt?

10 MR. KANAREK: The contempt is the interference by  
11 Mr. Bugliosi. I told him --

12 THE COURT: Do you have any authority, Mr. Kanarek,  
13 that a person represented by an attorney may not, at his  
14 own instance, speak to an attorney on the opposite side?

15 MR. KANAREK: Yes.

16 THE COURT: You do?

17 MR. KANAREK: Yes, your Honor.

18 I believe that the law is clear that a  
19 prosecutor cannot do this. As a matter of fact, the  
20 State Bar, the Code of the State Bar, as I remember it,  
21 the Business and Professions Code, says that you cannot  
22 speak with a litigant who is represented by counsel without  
23 first getting the permission of the attorney representing  
24 him.

25 THE COURT: I am familiar with all of that, but that  
26 is not what I asked you.

14a-2

1 MR. KANAREK: I am saying, your Honor, that --

2 MR. FITZGERALD: I think I should be held in contempt,  
3 if anybody, because Mr. Bugliosi did not solicit this  
4 conversation. I approached, with Mr. Hughes and Mr. Shinn,  
5 Mr. Bugliosi and I had a conversation with regard to Mr.  
6 Bugliosi talking to Mr. Manson.

7 Now, Mr. Manson knew this. It was actually at  
8 his request. He wanted to talk to Mr. Bugliosi about  
9 representations that Mr. Bugliosi had made about friends  
10 and acquaintances of Mr. Manson attempting to intimidate  
11 prosecution witnesses, and Mr. Manson wanted to find out  
12 what Mr. Bugliosi's position was, and to tell him that he  
13 didn't have anything to do with the intimidation of the  
14 prosecution witnesses.

15 Now, it was our understanding that it was going  
16 to be an off-the-record conversation, that it was not  
17 going to be used in any sense against Mr. Manson, and that  
18 Mr. Manson wanted to do it and that Mr. Bugliosi wanted  
19 to do it.

20 Manson knew that he need not consent to this  
21 conversation and, in fact, in our presence, had a conver-  
22 sation with Mr. Kanarek in which he said he chose not to  
23 follow Mr. Kanarek's advice and speak to Mr. Bugliosi.

24 It was not Mr. Bugliosi's fault.

25 THE COURT: I am curious as to why you would inject  
26 yourself in the middle of that situation.

14a-3

MR. FITZGERALD: Because this case has become almost sort of an exercise in Alice in Wonderland. This case is getting to be impossible in many respects.

14b fls.

THE COURT: For instance? As to what?



4B-1

1 MR. FITZGERALD: In connection with Manson, I think  
2 Mr. Manson is clearly unhappy with his attorney. He spoke  
3 out in court this morning. He has talked to me on a number  
4 of occasions about substituting out Mr. Kanarek and  
5 substituting me as an his attorney. And as all these  
6 attorneys will indicate to the Court, Mr. Manson, on  
7 repeated occasions, have asked us to do things for him  
8 that Mr. Kanarek has refused to do.

9 Now, this is not the kind of thing that I like  
10 to bring out in the open and the kind of thing that I like  
11 to discuss, but if Mr. Kanarek wants to open the door,  
12 he is going to find out what is in the room.

13 MR. KANAREK: And I don't want to bring out these  
14 internecine battles, but the point of the matter is that  
15 Mr. Manson is vulnerable. Mr. Fitzgerald wants to sacri-  
16 fice Mr. Manson because of Patricia Krenwinkel.

17 MR. BUGLIOSI: That is a vicious remark.

18 MR. KAY: Mr. Fitzgerald doesn't want to  
19 sacrifice anyone.

20 MR. KANAREK: If he wants to bring this out in the  
21 open, let me state that I have an obligation to Mr. Manson.  
22 The prosecution knows that they have a weak case against  
23 Mr. Manson, if they have any case whatsoever.

24 THE COURT: Please don't argue the case now, Mr. Kanarek.  
25 You will have ample opportunity later.

26 MR. KANAREK: I would beg the protection of the

1 Court.

2 THE COURT: It doesn't sound to me like you need any  
3 protection.

4 Now, Mr. Manson, of course, knows, to my  
5 knowledge from having talked to him on occasions, about  
6 remaining quiet and what he was trying to get before the  
7 Court in the way of motions, and so forth, that if he  
8 wants to change attorneys, he has a right to make such a  
9 motion.

10 It doesn't mean that the Court is going to grant  
11 it, by any means.

12 So, I don't really see any necessity for any  
13 other attorney getting into the middle of it. But,  
14 gentlemen, this is something you have to work out between  
15 yourselves. I don't think this involves the Court.  
16 This is something behind the scenes in your own client-  
17 attorney relations that the Court isn't concerned with.

18 I suggest that we get back to the trial.

19 MR. KANAREK: Yes.

20 May I have that protection, your Honor?

21 THE COURT: All the parties know their rights in  
22 this case. All of the attorneys for the parties know  
23 what those rights are. I don't really see any point to the  
24 present posture of this conversation.

25 MR. KANAREK: Well, would your Honor order  
26 Mr. Bugliosi not to speak to Mr. Manson when I forbid it,  
your Honor? I don't think he has the power.

14c-1

1 THE COURT: I question whether I have such power,  
2 Mr. Kanarek. I don't know of any authority. I am certainly  
3 happy to learn, but I don't know of any authority that says  
4 that a client cannot, if he wants to, talk to another  
5 attorney.

6 The other attorney may not, without going  
7 through the client's attorney, initiate such conversation;  
8 but if the party himself wants to talk to another person,  
9 I know of nothing that absolutely forbids it.

10 Do you?

11 MR. KANAREK: No, your Honor, but I would like to say  
12 this, since Mr. Fitzgerald said what he did.

13 He told me that he doesn't care if he buries  
14 Charles Manson. He represents Patricia Krenwinkel and he  
15 wants to do the best for her, and he says he doesn't care  
16 if Charlie Manson goes to the gas chamber.

17 He has told me that.

18 THE COURT: If a motion to substitute is made, there  
19 will be ample opportunity for everybody to raise any objec-  
20 tions that they may have either for themselves or on behalf  
21 of anyone else, but at the moment there is nothing before  
22 the Court, and I see no reason why we should not get back  
23 in there and continue with the trial.

24 MR. KANAREK: Yes, your Honor, but may I have the  
25 protection of the Court in that regard?

26 I would ask your Honor to order Mr. Bugliosi not



14c-2

1 to speak to Mr. Manson.

2 THE COURT: I am not going to make any such order.

3 As for the declaration of Sandra Good, I want to  
4 look at it again.

5 MR. KANAREK: You see, your Honor, the point is that  
6 I believe Mr. Bugliosi, who is a clever man and a clever  
7 prosecutor, by approaching Charlie Manson in this way,  
8 takes the onus off of himself for the criminal culpability  
9 in connection with Sandra Good.

10 Clearly he violated at least 415 of the Penal  
11 Code of the State of California when, in the presence of a  
12 female, he stated this blasphemy, these obscene remarks.  
13 It is a clear violation of Section 415 of the Penal Code.

14 I intend to ask the City Attorney of the City of  
15 Los Angeles to file a misdemeanor charge against Mr. Bugliosi  
16 for this.

17 In order to take the onus off of himself, he  
18 has approached Mr. Manson, in order to change it, to take  
19 the posture of it -- to make the posture of it differently,  
20 he approached Mr. Manson. Now, the point is --

21 THE COURT: I don't see any connection between the two,  
22 but please don't explain it to me, Mr. Kanarek.

23 MR. BUGLIOSI: Does the Court want to grant a hearing  
24 on this?

25 THE COURT: As I said, I want to read it again and  
26 give it further consideration. "It," being the declaration



1 of Sandra Good.

2 I gave you my preliminary thoughts after  
3 reading it. I don't see, assuming everything in there  
4 is true, that it constitutes contemptuous behavior. It  
5 may be subject to criticism for some other reason.

6 MR. BUGLIOSI: Right.

7 I have no objection to a hearing, your Honor.  
8 The only problem with a hearing is, believe me, I will be  
9 glad to take the witness stand, but if I do take the  
10 witness stand at a hearing, it will be incumbent upon me  
11 to bring out the Barbara Hoyt incident, and my belief that  
12 Sandra Good is involved in that attempted murder.

13 That would come out in front of the press,  
14 which is not good for the defense. And at night following  
15 me down the street.

16 That is the only objection. For the benefit  
17 of the defense, a hearing may not be advisable, but, believe  
18 me, I'd be happy right now to take the witness stand and tell  
14d fls. 19 them the whole story.

14d-1

1 MR. KANAREK: Then let's do it.

2 MR. BUGLIOSI: Okay.

3 MR. KANAREK: I understand his solicitude for the  
4 defense. His solicitude is that he wants to put Mr.  
5 Manson in the gas chamber.

6 And furthermore, you don't administer justice  
7 on the corner of Temple and Broadway.

8 THE COURT: We are not going to do anything until I  
9 am able to say, in my own mind, that I think the declaration  
10 of Sandra Good at least raises a prima facie instance of  
11 contempt, I am not prepared to do at the moment at least.

12 All right. Let's get back to the trial.

13 (Whereupon the following proceedings were had  
14 in open court. All defendants, counsel and jurors present.)

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

17 You may continue, Mr. Shinn.

18 MR. SHINN: Thank you, your Honor.

19  
20 WILLIAM LEE,

21 the witness on the stand at the time of the noon recess,  
22 resumed the stand and testified further as follows:

23  
24 CROSS-EXAMINATION (Continuing)

25 BY MR. SHINN:

26 Q I believe, Mr. Lee, I was going to

1 ask you to draw a diagram of these two shell casings that  
2 you prepared.

3 A Yes.

4 MR. SHINN: Your Honor, may the witness draw a  
5 diagram?

6 THE COURT: Yes.

15 fls.



15-1

(Witness approaches the board.)

A Let the circle indicate the shell head of a .22 caliber shell casing.

The initial, U, on the head is a head stamp placed on there by the manufacturing company, in this particular instance, Remington Arms, which is the later owner of United Metallic Cartridge Company.

Q BY MR. SHINN: Officer, before you proceed, is this the shell that you made the comparison with, or is this the shell that you took from the gun?

A Either one, whichever you like, Mr. Shinn, they both have similar markings upon them.

Q Let's stay with the shell that was in the gun first.

A Would you mind, which shell are you now speaking of?

Q That was in the gun, not the one that you fired or the one that you compared, the shell that you had.

Could this represent the original shell that you had? Not the shell you got from the Spahn's Ranch.

A The shell casings that were loaded with the gun?

Q Yes.

A Yes, they have similar markings also.

Q Let's stay with that shell first.

A All right, fine.

Q Okay, now, when did you first receive this shell?

A I first observed that on December 16th, 1969.

15-2

1 Q Where?

2 A Central Property Division, Los Angeles Police  
3 Department.

4 Q Now, did someone hand you this shell?

5 A They were in an envelope with the gun.

6 Q And you, yourself, did not take it from the gun,  
7 then, is that correct?

8 A That's correct.

9 Q And, in other words, someone told you that this  
10 shell came from this particular gun, Exhibit 40?

11 A Actually, there were seven empty shell casings  
12 in the envelope.

13 Q So you don't have from your own knowledge, you  
14 don't know whether or not it came from that particular gun,  
15 Exhibit 40, is that correct?

16 A I do now.

17 Q When did you acquire that knowledge?

18 A I believe that was all done on April the 21st  
19 at the conclusion -- oh, of those seven that were in the  
20 envelope? That was done approximately a week ago today,  
21 prior to my appearance in court last time.

22 Q But you, yourself, did not see them take those  
23 shells out of the gun?

24 A No, I did not.

25 Q Now, was there an identifying manufacturer's  
26 marking on the shell?

3  
1 A Yes, sir.

2 Q Where was that marking?

3 A That marking is a head stamp which is  
4 located on the head or what is commonly termed the base of  
5 the shell casing, the exterior.

6 Q By the way, where are these shells now?

7 A They are in court. I examined them prior to  
8 the recess.

9 Q Now, were there any other marks on this shell  
10 when you examined it?

11 A Yes, sir.

12 Q What other markings were there?

13 A The markings on the shell, other than manu-  
14 facturing head stamp, was the indentation from a firing pin.

15 Q Now, did you examine the shell under a micro-  
16 scope?

17 A Yes, I did.

18 Q And did you find other scratch marks and other  
19 markings?

20 A I don't recall if there were any other markings.  
21 I did not pay particular attention to any.  
22 There may have been some slight marks, I don't recall.



.5A-1

1 Q Do you have anywheres in your notes indicating  
2 there were scratch marks or other indications on the shell?

3 A No, Mr. Shinn.

4 Q And then, actually, the only markings you  
5 looked at closely was this spot where the firing pin hit  
6 the shell, is that correct?

7 A That's correct.

8 Q Now, do you know what type of shell this was?  
9 Was it brass, steel?

10 A It appeared to be brass to me, yes.

11 Q It appeared to be brass. Did you make a test  
12 to determine whether or not it was brass or some mixture of  
13 brass and steel?

14 A No, I did not.

15 Q So it is just a guess that it was brass, is that  
16 correct?

17 A I assumed it was.

18 Q Did you make a test to determine the hardness of  
19 this brass shell?

20 A No, sir, I did not.

21 Q In other words, would it be fair to state that  
22 you made no test whatsoever on this shell to determine the  
23 hardness of the brass or whether it was copper, brass or  
24 steel?

25 A That would be fair, yes.

26 Q We are now speaking of the original shell that

1 you first had seen, correct?

2 A One of the seven?

3 Q Yes.

4 A Yes.

5 Q Is it fair to state that the whole examination  
6 you made of the shell was this indentation made by the firing  
7 pin of the pistol, is that correct?

8 A Microscopic, yes, yes.

9 Q When you say microscopic, what do you mean?

10 A Well, obviously I observed the shell casing it-  
11 self, and in removing it from the envelope I noticed it  
12 had a manufacturer's head stamp on it.

13 Other than that I particularly pay attention to  
14 the mark left by the firing pin compression.

15 Q Now, did you notice any other impressions on that  
16 shell?

17 A Not that I recall.

18 Q Now, isn't it true that when a shell is fired  
19 from a type of pistol like Exhibit 40, when the shell is  
20 fired it bounces back against the gun?

21 A Yes.

22 Q And it does at times leave certain markings, is  
23 that correct?

24 A Yes.

25 Q And examining this shell, there were no such  
26 markings, is that your testimony?

1           A    No, as I stated previously before the noon  
2 recess, there may have been some slight circular marks  
3 upon the head, but I did not see enough of them to warrant  
4 my trying to match them with anything.

5           Q    Now, if you were able to match those markings  
6 left by that gun besides the firing pins, wouldn't that  
7 enable you to make a more positive identification of the  
8 shells?

9           A    Well, I would not say that it would be more  
10 positive.

11                   In some instances, not in this particular case,  
12 in some instances a duplication may be observed by the  
13 breach face markings, but not in this case.

14           Q    When you say the breach face markings, is that  
15 when the shell hits back against the gun?

16           A    Yes.

17           Q    What kind of marks do they generally leave?

18           A    Some compression marks.

19           Q    Lines, squares, circles?

20           A    They may be any of those, stria, or lines, they  
21 may be compression marks or little indentations.

22                   They could be in the form of squares or circles,  
23 depending on the imperfections on that particular weapon.

24           Q    And your testimony is that this gun does not  
25 leave such markings, is that correct, on the shells?

26           A    Not that were obviously visible to me.



1 Q Even under a microscope?

2 A As I stated before, there may be some slight  
3 markings, but not that I paid attention to.

4 Q Do you recall what these markings were?

5 A No, I do not.

6 Q Did you make a report on these markings?

7 A No, sir, I did not.

8 Q Now, getting back to this marking that you saw  
9 on this shell here, the original shell here, what kind of  
10 marking was that?

11 A This was a compression mark left by the firing  
12 pin of the .22 caliber revolver, People's No. 40.

13 Q Did you note anything outstanding about this  
14 marking?

15 A It is individual.

16 Q When you say individual, what do you mean?

17 A It's characteristic to one firing pin and one  
18 firing pin alone.

19 Q I believe you stated that you did not make a  
20 comparison with another similar gun as this, is that  
21 correct?

22 A That's correct.

23 Q So you don't know whether or not these types of  
24 guns leave the same markings; you don't know that, do you?

25 A I do know that they do not leave the same  
26 markings.

15b-1

1 Q Well, my question was, you have not made a  
2 comparison with another gun similar to this Exhibit 40,  
3 right?

4 A Well, no, that would not be quite correct,  
5 Mr. Shinn.

6 I have made examinations of weapons similar to  
7 People's 40 on other occasions and have observed the marks  
8 left by the firing pins then.

9 Q Mr. Lee, when you say "similar to Exhibit 40"--

10 A Yes.

11 Q -- are you speaking of the same model and the  
12 same type of a pistol, or are you just speaking of another  
13 .22?

14 A Another .22.

15 Q Well, my question was a similar model as  
16 Exhibit 40.

17 You never made that comparison?

18 A I don't recall, Mr. Shinn.

19 I have had in my possession another .22 Longhorn  
20 .22 caliber double-action single-action revolver of this  
21 model and I don't recall whether I actually looked at the  
22 markings left by that hammer or not.

23 Q Well, now, when you observed this marking what  
24 did you do by way of examination?

25 A I observed it for its characteristics, its  
26 minute manual qualities in the way of indentations, lines

15b-2

1 and markings.

2 Q Did you measure its depth?

3 A No, I did not.

4 Q Did you measure its width?

5 A No, I did not.

6 Q Did you make a notation as to this particular  
7 marking?

8 A You have all my notes now, I don't know whether  
9 I have or not.

10 Q Do you wish to refresh your memory?

11 A I think I stated they were fired from this  
12 particular weapon.

13 Q You just came to the conclusion?

14 A That's correct, yes.

15 Q In other words, what you did was state your  
16 conclusion on these papers?

17 A Yes, sir, that is correct.

18 Q Now, do you recall the characteristics of  
19 this marking on this shell here?

20 A I do.

21 Q What are the characteristics?

22 A Well, within the firing pin impression itself  
23 we have one characteristic on the forward and right-hand  
24 side which appears to be similar to the letter "M" or  
25 "W" along the right-hand edge or portion.

26 To the left, and more to the center of that



15b-3

1 particular marking there is an additional indentation  
2 which would be probably from a protrusion of this particu-  
3 lar firing pin beyond the firing pin mark I just spoke of,  
4 the indentation.

5 There are a couple of stria directly to the  
6 right here of that, there are a couple more to the left,  
7 and there is a cleft at the bottom of the firing pin  
8 impression.

9 Q Now, these stria you speak of are very minute,  
10 is that correct?

11 THE COURT: Mr. Shinn, would you move just a bit?  
12 I believe one of the jurors is unable to see the diagram.

13 MR. SHINN: I'm sorry.

14 THE WITNESS: Would you repeat your question.

15 MR. SHINN: May the question be read back, your  
16 Honor?

17 THE COURT: Read the question, please.

18 (Whereupon the reporter reads the record  
19 as follows:

20 "Q Now, these stria you speak of are very  
21 minute, is that correct?"

22 THE WITNESS: That's correct.

23 BY MR. SHINN:

24 Q And constant firing of this pistol would  
25 change these imperfections, is that correct, the minute  
26 imperfections?

15b-4

1 A When you speak of constant firing --

2 Q Say you fire a thousand rounds, you compare  
3 the first and the thousandth, it would be different, would  
4 it not?

5 A Not necessarily.

6 Q But it is possible?

7 A It is possible, yes.

8 Q The more you use the gun the more the imper-  
9 fections may disappear, or more new imperfections may  
10 appear?

11 A Yes, I believe so.

12 Q What other characteristics were there?

13 A Basically I believe that that would be the  
14 identifying characteristics which I observed within the  
15 firing pin impressions.

16 Q Now, let's talk about this test shell, on the  
17 shell casing you found at the Spahn Ranch,

18 A Yes.

19 Q Is this similar to this diagram here?

20 A It is.

15c fls 20

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15c-1

1 Q In which way is it different?

2 A The only difference that I could possibly  
3 think of would be in the coloring of the shell casing  
4 itself.

5 But the markings appearing on the drawing in  
6 front of you are similar to the markings of the shells  
7 I found at the Spahn Ranch which I stated, four of the 22  
8 on November 19th and 11 of the 23 from April the 15th had  
9 the same firing pin impression.

10 Q Did you make any type of a test to determine  
11 the hardness of both of these shells that you compared?

12 A No.

13 Q Is it true that different hardness, different  
14 shell casings would make different markings on the shell?

15 A They could.

16 Q But yet you made no test to determine whether  
17 or not the shell casings were the same hardness?

18 A That's correct.

19 Q Did you examine either of the bullets, I  
20 mean either of the shells for any ejection marks?

21 A Yes, I believe I did look at the shell casings  
22 for other markings similar to that.

23 Q And did you find any other markings?

24 A No, I did not.

25 Q Now, this Exhibit 40 here, how do you take  
26 the shells out of that Exhibit 40?



1 A May I demonstrate for you?

2 Q Yes.

3 (Witness demonstrates.)

4 A First of all, the cylinder must be released  
5 by pulling forward on the ejection rod extension.

6 The cylinder is then moved out to the side;  
7 the extractor rod, or ejector rod, is then pushed which  
8 forces the shell casings out of the weapon.

9 Q Now, when you eject the shells from the  
10 cylinder, it leaves a mark on the shell, does it not?

11 A No, it does not.

12 Q It does not?

13 A Not necessarily, no.

14 Q In some instances it leaves markings, does  
15 it not?

16 A In some instances it does, yes.

17 Q Sometimes it leaves a marking and sometimes it  
18 does not leave a marking, is that correct?

19 A That's correct.

20 Q When it does leave a marking, where is the  
21 marking on the shell?

22 A May I draw another view of the same shell  
23 casing?

24 Q Yes.

25 A I will draw one-half of the shell casing  
26 from the vertical.

1 This would be the open end of the shell casing;  
2 this is the body, and then we have the rib in this manner.

3 The extractor marks, if present, would be in  
4 this particular area, this being the open end where the  
5 bullet is seated.

6 Q Now, did you examine these shells to see if  
7 there were any ejection markings?

8 A I looked at them in a cursory manner.

9 Q When you say cursory manner, what do you mean?

10 A I look at the shell casings in this area to  
11 see if there were marks which would warrant my closer  
12 examination.

13 Q Did you check for these markings under a micro-  
14 scope?

15 A I may have, but I don't recall. I probably did  
16 but I don't recall.

17 Q All these other various tests that you did not  
18 give, don't you think they would have helped to identify  
19 these two shells?

20 A No.

21 Q It would not help?

22 A No.

23 Q I mean, are you saying, sir, that if the  
24 ejection marks were there on these shells at the same  
25 spot and identical, it would not help you identify these  
26 two shells in some manner?

1           A     It would be an identification in itself if  
2 they were present.

3           Q     But that would be additional to this marking  
4 on the rim -- wouldn't that be helpful?

5           A     That is the marking on the rim you are  
6 speaking of?

7           Q     Yes.

8           A     It is not necessarily helpful if I can  
15d. fls. 9 identify it in some other manner.

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50-1

1 Q The more points you match up, the better  
2 identification, is that right?

3 A I suppose, if you want to say that, it is  
4 possible.

5 Q Now, I believe you testified that one of the  
6 bullets, I believe it was the Sebring bullet, you testified  
7 was fired from this gun.

8 Is that correct?

9 A That's correct.

10 Q Now, how did you come to that conclusion?

11 A By a microscopic examination of the Sebring  
12 bullet in juxtaposition with the test bullet I fired  
13 through People's 40.

14 Q And I believe you did not go into a comparison  
15 of the lands and grooves, did you?

16 A Yes, I did.

17 Q Not the imperfections?

18 A A comparison of the lands and grooves reflects  
19 the imperfections in the gun barrel.

20 Q Let us assume there were no imperfections,  
21 just go by the lands and grooves, would it be possible to  
22 identify a shell which had come from this particular pistol?

23 A A bullet?

24 Q Yes, if there were no imperfections.

25 A No, it would not.

26 Q It would be impossible, wouldn't it?

L5D2

1 A Yes.

2 Q Thousands of guns with six lands and grooves.

3 A That's correct.

4 Q And the only reason you came to the conclusion  
5 that way was because of the imperfections, isn't that  
6 correct?

7 A That's correct.

8 Q And I believe you testified that under a micro-  
9 scope there were hundreds of imperfections possibly?

10 A Possibly, yes.

11 Q And under computer or electronics there may be  
12 thousands of them?

13 A No, I think that was your testimony, Mr. Shinn.  
14 I am not aware of that.

15 Q Would you draw us a diagram of these two bullets  
16 that you compared?

17 A I'm sorry, but I don't believe I have that  
18 memory for the stria within.

19 I can put a diagram of bullets on the board.

20 Q Yes.

21 A I would care for another sheet of paper, your  
22 Honor.

23 THE COURT: We have room on the other side, Sergeant.

24 Has this chart been marked?

25 MR. SHINN: Yes, your Honor -- no, it has not been  
26 marked yet, your Honor. May it be marked next in order?

5D3

CC

1 THE COURT: It will be marked CC for identification.

2 MR. BUGLIOSI: Your Honor, may that be changed to a  
3 People's exhibit?

4 It seems like it should more properly be a  
5 People's exhibit.

6 THE COURT: 255.

7 MR. SHINN: I want to mark this as a defendants'  
8 exhibit next in order, your Honor.

9 THE COURT: 255.

10 MR. SHINN: Your Honor, I wonder if Mr. Lee has  
11 enough space on that.

12 THE COURT: I don't know, Mr. Shinn, we have more  
13 paper if he needs it.

14 MR. SHINN: Yes, your Honor.

15 THE COURT: Do you want more paper?

16 THE WITNESS: If Mr. Shinn wants it on a different  
17 piece of paper, all right.

18 This is supposed to represent a circle.

19 This would represent my view through the  
20 comparison of microscope. Actually I am able to observe  
21 one bullet or a portion thereof through the right-hand  
22 side and a portion of another bullet on the left-hand side  
23 of a very fine dividing line down between the two.

24 Actually the bullets are placed on stages which  
25 are individual, and actually several inches apart, which are  
26 connected on the top by a prism bridge.



16-1q

1 The area at the top and the bottom would be  
2 vacant, depending upon the magnification used. That is to  
3 say, I may have more or less area beyond the bullet itself,  
4 which I will try to outline the edge, the rounded edge of  
5 the bullet, by the heavy line.

6 This is not an edge, but it is actually a part  
7 of the curvature which goes beyond the sight.

8 The small cross hatching would represent a  
9 land, a gun land impression, and the white area would  
10 represent the gun groove area.

11 MR. SHINN: Q Now, which way is the bullet in the  
12 diagram?

13 A Well, actually the bullet is mounted on a wax  
14 post in this manner on the two stages.

15 Actually, I am coming in and viewing a portion  
16 here and a portion here on the bullets.

17 Q And what per cent of the circumference of the  
18 bullet did you examine?

19 A I have actually looked at the entire circum-  
20 ference of the bullets.

21 Q And what percentage did you testify matched up?

22 A I don't believe I did.

23 Q Well, what percentage matched up?

24 A I would have to estimate approximately a third.

25 Q One-third of the circumference of the bullet;  
26 is that correct?

1           A    To the best of my recollection at this time,  
2 Mr. Shinn.

3           Q    Did you notice the striations on these bullets?

4           A    Yes, I did.

5           Q    And approximately how many were there?

6           A    I don't recall at this time.

7           Q    Well, were there hundreds?

8           A    No, no. Much less.

9           Q    Under a microscope you looked at these two  
10 bullets? You looked at these two bullets under a micro-  
11 scope; is that correct?

12          A    That is correct.

13          Q    And could you give us an estimation of how many  
14 striations there were, approximately?

15          A    Oh, I'd have to estimate probably, at this time,  
16 maybe 20, approximately; to the best of my recollection at  
17 this time.

18          Q    Now, when you say 20 --

19          THE COURT: Mr. Shinn, we will take the recess at  
20 this time.

21          MR. SHINN: Yes, sir.

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

25                The Court will recess for 15 minutes.

26                (Recess.)

16a-1

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

3 You may continue, Mr. Shinn.

4 I don't believe this diagram has been marked  
5 yet. Let's have it marked.

256 id.

6 256 for identification.

7 BY MR. SHINN:

8 Q Would you continue, please, Mr. Lee?

9 A This represents the two bullets under the  
10 microscope.

11 Q Now, you have marked the lands and the grooves.

12 A Yes, I did.

13 As I explained to the jury before we left, the  
14 light cross-hatchings would indicate the lands left by  
15 the gun. This is the gun land impression, and this is the  
16 land impression.

17 This would be a groove impression, and this a  
18 portion of the groove impression. It goes to the end  
19 where the circumference of the bullet lets it run out of  
20 sight.

21 MR. SHINN: Your Honor, may the witness mark the  
22 lands and grooves as he indicated, your Honor?

23 THE COURT: Very well.

24 MR. SHINN: Thank you.

25 Would you do that, please?

26 (The witness marks on the diagram.)



16a-2

1 THE WITNESS: I have marked the cross-hatched areas  
2 as gun land impression, and the white areas as gun groove  
3 impression.

4 MR. SHINN: Thank you.

5 Q Now, where would the imperfections appear in  
6 the diagram?

7 A The imperfections from the gun are transmitted  
8 to the bullet and occur on these surfaces parallel to their  
9 longitudinal axis, or they would go across in the same  
10 line as the land and the groove edges and the edge of the  
11 bullet.

12 Q Now, do you recall how many imperfections  
13 there were in these two bullets, approximately?

14 A Well, when you say imperfections in the bullet,  
15 I am assuming that you are talking about stria left from  
16 the gun; is that correct, Mr. Shinn?

17 Q Yes.

18 A It is difficult for me to answer that, but  
19 somewhere around approximately 20 points of identification,  
20 I believe.

21 Q My question was, Mr. Lee:

22 How many markings left by the imperfections?

23 A I would say, roughly, that would be my estimate.

24 Q How many?

25 A Approximately 20 or so.

26 Q Is that all you observed, or were there other

1 imperfections that you could not see under the microscope?

2 A Well, there may be more that I did not observe,  
3 but that is the amount that I observed.

4 Q Well, I am not talking about the ones that you  
5 matched up. I am talking about all the imperfections or  
6 stria on these two bullets.

7 A I believe that would be fair to state, that  
8 the stria I did observe were points of identification and  
9 did match. Possibly there may have been one or two or so,  
10 but not that I recall.

16b fls.

16B-1

1 Q Then, is it your testimony that under the micro-  
2 scope these markings left by the imperfections were only  
3 25 or 30?

4 Is that your testimony?

5 A That I observed as points of identification.

6 Q I am not talking about points of identification.  
7 I am talking about all the markings left by the imperfection  
8 of the gun.

9 A That I was able to observe on the portion of the  
10 bullet that was not damaged or destroyed.

11 Q In other words, you looked at approximately  
12 one-third of the circumference of the bullet; is that  
13 correct?

14 A I looked at the entire circumference, but that  
15 designation, or the matching, was on the area that was not  
16 damaged.

17 Q In other words, three-fourths of the bullet was  
18 damaged?

19 A I'd say it would probably be two-thirds.

20 Q Two-thirds?

21 A Yes.

22 Q Then the only surface left was one-third; is  
23 that correct?

24 A Probably slightly more than a third, but that  
25 would be correct, I believe.

26 Q And in that one-third, Mr. Lee, you stated that



1 there was about approximately 25 or 30 markings left by  
2 the imperfection?

3 A Possibly 25. Somewhere around that particular  
4 area. I don't recall now exactly how many lands there were.

5 Q And this test bullet that you fired, I believe that  
6 you testified that you fired into water; is that correct?

7 A Yes, that is correct.

8 Q And the bullet that you got to compare it with  
9 was the Sebring bullet; is that correct?

10 A Yes.

11 Q And it would make a difference, would it not,  
12 officer, firing into water and, say, firing into a body?

13 A It may, but on some other instances it may not.  
14 It depends.

15 Q It depends?

16 A Yes.

17 Q But there is a possibility of stria being  
18 different because one you find in water and the other you  
19 find in the body; is that correct?

20 A Yes, it is possible.

21 Q Now, the test bullet that you fired, do you  
22 recall what type of a bullet that was?

23 A It was a Remington .22 caliber long rifle  
24 bullet, coated.

25 Q Was it the same vintage of the bullet that  
26 you recovered that was from the Sebring body?

1 A If you are referring to vintage as to the actual  
2 year of manufacture, I don't know.

3 Q You don't know?

4 A No, I don't.

5 Q You didn't determine?

6 A No, I did not.

16c

16c-1

1 MR. SHINN: You may resume the stand.

2 THE WITNESS: Thank you.

3 (The witness resumes the witness stand.)

4 BY MR. SHINN:

5 Q And the fact that the gun was dirty and had  
6 been exposed to the elements, that would have an effect,  
7 would it not, on imperfections?

8 A Well, it could under certain circumstances.

9 Q It is possible, is it not?

10 A Yes.

11 Q And then it would make a difference in the  
12 markings left by the imperfections?

13 A You are speaking hypothetically again?

14 Q Yes.

15 A It could.

16 MR. SHINN: Nothing further, your Honor.

17 Thank you.

18 THE COURT: Any questions, Mr. Kanarek?

19 MR. KANAREK: No. Thank you, your Honor.

20 THE COURT: Mr. Hughes?

21 MR. HUGHES: Your Honor, I believe, by stipulation  
22 with Mr. Bugliosi, so far as this officer's testimony is  
23 concerned, it is offered in no way against my client,  
24 Leslie Van Houten.

25 Is that correct, Mr. Bugliosi?

26 MR. BUGLIOSI: So stipulated.



16c-2

1 THE COURT: Very well.

2 Any redirect?

3 MR. BUGLIOSI: Just a few more questions, your Honor.

4 REDIRECT EXAMINATION

5 BY MR. BUGLIOSI:

6 Q Where did you find these shell casings on  
7 November the 19th? You indicated the area of Spahn Ranch,  
8 but where on the grounds did you find them?  
9

10 A It was just a general area which I would call  
11 the gully, approximately 200 feet from Mr. Spahn's ranch,  
12 on the grounds.

13 Q Where on the ground?

14 A Well, primarily in an area which I indicated on  
15 a photograph which was previously introduced. Near a fence  
16 which ultimately crosses a road on the property which  
17 goes up a hill.

18 Q Were all of them visible just by looking down  
19 at the ground?

20 A No.

21 Q Where did you find them on the ground?

22 A Well, they were covered with leaves. Some of  
23 them were in the open, visible.

17 fls.

17-1

1 Q Some were covered by leaves?

2 A Yes.

3 Q Were any under the dirt or the ground?  
4 Did any have dirt on top of them?

5 A Yes, partially.

6 Q How long did you search for these shell casings  
7 on November 19th?

8 A I believe probably a total of possibly an  
9 hour, an hour and a half, something like that.

10 Q During that hour or hour and a half did you  
11 comb every square inch of that area?

12 A No, sir.

13 Q So then you did return on April 15th and you  
14 found some more shell casings in the same area?

15 A Yes.

16 Q Again under leaves and things like that?

17 A Yes.

18 Q Is there any doubt in your mind that these  
19 particular 15 shell casings were fired from People's 40  
20 for identification?

21 A There is no doubt in my mind.

22 MR. KAMAREK: I will object to that question on the  
23 grounds that the question has a synthetic, specious tone to  
24 it about any doubt.

25 He already asked the gentleman for his opinion.

26 I think the question has prejudicial effect far

1 outweighs its probative value as to the form of the  
2 question.

3 THE COURT: Sustained.

4 Q BY MR. BUGLIOSI: Is that conclusion of yours  
5 that these 15 shell casings were fired from Exhibit 40, is  
6 that a positive conclusion on your part?

7 A Yes, it is.

8 MR. BUGLIOSI: No further questions.

9 MR. FITZGERALD: Nothing further.

10 THE COURT: Anything further?

11 MR. KANAREK: Nothing further.

12 MR. SHINN: I forgot to mark this for identification,  
13 your Honor.

14 THE COURT: What is it?

15 MR. SHINN: It is an evidence report.

16 THE WITNESS: Those are my personal notes.

17 MR. FITZGERALD: I offer to stipulate they could be  
18 returned.

19 MR. SHINN: Seven pieces of paper, may they be marked  
20 next in order?

21 THE COURT: 257.

22 You may step down.

23 MR. BUGLIOSI: People call Mrs. Lally.

24 THE CLERK: Would you please repeat after me.

25 I do solemnly swear --

26 THE WITNESS: I do solemnly swear --



1 THE CLERK: -- that the evidence I may give --

2 THE WITNESS: -- that the evidence I may give --

3 THE CLERK: -- in the cause now pending --

4 THE WITNESS: -- in the cause now pending --

5 THE CLERK: -- before this Court --

6 THE WITNESS: -- before this Court --

7 THE CLERK: -- shall be the truth --

8 THE WITNESS: -- shall be the truth --

9 THE CLERK: -- the whole truth --

10 THE WITNESS: -- the whole truth --

11 THE CLERK: -- and nothing but the truth --

12 THE WITNESS: -- and nothing but the truth --

13 THE CLERK: -- so help me God.

14 THE WITNESS: -- so help me God.

15 THE CLERK: Would you be seated, please.

16 Would you please state and spell your name.

17 THE WITNESS: Eleanor Lally, E-l-e-a-n-o-r, L-a-l-l-y.

18  
19 ELEANOR LALLY,

20 called as a witness by and on behalf of the People, being  
21 first duly sworn, was examined and testified as follows:

22  
23 DIRECT EXAMINATION

24 BY MR. BUGLIOSI:

25 Q And what is your occupation, ma'am?

26 A I am a general real estate manager.

1 Q Do you manage apartment houses?

2 A Yes.

3 Q Are you familiar with the beach house in Venice?

4 A Yes, I am the manager.

5 Q I show you People's 78 for identification, you  
6 know what is shown in that photograph?

7 A Yes, that is a beach house.

8 Q I show you People's 79 for identification, is  
9 that also a photograph of a beach house?

10 A That is also the beach house.

11 Q I show you People's 77 for identification,  
12 do you know who is shown in that photograph?

13 A Salinder Nader.

14 Q Spell the first and last names.

15 A S-a-l-i-n-d-e-r, N-a-d-e-r.

16 Q That is the man shown in this photograph?

17 A Yes, sir.

18 Q To your knowledge did this man ever live in these  
19 apartment houses here in the beach house?

20 MR. KANAREK: Your Honor, may we inquire on voir dire  
21 whether she has any percipient knowledge personally or  
22 whether she is just relating hearsay.

23 I would like to inquire on voir dire because  
24 by the nature --

25  
26 THE COURT: The motion is denied. Let's continue.

1 MR. KANAREK: I object on the grounds of hearsay,  
2 improper foundation, your Honor, and a conclusion.

3 THE COURT: Read the last question.

4 (Whereupon, the reporter reads the pending  
5 question as follows:

6 "Q To your knowledge did this man  
7 ever live in these apartment houses here in  
8 the beach house?"

9 THE COURT: The objection is overruled.

10 BY MR. BUGLIOSI: You may answer the question.

11 A Yes, he was a tenant from July 22nd, 1969 to  
12 May of 1970 and he lived in Apartment 501.

13 Q Is that on the fifth floor?

14 A Yes, sir.

15 Q Is that on the top floor of these apartment  
16 houses?

17 A Yes, sir.

18 Q Have you any idea where Mr. Nader is now?

19 MR. KANAREK: I object on the grounds of a conclusion  
20 and hearsay, your Honor.

21 Improper foundation.

22 THE COURT: Overruled.

23 THE WITNESS: He left sometime in March, the last  
24 part of March, for Europe.

25 I don't know what part of Europe, but he has not  
26 returned to my knowledge.



17a-1

1 Q You don't know where he is right now?

2 A No, I don't.

3 Q Do you know <sup>what</sup> Mr. Nader's occupation is?

4 A He is an actor.

5 Q Incidentally, what is the address of the beach  
6 house apartment?

7 A 1101 Ocean Front Walk in Venice.

8 Q Mr. Nader lived on the top floor, the fifth  
9 floor in Room 501, is that correct?

10 A That's correct.

11 THE COURT: What was that address again?

12 THE WITNESS: 1101 Ocean Front Walk in Venice.

13 BY MR. BUGLIOSI:

14 Q To your knowledge did he live in that apartment  
15 with anyone or did he rent it alone?

16 A He rented alone.

17 Q Do you have the exact dates of his occupancy  
18 there?

19 A He moved in on July 22nd, 1969.

20 He left in the last part of March, the first  
21 part of April for Europe, and we received word that he was  
22 not returning, and we vacated the apartment on May 26th,  
23 1970.

24 MR. MANAREK: Your Honor, may the statement of this  
25 witness about him going to Europe and about the reasons for  
26 the lack of occupancy in this question and the previous

17a-2

1 question where she stated for Europe, may that be stricken  
2 on the grounds of hearsay?

3 THE COURT: The motion is denied.

4 MR. BUGLIOSI: No further questions.

5 MR. FITZGERALD: No questions.

6 MR. SHINN: No questions, your Honor.

7 THE COURT: Any questions, Mr. Kanarek?

8 MR. KANAREK: Yes.

9  
10 CROSS-EXAMINATION

11 BY MR. KANAREK:

12 Q Mrs. Lally, what is your relationship to those  
13 apartments?

14 A I manage six apartment houses on the ocean  
15 front in Venice for the owner, and my office is in the  
16 beach house on the main floor. That is my permanent office.

17 Q In other words, you actually managed how many  
18 total units?

19 A Around 260.

20 Q 260?

21 A Um-hmm.

22 Q Is it a fair statement, Mrs. Lally, that you  
23 have no -- as far as where Mr. Nader -- is it Nader or  
24 Mader?

25 A Nader.

26 Q You have no personal knowledge where he is?

17a-3

1 A No, sir.

2 Q Is that correct?

3 A That's correct.

4 MR. KANAREK: Thank you. Thank you, your Honor.

5 MR. HUGHES: I have no questions of this witness,  
6 your Honor.

7 THE COURT: Any redirect examination?

8 MR. BUGLIOSI: No.

17b fls.

9 THE COURT: You may step down, Mrs. Lally.  
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MR. BUGLIOSI: People call Ruby Pearl.

2

THE CLERK: Would you raise your right hand, please.

3

Would you please repeat after me.

4

I do solemnly swear --

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THE WITNESS: I do solemnly swear --

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THE CLERK: -- that the testimony I may give --

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THE WITNESS: -- that the testimony I may give --

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THE CLERK: -- in the cause now pending --

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THE WITNESS: -- in the cause now pending --

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THE CLERK: -- before this Court --

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THE WITNESS: -- before this Court --

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THE CLERK: -- shall be the truth --

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THE WITNESS: -- shall be the truth --

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THE CLERK: -- the whole truth --

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THE WITNESS: -- the whole truth --

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THE CLERK: -- and nothing but the truth --

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THE WITNESS: -- and nothing but the truth --

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THE CLERK: -- so help me God.

19

THE WITNESS: -- so help me God.

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THE CLERK: Would you be seated, please.

21

Would you please state and spell your name.

22

THE WITNESS: Ruby Pearl; R-u-b-y, P-e-a-r-l.

23

24

25

26

RUBY PEARL,

a witness called by and on behalf of the People, was  
examined and testified as follows:

DIRECT EXAMINATION

BY MR. BUGLIOSI:

Q What is your occupation, ma'am?

A My occupation is stable manager of the Spahn  
Ranch.

Q That is in Chatsworth?

A Chatsworth.

Q What is the exact address of that ranch?

A 12000 Santa Susanna Pass.

Q And do you know who the owner of the Spahn Ranch  
is?

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

THE WITNESS: Yes, George C. Spahn.

MR. KANAREK: May I have a ruling on that, your Honor?

THE COURT: The answer is in. Are you making a motion  
to strike?

MR. KANAREK: Yes, your Honor. I believe my objec-  
tion was timely, your Honor.

THE COURT: The answer will be stricken.

The jury is admonished to disregard it.

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

(Pause.)

1 MR. BUGLIOSI: With respect to ownership of property,  
2 your Honor, may we approach the bench on that with legal  
3 authority? I think I have some authority on it.

4 THE COURT: Very well.

5 (The following proceedings were had at the  
6 bench out of the hearing of the jury:)

7 MR. BUGLIOSI: COUNTY OF MENDOCINO vs. BARNARD,  
8 57 Cal. App. 2d 450, respondent testified that money  
9 deposited in her name in the bank was not her own money;  
10 the money was her son's money.

11 Appellant claims this testimony was a conclusion  
12 of law and will not support the findings.

13 The cases in this state are to the contrary.  
14 It is held that the ownership of property is, as a general  
15 rule, a fact to which a witness may testify.

16 Skinner vs. Los Angeles, 5 Cal. 2d 317 at page  
17 390.

18 Then there are several other cases, you have  
19 here, Nolan vs. Nolan; Straus vs. Dubuque Insurance  
20 Company.

21 This lady worked out there for 15 years for  
22 Mr. Spahn; he employed her; he had lived there during that  
23 period and of course the ranch is named after him.

24 MR. FITZGERALD: I understand the ranch is actually  
25 in escrow. It may be sold. That may be the genesis of  
26 the objection.



1 MR. BUGLIOSI: Right now I don't know who the owner  
2 is, but during the summer of '69 and '68 I think George  
3 Spahn was, wasn't he?

4 MR. FITZGERALD: That is my understanding.

5 MR. BUGLIOSI: Again, your Honor, I have a whole list  
6 of opinions that witnesses can give.

7 These are exceptions to the opinion rule, like  
8 the exceptions to the hearsay rule.

9 THE COURT: Well, of course, you are talking about a  
10 piece of real property.

11 Do you have authority that permits an opinion  
12 on that?

13 MR. BUGLIOSI: On real property?

14 THE COURT: Is it material who owned the ranch?

15 MR. BUGLIOSI: Here is a property case, Straus vs.  
16 Dubuque.

17 I don't know if it is really that material.

18 THE COURT: Certainly the owner can testify to it.  
19 Whether or not someone else can is another matter.

20 MR. BUGLIOSI: These cases are cases where a person  
21 gives an opinion as to the ownership of other property.  
22 It is not crucial, no.

23 THE COURT: It wouldn't make any difference in the  
24 ruling. I am simply wondering whether we are discussing  
25 something you don't really care about.  
26

17 fls.



17C-1

1 MR. BUGLIOSI: I would like to put on evidence that  
2 he was the owner of this property and he gave them permission  
3 to live there. He gave them free room and board in return  
4 for certain things that they did.

5 There is no testimony that he is the owner. He  
6 could almost be a squatter out there.

7 THE COURT: She has been there for 15 years; she  
8 ought to be able to testify as to where he lived and what  
9 he did and whether -- and what his activities were.

10 But the mere fact of ownership, it seems to me,  
11 would be a conclusion.

12 MR. BUGLIOSI: I just thought I would give the Court  
13 these cases where it would seem to indicate it is one of  
14 those conclusions that the law permits.

15 Of course, it is not conclusive. It is a  
16 conclusion subject to cross-examination and certainly if the  
17 defense puts on evidence proving he is not the owner --

18 THE COURT: I am going to sustain the objection.

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

21 Q BY MR. BUGLIOSI: You know George Spahn, of  
22 course?

23 A Yes.

24 Q And how long have you worked at Spahn Ranch?

25 A 20 years.

26 Q Has Mr. Spahn been living there during this

17C2

1 period of time?

2 A Yes, all that time.

3 Q During the same period of time that you worked out  
4 there?

5 A Yes.

6 Q And you worked, you say, as a manager of the  
7 ranch?

8 A In recent years, because he went blind.

9 Q Okay, how old is Mr. Spahn?

10 A 83.

11 Q And what was his function out at the ranch, if  
12 you know?

13 MR. KANAREK: That is ambiguous as to time, your  
14 Honor.

15 Q BY MR. BUGLIOSI: During this 20-year period  
16 what has been his function out at the ranch?

17 MR. KANAREK: That is remote, your Honor.

18 THE COURT: Overruled.

19 THE WITNESS: He takes care of the picture business,  
20 contracts for horses and equipment for movies.

21 Q BY MR. BUGLIOSI: Was he your employer during  
22 this 20-year period?

23 A Yes.

24 Q Did you have any other employer out there during  
25 that period of time?

26 A No.

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Q So you worked only for George Spahn?

A Yes.

Q Did you live on the ranch?

A The first few years I did.

Q Does Mr. Spahn live on the ranch?

A Yes.

Q Is he still living out there?

A Yes.

Q Where is his home located on the ranch?

A His home is on the west end of the parking lot.

Q Is it in the front portion of the ranch?

A Yes.

Q What is the business of Spahn Ranch?

A We rent out horses every day.

Q To whom?

A The public.

Q To anyone else?

A Movies, and parties, people having parties,  
and businesses for political places.

Q Is there any other business of Spahn Ranch?

A Yes, he does hauling.

Q When you say "he," about whom are you referring?

A His boys, he has three or four ranchhands at all  
times.

Q You say George Spahn?

A Yes.

1 Q His boys?

2 A Yes, his boys, yes.

3 Q Is the ranch or has the ranch ever been rented  
4 out to motion picture companies and TV companies?

5 A Yes.

6 Q For what purposes?

7 A To make pictures right on the place, and commer-  
8 cials, TV.

9 Q Is that still done?

10 A Yes.

11 Q Directing your attention to Defendant Charles  
12 Manson, do you know Mr. Manson?

13 A Yes, I do.

14 Q Seated to your right front?

15 A Yes.

16 Q With the blue shirt?

17 A Yes.

18 Q When was the first time you met Mr. Manson?

19 A Summer of 1968.

20 Q Would you please explain the circumstances under  
21 which you met Mr. Manson?

22 A Yes, he came with a load of people in a big  
23 bus.

24 Q Drove up to the ranch?

25 A Yes.

26



1 Q Was that the first time you had ever seen him?  
2 A Yes.  
3 Q This was the summer of '68?  
4 A Yes.  
5 Q Was anything printed on the bus?  
6 A Yes, it said "Hollywood Productions."  
7 Q Was Mr. Manson the driver of the bus?  
8 A I don't believe he was.  
9 Q Do you know who was in the bus with him?  
10 A Yes, several boys and quite a few girls.  
11 Q Do you know who they were?  
12 A Yes, I know some by their names and nicknames.  
13 Q Okay, would you please relate that?  
14 A T.J.  
15 Q A man named T.J.?  
16 A T.J., a man named T. J. and a girl named Mary  
17 Brunner.  
18 Q Brunner?  
19 A Brunner, a girl name Lynn Fromme.  
20 Q Is she also known as Squeaky?  
21 A Squeaky, yes, and Sandra Good and Sadie -- we  
22 know her as Sadie.  
23 Q When you say "Sadie," you mean Defendant Susan  
24 Atkins?  
25 A Yes.  
26 Q Anyone else?

1 A Ruth.

2 Q Ruth Morehouse?

3 A Yes.

4 Q Also known as Ouish?

5 A Yes.

6 Q Anyone else?

7 A Ella, a tall girl by the name of Ella.

8 Q Ella Bailey?

9 A Yes.

10 Q I am referring to the group that was with  
11 Mr. Manson in this bus.

12 A Well, you see, some of them I did not meet the  
13 first day. Several days later or weeks later I met some  
14 more.

15 Q I am referring now to the first time you saw  
16 Mr. Manson, you say there were some girls and some men in  
17 the bus with him.

18 Do you know who those people were?

19 A Yes, that was Lynn, Sadie, Ruth, Mary.

20 Q Mary Brunner?

21 A Yes, and T.J.

22 Q What about Brenda McCann?

23 A Yes, Brenda, too.

24 Q Also known as Nancy Pittman?

25 A Yes.

17e-1

1 Q Did Mr. Manson and his group start living at the  
2 ranch from that day on?

3 A Yes.

4 Q Were they given free room and board by Mr.  
5 Spahn?

6 MR. KANAREK: Object, calling for a conclusion, your  
7 Honor, hearsay, no foundation.

8 MR. BUGLIOSI: She is the manager of the ranch, your  
9 Honor, she should know.

10 MR. KANAREK: She manages the stables, your Honor.

11 THE COURT: Overruled.

12 THE WITNESS: Would you repeat the question again.

13 BY MR. BUGLIOSI:

14 Q Was Manson and these other people, were they  
15 given free room and board at the ranch by Mr. Spahn?

16 A Yes.

17 Q Were they required to do anything in return for  
18 their room and board?

19 A Yes, they were to do the cooking, cleaning,  
20 help with the office work, keep everything straightened out.

21 Q Are you referring to the girls now?

22 A Yes.

23 Q What about the men?

24 A The men had their own work to do; they took care  
25 of our trucks and some of their own trucks.

26 Q They were not required to tend to the horses?

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A No.

Q Or to run them?

A No.

Q This was done by the ranch-hands?

A Right.

Q Who are employed by Mr. Spahn?

A Yes.

Q Did you ever see Charles Manson do any work at all at the ranch?

MR. KANAREK: I object to that question, your Honor, on the grounds that it is a prejudicial type of question.

He can ask what -- but it's leading and suggestive, your Honor.

THE COURT: Overruled.

THE WITNESS: No.

BY MR. BUGLIOSI:

Q You never saw him do any work at the ranch?

A No.

Q Do you know a Charles "Tex" Watson?

A Yes.

Q When did you first see Charles "Tex" Watson?

A A few months later. He came to fix some trucks.

Q Okay, did you see him work at the ranch?

A Yes.

Q Did he work quite a bit?



1           A       Yes, he was a good mechanic.

2           Q       Always working on trucks and dune buggies?

3           A       Yes.

4           Q       Referring to that bus that the first group  
5 came there in, did you ever hear Mr. Manson tell the girls  
6 and this man named T.J. to do anything with respect to that  
7 bus?

8           MR. KANAREK: Objected to as hearsay.

9           MR. SHINN: Hearsay as to Susan Atkins.

10          MR. KANAREK: Also a conclusion. No foundation,  
11 hearsay.

12          MR. BUGLIOSI: I am laying the foundation now.

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

14          THE COURT: Overruled, you may answer yes or no.

15          THE WITNESS: Yes.

16          BY MR. BUGLIOSI:

17          Q       Was one of the people who Mr. Manson told to  
18 do something to the bus Susan Atkins?

19          A       Yes.

20          Q       And how long after Mr. Manson and the group  
21 arrived at Spahn Ranch did you hear Mr. Manson tell these  
22 people to do something with respect to the bus?

23          A       Well, it was several months later they started  
24 fixing up the bus.

25          Q       Do you know Patricia Krenwinkel?

26          A       Yes.

1 Q Was she out there living at the ranch at the  
2 time Mr. Manson made statements with respect to the bus?

3 A Yes.

4 Q She was among the group that he spoke to?

5 A Yes.

6 Q What did Mr. Manson say to Susan Atkins,  
7 Patricia Krenwinkel and other people in respect to the bus?

8 MR. KANAREK: I object on the grounds of hearsay,  
9 your Honor, a conclusion, improper foundation.

10 THE COURT: Overruled.

11 THE WITNESS: He asked the girls to get it cleared  
12 up and put the tapestries on the walls, get it real pretty.

13 BY MR. BUGLIOSI:

14 Q Anything else?

15 A Do some painting.

16 The girls had to do the painting.

17 Q Anything else?

18 Did he tell them to do anything else?

19 A Well, they just worked on the bus.

20 Q I'm asking you if you recall what Mr. Manson  
21 told this group.

22 Did he tell them anything in addition to what  
23 you already said?

24 A I cannot think of anything right now.

18 fls.

18-1

1 Q Did he say anything about cleaning up the  
2 interior of the bus?

3 A Oh, yes. They were sweeping it. He told them  
4 to clean it up.

5 Q He told them to?

6 A Yes. I thought I answered that the first time.

7 Q He told them to clean up the interior of the bus?

8 A Yes.

9 MR. KANAREK: That is leading and suggestive.

10 THE COURT: Overruled.

11 MR. BUGLIOSI: Q Did he tell them to do any-  
12 thing else?

13 A Well, it all covers the same thing, cleaning it  
14 and decorating it, painting it.

15 Q What about the seats?

16 A The seats, he had all the seats removed,  
17 tapestry put up and plyboard, and put a sink in, put a hot  
18 water heater in.

19 Q I am not asking you what he did now, ma'am. I  
20 am concerned with what you heard Mr. Manson tell the group  
21 to do.

22 Do you understand my question?

23 A Yes.

24 He told them to remove all the seats, put in the  
25 plyboard on the bottom of the floor, put in the sink in  
26 the front, and put a hot water heater over on the top.

AB-2

1 Q Were there any men in that group that he was  
2 talking to?

3 A Yes.

4 Q Do you know who the men were?

5 A T. J. and Watson, Paul Watson, I believe.

6 Q Paul Watkins?

7 A Yes.

8 Q A little short boy?

9 A A short boy.

10 Q About 20 years old?

11 A Yes.

12 Q Did the girls and Paul Watkins and T.J. do what  
13 Mr. Manson told them to do?

14 A Yes.

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

16 THE COURT: I think that is objectionable.

17 The answer will be stricken and the jury is  
18 admonished to disregard it.

19 The objection is sustained.

20 MR. BUGLIOSI: Q When Mr. Manson told the  
21 girls and these two men to do these things, did they do  
22 them?

23 MR. KANAREK: That is the same question, your Honor.

24 THE COURT: Sustained.

25 MR. BUGLIOSI: When Mr. <sup>M</sup>anson told these girls,  
26 including Susan Atkins and Patricia Krenwinkel, and the two



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1 men to do these things, what did the girls and the two men  
2 do?

3 A They got busy and did it.

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1 Q From this original group that arrived in the  
2 black bus in the mid-summer of '68, how large did the group  
3 grow to that was living there at Spahn Ranch?

4 A Oh, it grew to 20 or 30. Between 20 and 30.

5 Q Do you know what the group called themselves?

6 A The Family.

7 Q Do you know Leslie Van Houten?

8 A Yes.

9 Q When did you first see Leslie Van Houten?

10 A I saw her later, later in the summer.

11 Q Of '68?

12 A Probably it was.

13 Q Is there a saloon in the front portion of the  
14 ranch?

15 A Yes.

16 Q Did you ever hear Mr. Manson tell anyone to do  
17 anything with respect to that saloon?

18 A Yes.

19 MR. KANAREK: Your Honor, I gather I have a contin-  
20 uing objection on materiality and relevancy to all of this  
21 witness' testimony; everything she has testified to; so I  
22 don't have to make that objection?

23 THE COURT: From here on, you mean?

24 MR. KANAREK: Well, previously, too.

25 THE COURT: No, sir.

26 MR. KANAREK: Pardon?

.8a2

1 THE COURT: You do not.

2 Are you asking for one from here on?

3 MR. KANAREK: I thought we had that ground rule, your  
4 Honor. I didn't want to interrupt Mr. Bugliosi in his  
5 questioning.

6 THE COURT: There was no such ground rule.

7 MR. KANAREK: Very well, your Honor.

8 Then I do have a continuing objection from here  
9 on?

10 THE COURT: As to what?

11 MR. KANAREK: As to materiality and relevancy, your  
12 Honor.

13 THE COURT: As to this witness' testimony?

14 MR. KANAREK: Yes, your Honor.

15 THE COURT: Very well.

16 MR. BUGLIOSI: I will go back.

17 Q Is it Miss Pearl or Mrs. Pearl?

18 A Miss Pearl.

19 Q Going back, Miss Pearl, did you ever hear Mr.  
20 Manson tell anyone to do anything with respect to the  
21 saloon?

22 MR. KANAREK: I object on the grounds of foundation,  
23 your Honor, and conclusion.

24 THE COURT: Overruled.

25 That may be answered yes or no.

26 THE WITNESS: Yes.

18a3

1 MR. BUGLIOSI: Q When was that?

2 A The next summer, '69.

3 Q Did he tell one person or a group of people to  
4 do anything with respect to the saloon?

5 A The whole group.

6 Q Do you know who was in the group?

7 A All the girls that I just mentioned.

8 Q Including Susan Atkins?

9 A Yes.

10 Q And Patricia Krenwinkel?

11 A Yes.

12 Q And Leslie Van Houten?

13 A Yes.

14 Q Do you recall what Mr. Manson told the group to  
15 do with respect to the saloon?

16 A Yes.

17 They gave it a good scrubbing and --

18 Q No, I am not asking you for what they did.  
19 I am asking you: Do you recall what Mr. Manson told the  
20 group to do with respect to the saloon?

21 A Yes.

22 Q All right. Would you please relate that to the  
23 Judge and the jury.

24 A Yes.

25 MR. KANAREK: I object, your Honor, on the grounds of  
26 improper foundation, and hearsay and conclusion.



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THE COURT: Improper foundation in what respect?

MR. KANAREK: Well, your Honor, it has to have some connection with the two days that are alleged in the indictment.

There is no foundation that what he is eliciting at this time has any connection with those two days.

THE COURT: Overruled.

You may answer.

18B-

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1 THE WITNESS: Charlie wanted to get the saloon  
2 fixed up like a music hall, and he had them redecorate it  
3 from top to bottom, change everything, change the walls,  
4 the ceiling, the bar, the stage; redecorate it.

5 MR. BUGLIOSI: Q Did you hear him tell the  
6 group to do these things?

7 A Yes.

8 Q After he told them to do these things, what  
9 did they do?

10 A They started to work.

11 Q Was Tex Watson in that group?

12 A Yes.

13 Q Where did the Family sleep at the ranch?

14 A In all the buildings.

15 Q Where did they first stay?

16 A They stayed down below in the ranch house a  
17 half a mile from the ranch at first. Then a few of them  
18 thought it was too far to walk and they started moving up  
19 in the buildings along the boardwalk, which is a western  
20 street.

21 Q So, they started living where, then?

22 A In these buildings, the saloon, the jail, the  
23 prop room, the storeroom, the porch room; all the buildings.

24 Q Was there a trailer next to Mr. Spahn's house?

25 A Yes.

26 Q Did any member of the Family ever live in the

1 trailer?

2 A Yes.

3 Q Do you know who?

4 A They all just mixed in together.

5 Q Did you ever see Susan Atkins live in that  
6 trailer?

7 A Yes.

8 Q Patricia Krenwinkel?

9 A Yes.

10 Q Leslie Van Houten?

11 A Yes.

12 Q During what period of time?

13 A The summer of '69.

14 Q I show you People's Exhibit 48 for identifi-  
15 cation.

16 Do you know what is shown in that photograph,  
17 ma'am?

18 A Yes.

19 Q What is shown in that photograph?

20 A (Pause.)

21 Q Let me ask you this: Have you ever seen what  
22 is shown in that photograph before?

23 A I haven't seen the photograph before, no.

24 Q But have you ever seen what is shown in that  
25 photograph before?

26 A Yes, I have seen all this stuff before.

1 Q Do you know what is shown in that photograph?  
2 A There are so many things, I don't know what you  
3 mean.  
4 Q That's right. Well --  
5 A There are so many things hanging on it.  
6 Q Well, does that look like a dune buggy to you?  
7 A That is a dune buggy.  
8 Q Have you ever seen that particular dune buggy  
9 before?  
10 A Yes.  
11 Q Is that Charles Manson's dune buggy?  
12 A Yes.  
13 Q Have you ever seen a rope in this dune buggy?  
14 MR. KANAREK: That is leading and suggestive.  
15 THE COURT: Overruled.  
16 THE WITNESS: Yes.  
17 MR. BUGLIOSI: Q Do you know where the rope  
18 was kept in the dune buggy?  
19 A On the floor behind the seat.  
20 Q Behind the front seat?  
21 A Yes.  
22 Q Do you know what type of a rope it was?  
23 A It was a white nylon rope.  
24 Q How many strands?  
25 A Three strands.  
26 Q Was it kind of shiny?



1 A Yes. It was brand new, silky, white.

2 Q When did you first see that rope?

3 A Well, Charles brought it up and showed it to  
4 George.

5 Q When you say Charles, you mean Mr. Manson?

6 A Yes.

7 Q When did he first bring it up?

8 A I don't know the date but he brought it up and  
9 showed it to George, and George wanted to buy it.

10 Q Do you know approximately when this was?

11 A Around July, '69.

12 Q I show you People's 41 for identification.

13 Have you ever seen that rope before?

14 A Yes.

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1 Q Does this look like the same rope or a different  
2 rope from the rope that you have just been referring to in  
3 your testimony?

4 A It looks like the same one.

5 Q The same one?

6 A Yes.

7 Q Have you ever held that rope in your hand?

8 A Yes.

9 Q You have felt it?

10 A Yes.

11 Q Do you want to feel it now?

12 (Pause while the witness holds the rope and  
13 examines it.)

14 BY MR. BUGLIOSI:

15 Q Does it feel like the same rope to you?

16 A Yes.

17 Q Now, you said that Mr. Manson showed Mr. Spahn  
18 the rope?

19 A Yes.

20 Q And Mr. Spahn is blind; is that correct?

21 A Right.

22 Q Did Mr. Spahn feel the rope?

23 A Yes.

24 Q I show you People's 52 for Identification,  
25 ma'am. It appears to be a black T-shirt.

26 Have you ever seen that black T-shirt before?

18c-2

1 MR. KANAREK: Your Honor, may we inquire on voir dire,  
2 your Honor?

3 This appears to be a garden variety T-shirt.  
4 I think it is prejudicial to allow the witness to testify.

5 THE COURT: The motion is denied.

6 THE WITNESS: Yes. Similar T-shirts like this were  
7 up at the ranch.

8 BY MR. BUGLIOSI:

9 Q Where did you see them at the ranch?

10 A In a pot.

11 Q In a pot?

12 A In a pot in water.

13 Q A water pot?

14 A Dyeing them up and down, sousing them up and  
15 down.

16 Q You saw someone dye shirts like this?

17 A Yes.

18 Q Dyeing them what color?

19 A Black.

20 Q Whom did you see dye these T-shirts?

21 A Lynne mostly.

22 Q Lynne Fromme?

23 A Yes.

24 Q Squeaky?

25 A Squeaky.

26 Q Did you ever see any shirts like this out at

18c-3

1 Spahn Ranch which had not been dyed?

2 A Yes.

3 MR. KANAREK: Your Honor, may that answer be  
4 stricken for the purpose of making an objection?

5 THE COURT: State it.

6 MR. KANAREK: Well, he is asking her for a conclusion  
7 when he says: Have you seen any shirts like/<sup>this</sup>that have  
8 never been dyed.

9 There is no foundation, your Honor. He is  
10 soliciting a conclusion. How can she tell?

11 THE COURT: Overruled.

12 MR. KANAREK: Pardon?

13 THE COURT: Overruled.

14 BY MR. BUGLIOSI:

15 Q So, you saw some dark T-shirts out there which  
16 had been dyed and some which were not dyed; is that  
17 correct?

18 A Yes.

19 Q Looking at the inside of the left sleeve of  
20 this T-shirt here, People's 52, does that appear to be  
21 dyed to you?

22 A Yes.

23 Q You are indicating this lighter portion here  
24 inside the T-shirt; is that correct?

25 A Yes. When you dye something and it is wrinkled  
26 up, it don't take even.



18c-4

1 MR. KANAREK: May that be stricken, your Honor, that  
2 statement? There is no foundation for her expertise.

3 THE COURT: Read the question and the answer; the  
4 last two questions and the answer.

5 (The record was read by the reporter.)

18d Fls.

6 THE COURT: The objection is overruled.  
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1 MR. BUGLIOSI: Q I show you People's 54 for  
2 identification, a dark blue T-shirt.

3 Have you ever seen that T-shirt before?

4 A Yes. It looks like some of the bunch, the same  
5 bunch.

6 Q Does this T-shirt look dyed to you?

7 A Yes.

8 Q What indications are there of that? Inside the  
9 collar?

10 A Inside.

11 Q Again, the light marks?

12 A Right. In the sleeve.

13 Q Now, you say these T-shirts were being dyed,  
14 used to be dyed by Lynne Fromme in a pot?

15 A Yes.

16 Q Where was the pot?

17 A On the stove.

18 Q Where was the stove?

19 A In the kitchen at the ranch where George lives.

20 MR. BUGLIOSI: Okay. I was going to ask you where  
21 the kitchen was.

22 Q Squeaky used to work closely with George Spahn?

23 A Yes.

24 MR. BUGLIOSI: Your Honor, I have here another black  
25 T-shirt or pullover.

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

1 THE COURT: 258 for identification.

2 MR. BUGLIOSI: Q I show you People's 258 for  
3 identification.

4 Have you ever seen that black T-shirt or pull-  
5 over before?

6 A Yes.

7 Q Where did you see this for the first time?

8 A On the ground.

9 Q Where at?

10 A By the wagon down at the dump.

11 Q Where is the wagon and the dump?

12 A Well, that is where the trailer was, where they  
13 were working on their dune buggies.

14 Q When you say "trailer," you mean the trailer that  
15 was next to George Spahn's house?

16 A No.

17 Q This is another trailer?

18 A Another trailer.

19 Q Where was that trailer in relation to the front  
20 buildings at the ranch?

21 A At the far other end, the south end of the  
22 parking lot.

23 Q There were two trailers there?

24 A Yes.

25 Q And are you the one that personally found this  
26 black shirt?

1 A Randy Starr found it, but I was standing right  
2 with him.

3 MR. KANAREK: Your Honor, may the word "found" be  
4 stricken as a conclusion and statement of hearsay?

5 THE COURT: The motion is denied.

6 MR. BUGLIOSI: Q You were present when  
7 Mr. Starr picked up this black T-shirt?

8 A Yes. We both picked it up together.

9 Q Mr. Starr has passed away recently, has he?

10 A Yes.

11 Q And you turned this black T-shirt over to the  
12 Los Angeles Police Department?

13 A Yes.

14 Q Is this the exact one you turned over? Is that  
15 right?

16 A That's right.

17 Q Now, this trailer near which you found this  
18 black T-shirt, did any members of the Family ever live in  
19 that trailer?

20 A Yes.

21 Q Who lived in that trailer?

22 A The whole family.

23 Q Not at one time.

24 A Off and on.

25 Q Including Susan Atkins?

26 A Yes.



1 Q And Patricia Krenwinkel?

2 A Yes.

3 Q And Leslie Van Houten?

4 A Yes.

5 (Mr. Bugliosi shows a black t-shirt to  
6 Mr. Fitzgerald.)

7 THE COURT: It is 4:15, Mr. Bugliosi.

8 MR. BUGLIOSI: Yes, sir.

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

12 The Court will adjourn until 9:45 tomorrow  
13 morning.

14 (Whereupon, at 4:15 the court was in recess.)  
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