

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 106

HON. RAYMOND CHOATE, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

CHARLES MANSON,

Defendant.

136
No. A-267861REPORTERS' DAILY TRANSCRIPT

Wednesday, August 18, 1971

VOLUME 36APPEARANCES:

For the People: JOSEPH P. BUSCH, JR., District Attorney
BY: ANTHONY MANZELLA,
Deputy District Attorney

For Defendant Manson: IRVING A. KANAREK, Esq.

SHEA (MRS. ELIZABETH)

SHEA (MARGARET)

COPY

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

I N D E X

<u>PEOPLE'S WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
SHEA, Elizabeth	5634	5643	5650	
SHEA, Magdalene Velma (Cont'd)	5641	5690		

E X H I B I T S

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

G - Document 5644

1 LOS ANGELES, CALIFORNIA, WEDNESDAY, AUGUST 18, 1971 9:58 A.M.

2 - - - -

3
4 THE COURT: Good morning, everyone.

5 (Murmurs of "Good morning, your Honor.")

6 THE COURT: Ready to proceed?

7 MR. MANZELLA: Yes, your Honor.

8 MR. KANAREK: Yes, your Honor.

9 MR. MANZELLA: Your Honor, with the permission of the
10 Court and counsel, the People would like to interrupt the
11 testimony of Magdalene Shea and put on another witness,
12 Mrs. Elizabeth Shea.

13 MR. KANAREK: We are more than willing to expedite this
14 matter and cooperate with that.

15 THE COURT: The Court knows that you have been ready
16 for 20 minutes or longer.

17 The Court will state that Mr. Kanarek, who was
18 late, as you may have noticed, did call the Court. He was
19 involved in another courtroom and couldn't be present.

20 MR. KANAREK: Your Honor, there is also another matter,
21 Mrs. Shea, Magdalene Shea, I am informed, wouldn't be here
22 until five after 10:00.

23 Is that correct, Mr. Manzella?

24 MR. MANZELLA: I believe so.

25 MR. KANAREK: Thank you.

26 THE COURT: The record will show that Mr. Manson is
27 present with his counsel, Mr. Kanarek. Mr. Manzella for the
28 People.

1 You may proceed.

2 MR. MANZELLA: The People call Mrs. Elizabeth Shea.

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

4
5 ELIZABETH SHEA,

6 called as a witness by and on behalf of the People, having
7 been first duly sworn, was examined and testified as follows:

8 THE CLERK: You do solemnly swear the testimony you may
9 give in the cause now pending before this court shall be the
10 truth, the whole truth, and nothing but the truth, so help
11 you God?

12 THE WITNESS: So help me God.

13 THE CLERK: Please take the stand and be seated.

14 Please state and spell your name for us.

15 THE WITNESS: E-l-i-z-a-b-e-t-h, Elizabeth, S-h-e-a
16 (crying).

17
18 DIRECT EXAMINATION

19 BY MR. MANZELLA:

20 Q Mrs. Shea, would you like to take a few minutes
21 before we proceed?

22 A No, I'm fine.

23 Q All right.

24 Mrs. Shea, where do you live?

25 A At 72 Drumfield Avenue, at that time, that Jerry
26 was home, Donald was home.

27 Q Is this in Boston, Massachusetts?

28 A Yes.

- 1 Q Now, how many children do you have?
- 2 A I have five sons.
- 3 Q And is one of them Donald Jerome Shea?
- 4 A Yes.
- 5 Q And when was Donald born?
- 6 A September 18, 1933.
- 7 Q And was he born in Massachusetts?
- 8 A Yes.
- 9 Q Now, did Donald ever serve in the Army?
- 10 A Yes, he did.
- 11 Q When did he go into the Army?
- 12 A Well, I couldn't really know.
- 13 Q Was it around 1954?
- 14 A Yes.
- 15 Q Do you recall when he was discharged from the
- 16 Army?
- 17 A (Shrugs shoulders.)
- 18 Q Would it have been around 1956?
- 19 A Yes.
- 20 Q Now, after Donald was discharged from the Army,
- 21 did he return to your home in Boston, Massachusetts?
- 22 A Yes, he did.
- 23 Q And sometime thereafter did he leave home and
- 24 leave the State of Massachusetts?
- 25 A Yes, he did.
- 26 Q Where did he go when he left home?
- 27 A To California, right here.
- 28 Q Do you recall what year that was when he left

1 Massachusetts and came out to California?

2 A Well, he made so many trips I couldn't remember.

3 Q Well, do you recall in relation to the time he
4 was discharged from the Army, was it shortly after that that
5 he came out to California?

6 A Yes.

7 Q So it would have been sometime in 1956 or 1957,
8 is that about right?

9 A Yes.

10 Q Now, from the time that Donald came out to
11 California, until 1969, did you receive letters from Donald?

12 A I did. And I received calls.

13 Q You also received calls?

14 A Yes.

15 Q Did you also receive visits from Donald?

16 A Yes, I did.

17 Q Now, did Donald contact you every year?

18 A Yes, he did.

19 Q Did he contact you once a year or more than once
20 a year?

21 A More than once a year.

22 Q All right. Would you tell us the different ways
23 that he contacted you each year?

24 A Well, he did send me gifts on Mother's Day and
25 on Christmas, and he did call, collect calls, that I was glad
26 to pay them even if they were collect calls.

27 Q Did he send you a gift on Mother's Day every year?

28 A Yes, he did.

1 Q Did he send you a gift at Christmas time every
2 year?

3 A He did.

2 fls.

2
1 Q Now, when is the last time that you received a
2 Christmas gift from Donald?

3 A 1968.

4 Q And you received a gift at Christmas time of 1968?

5 A Yes.

6 Q And was that the last Christmas gift that you
7 received?

8 A That was the last time.

9 Q And when was the last time that you received a
10 letter from Donald?

11 A I think it was in January, 19-- probably January or
12 February, 1969.

13 Q And that was the last time you received a letter
14 from Donald?

15 A That's right.

16 Q Now, do you recall receiving a telephone call from
17 Donald in 1969?

18 A I did.

19 Q All right. And --

20 A In the late Spring of 1969.

21 Q And do you recall the month in which you received
22 the telephone call from Donald?

23 A I really don't know if it's March or April.

24 Q Now, did Donald come home -- strike that.

25 Did Donald visit you in Massachusetts between the
26 time he left in 1956 or '57, up until 1969?

27 A Yes, he did.

28 Q Many times?

A Yes.

1 Q Do you recall how often he did come home?

2 A Well, probably twice a year.

3 Q And what was the longest time that he stayed at
4 home?

5 A It was in '68 -- I think it was in 1968.

6 Q And how long did he visit with you in Massachusetts
7 during 1968?

8 A Probably three months.

9 Q Now, do you recall the last time that Donald visited
10 with you in Massachusetts, what year that was?

11 A It was 1968.

12 Q Is that the time you are telling us about now,
13 when he stayed for about three months?

14 A Yes.

15 Q Now, had you ever met Donald's first wife, Sandra?

16 A Yes, I did.

17 Q And did she and Donald visit with you in Massachu-
18 setts?

19 A Yes. They did live in Massachusetts for quite a
20 while.

21 Q And did you become aware that Donald was divorced
22 from Sandra?

23 A Yes, I did.

24 Q Now, after Donald was divorced, did you see him?

25 A Yes, I did.

26 Q And did he move in with you for a while after he
27 was divorced?

28 A Yes, he did.

1 Q Now, you have said that you received a telephone
2 call from Donald in 1969. Do you recall what month that was?

3 A I can't recall, no.

4 Q Do you recall what season it was?

5 A In the springtime.

6 Q Do you recall whether it was early spring or late
7 spring?

8 A Late spring.

9 Q Now, since that telephone call from Donald in late
10 spring of 1969, have you heard from or seen Donald, or have
11 you received a letter or any communication --

12 A No.

13 Q -- from Donald?

14 A No, I didn't. I haven't heard from him at all.

15 Q I'm sorry. I didn't hear you.

16 A No, I didn't.

17 Q Now, you have four other sons; is that correct?

18 A Yes.

19 Q And where do they live?

20 A They live right around where I am. One in
21 Somerville, one in Bellerica, and two in New Hampshire.

22 THE REPORTER: Excuse me. One in Somerville, and one
23 in where?

24 THE WITNESS: One in Bellerica, Massachusetts.

25 Q BY MR. MANZELLA: And the other one?

26 A Concord, New Hampshire.

27 Q Now, have you contacted various people, including
28 your sons, to try to locate Donald?

1 A Yes, sir, I did. I certainly did.

2 Q Have you been successful in locating Donald?

3 A No.

4 MR. MANZELLA: Your Honor, I have here what appears to be
5 a certified copy of a birth certificate, bearing the name
6 Donald Jerome Shea. May I have that marked People's 58 for
7 identification?

8 THE COURT: So ordered.

2a

2a-1

1 Q BY MR. MANZELLA: All right. Mrs. Shea, directing
2 your attention to this photograph, which has been marked
3 People's 46 for identification, do you recognize the person
4 shown in that photograph?

5 A Oh, yes.

6 Q And who is that person?

7 A Donald.

8 Q Is that your son Donald Jerome Shea?

9 A Yes.

10 Q Directing your attention, Mrs. Shea, to this
11 photograph which is marked People's 47 for identification,
12 do you recognize the person --

13 A Yes, I do.

14 Q -- shown in that photograph?

15 A Yes.

16 Q And is that Donald Jerome?

17 A Yes, that's my son.

18 Q Mrs. Shea, directing your attention to this
19 birth certificate, which has been marked People's 58 for
20 identification, do you recognize that as a certified copy of
21 the birth certificate of Donald Jerome?

22 A Yes, it is.

23 Q And does the birth certificate show his correct
24 date of birth, September 18th, 1933?

25 A Yes.

26 MR. MANZELLA: All right. Thank you. I have no
27 further questions, your Honor.
28

2a-2

CROSS-EXAMINATION

1
2 BY MR. KANAREK:

3 Q Mrs. Shea?

4 A Yes.

5 Q Do you -- do you know your grandchild Karen
6 Arlene Shea?

7 A No.

8 Q Do you know that you have a grandchild named
9 Karen Arlene Shea?

10 A Well, is it Sandra's little girl?

11 Q No, it's the daughter of Phyllis Shea.

12 A No, I don't.

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

14 THE COURT: Yes, you may.

15 MR. KANAREK: Your Honor, here I have a certified
16 copy of a certain Superior Court document, which I would like
17 to show the witness, if I may.

18 MR. MANZELLA: May I see it, your Honor?

19 THE COURT: Yes.

20 MR. MANZELLA: Thanks.

21 Q BY MR. KANAREK: Do you see that name, Karen
22 Arlene Shea (indicating)?

23 A Yes.

24 Q And would you read over this document to
25 yourself and see if that refreshes your recollection that
26 your son is the father of Karen Arlene Shea, and the --

27 A Well, I don't know any other wife that he had but
28 Sandra Harmon -- that's her name now -- so this, I would know

2a-3

1 nothing about.

2 Q I see. And Mr. Shea didn't tell you that he was
3 married to a Phyllis Shea?

4 A No.

5 MR. MANZELLA: Objection, your Honor. That assumes
6 a fact which is not in evidence.

7 MR. KANAREK: I am asking. I am asking.

8 THE COURT: Sustained.

9 Q BY MR. KANAREK: Did Mr. Shea ever tell you that
10 he was married to a Phyllis Shea?

11 A No.

12 Q Did Mr. Shea tell you that he has a daughter of
13 11 years, who was born on November 10th, 1959, and resides
14 with her mother in Sonoma -- Sonoma County, California?

15 A No, sir.

16 Q Mr. Shea never told you those --

17 A Never did, no.

18 MR. KANAREK: I see. May this be marked for identifica-
19 tion, your Honor? This document that I have spoken with this
20 lady about?

21 (Handing the document to the Court.)

22 THE COURT: It may be marked for identification --

23 MR. KANAREK: Yes.

24 THE COURT: -- as Defendant's next in order.

25 Q BY MR. KANAREK: Now, your husband -- pardon me.

26 Your son made many trips back and forth through
27 the years? That is, at least he left Boston on many
28 occasions --

Def's G Id.

1 A Yes, he did.

2 Q -- isn't that correct?

3 And is it a fair statement, a true statement that
4 for long periods of time, you didn't hear from Mr. Shea,
5 haven't heard from Mr. Shea; is that -- that's true, isn't
6 it?

7 A No, not too long. I always did hear from him.

8 Q But is it true, Mrs. Shea, that you heard from
9 him on the average of no more than two to three times a year;
10 is that correct?

11 A Sometime, and sometime more. I can't remember
12 now. Because he called.

13 Q Well, do you remember testifying previously,
14 in a courtroom in this County, earlier in this year?

15 A Yes.

16 Q And do you recall testifying -- in answer to a
17 question, "Incidentally, sometime in 1965, did Donald Shea
18 return home from California to live with you for a period of
19 time?"

20 And you answered: "Yes, he did."

21 Do you recall saying --

22 A Yes, he did. Yes.

23 Q Now -- and did you testify that in 1965, he came
24 home and stayed some six months in Boston?

25 A Well, he probably did. But I really can't
26 remember, because he made so many trips back and forth,
27 home and back to California, that it would be impossible for
28 me to be really -- to really know how many trips he made.

1 Q And is it a true statement that, actually, you
2 don't know whether this period of time of six months that
3 you are speaking of -- or three months --

4 A Yes.

5 Q -- that you previously testified to Mr. Manzella,
6 you really don't -- you don't know whether it was 1968 or
7 1965 or what year, really?

8 A Well, I do really know that he was home in '68,
9 though. But '65, I just don't know how long he stayed.

10 Q So that when you previously testified that he
11 was there for some six months in 1965, that might have been
12 in error; is that correct?

13 A I can't say.

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

15 THE COURT: Yes, you may.

16 Well, you needn't do so. If you wish to, you
17 may raise whatever you like.

18 MR. KANAREK: Well, I would like to assist her. Perhaps
19 I can have her read this over, and --

20 THE WITNESS: No, I can listen.

21 THE COURT: Yes, she can listen.

22 MR. KANAREK: Very well.

23 Q And reading from page 1922 of the transcript --

24 THE COURT: Incidentally, what transcript are you
25 reading?

26 MR. KANAREK: I'm reading from a transcript that I
27 have here, your Honor, dated earlier this year, page 1922.
28

3
1 THE COURT: You have that transcript?

2 MR. MANZELLA: Yes, your Honor.

3 THE COURT: Very well.

4 Is it stipulated that you wish to read a certain
5 portion of it to the jury?

6 MR. KANAREK: No, I'm not asking that it be read before --
7 to the jury, I'm merely asking that it be read to refresh the
8 witness' recollection, to accommodate the Court and the witness.
9 If she prefers me to read it --

10 THE COURT: A yes or no would have done. Go ahead.

11 MR. KANAREK: Pardon?

12 THE COURT: You may proceed.

13 Q BY MR. KANAREK: (Reading) "Incidentally,
14 sometime in 1965, did Donald Shea return home
15 from California to live with you for a period of
16 time?

17 "A. Yes, he did.

18 "Q. And how long did he stay with you in
19 months in '65?

20 "A. Well, a year.

21 "Q. Approximately how many months?

22 "A. Oh, probably in the six months. He
23 would just go back and forth, Boston to California,
24 California and Boston.

25 "Now --", -- and then the next --

26 "All right, did he visit you more than once
27 during the period of 1965 and 1969 at your
28 Massachusetts home?"

1 MR. MANZELLA: Excuse me.

2 MR. KANAREK: "A Yes, he did."

3 MR. MANZELLA: Excuse me. That's 1956 and 1969.

4 MR. KANAREK: Excuse me, I'm sorry, "-- 1956 and 1969
5 at your Massachusetts home?"

6 "A Yes, he did."

7 Q BY MR. KANAREK: Do you remember that, stating
8 those things in court?

9 A I don't remember, but I really don't remember how
10 long he stayed home.

11 Q May I ask you this, Mrs. Shea, on how many
12 occasions did Mr. Shea come to the Boston area and stay a
13 period of months? Not just a short period of time, but let's
14 say three, four, five months or a year between the time of,
15 say, 1956 and the present, today?

16 A I don't remember him staying a year.

17 Q On how many occasions did he stay, may I ask you,
18 several months?

19 A Two or three months?

20 Q Yes.

21 A Yes.

22 Q Five -- I'll ask two or three months?

23 A Well, say two months. I really can't remember.

24 Q You don't know how many times he stayed two months?

25 A No.

26 Q Do you know how many times he stayed a year?

27 A No. Just, I guess, when he came home with his wife,
28 Sandra. And I don't -- can't recall now the date.

1 Q Did he ever stay a year in that period of time that
2 we're speaking of, from 1956 to the present? Did he ever
3 stay a year in Boston, a full year or more?

4 A I can't remember.

5 Q And your state of mind, Mr. Shea, is that your
6 son, Donald, had how many children -- has how many children?

7 A Three.

8 Q I see. And your state of mind is that your son has
9 -- and would you name the children that your son has as --
10 from what you know? I have their pictures over here.

11 Elizabeth, and Jimmy, and Jerry.

12 Q Do you know what their last name is presently?

13 A Harmon.

14 Q Those three children.

15 Now, from your telling us what you know from your
16 conversations with Mr. Shea, communications with Mr. Shea,
17 whatever, by letter or telephone, would you tell us who
18 Mr. Shea was last married to, as far as you know, from your
19 communications with Mr. Shea?

20 A As far as I know, he was not married. He was
21 divorced with Sandra.

22 Q And Mr. Shea -- did Mr. Shea ever tell you that he
23 was married to a lady named Magdalene Shea?

24 A No.

25 Q In July or any time?

26 A He never did.

27 Q He never did?

28 A No.

1 Q In 1969?

2 A No.

3 Q Or otherwise?

4 A No.

5 MR. KANAREK: Thank you, Mr. Shea.

6 THE WITNESS: You're welcome.

7 THE COURT: Anything further?

8
9 REDIRECT EXAMINATION

10 BY MR. MANZELLA:

11 Q Mrs. Shea, in 1969, did Donald ever tell you that he
12 was going to leave the State or leave the country permanently?

13 A No.

14 MR. MANZELLA: All right, thank you. I have no further
15 questions, your Honor.

16 THE COURT: You may step down.

17 THE WITNESS: Thank you.

18 THE COURT: Call your next witness.

19 MR. MANZELLA: May Mrs. Shea be excused?

20 THE COURT: Mrs. Shea, you may be excused. You may stay
21 or go as you wish.

22 MR. MANZELLA: May I have a moment, your Honor?

23 THE COURT: Yes.

24 (Pause in the proceedings.)

25

26

27

28

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1 MR. MANZELLA: The People call Mrs. Magdalene Shea, your
2 Honor.

3 THE COURT: You are still under oath.

4 THE WITNESS: Yes, sir.

5
6 MAGDALENE VELMA SHEA,
7 recalled as a witness by the People, resumed the stand and
8 testified further as follows:

9 MR. MANZELLA: Your Honor --

10
11 DIRECT EXAMINATION (CONTINUED)

12 BY MR. MANZELLA:

13 Q Mrs. Shea, would you state your name for the
14 record?

15 A Magdalene Velma Shea.

16 MR. MANZELLA: Your Honor, I have here what appears to
17 be a pawnbroker's report No. 46386, and containing certain
18 printing and writing thereon, including the words "Revolver,
19 Colt Dakota .45 caliber, serial number 2422."

20 May I have that marked People's 59 for identifi-
21 cation?

22 THE COURT: 59, so ordered.

23 MR. MANZELLA: Your Honor, I have here what appears to be
24 a pawnbroker -- a pawnbroker's report, bearing No. 108440, and
25 the date January 15, 1969, containing certain printing and
26 writing thereon, including the words, "Revolver, Dakota,
27 No. 2422."

28 May I have that marked People's 60-A for

1 identification?

2 THE COURT: 60-A?

3 MR. MANZELLA: Yes, your Honor.

4 THE COURT: Very well, so ordered.

5 MR. MANZELLA: I have here what appears to be a pawn
6 ticket bearing the number 108440, and the date January 15, 1969,
7 containing printing and writing thereon, including the words
8 "Dakota Revolver". May I have that marked People's 60-B for
9 identification?

10 THE COURT: So ordered.

11 Q BY MR. MANZELLA: Mrs. Shea, directing your
12 attention to the -- this -- what appears to be a pawn ticket
13 bearing our identification number, People's 59.

14 Do you recognize the signature appearing on the
15 bottom line of that pawn ticket?

16 A Yes.

17 Q Have you ever seen that signature before?

18 A Yes.

19 Q Whose signature does that appear to be?

20 A My husband's, Donald Jerome Shea.

21 Q Directing your attention to the exhibit which has
22 been marked People's 60-A for identification, this other pawn
23 ticket, and in particular the second from the bottom line on
24 that document, where it appears the name "Donald Shea."

25 Does that signature appear familiar to you?

26 A Yes.

27 Q And whose signature does that appear to be?

28 A My husband's, Donald Jerome Shea.

1 Q All right, Mrs. Shea, directing your attention to
2 the exhibit which has been marked People's 60-B for
3 identification, and in particular the bottom line of that
4 document where the name "Donald Shea" appears.

5 Does that signature appear familiar to you?

6 A Yes.

7 Q Whose signature does that appear to be?

8 A My husband, Donald Jerome Shea.

9 Q Thank you.

10 MR. MANZELLA: Your Honor, I have here a series of
11 photographs. There are ten photographs, your Honor, all
12 depicting various portions of what appears to be the same
13 automobile.

14 May I have that marked People's A through -- strike
15 that. -- People's 61-A through J, your Honor.

16 THE COURT: A through J, so ordered.

17 MR. MANZELLA: Yes, your Honor.

18 MR. KANAREK: Your Honor, I wonder if we might approach
19 the bench for a moment?

20 THE COURT: Yes, you may.

21 (Whereupon, the following proceedings were had at
22 the bench among court and counsel, outside the hearing of the
23 jury:)

24 MR. KANAREK: Your Honor, I certainly don't wish to --
25 to -- to make unnecessary objections. If I could have a
26 continuing objection as to relevancy and materiality to what
27 Mr. Manzella is going into now -- you see --

28 THE COURT: What do you intend to go into? I haven't seen

1 61-A so far.

2 MR. MANZELLA: These are photographs of the car, the
3 interior portion of the car as it was when it was found by the
4 Sheriff's office.

5 MR. KANAREK: Well, I view that as irrelevant and
6 immaterial to Mr. Manson unless there's some showing, some
7 connection that they allow that to go into evidence against
8 Mr. Manson. It is prejudicial to him.

9 Now, if I may have a continuing objection to --

10 THE COURT: What is the People's theory?

11 MR. MANZELLA: We're offering it on evidence that -- on
12 the corpus delicti, circumstantial evidence that Shea is dead.

13 THE COURT: On what theory?

14 MR. MANZELLA: On the theory that his car and his
15 clothes and his other possessions are found inside the car
16 and the car appears to be abandoned at the time it is found.

17 In other words, the condition of the car creates,
18 we think, the inference that the car is abandoned.

19 THE COURT: It seems to the Court that it is a legitimate
20 offer on the part of the People and a matter of weight for the
21 jury to determine.

22 MR. KANAREK: You see, it goes in against Mr. Manson.

23 Again, even assuming arguendo there is a corpus
24 delicti, because --

25 THE COURT: What you are saying is it is irrelevant as to
26 Mr. Manson?

27 MR. KANAREK: Yes, right. And it seems to me the jury
28 should be cautioned that --

1 THE COURT: Well, do you agree it has some probative value
2 if the jury is willing to accept it on the issue --

3 MR. KANAREK: I must, as an advocate, say no, your Honor,
4 because of the fact there are so many other possibilities --
5 getting insurance, running off with another girl and --

6 THE COURT: Certainly, and it is a matter of weight,
7 though, isn't it?

8 MR. KANAREK: Not really. I think it is a matter of
9 admissibility in the context of Mr. Shea's vagabond background.

10 THE COURT: The Court believes it is.

11 MR. KANAREK: I think it is very prejudicial and its
12 prejudicial value far outweighs the probative value even as
13 far as the proof of the corpus delicti goes, your Honor.

14 THE COURT: The Court finds otherwise in respect to its
15 prejudicial effect as compared with its probative value. The
16 Court would overrule your objections and would allow you to
17 have a continuing objection based on relevancy and materiality
18 as to those questions.

19 MR. KANAREK: And improper foundation, because you see
20 there is no foundation.

21 THE COURT: All right, the Court will permit you to have
22 that.

23 MR. KANAREK: Thank you, your Honor.

24 (Whereupon, the following proceedings were had in
25 open court within the presence and hearing of the jury:)

26 Q BY MR. MANZELLA: Mrs. Shea, directing your
27 attention to these photographs which have been marked
28 People's 61-A through H.

1 Directing your attention to the particular
2 photograph, 61-A. Do you recognize the car shown in that
3 photograph?

4 A Yes.

5 Q And what car is that?

6 A That's the Comet that we had.

7 Q That's the 1963 Mercury Comet?

8 A Yes.

9 Q Is that the car that you testified yesterday that
10 Donald bought from John Enfield?

11 A Yes, it is.

12 Q All right. Directing your attention to the
13 photograph marked 61-B for identification.

14 Is that a photograph of the same car?

15 A Yes.

16 Q Directing your attention to the photograph marked
17 People's 61-C for identification.

18 Is that a photograph of a different view of the
19 same car?

20 A Yes.

21 Q Directing your attention to the photograph marked
22 61-D.

23 Is that also a photograph of the same car?

24 A Yes.

25 Q Directing your attention to the photograph marked
26 61-E.

27 Is that a photograph of the interior of the same
28 car?

1 A Yes.

2 Q All right, directing your attention to the
3 photograph marked 61-F for identification.

4 Is that a -- I'm sorry.

5 Is that a photograph of the interior of the same
6 car?

7 A Yes.

8 Q Now, directing your attention to the photograph
9 marked People's 61-G for identification.

10 Is that also a photograph of the interior of the
11 same car?

12 A Yes.

13 Q Do you recognize any of the items shown in that
14 photograph in the interior of the car?

15 A Yes.

16 Q And would you tell us what you recognize, please?

17 A Uh, two shoes.

18 Q Why don't you take this microphone and I'll hold
19 the photograph over here..

20 Now, would you point out the two shoes that you
21 recognize?

22 A The black one (indicating), and the brown one
23 (indicating).

24 Q And are those the only two shoes appearing in the
25 photograph?

26 A Yes.

27 Q Now -- and how do you recognize those shoes?

28 A I bought that pair for him (indicating), and he used

1 to work in those. (Indicating.)

2 Q Now, the ones you say you bought for him, are those
3 the ones that appear to be the ones that are in the lower
4 portion of the photograph?

5 A Yes.

6 Q And the ones that you say that Donald used to work
7 in, are those in any way marked in the photograph?

8 A Yes.

9 Q How were they marked?

10 A With a circle around it.

11 Q And those are the shoes -- the ones shown in the
12 photograph, People's 61-G, with the circle around it,
13 those are the shoes that Donald used to work in?

14 A Yes, some time.

15 Q And the other shoe was a part of a pair that you
16 bought for Donald?

17 A Yes.

18 Q Now -- and those two shoes come from two different
19 pairs of shoes, is that correct?

20 A Yes.

21 Q All right. Directing your attention to the
22 photograph marked 61-H for identification.

23 Is that a photograph showing the interior of the same
24 car?

25 A Yes.

26 Q Now, directing your attention to the photograph
27 marked People's 61-I for identification.

28 Do you recognize what is shown in that photograph?

1 A The two foot lockers that he had.

2 Q And are they shown in the trunk of the 1963 white
3 Mercury Comet?

4 A Yes.

5 Q And is that where Donald kept those two foot lockers?

6 A Yes.

7 Q Now, directing your attention to the photograph
8 marked People's 61-H for identification.

9 Does that photograph show a portion of the -- one
10 of the foot lockers in the trunk of the same car?

11 A Yes.

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1 Q Mrs. Shea, when was the last time that you saw
2 that -- the car shown in People's 61 for identification, the
3 white Mercury Comet?

4 A August the 16th, 1969.

5 Q And sometime thereafter, did you give a
6 description of that car, including the license number, to
7 the police?

8 A Yes, the Homicide Division, at 150 North Los
9 Angeles Street.

10 MR. MANZELLA: Your Honor, I have here a key ring
11 containing six keys. May I have that marked People's 62
12 for identification?

13 AM 62 Id.

14 THE COURT: So ordered.

15 MR. MANZELLA: Your Honor, I have here what appears to
16 be a black man's shoe. May I have that marked People's 63
17 for identification?

18 63 Id.

19 THE COURT: So ordered.

20 Q BY MR. MANZELLA: Mrs. Shea, directing your
21 attention to this ring holding six keys, which has been marked
22 People's 62 for identification, do you recognize the keys on
23 that ring?

24 A Yes.

25 Q And can you identify some of those keys for us?

26 A Three.

27 Q Would you hold them up and tell us what those
28 keys are?

A This (indicating) was the ignition key --

Q And the ignition key to what vehicle?

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A To the '63 --

MR. KANAREK: Well, your Honor, may I inquire on voir dire?

THE COURT: No, you may not. You may cross-examine.

MR. KANAREK: Very well, your Honor.

THE WITNESS: And these two (indicating) were to both of the footlockers.

Q BY MR. MANZELLA: And do you know what the other keys were for?

A No.

Q And whose keys -- and in whose possession had you seen those keys?

A In my husband's, Donald Jerome Shea.

Q And had those keys also been in your possession?

A Yes.

Q And had you used them as well?

A Yes.

Q All right. Directing your attention to the black shoe which has been marked People's 63 for identification, do you recognize what is shown in that -- strike that.

Do you recognize that shoe?

A Yes.

Q And would you identify that shoe for us?

A This is a black shoe that Donald used to work in sometimes.

Q And is that the shoe shown in the photograph that you've already identified?

A Yes, it is.

1 Q And the shoe which has been marked People's 63
2 for identification, is that the shoe which is shown in the
3 photograph marked People's 61-G?

4 A Yes.

5 Q And in the photograph, is that shoe circled?

6 A Yes.

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

8 THE COURT: Yes, you may.

9 (Pause in the proceedings while a discussion off
10 the record ensued at the counsel table between Mr.
11 Manzella and Sergeant Whiteley, the investigating
12 officer.)

13 MR. MANZELLA: All right. Your Honor, I have here what
14 appears to be an approximately 8-1/2 X 11 yellow lined piece
15 of paper containing writing.

16 May I have that marked People's 64 for identifica-
17 tion?

18 THE COURT: So ordered.

19 MR. KANAREK: Thank you.

20 Q BY MR. MANZELLA: Mrs. Shea, directing your
21 attention to this letter which has been marked People's 64
22 for identification, do you recognize the handwriting on that
23 letter?

24 A Yes.

25 Q Whose handwriting is that?

26 A My husband's, Donald Jerome Shea.

27 THE COURT: And do you recognize the signature at the
28 bottom of the letter?

64 Id.

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A Yes.

Q And the name "Don," do you recognize that signature?

A Yes.

Q Whose signature is that?

A My husband's, Donald Jerome Shea.

MR.MANZELLA: All right. Thank you.

Your Honor, the People would ask at this time that Mrs. Shea read that letter to the jury.

MR. KANAREK: Well, your Honor --

THE COURT: May I see it?

MR. KANAREK: Yes, your Honor.

THE COURT: Just one moment.

MR. KANAREK: Yes.

(Pause in the proceedings while the Court perused the document.)

MR. KANAREK: Your Honor, it's agreeable.

THE COURT: All right. You may approach the bench.

MR. KANAREK: No, your Honor. I can make my point. It has nothing to do with the jury hearing the letter, your Honor.

Q BY MR. MANZELLA: All right. Miss Shea --

THE COURT: No objection?

MR. KANAREK: No, not to the reading of the letter, except for the previous matters we have gone into.

But certainly, your Honor, go ahead; it's --

THE COURT: Well, is there any objection, then? I wish to allow you to argue it, if you wish to.

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1 MR. KANAREK: (No response.)

2 THE COURT: No objection?

3 MR. KANAREK: No objection, your Honor, except those
4 previously enunciated to the Court at the bench; that's all.

5 THE COURT: All right. Approach the bench. I'm not
6 sure I understand.

7 MR. KANAREK: Very well.

8 (Whereupon, the following proceedings were had
9 at the bench among Court and counsel, outside the
10 hearing of the jury:)

11 MR. KANAREK: It's my position --

12 THE COURT: This appears to be the letter which she
13 referred to yesterday, which she said she had lost.

14 MR. MANZELLA: No, it's not, your Honor.

15 THE COURT: It's not?

16 MR. MANZELLA: No. This is a letter that she never
17 received. The testimony will show that she never received
18 this letter; this letter was found in the car when the car was
19 found.

20 THE COURT: It's undated.

21 MR. MANZELLA: It's our position, your Honor, that when
22 the vehicle -- that the letter was written sometime after
23 August 16th, and --

24 THE COURT: Let's see.

25 MR. MANZELLA: -- before the time that --

26 THE COURT: It states, "I cannot figure out why you
27 left me" in the beginning.

28 What is your position as to why this letter

4-6

1 should be admissible?

2 MR. MANZELLA: Well, our position is that it -- again,
3 it's offered to show the state of mind of Donald Shea, that
4 he did not intend to -- to abandon his friends, his relatives
5 and his wife; and that -- and it's some circumstantial evi-
6 dence that the fact that he has not -- they have not seen him
7 is some circumstantial evidence that he's dead; because this
8 type of evidence shows that he did not intend to abandon
9 them.

10 THE COURT: Are you raising an objection to it?

11 MR. KANAREK: No, your Honor.

12 THE COURT: No objection? All right. However, I don't
13 think it's necessary to read it. You may introduce it in
14 evidence, with the proper foundation as to time, and further
15 identification by the writing.

16 MR. KANAREK: Well, we don't wish to appear -- he has
17 asked that it be read in the presence of the jury. I don't
18 want to appear to be -- to be --

19 MR. MANZELLA: Your Honor, we --

20 MR. KANAREK: -- to be opposing that. And so I would
21 like -- I would think that now, since I have agreed, I don't
22 want it to look like, in open court, that I have not agreed.

23 So I would ask that it be read, in that context.

24 MR. MANZELLA: The reason I would ask that it be read
25 is so that it is in the record; that it is in the record as
26 having been read to the jury.

27 THE COURT: There's no objection to the introduction of
28 it, apparently, and if you establish the foundation, it would

4-7

1 be admissible on the limited grounds that you spell out.

2 MR. MANZELLA: All right.

3 THE COURT: I see no reason to burden the record with
4 it at this point.

5 MR. MANZELLA: Well, I am asking that it be read to the
6 jury, your Honor.

7 THE COURT: All right. Since you both agree, I'll
8 permit it.

9 MR. MANZELLA: All right.

10 (Whereupon, the following proceedings were had
11 in open court, within the hearing of the jury:)

12 THE COURT: All right. The letter that you have
13 referred to, that is on the yellow letter size paper --

14 MR. MANZELLA: People's 64 for identification, your
15 Honor.

16 THE COURT: And it's undated; is that correct?

17 MR. MANZELLA: Yes, that's correct, your Honor.

18 Q Mrs. Shea, directing your attention to the letter
19 which has been marked People's 64 for identification, is all
20 of the writing which you -- strike that.

21 Does all of the writing on that letter appear to
22 have been made by Donald?

23 A Yes.

24 Q Does any of the writing on the letter appear to
25 have been made by anyone else?

26 A No.

27 Q Is there a date that appears on the letter?

28 A No.

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Q Did you ever receive that letter?

A No.

Q Other than in courtrooms in which you've testified, have you ever seen that letter before?

A I -- no.

Q You want to explain your answer?

A I saw it once, because I -- I went to the -- to the DA's office, and he asked me if I had received it.

Q All right.

A But no other time, except in court.

Q All right. And you had not received that letter; is that correct?

A No.

Q And you have already stated that your nickname is "Niki," is that correct?

A Yes.

Q All right. Mrs. Shea, will you read the letter to the jury, please?

MR. KANAREK: Your Honor, would your Honor state that this is on state of mind?

THE COURT: Thank you. The Court again instructs you that the statements in the letter are received to show, if they do show or establish, the state of mind of Mr. Shea.

And it is received for no other purpose.

Go ahead. You may read it.

THE WITNESS: (Reading.)

"Dearest Niki:

"I cannot figure out why you left me, I only

4-9

1 "know I love you and nothing you could have done
2 would have been unforgiveable, including topless
3 dancing. I guess maybe I was a little rough on
4 you about some of the things you wanted to do,
5 but it was only because I love you so much. If
6 I find you and can convince you to come home,
7 please excuse a poor fool for drinking. I love
8 you more than life itself. The other day you
9 said you would never do anything to hurt me, but
10 now you have walked out and I have only pain left.
11 The reason you left must be something I did or
12 said. So now, it's like a tomb. My body is
13 alive, but I'm dead.

14 "Please come home.

15 "Love always, Don."

5 fls.

5-1

1 Q All right, Mrs. Shea, I want to direct your
2 attention now to an exhibit, People's 57 for identification.

3 I don't think I've shown this to you yet.

4 Directing your attention to People's -- what
5 appears to be a pawnbroker's report or a pawn ticket marked
6 People's 57-A for identification, and in particular the bottom
7 line whereon appears the name in writing "Donald Shea."

8 Does that signature appear familiar to you?

9 A Yes.

10 Q Whose signature does that appear to be?

11 A Donald Jerome Shea.

12 Q Now, does that appear to have been made by Donald
13 Shea?

14 A Yes.

15 Q Directing your attention to the next pawn ticket
16 in the series, People's 57-B for identification, and in
17 particular the bottom line thereon.

18 Does that signature appear familiar to you?

19 A Yes.

20 Q And who -- whose signature does that appear to be?

21 A Donald Jerome Shea.

22 Q Does that appear to have been made by Donald?

23 A Yes.

24 Q Going back to People's 57-A for a moment, on the
25 line at about the middle of the pawn ticket, marked with
26 an X, "Donald Shea."

27 Does that signature appear familiar to you?

28 A Yes.

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1 Q Does that appear to be Donald's signature?

2 A Yes.

3 Q All right. Now, with regard to People's 57-B,
4 the line -- on the line at about the middle of that document,
5 and the name "Donald Shea."

6 Does that signature appear familiar to you?

7 A Yes.

8 Q Does that signature appear to be Donald's
9 signature?

10 A Yes.

11 Q All right. Now, going on to People's 57-C for
12 identification, and in particular directing your attention
13 to the -- just below the line at about the middle of the
14 document, where it appears the name in writing -- what
15 appears to be "R. A. Smith," (spelling) S-m-i-t-h.

16 Do you recognize that signature?

17 A No.

18 MR. KANAREK: May I approach with Mr. Manzella, your
19 Honor?

20 THE COURT: Yes, you may approach the witness.

21 Q BY MR. MANZELLA: Do you recognize that signature?

22 MR. KANAREK: May I -- if I may have just a moment,
23 your Honor?

24 Q BY MR. MANZELLA: Do you recognize that signature?

25 A No.

26 MR. KANAREK: Your Honor, may this -- it is ambiguous.
27 He has many documents in front of him and the witness --

28 THE COURT: Let Mr. Kanarek see what you are pointing to.

5-3

1 MR. MANZELLA: Sure.

2 THE COURT: For the record, you are pointing to what?

3 MR. MANZELLA: I am pointing to just below the line at
4 the middle of the document marked "People's 57-C" for
5 identification, and just below that line I am pointing to the
6 words in writing "R. A. Smith," S-m-i-t-h.

7 MR. KANAREK: Well, then, your Honor, I'd ask that this
8 colloquy, these statements concerning "R. A. Smith" -- that
9 they be stricken on the grounds of conclusion, irrelevant and
10 immaterial, no foundation, your Honor, for this negative
11 statement.

12 I'm sure this lady -- there are millions of
13 signatures she doesn't recognize and in the context of these
14 proceedings it is unfair for this testimony -- it is preju-
15 dicial and has no probative value.

16 THE COURT: The objection is overruled. The answer may
17 remain in the record.

18 Q BY MR. MANZELLA: All right, Mrs. Shea, directing
19 your attention to the signature which appears in the middle
20 of People's 57-C for identification, just below the line,
21 and in particular the name "R. A. Smith," in writing.

22 Do you recognize that signature?

23 A No.

24 Q Do you know an R. A. Smith?

25 A N --

26 MR. KANAREK: That's irrelevant.

27 A No.

28 MR. KANAREK: Your Honor --

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1 THE COURT: The objection is overruled.

2 Q BY MR. MANZELLA: Directing your attention to the
3 document marked People's 57-D for identification, and in
4 particular the line in the middle of that, on the face of
5 that document, bearing the name in writing, what appears to
6 be "R. Smith," S-m-i-t-h.

7 Do you recognize that signature?

8 A No.

9 Q Have you ever seen that signature before?

10 A Only in court.

11 Q And do you know an R. Smith?

12 A No.

13 MR. MANZELLA: Your Honor, I have here five photographs
14 which I would like to have marked People's 20-A through E.

15 THE COURT: 20?

16 MR. MANZELLA: If I may. I'm sorry, People's 65-A
17 through E.

18 THE COURT: So ordered.

19 We'll recess at this time for ten minutes, ladies
20 and gentlemen.

21 During the recess, you are admonished that you are
22 not to converse amongst yourselves, nor with anyone else, nor
23 permit anyone to converse with you, nor are you to form or
24 express any opinion on the matter until it has finally been
25 submitted to you.

26 THE DEFENDANT: Good morning, Mr. Manzella.

27 MR. MANZELLA: Good morning.

28 THE COURT: You may step down now. You are excused

65-A-E.

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for ten minutes.

6 fls. 2

(Morning recess.)

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1 THE COURT: The record will show the defendant to be
2 present; all the jurors and alternates are present.

3 We are ready to proceed.

4 MR. MANZELLA: Your Honor, I have had this series of
5 photographs marked People's 65-A through E. And I have
6 here, your Honor, two footlockers and a suit -- what appears
7 to be a blue suitcase, all containing certain items of
8 documents and clothes.

9 May I have one of the footlockers marked People's
10 65-G for identification, and the second footlocker marked --
11 I'm sorry; the first footlocker marked 65-F for identification,
12 and the second footlocker marked People's 65-G for identifica-
13 tion? And the blue suitcase marked People's 65-H for identifi-
14 cation?

15 And when I refer to the footlockers and suitcases,
16 I am asking that the containers and their contents be marked
17 as I've indicated.

18 THE COURT: Very well. So ordered.

19 Q BY MR. MANZELLA: All right. Mrs. Shea,
20 before referring you to the photographs and the exhibits
21 which have just been marked for identification, I want to
22 ask you this:

23 Sometime after August 16th, did you move from
24 the Wilcox Hotel where you had been staying with Donald? Did
25 you move from the Wilcox Hotel to some place else?

26 A Yes.

27 Q And when was it that you moved out of the Wilcox
28 Hotel?

6-2

1 A The next day.

2 Q And where did you move?

3 A On La Brea, in Los Angeles.

4 Q And did you move in with somebody when you moved

5 onto La Brea?

6 A Yes, some relatives.

7 Q Some relatives of yours?

8 A Yes.

9 Q And how long did you stay with these relatives,

10 with your relatives on La Brea?

11 A Until December -- the last of December or the

12 first of -- around the middle of January in '70.

13 Q Now, had Don visited with you? Had Don ever

14 visited these relatives with you?

15 A Yes, Don had been -- we had -- he had been down --

16 he had been down there to their house several times, on

17 several occasions with me, because he took me there.

18 Q All right. Now, at one point in your testimony,

19 you said that Don had broken his ankle. That's when you

20 were identifying certain physical characteristics of Donald's.

21 Had Donald been working when he broke his ankle?

22 A Yes.

23 Q Did he break his ankle -- well, strike that.

24 What kind of work was he doing when he broke his

25 ankle?

26 A Well, when he -- when he broke his ankle, I

27 don't know exactly. But when he fell out of the tree and

28 hurt his back, that was the time -- he was tree-topping,

1 cutting trees.

2 Q I see. And he was working at that job when he
3 hurt his back?

4 A Yes.

5 Q All right. Directing your attention to the
6 photograph marked People's 65-A for identification, do you
7 recognize what is depicted in that photograph?

8 A Yes. The two footlockers.

9 Q Do you recognize the two footlockers?

10 A Yes.

11 Q All right. And could you identify the footlockers
12 for us? When and where did you see the footlockers?

13 A When Donald got back from Las Vegas, he brought
14 them with him.

15 Q All right. And are those the two footlockers
16 about which you've already testified?

17 A Yes.

18 Q And are those the two footlockers that were
19 kept in the trunk of the Mercury?

20 A Yes, they are.

21 Q And are those the same footlockers which were
22 shown in the photographs which I've already shown you,
23 of the Mercury Comet?

24 A Yes.

25 Q Do you recognize what appears to be the blue
26 suitcase standing between the two footlockers in the
27 photographs, People's 65-A?

28 A No, I've never seen that before.

1 Q Directing your attention to the photograph marked
2 People's 65-B for identification, does that appear to be a
3 photograph of one of the footlockers and that same blue
4 suitcase, on top of the footlocker?

5 A Yes.

6 Q All right. Directing your attention to the
7 photograph -- People's 65-C for identification, does that
8 appear to be a similar photograph as the previous one?

9 A Yes.

10 Q Do you recognize any of the items shown in the
11 photograph, that appear to be inside of the blue suitcase?

12 A No.

13 Q All right. Directing your attention to the
14 exhibit marked People's 65-D for identification, it appears
15 to show portions of the two footlockers.

16 Does one of the two footlockers appear to be
17 opened?

18 A Yes.

6a fls.

6a-1

1 Q And do you recognize the items which appear to be
2 clothing and other items inside of the suitcase -- inside of
3 the foot locker, and around the foot locker?

4 A Yes.

5 Q And could you identify those items for us?

6 THE COURT: This picture is 65 --?

7 MR. MANZELLA: -D, your Honor.

8 THE COURT: -D? D as in David?

9 MR. MANZELLA: Yes, your Honor.

10 THE WITNESS: Those brown pants, they was -- they were
11 bell bottoms.

12 This was a brown iridescent -- it turned color --
13 suit. That's the suit that he had on when we got married.

14 That's a brown shirt. That's a black sport coat that
15 he used to wear. And that's a yellow shirt.

16 And that -- and I can't make that out completely,
17 but this here (indicating) -- well, I don't know if it's one
18 or two, but that's his cuff link box. I think he had green
19 stones and white rhinestones in there.

20 In fact, he had two sets. I can't see them that
21 good.

22 Q BY MR. MANZELLA: All right. And is that the
23 little -- the last thing you referred to, is that the little
24 box that appears to be opened, which is sitting on the back
25 portion of the foot locker?

26 A Yes.

27 Q And the two -- what appear to be two matching items
28 of clothing, a jacket and --

1 A. That's the suit.

2 Q. -- the pants, is that the suit that you referred
3 to?

4 A. Yes, that's the suit we got married -- I mean,
5 when me and him got married, that he had on.

6 Q. All right. Now, what appears to be this lighter
7 brown item to the right of the photograph, is that a shirt?

8 A. That's a shirt.

9 Q. All right. Directing your attention to the
10 photograph marked People's 65 for identification, it appears
11 to show one of the foot lockers open and various items of
12 clothing.

13 Do you recognize any of those items of clothing?

14 A. Yes.

15 Q. Would you point them out, please?

16 A. This brown jacket; that shirt; those pants; this
17 jacket here.

18 I think that's another brown shirt.

19 THE COURT: Would you indicate for us --

20 MR. MANZELLA: Yes, I will, your Honor.

21 Q. Do you recognize any other items?

22 A. I'm not sure.

23 Q. All right. Mrs. Shea, would you take this marking
24 pen and mark it with numbers, starting with No. 1? Starting
25 with No. 1, would you mark each item that you recognize?
26 Mark the first item No. 1; just mark right over the item.
27 And the second item, mark it No. 2 and so on, all the items
28 that you recognize in the photograph.

1 And that's photograph, People's 65-E for
2 identification.

3 THE DEFENDANT: There has been no foundation as to the
4 suitcase. I would like to make an objection, if he won't.

5 THE COURT: Mr. Manson, you are going to have to be
6 quiet.

7 Q BY MR. MANZELLA: All right. Now, Mrs. Shea, you've
8 designated items 1 through 6 on the photograph itself,
9 People's 65-E; is that correct?

10 A Yes.

11 Q All right. Beginning with item No. 1, could you
12 identify each item for us?

13 A That's a brown coat. I think it was kind of a --
14 this here (indicating) was blue and gold -- No. 2 was a blue
15 and gold shirt.

16 No. 3 was a pair of black pants with white pin
17 stripes, running up and down.

18 And No. 4 is a beige jacket, corduroy.

19 No. 5 is a brown -- plain brown shirt.

20 No. 6, supposedly, I think is a white shirt -- I
21 can't see all of it -- with ruffles on it (indicating).
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6b

6b-1

1 Q All right. Now, all of these items that you've
2 identified, numbers 1 through 6 on People's 65-E, are those
3 all items of clothing that you saw Shorty wear -- or Donald
4 wear at one time or another?

5 A Yes.

6 Q Now, the other items of clothing, can you see
7 them well enough to identify whether or not you ever saw --

8 A I can't.

9 Q -- Donald wear them?

10 A I can't tell.

11 Q Can you say that you did not see them? Or is it
12 that you just can't see them well enough?

13 MR. KANAREK: Your Honor, I'll object to that question
14 as -- well, first of all, --

15 THE COURT: Sustained.

16 MR. KANAREK: -- it -- all right.

17 Q BY MR. MANZELLA: What I'm trying to find out,
18 Mr. Shea, is whether or not you can see them well enough to
19 identify them in the photograph?

20 MR. KANAREK: Your Honor, that's -- the objection to
21 that has been sustained.

22 THE COURT: Yes, it is sustained.

23 Q BY MR. MANZELLA: Can you say that the items
24 that are not numbered, that you never saw Donald wearing
25 those items?

26 MR. KANAREK: Your Honor, that calls for conjecture.
27 There's no foundation for it. It's irrelevant and immaterial.

28 The form of the question is improper.

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THE COURT: The objection is sustained.

Q BY MR. MANZELLA: All right. Can you identify any other item in the photograph?

A That's -- if that (indicating) is a white sports coat, this here, the white -- if this is a coat.

THE COURT: Do you wish to number that with the next consecutive number?

MR. MANZELLA: Yes, your Honor.

Q Would you number that last item you identified as a 7, Mrs. Shea?

A (Witness complies.)

Q All right. Now, going back now to People's 65-D for identification, would you number it in the same way? Number in the same way the items that you recognize in that photograph?

A (Witness complies.)

Q Now, am I correct that in People's 65-D, you have numbered items 1 through 8?

A Yes.

Q All right. Now, what is item No. 1?

A A pair of black -- brown hiphugger -- hiphuggers, bellbottomed pants.

Q All right. And these items, items 1 through 8 that you've marked, are those all items that you saw Shorty wearing at one time or another?

A Yes.

Q All right. And items No. 2 and 4, what are they?

A That's the suit that he got married -- we got

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1 married in.

2 Q All right. And item No. 3?

3 A It's a brown shirt.

4 Q And item No. 5?

5 A That's a black sport coat.

6 Q Item No. 6?

7 A It's a yellow shirt.

8 Q And No. 7?

9 A Uh -- a jewelry case, with -- it should have a set
10 of handcuffs, with green rhinestones and red rhinestones.

11 Q All right. When you say handcuffs, do you mean
12 cufflinks?

13 A I mean cufflinks.

14 Q All right. Now, item No. 8 that you have marked
15 on the photograph, what is that?

16 A That's a cookbook he bought me.

17 Q Where did he buy the cookbook?

18 A In Las Vegas.

19 Q All right. Now, Mrs. Shea, directing your atten-
20 tion to the footlocker which has been marked People's 65-F
21 for identification --

22 (Pause in the proceedings while a discussion
23 off the record ensued between Mr. Manzella and the
24 Clerk.)

25 Q BY MR. MANZELLA: Do you recognize this footlocker?

26 A Yes.

27 Q And is this the footlocker which is shown in
28 the photographs -- is this one of the footlockers about which

6b-4

1 you have already testified?

2 A Yes.

3 Q All right. Directing your attention to the
4 other footlocker, which is marked People's 65-G for identifica-
5 tion, do you recognize this footlocker?

6 A Yes.

7 Q And is this the second footlocker about which
8 you've already -- you've already testified?

9 A Yes.

10 MR. MANZELLA: May the record reflect I'm opening the
11 footlocker marked People's 65-F at this time, your Honor?

12 THE COURT: Yes, the record may so show.

13 Q BY MR. MANZELLA: All right.

14 Mrs. Shea, would you step down here -- your Honor,
15 I can't think of another way of --

16 THE COURT: We are very crowded.

17 MR. MANZELLA: Well, maybe I could -- I'll put it on the
18 counsel table.

7 fls.

7
1 Q BY MR. MANZELLA: All right, Mrs. Shea, would you
2 step over here and, if you would, would you just bring the
3 microphone with you.

4 (Whereupon, the witness stepped down from the
5 witness stand and approached the counsel table.)

6 Q BY MR. MANZELLA: All right, Mrs. Shea, directing
7 your attention to the contents of the foot locker, which is
8 People's 65-F for identification.

9 Do you recognize any of the contents of the
10 foot locker?

11 A Yes.

12 Q Are these the contents shown in the photographs
13 marked People's 65 that I have shown you?

14 A Yes.

15 Q And the items that you have identified in the
16 photographs, do these items appear in the foot locker itself?

17 A Yes.

18 Q All of the items?

19 A The ones I identified in the photograph and there
20 were some I couldn't see I think that is there, too.

21 Q All right.

22 Now, directing your attention to the People's
23 photographs, 65-D and 65-E.

24 Now, can you tell us which photograph represents
25 or depicts the contents of the foot locker you are looking at
26 now, People's 65-F?

27 A Uh, this one (indicating).

28 Q All right, that would be photograph 65-E for

1 identification.

2 And are you saying that the seven items that you've
3 numbered and People's 65-E for identification are present,
4 in fact, in the foot locker marked People's 65-F for
5 identification?

6 A. Yes.

7 Q And directing your attention -- oh, strike that.

8 Directing your attention to the foot locker that
9 has been marked People's 65-G for identification. I have just
10 opened that foot locker, and I'll ask you to take a look at the
11 contents of that foot locker and ask you whether or not you
12 recognize the items in the foot locker? Do you?

13 A. Yes.

14 Q Now, are the contents of that foot locker -- foot
15 locker which is marked People's 65-G for identification --
16 shown in any of the photographs that you have already
17 identified?

18 A. Yes.

19 Q And would you point that photograph out, please?

20 A. This one (indicating).

21 Q That's People's photograph 65-D for identification.

22 And are -- you've marked eight items in that
23 photograph, 65-D.

24 Do all of those eight items appear, in fact, in
25 the foot locker marked 65-D for identification?

26 THE COURT: Let her look and check it.

27 MR. MANZELLA: All right.

28 THE WITNESS: Yes.

1 Q BY MR. MANZELLA: Do all of the items -- now, do
2 all of the items which you've marked in People's 65-D for
3 identification appear, in fact, in the foot locker?

4 A Yes, everything except a cook book.

5 Q Everything except a cook book?

6 A Uh-huh.

7 Q All right. Directing your attention to the
8 two green jewelry cases which appear inside of the foot locker.

9 Does the jewelry which you've described for us, the
10 cuff links and the other items of jewelry that Donald wore,
11 did those items appear inside of those jewelry cases?

12 A Yes.

13 Q All right. Do you recognize any other items of
14 clothing in People's 65-G, the foot locker itself, which you
15 were not able to see in the photograph?

16 A Yes, this was his shirt (indicating).

17 Q I'm holding up a white shirt. Did this shirt belong
18 to Donald?

19 A Yes.

20 Q Have you seen Donald wear this shirt?

21 A Yes.

22 Q Is there anything else inside the foot locker
23 which you were not able to see in the photograph?

24 A This was his (indicating), and this pink shirt.

25 Q Referring to the blue and black shirt which I am
26 holding in my hand?

27 A Yes.

28 Q Did you see Donald wear that shirt?

1 A I've seen that.

2 Q Is there anything else in the foot locker itself,
3 People's 65-G, which does not appear in the photograph?

4 A No.

5 (Whereupon, the witness resumed the witness stand.)

6 Q BY MR. MANZELLA: All right. Mrs. Shea, directing
7 your attention to the suitcase, the blue suitcase which has
8 been marked People's 65-H for identification.

9 At the request of the Sheriff's, have you taken a
10 closer examination of this suitcase?

11 A Yes.

12 Q All right. Have you ever seen it before, other
13 than in court?

14 A No.

15 Q Have you examined the contents of this suitcase?

16 A I looked in it.

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1 Q And did you recognize any of the contents as having
2 seen them before?

3 A No.

4 Q All right. Mrs. Shea, I have one last question.
5 With regard to the argument that you and Donald had
6 on August 16, 1969, would you tell us what the -- strike
7 that.

8 Was there one main point or one main thing that
9 you argued about?

10 MR. KANAREK: That's calling for a conclusion, your
11 Honor.

12 THE COURT: Sustained.

13 Q BY MR. MANZELLA: All right, would you tell us
14 what you argued about on August 16, 1969, with Donald?

15 MR. KANAREK: That's also a conclusion. If he wishes to
16 have the conversation, that's one thing, but it is --

17 THE COURT: Sustained.

18 Q BY MR. MANZELLA: All right, would you tell us
19 what you talked about?

20 MR. KANAREK: Again, what they said, not the conclusion.

21 THE WITNESS: About me not working. He told me he was
22 the man of the house and he felt like he was the man and he
23 didn't feel that his wife should work. He never wanted me to
24 work. He said I was supposed to stay at home.

25 Q BY MR. MANZELLA: All right.

26 Thank you, I have -- your Honor, I do have further
27 questions. However, we don't have certain exhibits available,
28 and so at this time I would like to --

1 THE COURT: I will permit you to reopen when you have --
2 when we have those exhibits --

3 MR. MANZELLA: All right, thank you. No further
4 questions at this time.

5 THE COURT: -- on your motion, if you wish.

6 MR. KANAREK: Yes, thank you, your Honor.

7 (Whereupon, Mr. Kanarek conferred with the clerk.)

8 (Whereupon, Mr. Kanarek conferred with Mr. Manzella
9 at the counsel table, outside the hearing of the jury:)

10
11 CROSS-EXAMINATION

12 BY MR. KANAREK:

13 Q Mrs. --

14 THE COURT: Use the microphone.

15 MR. KANAREK: Yes, your Honor.

16 Q BY MR. KANAREK: Mrs. Shea, before you got married
17 in Las Vegas, did you have a marriage certificate, a
18 marriage license? Did you take out a marriage license?

19 A I didn't understand you.

20 Q Well, you got married in Las Vegas before a
21 Reverend, is that right?

22 A Yes.

23 Q Before getting married, did you go to the Clark
24 County -- the Clerk of the Clark County, in Las Vegas, and get
25 a marriage license?

26 A Yes.

27 Q And on that marriage license did Mr. Shea say whether
28 he was free to marry or not?

1 A I don't understand your question.

2 Q Did you fill out a marriage license?

3 A Yes.

4 Q Did Mr. Shea fill out a marriage license?

5 A Yes.

6 Q Were there questions on the marriage license?

7 A I don't remember.

8 Q Did Mr. Shea tell you that he was not free to
9 marry because he was already married?

10 A He never told me he wasn't free to marry because he
11 was already married. He wasn't married. He was a divorcee.

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

13 THE COURT: Yes, you may.

14 Q BY MR. KANAREK: Do you know Karen Arlene Shea?

15 A No.

16 Q Well, I will show you a Superior Court document
17 of the Superior Court of the State of California, for the
18 County of Los Angeles, and ask you if this refreshes your
19 recollection? Would you read over this document which appears
20 to have three pages to it? Would you read that?

21 THE COURT: Have you ever seen that document before?

22 THE WITNESS: No.

23 THE COURT: All right.

24 MR. KANAREK: Well, your Honor, it's -- I'm attempting to
25 refresh her recollection. I'm not suggesting --

26 THE COURT: The Court realizes that, and the Court --

27 Q BY MR. KANAREK: Would you read that over and see
28 if it does refresh your recollection, Mrs. -- would you -- you

1 haven't read all three pages, have you?

2 MR. MANZELLA: Your Honor, I'll object to Mr. Kanarek
3 saying, "refresh her recollection." It assumes that there's
4 something to refresh, your Honor.

5 THE COURT: Sustained.

6 Q BY MR. KANAREK: Did Mr. Shea tell you that he had
7 a child with one Phyllis Shea?

8 A He told me he had three childrens.

9 Q And did he tell you who the mother of each of these
10 children was?

11 A The mother of each of those childrens, the three
12 that he told me about, I knowed who the mother is.

13 Q That is, you were told by Mr. Shea that the mother
14 was one person; that is, the --

15 A I don't know about a fourth child. I know about
16 three.

17 Q Yes. And did you know about Mr. Shea being
18 married to another lady?

19 A Yes.

20 Q And who was this other lady?

21 A Mrs. Harmon. I don't know her first name.

22 Q Was it the lady that you saw in court --

23 A Yes.

24 Q -- yesterday?

25 A Yes.

26 Q And did Mr. Shea tell you that there was a lady
27 who held herself out as Karen Arlene Shea, the wife of Shorty?

28 A He never told me about no Karen Arlene Shea.

1 Q And did he tell you -- ever discuss with you a
2 Phyllis Shea?

3 A No, he never discussed a Phyllis Shea with me.

4 THE COURT: You may return to the counsel table now.

5 Q BY MR. KANAREK: Did Mr. Shea tell you he had a
6 daughter named Karen Arlene Shea?

7 A Mr. Shea told me he had three childrens. I don't
8 know their name. And one is a daughter -- in fact, he have
9 two daughters and a girl.

10 Q Did he --

11 A Excuse me. And a boy.

12 Q Did he tell you that he had a daughter living in
13 Sonoma County, in the City of Sonoma, Sonoma County,
14 California, near San Francisco?

15 A No.

16 Q Now, your -- the total time that you knew Mr. Shea
17 was what, Mrs. Shea?

18 A The full time that I knew him?

19 About four months, five months.

20 Q That is, in your entire life, you knew Mr. Shea
21 some four or five months at the most?

22 A Yes.

23 Q And then, when you met Mr. Shea, what did he tell
24 you his name was?

25 A Reverend Donald Jerome Shea.

26 Q Did Mr. Shea ever tell you that he used the name
27 "O'Shea"? O apostrophe S-h-e-a?

28 A No.

1 Q Had -- well, have you heard him addressed as
2 "O'Shea"? O apostrophe S-h-e-a?

3 A No.

4 Q Now, did Mr. Shea discuss with you the name Donald
5 Jerome?

6 A Yes.

7 Q Now, I've laid out in front of you in the courtroom
8 the foot lockers, the two items that have been called foot
9 lockers.

10 Do you see them there?

11 A Yes.

12 Q Now, you will notice that there is no name "Shea"
13 on those foot lockers.

14 A I know.

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1 Q And can you tell us the reason, if you know, why
2 the name "Shea" is not there?

3 A Because when he -- he told me that he was -- when
4 he was acting, Donald Jerome was a stage name, just like
5 Peter Graves, Peter Graves' name is not Peter Graves; it's
6 Peter Arness. So this is why the "Donald Jerome" is on
7 there.

8 Q And Mr. Shea then was known under the name of
9 Donald Jerome? He told you that?

10 A This is what he told me.

11 Q And he used the name Donald Jerome; is that
12 correct?

13 A Yes.

14 Q And did he tell you that he -- that he used the
15 name Reverend Donald Jerome?

16 A He had a document showing that he -- a certificate
17 showing that -- where he was a Reverend Donald Jerome Shea.
18 Not Reverend Donald Jerome. Reverend Donald Jerome Shea was
19 on his certificate.

20 Q My question was: Did he tell --

21 A He never used Reverend Donald Jerome.

22 Q And did he tell you where he used the name
23 Donald Jerome?

24 A Yes. Doing bit part work, and acting.

25 Q And he was -- I'll withdraw that.

26 And so he told you that he held himself out,
27 using the name Donald Jerome?

28 MR. MANZELLA: Objection, your Honor. The question's

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1 vague and ambiguous, by the use of the words "held himself out."
2 And she's already answered the question.

3 THE COURT: It is asked and answered. The Court will
4 sustain the objection.

5 Q BY MR. KANAREK: Now, directing your attention to
6 those two -- what have been called footlockers, Mrs. Shea,
7 did Mr. Shea tell you what he used those footlockers for?

8 A Would you repeat the question, please?

9 Q Yes. Did Mr. Shea tell you for what he used the
10 footlockers?

11 A He had his clothes in 'em.

12 Q Did he tell you that they were used for any other
13 purpose than just his clothes?

14 A No, they wasn't used for anything else except --
15 except his clothes.

16 Q Did he say that he -- that is, during the four
17 months that you knew him, did he tell you that these footlockers
18 were used by him in connection with his holding himself out as
19 Donald Jerome?

20 A I don't understand.

21 Q Well, did Mr. Shea tell you -- tell you that the
22 footlockers were used by him in connection with matters
23 wherein he used the name Donald Jerome?

24 A He bought the footlockers a week before he came
25 to L. A. from Las Vegas. And we didn't discuss what they were
26 used for, because they contained clothes.

27 Q And he put the name DONALD JEROME on these footlockers,
28 a week before he came to Los Angeles from Las Vegas?

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A I guess so.

Q And you and he had discussions about the use of the name?

A We had had discussions, because he had receipts where he had been paid for bit parts and extra work and stunt work up under the name Donald Jerome.

Q Now, when you -- when you first met Mr. Shea, where were you and where was he?

A I was at the Cab-Inn, on Alondra and Avalon, and he was at the Cab-Inn at Alondra and Avalon.

Q And at that time, he was the manager of this --

A Yes.

Q What do you call -- what was that?

A It was a topless beer bar.

Q And how long was he the manager of that topless beer bar, to your knowledge?

A About a month, month and a half -- three weeks, a month, month and a half. I'm not exactly sure, because he left and went to Las Vegas.

THE COURT: We'll recess now, ladies and gentlemen.

You are admonished that you are not to converse amongst yourselves nor with anyone else, nor allow anyone else to converse with you on any subject connected with this matter, nor are you to form or express an opinion in the matter until it is finally submitted to you.

2:00 o'clock.

(Whereupon, at 12:04 o'clock p.m., an adjournment was taken in this matter until 2:00 o'clock p.m. of the same day, Wednesday, August 18, 1971.)

LOS ANGELES, CALIFORNIA, WEDNESDAY, AUGUST 18, 1971

2:15 P.M.

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THE COURT: The record will show both counsel to be present. Mr. Manson to be present.

Mr. Kanarek and Mr. Manzella, would you approach the bench?

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

THE COURT: At the close of the morning session the record should show there was a discussion in chambers concerning the problems that we're having in Department 52, where the case of People vs. Grogan is being tried, and this department, with the evidence. Since the evidence in the Grogan case, physical evidence in the Grogan case, is about the same as the evidence here, physical evidence here, and both cases being tried at the same time. We are encountering some problems and the Court has agreed with you gentlemen in chambers that Department 52 may have this afternoon the items heretofore marked for identification, the pistols, 52 -- 53-A and B, and I have directed a deputy clerk to take them back to 53-A -- take 53-A and B back to Department 52, and then return them here so that you can have them available, Mr. Kanarek, for cross-examination.

Is that satisfactory?

MR. MANZELLA: Yes.

MR. KANAREK: Yes. As we indicated in chambers,

1 your Honor, I would be more than glad to accommodate not
2 only your Honor but also Judge call in Department 52.

3 THE COURT: We'll try to work it out.

4 MR. KANAREN: We're working it around so there would be a
5 maximum of utility of these exhibits.

6 THE COURT: All right, we'll see what we can do.

7 MR. MANZELLA: Your Honor, will we have all the exhibits
8 available for tomorrow?

9 THE COURT: I have asked Judge Call to make those exhibits
10 available to us this afternoon. If not this afternoon,
11 tomorrow. The rest of the exhibits.

12 MR. MANZELLA: All right.

13 THE COURT: In their case, 20 on through to the end, and
14 in your case 65 on through to the end of the exhibits.

15 MR. MANZELLA: Okay.

16 THE COURT: But he said they were still using those
17 exhibits. And the People have some motions in respect to the
18 exhibits and he would need to examine all of the exhibits,
19 including the ones we have here in this court now, so I'm
20 going to call him tomorrow to see whether or not he has arrived
21 at any solution so that we can keep these -- keep both trials
22 running without delay.

23 All right, thank you, gentlemen.

24 (Whereupon, the following proceedings were had in
25 open court within the presence and hearing of the jury.)

26 THE COURT: Mrs. Shea.

27 (No response.)

28 MR. MANZELLA: I'll get her. She's outside.

1 THE COURT: All right, thank you.

2 Do you have Mr. Kanarek's last question?

3 THE REPORTER: No.

4 THE COURT: Do you recall where you stopped?

5 MR. KANAREK: Yes, your Honor.

6 THE COURT: The record should show all the jurors and
7 alternates are present.

8 Come forward, Mrs. Shea.

9
10 MAGDALENE VELMA SHEA,

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

13 THE COURT: You are still under oath. State your name for
14 the record.

15 THE WITNESS: Magdalene Velma Shea.

16
17 CROSS-EXAMINATION (CONTINUED)

18 BY MR. KANAREK:

19 Q Good afternoon, Mrs. Shea.

20 Mrs. Shea, would you tell us all of the names that
21 you have used in your lifetime?

22 MR. MANZELLA: Objection, your Honor, I don't see the
23 relevancy of that.

24 THE COURT: The objection is sustained.

25 Q BY MR. KANAREK: Now, Mrs. Shea, before -- just
26 before you married Mr. Shea, what name did you use?

27 A Magdalene Velma Furoy.

28 Q How do you spell that?

1 A What?
2 Q That name, that last name?
3 A F like in Frank, u-r-o-y.
4 Q I'm sorry.
5 A F like in Frank, u-r-o-y.
6 Q F-u-e-r-r --
7 A No, u-e-r-o-y.
8 Q I see.
9 Now, have you ever been convicted of a felony?
10 A Yes, I have.
11 Q Now, is that armed robbery?
12 THE DEFENDANT: Irv.
13 THE WITNESS: Yes.
14 THE DEFENDANT: Irv, Mr. Kanarek. Irv, there is evidence
15 here. She's not on trial, we are.
16 THE COURT: Mr. Kanarek.
17 Mr. Manson, be quiet.
18 THE DEFENDANT: I was just talking to my counsel.
19 THE COURT: You can speak to your attorney, but don't
20 do it so you disturb the Court.
21 Proceed, Mr. Kanarek.
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1 Q BY MR. KANAREK: Now, Mrs. Shea, tell us, you first
2 met Mr. Shea in the latter part of May, 1969?

3 A Yes.

4 Q And shortly after meeting Mr. Shea, Mr. Shea went to
5 Las Vegas for a couple of weeks; is that right?

6 A No.

7 Q How long after you met Mr. Shea did he go to Las
8 Vegas, first? The first time?

9 A I don't recall. It was about three weeks to a
10 month, the first time.

11 He hasn't been there but one time since I was
12 with him.

13 Q Well, when you first met Mr. Shea, you were
14 working at Cab-Inn?

15 A Yes.

16 Q And before you married him, he left and went to
17 Las Vegas?

18 A I don't know anything about that.

19 MR. KANAREK: May I --

20 Q Do you remember testifying previously, in another
21 courtroom, concerning these matters?

22 A (No response.)

23 Q Do you remember testifying previously?

24 A Yes, before the Grand Jury.

25 Q Well, you also testified in another courtroom?

26 A Yes.

27 Q Would you read over this transcript, beginning
28 at page 1968, with the question "After first meeting Donald

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1 Shea in the last two weeks of May, 1969, did you begin to
2 go with him?"

3 Would you read that over, that and the next page,
4 1969?

5 Would you read that, see if that refreshes your
6 recollection?

7 THE COURT: You may step away from her, Mr. Kanarek.

8 And may I see that after you have read it, Mrs.
9 Shea?

10 THE WITNESS: I remember testifying, yes, that he left.
11 But when I -- that's -- that stated that I testified -- I
12 didn't say that he returned. I said that he left, and went
13 to Las Vegas.

14 Q BY MR. KANAREK: That's my question, Mrs. Shea.
15 Did he, after -- shortly after you met him, in the latter
16 part of 1969 (sic) go to Las Vegas?

17 A Yes.

18 Q And how many days -- how many days had you known
19 him before you went to Las Vegas?

20 A I can't count the days. He was an employer at
21 the same place that I was; and like he was there for about a
22 month, month and a half, and then he went to Las Vegas.

23 Q Well, did you say in another courtroom that you
24 met him in the latter part of May, 1969?

25 A Yes.

26 Q So is it a fair statement that you met him -- is
27 that true, Miss -- Mrs. Shea, that you met him in the latter
28 part of May, 1969?

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1 A It was in May.

2 Q Was it the latter part?

3 A I don't remember. But I know it was the month of
4 May.

5 Q Well, then when you testified in another courtroom,
6 that it was the latter part of May, 1969, that was untrue; is
7 that correct?

8 A No, that's not untrue. It was the last part of
9 May in '69. It could have been two weeks -- two weeks, which
10 I still call the last part of May.

11 Q Then it was the last part of May --

12 A Yes, it was.

13 Q -- 1969?

14 How many days?

15 THE COURT: You may return to the counsel table.

16 MR. KANAREK: I may have to use that transcript, your
17 Honor.

18 THE COURT: You may ask her about it from the counsel
19 table, if you --

20 MR. KANAREK: Well, your Honor, may the record reflect
21 that your Honor does not, in connection with Mr. Manzella,
22 direct him to return?

23 THE COURT: The record does not show that Mr. Manzella
24 crowds the witness at the witness stand, as --

25 Well, the Court will strike its remark. The
26 Court -- the record may not so reflect, Mr. Kanarek.

27 You may proceed.

28 Q BY MR. KANAREK: Now, Mrs. Shea, how many days

1 did you know Mr. Manzel -- Mr. Manson -- pardon me -- Mr. Shea,
2 before he went to Las Vegas, the first time?

3 A I can't count the days. I knew him as long as
4 he worked at the Cab-Inn, where I was employed at.

5 Q Well, on a certain day you met him?

6 A I don't remember the certain day. I went to
7 work one day, and he was the new manager there, because the
8 old manager was gone.

9 Q Is it a fact that you were working there before
10 he became manager?

11 A Yes, I was.

12 Q All right. Then, on the certain day, he, Mr. Shea,
13 became manager; right? Is that true?

14 A Would you repeat the question, please?

15 Q On a certain day, Mr. Shea became a manager at
16 that Cab-Inn; is that the name?

17 A The Cab-Inn?

18 Q Yes.

19 A On a day he became manager, yes.

10a fls.

10a-

- 1 Q Some certain day, he became manager; right?
- 2 A He became manager out there.
- 3 Q On a day you remember?
- 4 A No day that I remember. I remember going to work,
- 5 and I had a new manager.
- 6 Q All right. Now, how many days after this new
- 7 manager, Mr. Shea, was on the premises did you first go out
- 8 with him?
- 9 A I don't remember.
- 10 Q Well, would you give us your best estimate?
- 11 A I can't give you a best estimate, because I don't
- 12 remember.
- 13 Q Well, was it one day, one hour, two days? Was it
- 14 the same night that he came on as manager --
- 15 A No.
- 16 Q -- that you first --
- 17 A No, it wasn't the same night. It wasn't the same
- 18 day.
- 19 It might not have been the same week. But we got
- 20 together.
- 21 Q You and he got together?
- 22 A Yes.
- 23 Q And became close together?
- 24 A Yes.
- 25 Q And so within a few days after you first met
- 26 Mr. Shea, he went to Las Vegas for a couple of weeks, --
- 27 A No.
- 28 Q -- is that right?

1 A He never went to Las Vegas for a couple of weeks.
2 When Donald left Los Angeles, he went to Las Vegas to stay.

3 Q But in fact, he stayed a couple of weeks before he
4 returned to Los Angeles; is that correct?

5 A He didn't return to Los Angeles until about the
6 23rd or 22nd of July of 1969.

7 Q And he was in Las Vegas continuously; is that
8 correct?

9 A I don't understand what you mean, "continuously."

10 Q You don't understand the word "continuously"?

11 A I don't know what you mean by that "continuously."

12 Q From the time that Mr. Shea went to Las Vegas,
13 having been manager at the Cab-Inn until -- until the next
14 time he came to Los Angeles, in that entire period of time,
15 are you telling us that that was sometime in July when he
16 returned?

17 A Yes.

18 Q Now, so, therefore, during the month of June,
19 thinking of the month of June, how many days in the month of
20 June were you actually in Mr. Shea's presence?

21 A I don't know how many days.

22 Q Well, you tell us that you left Los Angeles, and
23 you went to Las Vegas yourself; right?

24 A Yes.

25 Q How many days -- what period of time were you in
26 Las Vegas before you left Las Vegas after going to Las Vegas?

27 A I can't count days. I was there. I came back,
28 and I went back over there.

1 Q You don't know how many days it was?
2 A It wasn't -- it wasn't 30 days; I know that.
3 Q It wasn't five days, was it?
4 A Yes, it was more than five days.
5 Q When was it that you went to the funeral in the
6 San Joaquin Valley?
7 A It was in June.
8 Q June what?
9 A I don't know the exact date.
10 Q What was the name of the person who passed away?
11 A What was the name of the person that passed away?
12 Q Yes.
13 A It was my grandfather.
14 Q Yes. Just what is that name?
15 A Mr. Wert.
16 Q Mr. Wert?
17 A Wert, W-e-r-t.
18 Q And that was in what city?
19 A Tulare.

11-1

1 Q How many days at that time were you away from
2 Mr. Shea?

3 A Four days, I think.

4 Q Then, you went to Las Vegas after being in the
5 San Joaquin Valley?

6 A Yes.

7 Q Is that correct?

8 A Yes.

9 Q Then you left Las Vegas, is that correct?

10 A Yes.

11 Q Now, what was the reason that you left Las Vegas
12 at that time?

13 A I came back here because we had intended to come
14 back here. There was no reason. I came back because Don was
15 coming back to go to Arizona to work in a movie, and I came
16 back before he did and started back to work at my old job
17 at the Cab-Inn.

18 Q How long did you work at the Cab-Inn, Mrs. Shea,
19 on that occasion?

20 A I worked for a week and I quit the -- uh, the
21 Saturday, because after he came that Saturday he didn't
22 want me to work any more.

23 Q After he came that Saturday?

24 A Yes.

25 Q Did he then return to Los Angeles from Las Vegas?

26 A Yes, on a Saturday night.

27 Q And then, did you and he return together to
28 Las Vegas?

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A No.

Q Did he return to Las Vegas alone?

A No.

He didn't return to Las Vegas at all.

Q Well, you were married in Las Vegas, Mrs. Shea?

A July 1st.

Q Well, then, Mr. Shea did return to Las Vegas?

A He was already in Las Vegas.

Q But you are telling us that he returned --

A I told you that he returned July -- in July, July 22nd and 23rd. I don't know exactly what date, but this is when he returned from Las Vegas to Los Angeles.

Q And in that period of time that we're speaking of, Mrs. Shea, actually you were in Mr. Shea's presence from the time -- let us say all of July, all of June, from the beginning of the time you met him you were actually in Mr. Shea's presence a matter of days only; is that correct?

A No.

Q You tell us, if you would, please, Mrs. Shea, how many days you actually lived with Mr. Shea?

A Two months.

Q You lived 60 days?

A More -- excuse me, more than 60. I lived part of June, and all of July, and part of August.

Q But part of the time in July Mr. Shea and you were separated?

A We wasn't separated. I was there for a week and he was there for a week.

1 Q Then, you were separate --

2 A Separate --

3 Q If you will allow me to finish, please.

4 You were indeed separated when you were here and
5 he was there, as you put it, now, for a week?

6 MR. MANZELLA: Objection, your Honor, that's argumenta-
7 tive.

8 THE COURT: Overruled. You may answer, Mr. Shea.

9 A I was separated --

10 Q BY MR. KANAREK: From Mr. Shea, is that correct?

11 A I don't know what you mean by separated. I was
12 here and he was there, but we wasn't separated as man and
13 wife. I came here --

14 Q My question is --

15 THE COURT: You -- go ahead.

16 Q BY MR. KANAREK: My question is, would you tell
17 us how many days you and Mr. Shea actually lived together
18 where you were living in the same rooms, the same home
19 during the period of time that we have spoken of?

20 Do you understand the question? I mean, when you
21 were actually with him, not merely thinking of him when he was
22 in Las Vegas.

23 My question is -- that is, is my question clear?

24 A Your question is clear, but I don't know how many
25 days.

26 Q Well, could you think about it for a moment and
27 give us your best estimate of the number of days that you were
28 with Mr. Shea?

1 A Two and a half months.

2 Q You're saying, then, that you were with Mr.
3 Shea physically -- you slept with him as man and wife for
4 two and a half months? You're saying, then, this would be
5 -- two times 30 -- 15 -- from 75 days; is that what you are
6 saying?

7 MR.MANZELLA: Objection, your Honor, it is all irrelevant.

8 MR. KANAREK: It is most relevant, your Honor.

9 MR. MANZELLA: She's answered the question.

10 THE COURT: She's answered the question, Mr. Kanarek.

11 Q BY MR. KANAREK: Well, may I ask you this, are
12 you telling us that the number of days would be 75 during
13 this period of time that you stayed with Mr. Shea, where you
14 and he were actually sleeping together, living together
15 under the same roof?

16 A Yes.

17 Q What was your occasion, if ever, to study the
18 signature of Shorty Shea, Mrs. Shea?

19 A Because when we would go out some place he used
20 to write notes to me and I would write notes to him.

21 Q When you went out some place he wrote notes to
22 you and you wrote notes to him?

23 A Yes. If one of us would leave the house, leave
24 wherever we was living and one of us wasn't there, I would
25 leave him a note. And if he left, he would leave me a note.

11a fls.

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1 Q I see. And when he wrote these notes to you, how
2 did he sign them?

3 A He always printed the notes and at the end when --
4 he always signed them, he would write.

5 Q What would he write at the end?

6 A Don -- Don or Donald or Donald Jerome Shea.

7 Q I see. You, his wife, he would sign his notes,
8 "Donald Jerome Shea" to you?

9 A He has did that occasionally.

10 Q Pardon?

11 A He has did that.

12 Q My question is, directing your attention to these
13 notes that you are speaking of that you and he wrote to each
14 other, after you were married, he would sign such notes
15 "Donald Jerome Shea"; is that right?

16 A Yes, he has did that.

17 Q I see. And on how many occasions did he do that?

18 A Every time one of us wasn't at home. I don't know
19 how many occasions, but every time one of us wasn't there, we
20 would leave a note to say where we was going.

21 Q I see. And he would sign it "Donald Jerome Shea"?

22 A Yes.

23 THE COURT: I see, Mr. Manson, you've left the counsel
24 table.

25 THE DEFENDANT: Yes -- (The rest of the comment was
26 inaudible to the reporter.)

27 This is reflecting on me. I want to hide from this
28 ignorance.

1 THE COURT: Can't you be quiet, Mr. Manson?

2 THE DEFENDANT: No.

3 THE COURT: All right, the Court will order that you be
4 taken from the courtroom.

5 THE DEFENDANT: Good.

6 (Whereupon, the bailiff ushered the defendant
7 Manson from the courtroom to the holding tank, and the
8 following proceedings were had:)

9 THE COURT: Go ahead, Mr. Kanarek.

10 Q BY MR. KANAREK: What other bases did you have,
11 Mrs. Shea, for studying the signature of Donald Jerome Shea?

12 A What other basis did I have for studying --

13 Q Yes.

14 A -- his signature?

15 Q Right.

16 A I had no other bases except, like I say, he used to
17 write me notes and I would go through his papers. He did have
18 a lot of papers at one time. And he signed things. And the
19 same signature that was on those papers was on my notes.

20 Q I see. And you studied his signature, is that what
21 you are telling us, Mrs. Shea?

22 MR. MANZELLA: Objection, your Honor, as argumentative.

23 THE COURT: Sustained.

24 Q BY MR. KANAREK: Did you in fact study his
25 signature so that you would know what it looked like?

26 MR. MANZELLA: Objection, it is argumentative.

27 THE COURT: Overruled, you may answer, Mrs. Shea.

28 THE WITNESS: Yes.

1 Q BY MR. KANAREK: I see.

2 And on how many different occasions did you
3 actually study Mr. Shea's signature?

4 A Every time I saw something that he wrote.

5 Q I see.

6 A And signed.

7 Q You made a point to memorize what it looked like?
8 Is that right?

9 A I know his handwriting.

10 Q Now, Mrs. Shea, you were very, very concerned about
11 Mr. Shea, is that right?

12 A Yes.

13 Q Well, on August 22nd, 1969, where were you?

14 A I was here in Los Angeles.

15 Q Were you arrested on that date?

16 A Yes, I was, for prostitution because, like, you
17 know, I didn't have any money and I didn't have any job and
18 I didn't know where Don was. So I got arrested for
19 prostitution.

20 Q Where were you on August the 21st, 1969?

21 A I wasn't arrested.

22 Q Well, my question is --

23 A I don't know. I was here in L.A.

24 Q Where were you on August 23rd?

25 A I was here in L.A. I can't go from day to day
26 and telling you where I was, and from time to time what I did
27 on those particular days. That has been two years ago. But I
28 was here in L.A. I don't know if I was visiting a friend or

1 where. I know I was here.

2 Q I see. And in connection with all of these events,
3 Mrs. Shea, is it a fair statement that you don't remember
4 because it has been two years ago?

5 A Where I was on August 20 -- on August the 21st?

6 Q As to everything that you have told us.

7 A No, it is not fair. Because I remember things that
8 happened two years ago.

9 Q How many times have you spoken to police officers
10 concerning the matters which you have told us about, Mrs.

11 Shea?

12 A Only once.

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1 Q In your entire lifetime?

2 A No.

3 Q Only once when, Mrs. Shea?

4 A When I -- three times. I went down when I made
5 a missing person report. The second time -- I don't know
6 exactly when it was -- I had to go back down there, after
7 they found the car and everything.

8 Then, just before time for me to go over to the
9 other court over there at -- that's -- at the new County,
10 the new Hall of Justice -- or, the Courthouse.

11 Three times out of two years.

12 Q Mrs. Shea, would you tell us the name of your
13 gentleman friend, if you had one, prior to the time when you
14 met Mr. Shea?

15 MR. MANZELLA: Objection, your Honor. It's not
16 relevant.

17 MR. KANAREK: It's relevant, your Honor, and most --

18 THE COURT: The objection is sustained.

19 Q BY MR. KANAREK: Mrs. Shea, did a gentleman friend
20 of yours, that you went with, before you met Mr. Shea,
21 threaten to kill Mr. Shea?

22 A No.

23 MR. KANAREK: May I finish it?

24 Well, may I ask you this?

25 Q Prior to the time that you went with Mr. Shea;
26 you went with other men; is that correct?

27 MR. MANZELLA: Objection, --

28 THE WITNESS: No.

12-2

1 MR. MANZELLA: -- your Honor.

2 MR. KANAREK: It goes to show motive, your Honor.

3 THE COURT: The objection is overruled.

4 Q BY MR. KANAREK: Pardon? Was your answer
5 "No"?

6 A Repeat your question again.

7 MR. KANAREK: May that be read, your Honor, my question?

8 THE COURT: Repeat your question.

9 MR. KANAREK: Certainly.

10 Q Directing your attention to the time prior to the
11 time that you met Mr. Shea, did you go with other gentlemen?

12 A Before I met him or after I met him?

13 Q Before you met him, Mrs. Shea.

14 A Yeah, I dated someone.

15 Q All right. Would you tell us the name of that
16 gentleman?

17 MR. MANZELLA: Objection, your Honor. It's not
18 relevant.

19 THE COURT: The objection is sustained.

20 (Pause in the proceedings while a discussion
21 off the record ensued at the counsel table between
22 Mr. Manzella and Mr. Kanarek.)

23 MR. MANZELLA: May we approach the bench, your Honor?

24 THE COURT: Yes, you may.

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

28 MR. MANZELLA: Mr. Kanarek has just asked me for her

12-3

1 rap sheet. I don't know where it is right now. I need some
2 time to get it.

3 I mean, I don't have all my files with me. I
4 need some time to get it.

5 MR. KANAREK: Well, I can work around it.

6 MR. MANZELLA: As a matter of fact, I don't know whether
7 I have one or Sergeant Whiteley has it.

8 THE COURT: Very well.

9 MR. KANAREK: That's all right.

10 THE COURT: If you lay the proper foundation, if you
11 ask the proper questions, it's a -- that there was a threat
12 made to Shorty Shea by someone in her presence, --

13 MR. KANAREK: That's what I --

14 THE COURT: -- this is certainly motive.

15 MR. MANZELLA: Your Honor, I would like to be heard on
16 that, before the Court rules that way on that.

17 And I would like permission to get some cases
18 and authority on the point, so that I may present it to the
19 Court for the Court's information.

20 THE COURT: Well, if there was a threat made to Shorty
21 Shea, a threat to kill him, something like that, or something
22 of that nature, of a serious nature, the Court believes that
23 it might establish some motive for Mr. Shea leaving town,
24 disappearing.

25 And I think that it's -- it would have some
26 relevance.

27 MR. MANZELLA: Well, it's the People's position, your
28 Honor, that the cases hold that the mere fact that a person

1 made a threat is not sufficient evidence; that some -- that
2 some person is responsible for -- some other third person
3 is responsible for the death.

4 MR. KANAREK: Then there's --

5 MR. MANZELLA: That there must be more evidence than --

6 THE COURT: The Court understands that. But here you
7 have a situation --

8 MR. MANZELLA: Yeah, that's right.

9 THE COURT: -- where somebody has disappeared, and you
10 are attempting to show that the disappearance was due to his
11 demise.

12 The defense has a right to show that he might
13 have had the possible state of mind that he was fearful of
14 someone, and left as a result of that.

15 All right.

12a fls. 15

12a-1 1 (Whereupon, the following proceedings were had in
2 open court, within the hearing of the jury:)

3 THE COURT: Ask your next question.

4 MR. KANAREK: Yes, your Honor.

5 Q Mrs. Shea, did you have any discussions with
6 Mr. Shea about other gentlemen friends of yours?

7 THE COURT: That, the Court will --

8 MR. KANAREK: I am laying the foundation, your Honor.

9 THE COURT: The Court will sustain its own objection to
10 that, as being immaterial.

11 MR. KANAREK: I am laying the foundation your Honor has
12 suggested.

13 THE COURT: The Court did not suggest that.

14 The Court will sustain its own objection.

15 Q BY MR. KANAREK: Mrs. Shea, could you tell us,
16 what did you do after you last spoke to Mr. Shea? What did
17 you do immediately after your last conversation with Mr. Shea?

18 A Immediately, I sat down and watched TV for a while;
19 and then later on that evening, I went out.

20 Q And with whom did you go out?

21 A Alone.

22 Q And how long were you alone?

23 A Until -- I went to this club, and there was some
24 peoples there, and then -- until in the morning, when I came
25 back.

26 Q And you stayed away all night, right?

27 A No, I didn't stay away all night. It was like --
28 in the morning; it wasn't daylight.

1 Q What club did you go to, Mrs. Shea?

2 A I went to the -- it's a place called the Sold Out;
3 it used to be named the Red Velvet. It's out in Hollywood,
4 right around the corner from the Wilcox Hotel.

5 Q And is that on Sunset Boulevard, near Wilcox?

6 A Yes, it is.

7 Q And you went to this -- to this -- what you call
8 a club, right?

9 A It is a club, yes.

10 Q And you met some people, and you left with these
11 people?

12 A No, I didn't leave with nobody. I went back to the
13 hotel where I was staying at.

14 Q All right.

15 A When I got ready to leave there.

16 Q And you got ready to leave that hotel?

17 A Yes, they closed up at 2:00 o'clock.

18 Q Well, when you say "They closed up," you meant the
19 club closed up at 2:00 o'clock?

20 A Yes.

21 Q All right. Then, what did you do the next day,
22 Mrs. Shea?

23 A I went horseback riding. I guess it was on a Sunday.
24 I don't know.

25 Q And with whom did you go horseback riding?

26 A Alone.

27 Q I see. And where did you go horseback riding?

28 A Griffiths Park.

1 Q Where?

2 A Griffiths Park.

3 Q I see. And how did you get to Griffith Park?

4 THE COURT: You needn't answer that. That's immaterial.

5 Q BY MR. KANAREK: On Sunday, after your last
6 conversation with Mr. Shea, you moved from the Wilcox Hotel; is
7 that right, Mrs. Shea?

8 A Yes.

9 Q And when you moved from the Wilcox Hotel, where did
10 you go?

11 A On La Brea Avenue.

12 Q And when you went to this place on La Brea Avenue,
13 with whom -- in whose company did you go?

14 THE COURT: You needn't answer that. That's immaterial.

15 Q BY MR. KANAREK: At some time, Mrs. Shea, you --
16 at some time, you tell us you made a missing persons report.
17 What day was that?

18 A I don't know the day. I think it was in October or
19 November -- it was in November.

20 Q And so it wasn't until October or November that you
21 made a missing persons report concerning Mr. Shea; is that
22 right?

23 A Yes.

24 Q And during these days and weeks and months until
25 you made this missing persons report, Mrs. Shea, where did you
26 live?

27 A I -- on La Brea Avenue.

28 Q Pardon?

1 A. On La Brea Avenue.

2 Q. And where on La Brea Avenue did you live?

3 A. On La Brea Avenue.

4 Q. Where? What address?

5 A. I don't remember the address.

6 Q. Whose house?

7 A. Relatives of mine's.

8 Q. And what are their names?

9 A. I don't remember that, either.

10 Q. You don't remember your relatives' names; right?

11 A. Right.

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1 Q And these are blood relatives of yours; right?

2 A Yeah, distance relatives.

3 Q I see.

4 A Like second, third, fourth cousins.

5 Q I see. But you don't know their names?

6 A No.

7 Q Now, Mrs. Shea -- you know the Binders, though;
8 right?

9 A Yes.

10 Q Do you know Mirian Binder?

11 A Yes.

12 Q Do you know her husband?

13 A Yes.

14 Q In the presence of the Binders, did you and Mr.
15 Shea discuss your going out with other men?

16 A No. We've never discussed me going out with other
17 mens in the presence of no one.

18 We never discussed it at all.

19 Q Ever, in your lifetime?

20 MR. MANZELLA: Objection, your Honor. That's not
21 relevant, if she ever discussed it in her lifetime.

22 MR. KANAREK: I am speaking of -- of course, in connection
23 with Mr. Shea.

24 Q You didn't know the Binders until -- until you met
25 Mr. Shea, --

26 A No, I didn't.

27 Q -- is that correct?

28 Is that correct?

1 A. That's correct.

2 THE COURT: There was no ruling on that question. Are
3 you withdrawing the question?

4 MR. KANAREK: No. I think she answered, your Honor.
5 I -- I may be mistaken, but I think she answered.

6 THE COURT: All right. We'll leave the record as it is.
7 You may go ahead.

8 Q BY MR. KANAREK: Now, Mrs. Shea, your husband
9 didn't like you to do topless dancing; is that correct?

10 A. After we was married, he didn't like it, no.

11 Q All right. And he didn't want you to go into
12 nightclubs and do this kind of work in the presence of the
13 public?

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

16 MR. KANAREK: Your Honor, this is --

17 THE COURT: Sustained.

18 MR. MANZELLA: That was the previous answer.

19 THE COURT: She answered that.

20 MR. KANAREK: Very well, your Honor.

21 Q Now, would you tell us, Mrs. Shea, what your husband
22 told you concerning your doing topless dancing in these
23 nightclubs?

24 A. My husband told me that he didn't want me to work
25 at all -- dancing or sitting down behind a desk or no kind
26 of work -- because he said he was the man of the house, and he
27 was supposed to take care of me. His wife, he did not want to
28 work.

1 Q Now, directing your attention to this note that you
2 have, Mrs. Shea, where your husband says, "I cannot figure
3 out why you left me," having those words in mind, Mrs. Shea,
4 did you and Mr. Shea have any discussion concerning money?

5 A (No response.)

6 THE COURT: All right. Reframe your question.

7 Q BY MR. KANAREK: Did you and Mr. Shea have any
8 argument concerning money?

9 THE COURT: Just before he left, or at any time?

10 MR. KANAREK: At any time, your Honor.

11 THE COURT: At any time, were there any arguments about
12 money?

13 THE WITNESS: No. We didn't have no arguments about no
14 money.

15 Q BY MR. KANAREK: Mrs. Shea, did you leave Mr. Shea?

16 A No, I didn't.

17 Q Then these words in this letter -- in this letter
18 here, this note, "I cannot figure out why you left me,"
19 they don't state what occurred, then, Mrs. Shea; is that
20 correct?

21 A I wasn't there when he got back, so he left that --
22 I guess when he wrote the letter -- I don't know. I wasn't
23 there.

24 And when I got back, he was gone, so -- as you
25 say about the letter, "Why you left me," maybe he thought I
26 had left him.

27 Q Do you know when that note was written?

28 A No, I don't. I never saw that letter before,

1 until I saw it just before I went to court.

2 Q And directing your attention to -- then to your
3 state of mind, and your motive and your intent, during the
4 time that you knew Mr. Shea, did you intend to leave his
5 company, as husband and wife?

6 A No.

7 Q And so you never left Mr. Shea?

8 A No, I didn't.

12c

12c-1

1 Q Now, did Mr. Shea rough you up --

2 A No, he never did. He never did anything to me.

3 Q He was never rough on you?

4 A No. He never put a hand to me.

5 Q I see. Then this statement in this note, "I guess
6 maybe I was a little rough on you about some of the things
7 you wanted to do, but it was only because I love you so much,"
8 that does not reflect anything that in fact occurred; is that
9 right? That is, between you and Mr. Shea?

10 A That does not reflect him putting a hand on me
11 or touching me or beating me or something like that.

12 It reflects that we had arguments all the time
13 about me going to work, to help him, when he wasn't working,
14 and --

15 Q And so you -- go ahead. Have you finished?

16 A Yes.

17 Q So you and he argued about you going to work,
18 when he wasn't working; right?

19 A Yes.

20 Q All right. So you had arguments; you had
21 financial -- you had money problems, because of the fact that
22 Mr. Shea wasn't working; is that correct?

23 A That's not correct. Because he did work, and
24 he paid the bills.

25 Q Then when you told us just a few instants ago
26 that you and Mr. Shea had arguments about you going to work,
27 because he wasn't working, that was untrue; is that correct,
28 Mrs. Shea?

12c-2

1 A No, he -- he worked. Not every day, but I felt
2 like it was my job to go to work also, to help him, to help
3 him out, because I was in physical condition to work, too.

4 Q Well, a few moments ago, when you told us right
5 here in this courtroom that you and Mr. Shea had arguments,
6 because you wanted to go to work because he wasn't working,
7 that didn't happen then; is that correct?

8 A Your Honor, could I have the question --
9 THE COURT: Yes, you may.

10 THE WITNESS: -- again, please?

11 Would you read it, read the question again?

12 THE COURT: Yes, Mr. Williams.

13 (Whereupon the record was read by the reporter
14 as follows:

15 "Q Well, a few moments ago, when you told
16 us right here in this courtroom that you and Mr. Shea
17 had arguments because you wanted to go to work because
18 he wasn't working, that didn't happen then; is that
19 correct?")

20 THE WITNESS: No. You're trying to confuse me.

21 Mr. Shea did work. He -- he fell out of a tree.

22 A couple of days, he didn't work -- or two or three days,
23 he didn't work, because he was getting well from the accident,
24 when he fell out of the tree. He was trimming trees.

25 But he was in between jobs, and I still wanted to
26 go to work, and he didn't want me to work.

27 Q BY MR. KANAREK: And so you had financial problems
28 because he wasn't working?

12c-3

1 MR. MANZELLA: Objection, your Honor. That question --

2 Q BY MR. KANAREK: Is that correct?

3 MR. MANZELLA: -- has been asked and answered.

4 MR. KANAREK: It hasn't, your Honor.

5 THE COURT: The objection's overruled. You may answer
6 that.

7 THE WITNESS: We didn't have any -- I guess we had
8 financial problems, but he paid the rent, and I was able to
9 eat.

13 fls.

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1 Q BY MR. KANAREK: Did you and Mr. Shea have any
2 discussion concerning Mr. Shea's drinking?

3 A Yes.

4 Q And you and he argued concerning this drinking?

5 A Yes.

6 Q Mr. Shea during the time that you knew him drank
7 heavily, is that correct?

8 A No, not all the time.

9 Q Well, on occasion?

10 A On occasions.

11 Q Mr. Shea was drunk, is that correct?

12 A I wouldn't say just drunk. But he would get
13 plenty high on occasion.

14 Q And he got plenty high on occasion and stayed
15 high for several days?

16 A No.

17 Q Then, this statement in this note, "If I find you
18 and can convince you to come home, please excuse a poor fool
19 for drinking," that statement doesn't reflect any kind of
20 dispute between you and Mr. Shea; is that right?

21 MR. MANZELLA: Objection, your Honor, that assumes
22 a fact --

23 MR. KANAREK: I'm asking her.

24 MR. MANZELLA: -- not in evidence.

25 MR. KANAREK: I'm asking her.

26 THE COURT: The objection is sustained. Reframe your
27 question.

28 Q BY MR. KANAREK: Well, directing your attention,

13-2

1 then, Mrs. Shea, to the time that you and Mr. Shea were
2 married and together, was your state of mind such that at
3 any time you were hiding?

4 A Hiding?

5 Q Yes.

6 A Hiding from what?

7 Q From Mr. Shea?

8 A No.

9 Q Were you trying to avoid being in the presence of
10 Mr. Shea?

11 A No.

12 Q Then, these words, "If I find you," they do not
13 reflect any kind of event wherein you and Mr. Shea were
14 apart and you were not desirous of being in his presence?

15 A No, he knew where I was, but he didn't come, so --

16 Q He knew where you were?

17 A Yes.

18 Q Now, how did you tell him or convey to him where
19 you were?

20 A He knew I would have been at one or two places.

21 THE COURT: Mr. Kanarek asked how, how you knew?

22 THE WITNESS: Because he had called. He had visited
23 the La Brea address on several occasions with me.

24 Q BY MR. KANAREK: Well, you tell us you don't know
25 what that address is yourself, Mrs. --

26 A La Brea Avenue.

27 Q It is on La Brea?

28 A Yeah.

1 Q But you don't know where it is or what the
2 address is or what the people are --

3 A La Brea Avenue.

4 Q All you know it is on La Brea Avenue somewhere,
5 is that right?

6 A Yes.

7 Q What other -- I'll withdraw that.

8 Did you convey that address to Mr. Shea? Did you
9 tell him that you were there?

10 A I didn't talk to Mr. Shea after September 16.

11 Q Well --

12 A I mean August 16.

13 Q You have in mind this yellow note that you have
14 testified about, Mrs. Shea?

15 A The letter?

16 Q Yes.

17 A I haven't talked to him since August 16.

18 Q But you tell us you don't know when this note was
19 written?

20 A No, I don't.

21 Q This note may have been written a month before
22 August 16?

23 A I didn't receive it. I have never seen it until,
24 uh, after August 16th.

25 Q And you tell us you have no way of knowing when
26 this note was written?

27 A No, I don't.

28 Q Is that right?

1 For all you know, this note may have been written
2 in September or October, 1969, right?

3 MR. MANZELLA: Objection, your Honor, that's argumenta-
4 tive.

5 MR. KANAREK: I'm asking her, your Honor.

6 THE COURT: Sustained.

7 Q BY MR. KANAREK: Do you have any reason for know-
8 ing that this note was not written in January of 1970?

9 A I have a reason for knowing that Donald would get
10 in touch with me.

11 Q I'm not asking you that, Mrs. Shea, at this point.
12 I'm asking you, this undated note, and thinking
13 about this note, do you have any reason that you can tell us
14 why this note was not written in January of 1970?

15 A I don't know when the note was written.

16 Q You don't know when the note was written, right?

17 A No, I don't.

18 Q Now, then, direct yourself to this wording in the
19 note.

20 "The other day you said you would never do
21 anything to hurt me, but now you have walked out
22 and I have only pain left."

23 Now, you had in mind that you read to the ladies
24 and gentlemen of the jury previously?

25 A Yes.

26 Q Having those words in mind, Mrs. Shea, would you
27 tell us, did you at any time tell Mr. Shea that you would never
28 do anything to hurt him?

A Yes.

13a-1

Q All right. Tell us when was it that you told Mr. Shea that you would never do anything to hurt him?

A I don't remember. It could have been July, it could have been June, because I -- I always told him this. Not only on that one occasion, more than one occasion.

Q Well, you told him on many occasions, you are telling us, that you would never do anything to hurt him, right?

A Yes.

Q Is that correct?

A Well, would you tell us the conversation, what you said and what he said that resulted in your making that statement?

A The conversation -- part of it we was talking about how much we cared for each other, and he also promised me that he would never do anything to hurt me either.

Q And a few days -- or after such a conversation, Mrs. Shea, did you, in fact, walk out on Mr. Shea?

A No, I never walked out on Mr. Shea.

Q So this note that you tell us is in Mr. Shea's handwriting, where, in his handwriting, he says, "But now you, Niki, have walked out and I have only pain left."

A That does not reflect truth, is that what you are --

A That I walked out, no, it doesn't. I didn't walk out on him.

Q But this is in the handwriting of Mr. Shea?

A Yes, that's his handwriting.

Q All right. Do you have for us -- can you tell us

1 any reason why Mr. Shea would lie in a note that he wrote for
2 you and put those words down on this yellow piece of paper;
3 is there any reason?

4 A Who said that he was lying? Maybe he thought that
5 I had walked out on him.

6 Q I see.

7 A Because I wasn't home when he got home that
8 particular night.

9 Q I see. And so when it says, "The other day," when
10 it refers to "the other day" --

11 A That --

12 Q -- that doesn't -- go ahead.

13 A "The other day," -- I don't know what it refers to.
14 "The other day" -- the last time I saw Donald was August 16,
15 1969.

16 Q So when you think of these words, "the other day,"
17 that doesn't mean anything to you as far as any particular
18 event is concerned, is that right?

19 A No.

20 Q And the following words, "The reason you left must
21 be something I did or said," does that -- does that bring
22 back to your memory any time when you left Mr. Shea?

23 A When -- I didn't leave Mr. Shea.

24 Q So these words are incorrect?

25 "The reason you left must be something I. . ."
26 meaning Mr. Shea ". . .did or said"; that's not true?

27 A We had an argument August 16, the morning.

28 Q And what was that argument about?

1 A Probably because he might have been drunk that
2 Friday night, I don't remember.

3 Q Well, what were you arguing about?

4 A Because when he drink too much, I didn't like for
5 him to drink.

6 Q So is that what --

7 A That was basically the argument.

8 Q That was basically the argument, because he was
9 drunk, is that right?

10 A He wasn't drunk. He had been drinking.

11 Q I see. And you disapproved of this, right?

12 A I didn't like for him to drink.

13 Q You mean as a matter of religion or what was the
14 reason you didn't like for him to drink?

15 A Well, I don't particularly care for alcohol myself.

16 Q Because you didn't care for it, you didn't want him
17 to drink, is that right?

18 A Not to the extent, no.

19 Q Now, did Mr. Shea drive an automobile when he was
20 drinking on occasion?

21 A He drove the car, but he wasn't drinking like, uh,
22 -- not drinking. He might have a beer.

23 Q On August --

24 A But, no -- no alcohol that I know of, you know.
25 On August 16 I don't know what he had consumed,
26 but he wasn't drunk.

27 Q But he had been drinking?

28 A Yes, he had had something to drink, but he
wasn't drunk.

1 Q When he left your presence, what means of
2 transportation, if any, did he use to leave your presence?

3 A The '63 white Plymouth.

4 THE COURT: We'll take a break now, ladies and gentlemen.

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

10 Ten or fifteen minutes.

11 (Afternoon recess.)

12 13b

13b-1

1 THE COURT: All right, the record will show that the
2 jurors are all present. Both counsel are present.

3 You may proceed, Mr. Kanarek.

4 MR. KANAREK: Yes, thank you, your Honor.

5 BY MR. KANAREK:

6 Q Mrs. Shea, when you -- after you married Mr. Shea,
7 did you and he have any problems because you were black and
8 he was white?

9 MR. MANZELLA: Objection, your Honor, that's not
10 relevant.

11 THE COURT: Sustained.

12 Q BY MR. KANAREK: When you came to the Spahn Ranch,
13 Mrs. Shea, and you saw Mr. Manson, you were treated with
14 respect; is that a fair statement?

15 MR. MANZELLA: Objection, your Honor, that's not relevant.

16 THE COURT: Sustained.

17 Q BY MR. KANAREK: Mr. Manson at all times, when you
18 were at the Spahn Ranch -- I'll withdraw that.

19 You saw Mr. Manson -- you met Mr. Manson at the
20 Spahn Ranch, right?

21 A Yes.

22 Q Mr. Manson treated you as he treated and spoke with
23 anyone else at that ranch, is that correct?

24 MR. MANZELLA: Objection, your Honor, it calls for
25 hearsay and facts not within the witness' knowledge and it is
26 not relevant.

27 THE COURT: Sustained, Mr. Kanarek. Move along.

28 MR. KANAREK: Well, I am, your Honor.

1 THE COURT: Yes, well, get to some other subject.

2 Q BY MR. KANAREK: Well, Mrs. Shea, you tell us on
3 August 16, 1969, you left the Wilcox Hotel, right?

4 A Yes.

5 Q You had just spoken with your husband, right?

6 A I had talked to him that evening.

7 Q Well, why did you leave the Wilcox Hotel on
8 August 16, 1969?

9 A What was there for me to sit there for, he wasn't
10 there.

11 Q So you did leave him, didn't you, Mrs. Shea?

12 A No, I didn't leave him.

13 Q You intended -- Mrs. Shea, looking at your state of
14 mind and your motive and your intent, on August 16, 1969,
15 you departed what was the family home at the Wilcox Street
16 address, is that correct?

17 A No.

18 Q You did not leave on August 16, 1969?

19 A I went out. I did not leave -- departed my
20 apartment, as you say, from my home, on August 16, 1969.

21 Q That was the last day you were at the Wilcox Hotel,
22 is that correct?

23 A Yes.

24 Q Well, then, you did, in fact, leave the place that
25 you had resided with Mr. Shea on that date?

26 A No.

27 Q You left --

28 A No, August 17.

1 Q August 17 you left, I'm sorry for that.

2 On August 17 you left the Spahn -- the Wilcox
3 Hotel, right?

4 A Yes.

5 Q Did you tell Mr. Shea that you were leaving?

6 A Mr. Shea wasn't there.

7 Q Did you -- you tell us that you had spoken with
8 Mr. Shea just a matter of hours before, is that right?

9 A August 16.

10 Q On August 16 you spoke with Mr. Shea, right?

11 A Yes.

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1 Q And your state of mind -- your thinking was that
2 Mr. Shea was located where? At the time that you spoke with
3 him on August 16?

4 A He told me he was at the Spahn Ranch --

5 Q All right.

6 A -- in Chatsworth.

7 Q Then on August 17th, you tell us you departed the
8 Wilcox Hotel? You packed everything up and left?

9 A Yes.

10 Q Now, my question is: Why -- what is your reason
11 for doing it?

12 A Because I wasn't working, and I couldn't pay the
13 rent, and Mr. Shea had already packed his things and left.

14 Q And was your state of mind, then, on August the
15 16th and August the 17th, 1969 -- was your state of mind that
16 you and Mr. Shea were separating, as man and wife?

17 A No.

18 Q Then you left for no reason; is that right?

19 MR. MANZELLA: Objection, your Honor. That's
20 argumentative.

21 THE COURT: The objection is sustained.

22 Q BY MR. KANAREK: Then, would you tell us, Mrs.
23 Shea, if -- if there was a reason, why you left the Wilcox
24 Hotel?

25 THE COURT: That's been asked and answered. She's
26 answered that.

27 Q BY MR. KANAREK: Did you call the Spahn Ranch
28 and tell Mr. Shea you were leaving?

14-2

1 A No, Mr. Shea called me from the Spahn's Ranch on
2 August the 16th.

3 Q My question is: On August the 17th, when you left
4 the Wilcox Hotel, did you call and inform Mr. Shea that you
5 were leaving the Wilcox Hotel?

6 A I didn't call Mr. Shea until August the 27th.

7 Q So from August the 16th to August the -- you say
8 the 27th?

9 A Yes.

10 Q You did not talk -- or did not call Mr. Shea;
11 right?

12 A I did not talk to Mr. Shea since August the 16th.

13 Q You did not call until August the 27th, you are
14 telling us; is that right, Mrs. Shea?

15 A Yes.

16 Q And is there some reason why, in that interval
17 of time from August the 17th to August the 27th, is there some
18 reason you didn't call Mr. Shea at the Spahn Ranch?

19 A I didn't know he was at the Spahn's Ranch until
20 August the 27th.

21 Q And on August the 27th, you knew he was at the
22 Spahn Ranch; right?

23 A Yes. He --

24 Q Go ahead.

25 A He left a telephone number for me -- if I wanted
26 to get in touch with him, to call, where I would be able to
27 reach him.

28 I called the number, and I was given the information

14-3

1 that he was out at the Spahn's Ranch.

2 That's when I called the Spahn's Ranch, trying to
3 locate him.

4 Q And this information that you received was informa-
5 tion that you obtained without you ever calling the Spahn Ranch
6 or trying to contact Mr. Shea, from August the 16th to the
7 27th; is that right?

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

10 THE COURT: Sustained. You needn't answer.

11 Q BY MR. KANAREK: Did you, Mrs. Shea, did you
12 conceal your whereabouts from Mr. Shea?

13 A No.

14 Q Well, I hadn't finished, but -- well, I'll ask
15 you this, then.

16 How, between August the 17th, 1927 -- 1969, and
17 August the 17th, 1969, how in that period of time did you think
18 you would get in contact with Mr. Shea?

19 A I had the telephone number that he had left for
20 me.

21 Q And -- you mean at the Spahn Ranch?

22 A No, it wasn't the Spahn Ranch telephone number.

23 Q I see. What telephone number was it?

24 A The Babcocks'.

25 Q The Babcocks'?

26 A Um-hmm.

27 Q During that period of time, you thought you could
28 get ahold of Mr. Shea at the Babcocks'?

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A This is what he told me.

Q He told you that in person?

A No, he wrote a letter.

Q And where do the Babcocks live?

A In -- I don't know right now. They was in Topanga Canyon -- I think Topanga Canyon at that time. They was in the San Fernando Valley at the time.

Q Well, do you remember what the number was?

A No.

14a fls. 9

14a-1

- 1 Q Did you ever call the number?
- 2 A Yes, I did.
- 3 Q And when you called the number, to whom did you
- 4 speak?
- 5 A Mrs. Babcock.
- 6 Q And on what day did you call that number?
- 7 A August 27th.
- 8 Q And you never called the Spahn Ranch?
- 9 A Yes, I called August the 27th --
- 10 Q I'm talking about in between this time, Mrs. Shea,
- 11 from August the 16th or the 17th until August the 27th.
- 12 You did not call the Spahn Ranch in that time?
- 13 A No, I didn't have any reason to.
- 14 Q Well, you knew -- had Mr. -- had Mr. -- had
- 15 Mr. Shea ever told you that he lived at the Spahn Ranch?
- 16 A Yes.
- 17 Q And was your state of mind that you thought, in
- 18 that ten days -- approximate ten-day period of time, did you
- 19 think that he was at the Spahn Ranch?
- 20 A No, I didn't think that he was out there.
- 21 Q You thought he was elsewhere; right?
- 22 A I thought he was at the number that he left for me.
- 23 Q You thought that he was at the Babcocks during
- 24 this whole period of time?
- 25 A Yes.
- 26 Q Now, that number that you are speaking of is a
- 27 number that he wrote in his own handwriting, --
- 28 A Yes.

1 Q -- is that right?

2 A Yes.

3 Q And would you tell us, what was in that note that
4 you say that you now cannot find?

5 A I don't remember everything that was in that
6 note. I remember him telling me that he was going to the
7 Valley, and if I wanted to reach -- if I wanted to reach him,
8 I could reach him at the Babcocks, the number that he left
9 for me.

10 Q Anything else that -- was there anything else in
11 the note?

12 A I don't remember.

13 Q When did you get this letter from your husband,
14 telling you that you should call the Babcocks?

15 A August 17th.

16 Q You -- and how long was that after you had seen
17 Mr. Shea?

18 A About six or seven -- seven -- about six or seven,
19 on August the 16th.

20 Q In other words, just a matter of hours; right?

21 A Yes.

22 Q Did you tell a police officer, "Approximately
23 three days after their separation, Mrs. Shea --" meaning
24 you -- "received a letter from her husband stating he hoped
25 they could get back together again, and if she needed
26 him, she was to call Jim Babcock."

27 Did you tell that to a police officer?

28 A (Pause.) I don't remember.

1 Q Well, may I try --

2 May I approach the witness, your Honor?

3 THE COURT: No, you may not. You may read it to her
4 again, if you wish to.

5 I assume that you are holding some sort of a
6 report; is that correct? A police report?

7 MR. KANAREK: Yes, your Honor.

8 THE COURT: You needn't approach her in order to ask
9 her about it.

10 MR. KANAREK: Well, perhaps these words may have some
11 effect --

12 THE COURT: Well, read them to her.

13 MR. KANAREK: All right. Very well.

14 Although I would like to say, for the record,
15 it's my position that it's a violation of equal protection and
16 due process, under the 14th Amendment, for your Honor to
17 restrict my approaching the witness, when such is not done,
18 as far as the prosecution is concerned.

19 THE COURT: The Court does not find that it is such a
20 violation, and the Court does not agree with your interpreta-
21 tion of what has occurred here.

22 You may proceed.

23 Q BY MR. KANAREK: Now, do those words -- do these
24 words refresh your recollection as to what you have told a
25 police officer or police officers, "Approximately three days
26 after their separation, Mrs. Shea received the letter from
27 her husband stating he hoped they could get back together
28 again; and if she needed him, she was to call Jim Babcock."

1 A Yes, I got a letter on Tuesday.

2 Q Oh? Now, not that day, but --

3 A Yes. At the Warwick Hotel.

4 Q So you got this letter not a few hours after
5 August the 16th, but you got it on Tuesday?

6 A It was on the Tuesday; I went out there, looking
7 for him.

8 Q And in what -- would you tell us in what way you
9 got that letter, Mrs. --

10 A It was in the -- in the mail box for the room
11 that we was living in.

12 Q And at the Warwick Hotel, this letter was given
13 to you by someone; is that right?

14 A Yes.

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14b fls.

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1 Q And who was the person that gave you this letter?

2 A I don't recall his name, but it was the guy behind
3 the desk.

4 Q So that when you told us a few moments ago that
5 it was some six or seven hours, that was untrue; right?

6 MR. MANZELLA: Objection, your Honor. She didn't say
7 it was six or seven hours.

8 THE COURT: The objection is sustained.

9 Q BY MR. KANAREK: Well, when you told us previously
10 that it was just a matter of hours after the August 16
11 events; that was untrue; is that right?

12 MR. MANZELLA: Objection, your Honor. That's
13 argumentative.

14 THE COURT: Sustained.

15 MR. KANAREK: I am asking her --

16 THE COURT: The objection is sustained.

17 Q BY MR. KANAREK: Well, how many hours was it after
18 you last spoke to your husband, Mrs. Shea, that you got this
19 letter?

20 A The one that you got, that you was reading from,
21 I got it on a Tuesday.

22 Q Well --

23 A And I spoke to Donald about -- oh, 7:00 or 7:30
24 August the 16th, in the evening.

25 Q And the letter that -- that we are speaking of
26 is the letter that you have told us you can't find?

27 A Yes.

28 Q Did you deliberately destroy that letter, Mrs. Shea?

1 A No.

2 If I'd destroyed it, I would have been able to --
3 I wouldn't have been able to call the Babcocks.

4 Q You wouldn't have?

5 A No, because I don't know their number.

6 Q Mrs. Shea, in fact, you destroyed that letter --
7 you yourself tore that letter up; is that right?

8 A No.

9 Q Not true?

10 A No, not true.

11 Q You didn't take that -- you didn't take that
12 phone number off of the letter, make a notation of the Babcock
13 phone number, and then destroy the letter? You didn't do that?

15 fls.

14 A No.

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1 Q What did you do with the letter, Mrs. Shea, after
2 you got it?

3 A I read the letter. I put it in my purse. I
4 carried it around in my purse for quite some time.
5 And I don't remember how long. I cleaned my purse out and I
6 probably put the letter some place and I had the letter but I
7 don't have it now. I can't find it.

8 Q When is the last time you saw the letter, Mrs. Shea?

9 A In September of '69.

10 Q September the what?

11 A I don't know of what. It was in September, '69.

12 Q You don't know what date it was?

13 A No.

14 Q And in whose presence were you when you had this
15 letter last?

16 MR. MANZELLA: Objection, your Honor, assumes a fact not
17 in evidence.

18 THE COURT: Sustained.

19 Q BY MR. KANAREK: Were you in anyone else's presence
20 when you had this letter?

21 A No.

22 Q Just you, yourself, had it?

23 A Yes, I was reading the letter.

24 Q September?

25 A Yes.

26 Q And you read the letter many times?

27 A Not many times.

28 Q Is that right?

1 A I read the letter. I put it in my purse after I
2 read the letter, and it was in my purse for quite some time.
3 And I cleaned my purse out.

4 Q Was there a reason you kept the letter?

5 A Yes.

6 Q What was the reason?

7 A I always -- I always keep things -- I have letters
8 right now in my purse.

9 Q And did you -- on how many occasions did you call
10 that number, the Babcock number?

11 A I -- two or three occasions, I'm not sure.

12 Q What dates were those?

13 A I don't remember, but the first day I called was
14 August 27. And I called and talked to Mrs. Babcocks, and
15 then I called her back the next day, I think. I'm not sure.
16 Or either it was the same day, because she gave me the number
17 out to the Spahn's Ranch and told me that was where Donald was
18 living at.

19 Q Did you call the number at the Spahn Ranch?

20 A Yes, I did.

21 Q And then, did you call the Babcocks again after
22 you called the number at the Spahn Ranch?

23 A Yes.

24 Q So when was the last time that you called the
25 Babcocks?

26 A I don't -- I don't remember, but I called them
27 and asked them had they heard anything from Donald, and they
28 said no.

1 Q Can you give us your best estimate of when was the
2 last time you called the Babcocks?

3 A I don't remember. But it was after the last time
4 I had made an effort to try to contact him at the Spahn's
5 Ranch.

6 Q Now, what was -- what was your reason for calling
7 the Spahn Movie Ranch when you did call?

8 A Looking -- to talk to Donald.

9 Q Did you have any reason in mind?

10 A Yeah.

11 Q What?

12 A I wanted to know why he hadn't come where I was.
13 And I wanted to see him.

14 Q Did you want to have a reconciliation with him?

15 A Yes.

16 Q So, therefore, your state of mind was that you were
17 separated and you wanted to discuss reconciliation, right?

18 A After a period of time, yes.

19 Q So, therefore, is it -- is it true, Mrs. Shea,
20 that your state of mind was such that you and Mr. Shea were
21 separated?

22 MR. MANZELLA: Objection, your Honor, it is getting
23 argumentative.

24 MR. KANAREK: I'm asking, your Honor.

25 THE COURT: Overruled, you may answer.

26 THE WITNESS: No, my state of mind wasn't that we were
27 separated at -- at first, but after a period of days I didn't
28 know what had happened to him and I tried to contact him.

1 Q And after a period of times your state of mind
2 then became that you and he were separated as man and wife?

3 MR. MANZELLA: Objection, it is argumentative.

4 THE COURT: Sustained.

5 Q BY MR. KANAREK: Was that your state of mind,
6 Mrs. Shea, that you and your husband -- the marital relation-
7 ship between you and your husband was severed at that time,
8 when you called the Spahn Ranch?

9 MR. MANZELLA: Objection, it is argumentative.

10 MR. KANAREK: I'm asking, your Honor.

11 MR. MANZELLA: It is irrelevant.

12 THE COURT: The objection is sustained.

13 Q BY MR. KANAREK: Did you tell the police that
14 approximately a week after their separation she called
15 Spahn's Movie Ranch in an attempt to contact her husband
16 for a reconciliation?

17 THE COURT: That question doesn't make sense. Would you
18 rephrase it?

19 MR. KANAREK: Well, I'm -- I'm reading it right from the
20 book, your Honor.

21 THE COURT: I don't care where you are reading it from,
22 it doesn't make sense.

15a 1 MR. KANAREK: I want to make sure that the prosecution
2 doesn't say the foundation --

3 THE COURT: If you are going to put it to the witness,
4 have it make sense.

5 MR. KANAREK: I would prefer to show it to her, your
6 Honor.

7 THE COURT: No, you may not. Ask her.

8 Q BY MR. KANAREK: Did you, Mrs. Shea, state to some
9 law enforcement official or officials that approximately a
10 week after you and Mr. Shea separated, you, Mrs. Shea,
11 called Spahn's Movie Ranch in an attempt to contact Mr. Shea
12 for the purposes of reconciliation?

13 A Yes.

14 Q And your state of mind is such that you know what
15 reconciliation means, right?

16 A Yes.

17 Q And you know that the word "reconciliation" means
18 coming back together of a husband and wife after they are
19 separated, is that right?

20 MR. MANZELLA: Objection, your Honor, it is argumentative.

21 MR. KANAREK: I'm asking her.

22 MR. MANZELLA: It is irrelevant.

23 MR. KANAREK: It is most relevant, your Honor.

24 THE COURT: It is irrelevant, sustained.

25 Q BY MR. KANAREK: Now, Mrs. Shea, have you -- have
26 you ever opened up this -- this suitcase here?

27 A I didn't open it. It was open.

28 Q Have you opened -- have you seen the contents of

1 the suitcase?

2 A Yes.

3 THE COURT: Now, you're referring to --

4 MR. MANZELLA: People's 65-H, your Honor, I believe.

5 THE COURT: Thank you.

6 MR. KANAREK: That's correct, your Honor.

7 Would you step down here a moment, Mrs. Shea.

8 THE COURT: Now, turn, Mr. Kanarek -- perhaps you can
9 turn around so the jurors can see what you are doing. Perhaps
10 you can move next to the foot locker.

11 MR. KANAREK: I don't know if everyone on the jury can
12 see this.

13 Q BY MR. KANAREK: Now, looking at these items that
14 are in this suitcase, Mrs. Shea, do you know what these items
15 are?

16 THE COURT: Let's see, some of the items are groups of
17 checks of some type or other.

18 MR. KANAREK: Well, may I ask her, and then your Honor
19 can --

20 THE COURT: Very well, Mrs. Shea, what is your answer?

21 THE WITNESS: Yes.

22 Q BY MR. KANAREK: What are those items?

23 A Those are checks, I guess.

24 MR. MANZELLA: I'll object unless Mr. Kanarek lays a
25 foundation that the witness is familiar with them or seen them
26 before.

27 THE COURT: Yes.

28 MR. KANAREK: But the People --

1 THE COURT: Excuse me, Mr. Kanarek to ask her what they
2 are seems to be asking her a question which anyone might
3 answer, whether that person was familiar with them or not.
4 Perhaps you might rephrase your question.

5 MR. KANAREK: I'll be glad to, your Honor.

6 Q BY MR. KANAREK: These items that are in this
7 suitcase, have you ever seen them before?

8 A No.

9 THE COURT: I note for the record a group of checks of
10 various colors, blank checks, and apparently cancelled checks,
11 a check book, what appears to be some discolored sheets and
12 some books.

13 Q BY MR. KANAREK: Mrs. Shea, how -- is there some
14 reason that you know, without your not even picking these
15 items up, looking at them individually, is there some reason
16 you know that you don't -- you have never seen these before?

17 THE COURT: Well -- all right, you may answer it.

18 THE WITNESS: I've looked in there before and I had
19 never seen them before and I have -- and as of now, I still
20 have never seen them before.

21 Q BY MR. KANAREK: You never -- I will show you this
22 shirt.

23 Have you ever seen this shirt before?

24 A No.

25 Q Now, is there some reason that you know that you
26 haven't seen this shirt before and you know that you have
27 seen --

28 THE COURT: Now, this shirt that was held up to which the

1 witness has responded she has not seen it before, is a soiled
2 white shirt?

3 MR. KANAREK: Yes, it seems to have the name "Don" in the
4 collar, among other markings, your Honor.

5 THE COURT: All right.

6 MR. KANAREK: Seems to have a "Don" on the collar.

7 THE COURT: The Court hasn't seen that, but will take your
8 word for it, Mr. Kanarek.

9 Go ahead, Mr. Kanarek.

10 Q BY MR. KANAREK: Now, directing your attention to
11 this yellow or beige or sort of light tan shirt, is there some
12 reason you know that you haven't seen this shirt before and,
13 taking, for instance, this clothing, this shirt that I happen
14 to be handling, this blue shirt here that's in People's --
15 in People's 65-F? Is there some reason that you know that
16 this belonged to Mr. Shea and this one doesn't?

17 A I never told anyone that that belongs to Mr. Shea.
18 The ones that are untied are the ones that I said belonged to
19 Mr. Shea.

20 THE COURT: All right, your question assumes a fact not
21 in evidence, and the answer -- both the question and the
22 answer are stricken.

23 Q BY MR. KANAREK: All right, Miss -- may I ask you,
24 then --

25 THE COURT: Ladies and gentlemen, we have to recess for
26 about ten minutes. Would you all just stay in place.

27 Well, you may move, if you wish. The Court has to
28 make a phone call to another courtroom right at this time, but

1 it will be a very short recess, five or ten minutes.

2 During the recess you are admonished not to
3 converse amongst yourselves, nor with anyone else, nor permit
4 anyone to converse with you on any subject connected with this
5 matter, nor are you to form or express any opinion on it until
6 it is finally submitted to you.

7 (Short recess.)

16

16-1

1 THE COURT: The jurors are all present. Both counsel
2 are present. You may proceed.

3 Q BY MR. KANAREK: Now, Mrs. Shea, looking at this
4 yellow shirt, as opposed to this sort of bluish shirt with the
5 design on it, is there some reason that -- well, I'll withdraw
6 that.

7 Is this bluish shirt a shirt that belonged to Mr.
8 Shea?

9 A Yes.

10 Q Is this yellowish shirt a shirt that belongs to
11 Mr. Shea?

12 A No.

13 Q Now, can you tell us how you know this particular
14 shirt, the bluish one, is his? And this one (indicating) is
15 not?

16 A I have seen him wear the blue one (indicating).

17 I haven't seen him wear that -- this one
18 (indicating).

19 Q You've never seen this one (indicating) at all,
20 during any period of time; is that right?

21 THE COURT: Indicating the --

22 MR. KANAREK: The yellowish one.

23 THE WITNESS: I've never seen that one.

24 Q BY MR. KANAREK: Well, directing your attention,
25 then, to the items that are in this -- in this case, have
26 you ever gone through any of these items that are in this
27 suitcase? Have you ever looked at them?

28 A Yes.

16-2

1 Q And when you looked at them, where were you
2 located? Where were you?

3 A At the Police Department.

4 Q And the Police Department -- were you at the Police
5 Department when you looked at the items that are in the
6 footlocker?

7 A Yes.

8 Q Did you know a person named Bill Vance?

9 A No.

10 Q Did you ever hear Mr. -- Mr. Shea speak of a
11 person named Bill Vance?

12 A Not that I can recall.

13 Q Now, directing your attention to this bundle of
14 clothing that I have, that I have taken out of Peppie's
15 65-F, have you looked at the individual items in this bundle?

16 A Yes, I looked at the same time that I looked at
17 those (indicating).

18 Q Well, have you seen this clothing (indicating)
19 that I am now holding, that is wrapped in this string?

20 A I never saw that in Don's possession.

21 Q Well, you've never seen this clothing before?

22 A No. Not until I was in court.

23 I looked through the footlocker.

24 Q Well, I mean, have you taken some clothing apart
25 to look at it?

26 A I did, in court.

27 Q But the items that are in the string?

28 A Yes.

16-3

1 Q And your statement is that none of this belongs to
2 Mr. --

3 A None that belongs to him, that I know of.

4 Q Did you ever have occasion then -- did you ever
5 have occasion to make a listing of Mr. Shea's clothing?

6 A I used to take them to the cleaners.

7 Q Well, but you only were with Mr. Shea a very
8 short period of time in your life and his life?

9 THE COURT: Well, we have gone over that before. You
10 needn't answer that.

11 Q BY MR. KANAREK: Well, may I ask: How many times
12 did you go -- did you take the matters to the cleaners, Mrs.
13 Shea?

14 A I don't recall. But I took his clothes to the
15 cleaner, and I knew his clothes that he had with him, when
16 we were -- when we was together.

17 Q Now, on how many different occasions, in the weeks
18 that you knew Mr. Shea, did you take clothing, his clothing,
19 to the cleaners?

20 MR. MANZELLA: Objection, your Honor. It's irrelevant.

21 THE COURT: Overruled.

22 THE WITNESS: After we was married, I took his clothes
23 to the cleaners every week, while he was working.

24 Q Well, let's see. You were married on July 1,
25 1969, --

26 A Yes.

27 Q -- you have told us.

28 You didn't see the man after August the 16th,

16-4

1 1969 --

2 A No.

3 Q -- right?

4 A I didn't see him.

5 Q That's approximately a period of some six weeks;
6 right?

7 A Yes.

8 Q In that period of time, how many times did you go
9 to the cleaners?

10 A I don't remember.

11 Q Well, would you give us your best estimate?

12 A About four times, I guess.

13 Q And where were -- what cleaners did you go to?

14 THE COURT: You needn't answer that. It would be
15 immaterial.

16 16a fls.

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16a-1

1 Q BY MR. KANAREK: Directing your attention to this
2 sweater --

3 THE COURT: Indicating a -- what color is it?

4 MR. KANAREK: Yes, a brownish, I guess, reddish brown.
5 I'm a little color blind.

6 Q Is this -- I think it's reddish brown, your
7 Honor.

8 This sweater, have you seen this sweater before?

9 A Yes, he had one like that.

10 Q You remember that this was Mr. Shea's sweater;
11 right?

12 A Yes.

13 Q All right. That's Mr. Shea's sweater.

14 THE COURT: Mr. Kanarek, keep the bundles as they are
15 there, would you, please?

16 MR. KANAREK: Yes, I'll keep them separately, yes, your
17 Honor.

18 THE COURT: Keep -- you have kept them separate already?

19 MR. KANAREK: Yes. She has.

20 May the record reflect that that tan -- or
21 brownish red sweater was from the left part of this footlocker?

22 Now, we have unwrapped --

23 MR. MANZELLA: People's 65-F, your Honor.

24 Q BY MR. KANAREK: We've unwrapped the matter tied
25 in a string, Mrs. Shea, and we now have a green shirt.

26 Have you ever seen that before?

27 A No.

28 Q You are not sure about that?

1 A I have -- I don't remember ever seeing that
2 one before.

3 Q All right. Now, directing your attention to this
4 item --

5 THE COURT: Which appears to be -- go ahead.

6 MR. KANAREK: You tell me, your Honor. I don't know
7 what you call this.

8 THE COURT: Well, just for the record, indicate what it
9 is.

10 MR. KANAREK: It's a white -- a whitish garment.

11 THE COURT: It appears to be a white shirt of some
12 type.

13 MR. KANAREK: Yes, that opens at the top.

14 Q Have you ever seen that before?

15 A No.

16 Q Directing your attention to this bluish shirt,
17 have you ever seen that before?

18 A No.

19 Q Directing your attention to this shirt, which
20 appears to be -- well, slightly greenish, perhaps, --

21 A I've never seen that before.

22 Q You never saw that before?

23 And directing your attention to these black pants,
24 have you ever seen those before?

25 A No.

26 Q Now, you have looked at all the items that are
27 now left in the footlocker; is that right, Mrs. Shea?

28 A Yes.

1 Q And all of these items that are left in the
2 footlocker, are they items that you -- that belonged to Mr.
3 Shea?

4 A They are items that I had seen in his possession.

5 Q I see. Now, this segregation that took place,
6 one group with -- which you say don't belong to Mr. Shea,
7 and one that does belong to Mr. Shea, can you tell us how
8 they were separated in the footlocker?

9 MR.MANZELLA: Objection, your Honor. It's not clear
10 as to what time Mr. Kanarek means.

11 THE COURT: Sustained.

12 Q BY MR. KANAREK: When you first saw this footlocker,
13 Mrs. Shea, where were you?

14 A In the court.

15 Q Did you ever see the footlocker in Mr. Shea's
16 possession?

17 A Yes.

18 Q What was in the footlocker when it was in Mr.
19 Shea's possession?

20 A His clothes, and books, and --

21 Q His clothes -- go ahead. Go ahead. Clothes and
22 what?

23 A His books and some of his personal belongings,
24 his socks and things.

25 Q Clothes, books, socks?

26 A Yes. It had a tray on -- both footlockers had a
27 tray on the top (indicating); but they're not there now.

28 Q Now, in your presence, did anyone take all of the

1 clothing that we have recently in the last few minutes taken out
2 of the footlocker, and show you each individual piece of clothes?

3 A Yes. I took them out.

4 Q And you put a portion on one side that didn't
5 belong to Mr. Shea, and another portion on another side that
6 did; isn't that correct?

7 A I didn't remember seeing some of them before.
8 I remembered the ones, the ones that belonged to Don.

9 And the ones that didn't, they was on the other
10 side.

11 Q So sometime, when you were in the Police Department
12 somewhere --

13 A No, this was in court.

14 Q This was in court?

15 A Yes.

16b fls.

16b-1

1 Q Well, directing your attention to this clothing,
2 then, that you say that Mr. Shea never had, the only place you
3 ever saw that clothing was in court?

4 A Yes.

5 Q Is that right?

6 A Yes.

7 MR. MANZELLA: Your Honor, I object to the question.
8 It assumes a fact not in evidence. I don't believe Mrs. Shea
9 said that Mr. Shea never had those clothes.

10 I believe she just said she didn't see them in his
11 possession.

12 MR. KANAREK: Well, then, I ask that they be removed.

13 THE COURT: All right. The objection will be -- is well
14 taken.

15 But on timeliness, the Court overrules the
16 objection, and the answer may remain in.

17 MR. MANZELLA: Yes, your Honor.

18 Q BY MR. KANAREK: This (indicating) appears to be
19 some -- something that's worn on the hair. Have you ever seen
20 that before?

21 A No.

22 Q So these items that are sitting up against this
23 retaining wall, on the front of the jury box, you have never
24 seen those -- each of those items before in your life; is that
25 correct?

26 A I've never seen them.

27 Q And you -- and the first time you ever saw them
28 in your life was where?

1 A Was in court.

2 Q In a courtroom. Somebody showed you these items;
3 right?

4 A Yes.

5 MR. KANAREK: Your Honor, I move that they -- that these
6 items, on the basis of foundation, on the basis of relevancy
7 and materiality, be removed.

8 THE COURT: They haven't been offered.

9 MR. KANAREK: No, but I ask that the jury be asked to
10 disregard all reference to them. They are irrelevant, immaterial,
11 and there's no foundation for them, any more than if we went
12 to the May Company and piled clothes in this foot locker.

13 And I ask that they be -- that they be removed,
14 and the jury is so instructed.

15 THE COURT: Motion is denied.

17-1

1 BY MR. KANAREK:

2 Q Now, just so we can -- I'll try to do this very fast,
3 Mrs. Shea.

4 This, you say, was Mr. Shea's?

5 THE COURT: Excuse me just a minute. You've asked that.
6 She's been asked that, and that's been answered. And that is
7 a brown sweater.

8 MR. KANAREK: All right, your Honor, I'm trying to do this
9 fast.

10 Q BY MR. KANAREK: Directing your attention to
11 this coat.

12 THE COURT: It is a coat or jacket.

13 Q BY MR. KANAREK: This jacket, have you ever seen
14 this?

15 A Yes, I have.

16 Q Where have you seen this coat?

17 A In Donald's possession.

18 Q All right. Directing your attention to this --
19 appears to be a white jacket.

20 Have you ever seen this before?

21 A Yes.

22 Q Where have you seen that?

23 A In Donald's possession.

24 Q Directing your attention to this -- what appears to
25 be a reddish coat or corduroy jacket.

26 Have you ever seen that before?

27 A Yes, in Don's possession.

28 Q Where?

1 A. In Don's possession.

2 Q. Where, what location, if any?

3 A. At the Wilcox, Las Vegas. That's the only

4 location.

5 Q. Directing your attention to this --

6 A. I've seen that in Don's possession.

7 Q. Where?

8 A. The Wilcox and Las Vegas.

9 Q. Now, directing your attention to these socks.

10 A. In -- at the Wilcox and in Las Vegas.

11 Q. I see. And these red -- that's white socks, and

12 now these red socks?

13 A. At the Wilcox and Las Vegas.

14 Q. And these tan pants?

15 A. At the Wilcox and in Las Vegas.

16 Q. And these striped black pants?

17 A. At the Wilcox and in Las Vegas.

18 Q. And this blue jacket?

19 A. The Wilcox and at Las Vegas.

20 Q. All right. Now, Mrs. Shea, would you tell us

21 where, if ever, have you seen this suitcase?

22 A. At the Police Department. I've never -- I've never

23 -- the Police Department. That's L.A. Police Department.

24 Q. Now, when you came to the Police Department, these

25 foot lockers and the suitcase were already there, right?

26 A. Yes.

27 Q. They were open, right?

28 A. Yes.

1 Q You didn't open them?

2 A No, I didn't open them.

3 Q You were there with the police and -- when you
4 first saw the foot lockers, this clothing that you say does
5 not belong to Mr. Shea was present with the clothing that you
6 say does belong to Mr. Shea, is that right?

7 A Yes.

8 Q It was all mixed together?

9 A Yes.

10 Q Right?

11 And this segregation took place at the Police
12 Station?

13 A At the courthouse, over across the street.

14 Q Was it at a police station or was it at a court-
15 house?

16 A I saw the foot lockers at the police station. I
17 separated the clothes at the courthouse across the street.

18 Q Now, did you do the same thing with this foot
19 locker?

20 A I did the same thing with that foot locker.

21 Q What was the date when you first saw the foot
22 lockers, Mrs. Shea?

23 A I don't remember the date. It was sometime last
24 year. I got a call to come downtown to the police.

25 Q Can you give us your best estimate of what date it
26 was?

27 A I can't.

28 Q Was it in December?

1 MR. MANZELLA: Objection, the question has been asked
2 and answered.

3 THE COURT: The objection is sustained.

4 Q BY MR. KANAREK: Mrs. Shea, how many months was it
5 when --

6 Your Honor, I haven't finished with those. I'll
7 be glad to wrap them up personally.

8 MR. MANZELLA: I'll object to any more questions with
9 regard to the clothes as having been asked and answered,
10 and it would be irrelevant.

11 THE COURT: Well, let's hear the questions before the
12 Court entertains any such objection.

13 Go ahead.

14 Q BY MR. KANAREK: How many months after you tell us
15 you last spoke to Mr. Shea, Mrs. Shea, was it that you first
16 saw these foot lockers again?

17 A I don't remember. It was last year in '70.

18 Q Yes, but would you tell us how many months after it
19 was that you first saw --

20 A I don't even remember what month it was that they
21 called me to go down -- to come downtown and look at this --
22 the footlockers and make an identification.

23 17a
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17a-1

1 Q In other words, you were told by the Police
2 Department to come to the Police Station and make an identifica-
3 tion, is that right?

4 A They told me they had the footlockers down there.
5 They had found the car and everything, and they wanted to know
6 if I knew -- I had already gave them a previous report of
7 things that was missing. And they wanted me to come down and
8 identify the things that I had told them about.

9 Q And this report that you told them -- that you gave
10 as to what was missing, when did you make that report?

11 A In November.

12 Q 1970?

13 A '69.

14 Q 1969?

15 And you had no occasion to make any listings
16 until November of '69 as to any items that you say belonged
17 to Mr. Shea? You made no such listing until November of
18 1969, is that correct, Mrs. Shea?

19 A When I filed the missing person report.

20 Q Well, may I ask you, did you make any listing
21 until November of 1969?

22 A I don't understand the question.

23 Q Well, on -- at sometime in November of 1969, you
24 made a -- you tell us a missing person's report --

25 A Yes.

26 Q Is that the first time that you made any listing
27 as to what Mr. Shea had in the way of possessions?

28 A That he had with him when I last saw him?

17a-2

1 Q That question isn't clear? I'll be glad to
2 rephrase it.

3 THE COURT: Rephrase your question.

4 Q BY MR. KANAREK: When is the first time after
5 August 16, 1969, that you first made a listing as to what
6 items you say belonged to Mr. Shea?

7 A I made a missing person report in November of
8 '69, and I told them what he had in his possession when I last
9 saw him.

10 Q And is that the first time that you made any
11 listing of Mr. Shea's possessions in your lifetime?

12 MR. MANZELLA: That's been asked and answered, your
13 Honor.

14 MR. KANAREK: It hasn't, your Honor. She hasn't said
15 that's the first -- I don't believe she has, your Honor. She
16 has maintained --

17 THE COURT: Ask another question.

18 MR. KANAREK: Very well.

19 Q BY MR. KANAREK: Directing your attention, Mr.
20 Shea, to August 16, 1969.

21 Do you know what a list is, where you itemize
22 matters, right?

23 A Yes.

24 Q Do you understand that?

25 When did you first make an itemization? When did
26 you first make a list of what you say belongs to Mr. Shea?

27 THE COURT: Well, that's the same question.

28 Do you understand it?

1 Did you ever make any listing of his belongings
2 other than the one you made for the police when you made the
3 missing person's report?

4 A No.

5 MR. KANAREK: Thank you.

6 Q BY MR. KANAREK: Now, what did you put on the list,
7 Mrs. Shea?

8 A When they took the report --

9 MR. MANZELLA: Your Honor, I'll object to that question.
10 It is not relevant.

11 MR. KANAREK: It is most relevant. She made a list
12 without having any --

13 THE COURT: The objection is sustained.

14 Did you put any of these items down?

15 MR. KANAREK: That calls for a conclusion.

16 THE WITNESS: The footlockers, some luggage that is not
17 here now, the attache case, the guns -- uh -- I don't
18 remember. Another case that he had -- that he kept papers in.
19 Everything that he had at the time that I last saw him,
20 I made the report and told them -- to the Police Department.

21 Q BY MR. KANAREK: That's what I'm asking for,
22 is the listing.

23 A I didn't list clothes. Just the footlockers.

24 Q Mrs. Shea, I'm only asking what you listed.

25 Would you tell us -- would you tell me what you
26 put on the list?

27 A Two footlockers, a brown suitcase, a silver-gray
28 suitcase, a brown attache case, a set of guns, two guns, the

1 car, two rings that he had on his fingers.

2 Q Anything else?

3 A A gray -- it is a little bigger than an attache case
4 that he carried his papers in. I don't remember anything
5 else. But that's -- uh, err -- what I can remember.
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1 Q Did you put on the list any clothing?

2 A No, his clothes were in the footlocker.

3 Q Did you state on your list that there was clothing
4 in the footlockers?

5 A Yes.

6 Q And did you itemize the clothing as to what it was?

7 A I don't remember.

8 Q Now, during the time that you were living with
9 Mr. Shea, did he discuss with you the pawning of his guns?

10 A Yes.

11 Q And did he tell you -- well, on how many different
12 occasions did he discuss with you the pawning of the guns?

13 A Once.

14 Q When was that discussion concerning the pawning of
15 the guns?

16 A July 25, when he pawned one of them, I think.

17 Q That, you say, is -- it is July 25?

18 A I think. I don't know. After we got back from
19 Las Vegas, he took one gun out to the pawn shop, out in
20 Hollywood, but that's the only time we ever talked to him about
21 pawning -- pawning anything, just that particular time.

22 Q And on that occasion did he tell you his state of
23 mind or his reason for pawning the gun?

24 A No.

25 Q You had -- you had no discussion with him about
26 why?

27 A After he came back I asked him why he didn't
28 get more money for the gun. And he told me the reason that

1 he pawned them for the amount of money that he received for
2 it was because he intended to get them back, and this way if
3 he pawned them for a lower amount of money, he would not lose
4 them.

5 Q Now, when he had this conversation with you,
6 were you and he in the presence of any other person?

7 A No.

8 Q And where did that conversation take place?

9 A In the Wilcox Hotel, where we was living.

10 Q Is there some reason that you remember that was
11 July 25, 1969?

12 A It was two or three days after -- when he kicked
13 -- when he got back. I think it was on a Tuesday, Tuesday
14 or Wednesday.

15 Q You mean, in fact, Mr. Shea, you don't remember --
16 you have no reason for remembering that it was July 25th,
17 is that correct?

18 A He got back -- he came back July 22nd or 23rd, and
19 it was two or three days after he was back from Las Vegas.

18 fls.

18-1

1 Q And he had been gone in Las Vegas how long at that
2 time?

3 A Ever since June; sometime in June.

4 Q And you had been here in Los Angeles?

5 A No.

6 Q Well, you told us --

7 A I came back one week before he came. I came back on
8 a Sunday night, and he came back on a Saturday night.

9 Q All right. Now, is there some reason you remember
10 that day, Mrs. --

11 THE COURT: You needn't --

12 MR. MANZELLA: Object to that, your Honor.

13 THE COURT: -- answer that. It's been asked and answered.

14 Q BY MR. KANAREK: Now, directing your attention to
15 the keys, Mrs. Shea --

16 THE COURT: Ladies and gentlemen, we'll recess now.

17 And remember the admonition that I must give you
18 at each recess. Don't converse amongst yourselves nor with
19 anyone else, nor permit to anyone to converse with you on any
20 subject connected with this matter, nor form or express any
21 opinion on the matter until it is finally submitted to you.

22 We are having some logistical problems, and 10:00
23 o'clock seems to be appropriate tomorrow.

24 Is that satisfactory with both counsel?

25 MR. MANZELLA: Yes, your Honor.

26 MR. KANAREK: Yes, your Honor.

27 THE COURT: I think we can begin at 10:00 o'clock.

28 And if there should be any need to -- to recess, later on in

1 the morning -- other than the ordinary recess -- we'll discuss
2 it tomorrow morning.

3 (Pause in the proceedings while a discussion off
4 the record ensued at the bench between the Court and the
5 bailiff.)

6 THE COURT: All right. 10:00 o'clock tomorrow morning,
7 then, ladies and gentlemen. I'll see you then. And goodnight.

8 And Mrs. Shea, you are ordered to return tomorrow
9 morning at 10:00 o'clock.

10 (Whereupon, at 4:33 p.m., an adjournment was
11 taken in this matter until 10:00 o'clock, Thursday, August 19,
12 1971.)
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