

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.

142

No. A-267861

REPORTERS' DAILY TRANSCRIPT

Monday, September 13, 1971

VOLUME 42APPEARANCES:

For the People:

JOSEPH P. BUSCH, JR., District Attorney

BY: ANTHONY MANZELLA,

Deputy District Attorney

For Defendant Manson: IRVING A. KANAREK, Esq.

PEARL (RUE)

COPY

MARY LOU BRIANDI, C.S.R.
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I N D E XPEOPLE'S WITNESSES: DIRECT CROSS REDIRECT RECROSS

PEARL, Ruby 6472 6534

E X H I B I T SPEOPLE'S: FOR IDENTIFICATION IN EVIDENCE

78 - two strips of black
 and white negatives 6471

79 - knife - blade and
 handle separated 6501

80-A - H - Photographs 6515

DEFENDANT'S:

H - Document 6540

1 LOS ANGELES, CALIFORNIA, MONDAY, SEPTEMBER 13, 1971 11:23 AM

2 - - - - -

3
4 THE COURT: Good morning, ladies and gentlemen.

5 (Whereupon, there were murmurs of "Good morning,
6 your Honor," by the jury.)

7 THE COURT: Off the record.

8 (Whereupon, a discussion was had off the record.)

9 THE COURT: On the record.

10 Miss Briandi, would you bring your machine and
11 come up to the bench. Counsel, please approach the bench.

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

15 THE COURT: Mr. Manson -- the record will show that
16 Mr. Kanarek, Mr. Manson, Mr. Manzella are here at the bench.

17 If you can be quiet during the course of these
18 courtroom proceedings, the Court would prefer that so that
19 you can be present during the course of the trial.

20 Can you be quiet? Do you promise me that you
21 will be quiet?

22 THE DEFENDANT: I have no words. There's no words that
23 I can possibly communicate with you people. I've tried in
24 every direction I know how. There's only one thing you seem
25 to understand, you know, and I hate to move into that, you
26 know.

27 Your Honor, I am doing my best to take as much
28 as I can, but there's a limit to anything.

1 THE COURT: Well, if you can't promise me that you will
2 be quiet and not disturb this court --

3 THE DEFENDANT: I'm thinking about jerking you off that
4 bench and breaking your jaw.

5 THE COURT: All right, the Court will order that Mr.
6 Manson be kept in the detaining cell, then. We'll make --
7 as long as you don't raise any noise here that disturbs the
8 courtroom --

9 THE DEFENDANT: Do you want me to start into war with
10 you?

11 THE COURT: The proceedings will be --

12 THE DEFENDANT: It would be like defeating myself.
13 It wouldn't make no sense, would it?

14 THE COURT: We'll have to close the door to the
15 detention cell if you raise any noise in there now, and that
16 will keep you from hearing the proceedings.

17 That's all.

18 (Whereupon, the following proceedings were had
19 in open court within the presence and hearing of the
20 jury:)

21 THE COURT: You may proceed, gentlemen.

22 MR. MANZELLA: People call Mrs. Ruby Pearl, your
23 Honor.

24 THE CLERK: You are still under oath. Please be
25 seated and state your name again for the record.

26 THE WITNESS: My name is Mrs. Ruby Pearl.
27

28 RUBY PEARL,

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

4 MR. MANZELLA: Your Honor, I have here what appears to
5 be two strips of black and white negatives, each containing
6 three photographs.

7 Could I have these marked -- if the Court would
8 allow it, could I withdraw the black and white photographs,
9 your Honor, and mark these negatives People's 78 for
10 identification?

11 THE COURT: The Court will permit that. You have
12 previously indicated that you wish a group of black and
13 white photographs to be marked 78 for identification. In
14 lieu of that, the Court would permit the negatives to be
15 so marked.

16 1a fls.
17 78 Id.

1a-1

DIRECT EXAMINATION (CONTINUED)

1
2 BY MR. MANZELLA:

3 Q All right, Mrs. Pearl, directing your attention to
4 the month of June, 1969.

5 Did Donald Shea come to your house in Chatsworth
6 during that month?

7 A Yes.

8 Q While he was at your house, did you have a conver-
9 sation with him with regard to certain negatives that you had?

10 A Yes.

11 Q Would you tell us what that conversation was?

12 A Yes, he was --

13 MR. KANAREK: Hearsay, your Honor, irrelevant and
14 immaterial. No foundation, your Honor.

15 THE COURT: Sustained.

16 Q BY MR. MANZELLA: Now, who was present during the
17 conversation?

18 A Lance Victor.

19 Q And it was just the three of you?

20 A Yes.

21 Q It was in your house in June of 1969?

22 A Yes.

23 Q At that time did you have a conversation with
24 Shorty with regard to some negatives that you had in your
25 possession?

26 A Yes.

27 MR. KANAREK: Hearsay, your Honor.

28 THE COURT: The objection is overruled, the answer may

1 remain.

2 Q BY MR. MANZELLA: Would you tell us what the
3 conversation was?

4 MR. KANAREK: Hearsay, irrelevant, immaterial, prejudicial
5 value outweighs the probative value and no foundation.

6 THE COURT: Ladies and gentlemen, the Court is going to
7 admit this conversation, but the Court advises you, instructs
8 you that the conversation is admitted for -- is not admitted
9 for the truth of what was stated in the conversation or what is
10 to be stated in the conversation. It is submitted to establish,
11 if it does in your judgment, and only in your judgment,
12 establish a certain state of mind of Mr. Shea, and to show that
13 the conversation was had.

14 The objection is overruled. You may answer.

15 THE WITNESS: All right.

16 Yes, he wanted some negatives showing --

17 MR. KANAREK: Could we have the conversation, your Honor?

18 THE COURT: Yes.

19 THE WITNESS: Yes. He wanted to get some pictures from
20 my negatives --

21 THE COURT: Miss Pearl, what has been asked of you is the
22 conversation. Would you, if you can remember, would you
23 state what the words were?

24 THE WITNESS: Oh,

25 THE COURT: He said, I said.

26 THE WITNESS: "Could I have some of your negatives showing
27 my part in some of the pictures that I worked in so I could
28 use them for my scrapbook to show the producers and it can

1 become more conscious in their minds that I have been working.

2 Q BY MR. MANZELLA: All right, Mrs. Pearl, did you
3 say anything when Donald asked you for the negatives?

4 MR. KANAREK: Same objections, your Honor.

5 May I have a continuing objection on the grounds
6 enunciated before your Honor stated it would be offered for the
7 limited purpose your Honor indicated?

8 THE COURT: No, you may not have, but the Court would
9 sustain the objection.

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1 Q BY MR. MANZELLA: After you had the conversation
2 with Shorty Shea with regard to the negatives, did you then
3 give him some negatives?

4 A Yes.

5 Q Directing your attention, Mrs. Pearl, to the
6 exhibit marked People's 78 for identification, have you
7 seen those -- strike that.

8 Have I shown you those negatives before court?

9 A Yes.

10 Q Do you recognize those negatives?

11 A Yes.

12 Q All right. Would you tell us what those negatives
13 are?

14 MR. KANAREK: Irrelevant, your Honor. Immaterial;
15 calling for a conclusion.

16 THE COURT: The objection is overruled.

17 THE WITNESS: Yes, they're some show ponies working;
18 and myself, by my horse trailer; and my dogs; and my pony;
19 and showing me working at the circus.

20 Q BY MR. MANZELLA: All right. Are those negatives,
21 the ones marked People's 78 for identification, in the group
22 of negatives that you gave to Donald Shorty Shea in June of
23 1969?

24 A Yes.

25 Q Now, did you give him -- strike that.

26 The negatives which are marked People's 78 for
27 identification, were those all the negatives that you gave
28 Mr. Shea? Or were they part of a group of negatives that --

1 A Part of --

2 MR. KANAREK: Irrelevant and immaterial; and leading
3 and suggestive, your Honor.

4 THE COURT: Overruled. You may --

5 THE WITNESS: Yes. They were part of a group. There
6 were many more.

7 Q BY MR. MANZELLA: Now, after you gave the
8 negatives to Mr. Shea, when was the next time that you saw
9 them?

10 MR. KANAREK: Irrelevant, your Honor. Immaterial.

11 THE COURT: Overruled.

12 MR. KANAREK: I -- it's assuming facts not in evidence,
13 your Honor.

14 THE COURT: Overruled.

15 THE WITNESS: I saw them after the raid there at the
16 ranch.

17 Q And where were they when you saw them?

18 A Right on the ranch.

19 Q All right. After -- this was after the August
20 16th raid --

21 A Yes.

22 Q -- of 1969?

23 A Yes.

24 Q And do you recall where they were when you saw
25 them?

26 A In his car.

27 Q In Shorty's car?

28 A Yes.

1 Q Now, after that, that time that you saw them,
2 when was the next time that you saw them, if at all?

3 A I never saw them at all.

4 MR. KANAREK: That's irrelevant and immaterial, and
5 assumes facts not in evidence, your Honor.

6 THE COURT: I didn't hear the answer.

7 THE WITNESS: I didn't see them after that.

8 THE COURT: The objection is overruled.

9 Q BY MR. MANZELLA: All right. Did you thereafter
10 see the negatives in -- strike that.

11 Thereafter, were the negatives shown to you by
12 a law enforcement officer?

13 MR. KANAREK: That's irrelevant, your Honor, and
14 immaterial.

15 THE COURT: Overruled.

16 Q BY MR. MANZELLA: Or is this the first time that
17 you have seen them?

18 A No, I saw the pictures developed after that.

19 MR. KANAREK: Your Honor, may that be stricken as a
20 conclusion on the part of the witness?

21 THE COURT: The answer, after "No," the answer is
22 stricken.

23 Q BY MR. MANZELLA: All right. Did you see some
24 pictures which were -- which appeared to be pictures taken
25 from the negatives which you gave to Shorty?

26 MR. KANAREK: Calling for a conclusion; and irrelevant
27 and immaterial.

28 THE COURT: Overruled. You may answer.

1 THE WITNESS: Yes.

2 Q BY MR. MANZELLA: And did you see those pictures
3 in a court proceeding?

4 A Yes.

5 MR. KANAREK: Object, your Honor, on the grounds it's
6 irrelevant and immaterial.

7 THE COURT: The answer may remain.

8 The objection is overruled.

9 Q BY MR. MANZELLA: Now, is this the first time
10 that you've seen the negatives, or a portion of those
11 negatives, since you saw them in Donald Shorty Shea's car
12 after the August 16th raid?

13 A Yes.

14 Q Now, did you ever meet a girl by the name of
15 Magdalene or Niki Shea?

16 A Yes.

2a fls.

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- 1 Q And when did you meet her?
- 2 A One day at the ranch.
- 3 Q And was Donald or Shorty with her when you met her?
- 4 A Yes.
- 5 Q And do you recall when this was in relation to the
- 6 August 16th raid on the Spahn Ranch?
- 7 A A few days later.
- 8 Q Was it a few days later or a few days before the
- 9 August 16th raid?
- 10 A Later.
- 11 Q Now, directing your attention to the date of
- 12 August 16th of 1969, it was -- strike that.
- 13 Mrs. Pearl, do you know what I am referring to when
- 14 I refer to the August 16th raid?
- 15 A Oh, yes. Yeah.
- 16 Q All right. And was the August 16th raid a series
- 17 of arrests which were made at Spahn Ranch?
- 18 A Yes.
- 19 Q And were you there on August -- were you at the
- 20 ranch, or did you go to the ranch to perform your duties as
- 21 forewoman on August 16th of 1969?
- 22 A Yes.
- 23 Q And when you got -- strike that.
- 24 Approximately when was it during that day of
- 25 August 16th, 1969 when you arrived at Spahn Ranch?
- 26 A Early morning.
- 27 Q Were there Sheriff's deputies there at the time
- 28 that you arrived at the ranch on August 16th?

1 A No, they had left.

2 Q Now, directing your attention to the date of
3 August 15th, the day before the raid, were you at the ranch on
4 that date?

5 A Yes.

6 Q And did you see Mr. Manson there on that date?

7 A Yes.

8 Q Did you see other members of the group you've
9 identified as the Manson Family?

10 A Yes.

11 Q Now, when you arrived at the ranch on August 16th of
12 1969, was Mr. Manson there?

13 A No.

14 Q Were other -- were there any other people you've
15 identified as the Manson Family there on August 16th, 1969?

16 A No.

17 Q Now, sometime shortly after the August 16th raid,
18 did you see Shorty Shea at the Spahn Ranch?

19 A Yes.

20 Q Did Mr. Shea come -- strike that.

21 What did Mr. Shea do when he got to the ranch after
22 the August 16th raid?

23 A Well, he wanted to help put things back together.

24 Q Did he begin to live at the ranch?

25 A Yes.

26 MR. KANAREK: Well, your Honor, may that be stricken as
27 a conclusion on the part of this witness, whether he lived
28 there or not?

1 THE COURT: The objection -- or, the motion, rather, is
2 denied.

3 The answer may remain.

4 MR. KANAREK: Then may I have the witness' last statement
5 read back, your Honor?

6 THE COURT: Yes.

7 MR. KANAREK: Thank you.

8 (Whereupon, the record was read by the reporter
9 as follows:

10 "A Well, he wanted to help put things
11 back together.

12 "Q Did he begin to live at the ranch?

13 "A Yes.")

14 MR. KANAREK: Well, your Honor, that statement -- I ask
15 that that statement be stricken, "He wanted to put things
16 back together."

17 THE COURT: You've already made that motion, and the
18 Court denied it.

19 MR. KANAREK: It was the latter part that I -- the
20 "living" part that I was directing my previous motion to.

21 THE COURT: I assumed that you were directing your
22 motion toward her last answer.

23 MR. KANAREK: Very well, your Honor.

24 THE COURT: And the Court's ruling is the same.. It may
25 remain in.

26 Motion to strike is denied..

27 Q BY MR. MANZELLA: Now, did Mr. -- strike that.

28 Did you continue to go to the ranch, daily, after

1 the August 16th raid?

2 A Yes.

3 Q And for a while after the August 16th raid, did you
4 see -- when you first saw Shorty come to the ranch, did you
5 see Shorty there on a daily basis --

6 A Yes.

7 Q -- for a while after the August 16th raid?

8 A Yes.

9 Q Now, do you know where Mr. Shea was staying while he
10 was at the ranch, after the August 16th raid?

11 A Yes.

12 Q Where was that?

13 A In his car.

14 Q Now, sometime after the raid, did you see Mr.
15 Manson and other members of the Family again?

16 A Yes.

17 Q And where did you see them?

18 A Just walking around the yard.

19 Q Did they -- they had come back to the Spahn Ranch?

20 A Yes.

21 Q Now, during the time that you saw Mr. Shea on the
22 Spahn -- at the Spahn Ranch, after the August 16th raid, did
23 you have any conversation -- did you have a conversation with
24 him -- strike that.

25 During the time that you saw Mr. Shea at Spahn Ranch
26 after the August 16th raid, did you have a conversation with
27 him?

28 A Yes.

1 Q And approximately how long after the August 16th
2 raid was this conversation?

3 A A few days or so.
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1 Q Now, during this time that you saw Mr. Shea at
2 Spahn Ranch, after the August 16th raid, did he say anything to
3 you about the movies?

4 A Yes. He was --

5 Q All right. Would you tell us what he said to you?

6 A He was expecting a part --

7 MR. KANAREK: Objection, your Honor. No foundation.

8 THE COURT: Sustained.

9 MR. KANAREK: Irrelevant.

10 Q BY MR. MANZELLA: All right. Who was present when
11 Donald made these statements to you?

12 A Mrs. Quant and Lance Victor, probably, when he was
13 telling me about his picture part.

14 MR. KANAREK: Well, may that be stricken?

15 THE WITNESS: They were --

16 MR. KANAREK: May that last portion be stricken?

17 THE COURT: Yes. It's not responsive, after the reply
18 "Mrs. Quant and Lance Victor."

19 Q BY MR. MANZELLA: All right. Would you tell us
20 what Mr. Shea said to you?

21 MR. KANAREK: Irrelevant and immaterial; hearsay; and
22 improper foundation.

23 THE COURT: Sustained.

24 Ladies and gentlemen -- overruled, rather. The
25 Court will permit the answer. The same admonition, however, is
26 passed on to you by the Court.

27 The Court tells you that the conversation is
28 admitted to establish -- if it does in your judgment establish

1 -- the state of mind of Mr. Shea.

2 Q BY MR. MANZELLA: Would you tell us what --

3 A Yes.

4 Q -- Shorty said to you about the film?

5 A Yes. He was waiting anxiously for the part to come
6 up. He was going to wait around. And he had this part
7 promised, to work right there on the ranch in this picture.

8 Q All right. Now, during this time, had anyone
9 contacted you with regard to using Spahn Ranch?

10 A Yes.

11 Q And who had contacted you?

12 MR. KANAREK: Object, your Honor. Hearsay; conclusion;
13 irrelevant and immaterial.

14 THE COURT: Sustained.

15 Q BY MR. MANZELLA: All right. Had somebody contacted
16 you with regard to --

17 A Yes. The producer, Bob Bickston.

18 MR. KANAREK: Your Honor, may that be stricken?

19 That's -- and may the witness be asked to refrain from --

20 THE COURT: After the word "yes," it may be stricken.

21 Q BY MR. MANZELLA: All right. Who contacted you?

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

23 THE COURT: Overruled. You may answer.

24 THE WITNESS: What was the question again?

25 Q BY MR. MANZELLA: Who contacted you?

26 A Bob Bickston.

27 Q And was this with regard to shooting pick-up shots
28 at Spahn Ranch?

1 MR. KANAREK: Hearsay, your Honor.

2 THE COURT: Sustained.

3 THE WITNESS: Yes.

4 THE COURT: The answer is stricken.

5 THE WITNESS: Oh.

6 Q BY MR. MANZELLA: Now, Mrs. Pearl, after Mr. Manson
7 and the Family came to -- to stay at Spahn Ranch, was there any
8 person who was a part of that group, who spent time with
9 Mr. Spahn, George Spahn?

10 MR. KANAREK: That's irrelevant and immaterial, your
11 Honor.

12 THE COURT: Sustained.

13 MR. MANZELLA: Your Honor, there's a series of questions
14 I intended to ask in this area. May we approach the bench
15 briefly for argument?

16 THE COURT: Yes, you may.

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

20 THE COURT: Incidentally, you had indicated to me -- to
21 the Court, at the bench on Friday, in respect to the
22 negatives, that you wished to show that the negatives were
23 loaned to him, and that there was -- he had expressed some
24 intention of returning them.

25 MR. MANZELLA: Yes, your Honor.

26 THE COURT: I didn't mean to foreclose you from going in-
27 to that, if you wished to. Otherwise, it might be somewhat
28 irrelevant, except it does tend to show his interest in show

1 business.

2 That's about it.

3 MR. MANZELLA: Yes, your Honor.

4 THE COURT: I didn't mean to foreclose you from pursuing
5 that, if he did express any intention of returning those
6 negatives.

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2c] 1 All right. Now, what --

2 MR. MANZELLA: Yes, your Honor. He -- that would be my
3 offer of proof on that point, is that -- that's what I --
4 the conversation I was asking from her, was that in reply to
5 what Donald had asked her for, the negatives, Mr. Shea had
6 asked her for the negatives, and she said, "I'll give them to
7 you, but I want them back."

8 And he said, "I'll return them to you."
9 That's the conversation that they had.

10 With regard to this other point --

11 THE COURT: I'll permit that.

12 Now, what is this other point?

13 MR. KANAREK: May the record reflect that's over
14 objection, --

15 THE COURT: Yes.

16 MR. KANAREK: -- that solicitation of -- of so-called
17 intent? It's irrelevant and immaterial; and it's hearsay.
18 There's no foundation for it. It has only prejudicial value.

19 THE COURT: Yes. The record may so show.

20 MR. MANZELLA: Now, with regard to this other point,
21 Mrs. Pearl would testify that -- that the person who -- there
22 was one person who spent time with George Spahn, and that was
23 Lynn Fromme, and that she was with him almost on a daily
24 basis; and that she helped to take care of him; and that --
25 and that she was present -- that Mrs. Pearl was present at a
26 conversation between Frank Retz and George Spahn with regard
27 to the hiring of Donald Shea; and Lynn Fromme was present at
28 that conversation.

1 THE COURT: Oh, I see. Just -- so you are again not
2 offering the conversation to prove the truth of what's uttered,
3 but simply to show that it was uttered?

4 MR. MANZELLA: Right. And that Lynn Fromme was present
5 at the time.

6 THE COURT: Well, you can establish -- I mean, I think
7 that that's --

8 MR. MANZELLA: In other words, it's corroborative of
9 Mr. Retz's testimony.

10 THE COURT: It may be argumentative, and the Court will
11 not mention Lynn Fromme in its instruction, but will instruct
12 the jury that it's received for a limited purpose.

13 MR. MANZELLA: All right.

14 MR. KANAREK: If I may, your Honor, this is again --
15 there's a fatal gap here, in this offer of proof. He has never
16 -- he is never going to be able to prove, he tells us
17 previously, that Lynn Fromme ever told Mr. Manson anything.

18 And it's very unfair, and a denial of fair trial
19 and due process under the Fourteenth Amendment, and equal
20 protection, for Mr. Manzella to single out some person that
21 has been with Mr. Spahn, and have this person be Lynn Fromme --
22 or Squeaky or whatever -- and then saddle Mr. Manson with that,
23 absent some showing that, at the very minimum -- and I have
24 done further research on it over the weekend, and I can
25 represent to the Court that the law does not contemplate that
26 kind of a fatal gap -- when that fatal gap is there, you can't
27 saddle Mr. Manson with what happened in the presence of
28 Lynn Fromme.

1 THE COURT: Mr. Manzella states that he is able to show
2 that Mr. Manson did acquire knowledge of the conversation,
3 and he has already shown that Lynn Fromme is one of those
4 persons who associated with Mr. Manson as one of the Family.

5 MR. KANAREK: But that doesn't -- that doesn't -- there
6 may be a jillion people. If they wish to prove some statement
7 of Mr. Manson's, about knowledge of the hiring of Shorty Shea,
8 that is a completely different ball of wax.

9 It's completely different than trying to -- to
10 saddle Mr. Manson with statements of Lynn Fromme, wherein there
11 is not going to be any showing that Lynn Fromme ever told it
12 to Mr. Manson.

13 Why should -- why should Mr. Manson be saddled with
14 this bit of evidence?

15 It's irrelevant and immaterial, unless there's
16 showing that Lynn Fromme told Mr. Manson, your Honor.

17 THE COURT: It may be possibly redundant, in view of the
18 fact that the People do have information -- or do have
19 evidence, according to what Mr. Manzella says he will produce,
20 that Mr. Manson did have knowledge of that conversation.

21 MR. KANAREK: Maybe Mr. Spahn told him directly or
22 something.

23 THE COURT: He may have. And then again, it may have been
24 a situation wherein Lynn Fromme or somebody else told him.
25 But this is for the jury to determine. The --

26 MR. KANAREK: Well, not --

27 THE COURT: -- people can produce this type of thing
28 with the hope that the jury will buy their theory of the case --

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1 MR. KANAREK: That's the prejudice, your Honor.

2 THE COURT: The Court --

3 MR. KANAREK: That's the prejudice, your Honor, unless
4 there is a showing that Lynne Fromme ever told about these
5 events to Mr. Manson. It is prejudicial to Mr. Manson. It
6 is supposition. It is conjecture, merely that Squeaky or
7 Lynne Fromme ever told Mr. Manson these things. It is very --

8 THE COURT: The jury doesn't have to take that
9 inference. But the inference is there to be taken because
10 of the association of Lynne Fromme with Mr. Manson.

11 MR. KANAREK: That's the danger, your Honor, the
12 prejudice of it, unless they can show that. How can Mr.
13 Manson be saddled with those events that happened, purportedly,
14 in the presence of Squeaky and Mr. Spahn and/
15 or Mr. Retz?

16 THE COURT: Well, the Court will permit it. The Court
17 thinks it is permissible for the limited purpose for which
18 it is offered.

19 (Whereupon, the following proceedings were had
20 in open court within the presence and hearing of the
21 jury:)

22 BY MR. MANZELLA:

23 Q Mrs. Pearl, was there one person who was part of
24 that group who spent time with George Spahn?

25 A Yes.

26 Q Who was that person?

27 A That was Lynne Fromme.

28 Q And can you tell us how often -- strike that.

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1 After Lynne Fromme came to the ranch, how often
2 was she with George Spahn?

3 MR. KANAREK: That's irrelevant and immaterial, your
4 Honor.

5 THE COURT: Overruled. You may answer.

6 A More or less continually.

7 Q BY MR. MANZELLA: Now, did you know a man by
8 the name of Frank Retz?

9 A Yes.

10 Q Now, directing your attention to sometime
11 shortly after the August 16th raid.

12 Were you ever present at a conversation between
13 Mr. Spahn and Mr. Retz?

14 A Yes.

15 Q Now, would you tell us what the subject matter
16 of the conversation was?

17 MR. KANAREK: Irrelevant, your Honor, immaterial,
18 hearsay.

19 THE COURT: Sustained. You may ask her what the
20 conversation was.

21 Q BY MR. MANZELLA: Who was present besides Mr.
22 Spahn, Mr. Retz and yourself?

23 A Lynne.

24 Q Lynne Fromme?

25 A Yes.

26 Q Was anyone else present, if you recall?

27 A I don't recall.

28 Q Now, where did the conversation take place?

3-3

1 A In the yard..

2 Q When you say "the yard," what portion of the
3 ranch are you referring to?

4 A The front of the boardwalk.

5 Q Is that the boardwalk in front of the main
6 buildings at the ranch?

7 A Yes.

8 Q By the way, those buildings are no longer there,
9 is that correct?

10 A No. That is correct, they are no longer there.

11 Q Were they destroyed in the fire of September,
12 1970?

13 A Yes.

14 Q Now, at this conversation would you tell us what
15 was said?

16 MR. KANAREK: Object, hearsay, improper foundation,
17 irrelevant, immaterial, and the prejudicial value outweighs
18 the probative value.

19 THE COURT: The objection is overruled. The Court,
20 however, will tell the jury this, that the testimony regarding
21 these conversations or the conversation between Frank Retz
22 and George Spahn is permitted to be received by the Court,
23 and it is for you to determine from the testimony whether
24 the conversations were held, and the testimony is received
25 solely for the purpose of establishing not the truth of the
26 matter uttered in the conversations but whether, in fact,
27 the conversations were held.

28 Q BY MR. MANZELLA: All right, would you tell us

3-4

1 what was said between Mr. Spahn and Mr. Retz?

2 A Yes. Mr. Spahn said he had a good man here that
3 he'd like him to hire for a watchman. And he wouldn't be
4 very much trouble. He would be a good man to have around.
5 He had known him for so long.

6 Q All right. Now, prior to that had Mr. Retz in
7 that conversation -- had Mr. Retz said anything about hiring
8 a watchman?

9 MR. KANAREK: Same objection, your Honor.

10 THE COURT: Overruled.

11 A Yes, he wanted to find a good man to put there.

12 Q BY MR. MANZELLA: And what else did Mr. Retz say
13 about hiring a watchman?

14 A He said that he would take this man and hire him.

15 Q Now, was Lynne Fromme present at this conversa-
16 tion?

17 A Yes.

18 THE COURT: That's where I made the admonition clear,
19 the testimony is received solely for the purpose of establish-
20 ing, if it does, in your judgment, establish that the conver-
21 sation was held, not to prove the truth of the conversation.

3a fls.

1-1

1 Q BY MR. MANZELLA: Now, at sometime thereafter
2 did you have a conversation with Shorty Shea with regard to--
3 with regard to money?

4 A Yes.

5 Q And is this still in August of 1969?

6 A Yes.

7 Q Would you tell us what that conversation was --
8 well, strike that.

9 Who was present at the conversation?

10 A Just myself and him.

11 Q Yourself and Shorty Shea?

12 A Yes.

13 Q Where did the conversation take place, if you
14 recall?

15 A In the Spahn house.

16 Q And this is on Spahn Ranch, is that correct?

17 A Yes.

18 Q All right. Would you tell us what that conver-
19 sation was?

20 MR. KANAREK: Hearsay, your Honor, irrelevant,
21 immaterial.

22 MR. MANZELLA: It is offered for the same purpose,
23 your Honor, state of mind.

24 THE COURT: In other words, to show -- it is not
25 admitted -- you don't seek to have it admitted to prove the
26 truth of what was uttered, but simply to establish, if it
27 does establish in the jury's mind, a state of mind, a state
28 of mind --

3a-2

1 MR. MANZELLA: Of Mr. Shea.

2 THE COURT: -- of Mr. Shea at the time the conversation
3 was uttered?

4 MR. MANZELLA: Yes, your Honor.

5 THE COURT: The Court will permit it for that reason
6 only, ladies and gentlemen. And the Court will admonish
7 you in that respect. It is to be received for the limited
8 purpose indicated, if you are to receive it at all. If you
9 do, in your judgment, believe that it does in any way so
10 reflect or establish the state of mind of Mr. Shea.

11 Q BY MR. MANZELLA: Now, Mrs. Pearl, would you tell
12 us what was said in the conversation you had with Shorty
13 Shea on that occasion?

14 A He wanted to borrow some money. And I said, "Gee,
15 I don't know if I can get the money. What do you want it
16 for?"

17 And he said, "Well, I got to get my guns out of
18 hock."

19 And I said, "Why don't you wait. Your picture
20 job will soon be up and you can get the money then."

21 Q During that conversation did you have any -- did
22 you discuss with him the job with Frank Retz?

23 A Yes. I mentioned that the jobx would come up,
24 he would have that, too, to get the money.

25 Q Now, had you seen Donald with a matched set of
26 revolvers to that time?

27 A Yes.

28 Q Had you ever had them in your possession?

3a-3

1 A Yes.

2 Q What were the circumstances surrounding the guns
3 being in your possession?

4 MR. KANAREK: Irrelevant and immaterial, improper
5 foundation.

6 THE COURT: Sustained.

7 Q BY MR. MANZELLA: Did Donald ever place the gun
8 in your possession?

9 MR. KANAREK: Irrelevant, immaterial, your Honor,
10 improper foundation.

11 THE COURT: Sustained.

12 Q BY MR. MANZELLA: Did you -- did Donald ever talk
13 to you about the guns --

14 MR. KANAREK: Irrelevant, immaterial, your Honor,
15 improper foundation as to time.

16 Q -- this matched set of revolvers.

17 THE COURT: Overruled, you may answer.

18 A Yes.

19 Q BY MR. MANZELLA: All right, was this on one
20 occasion or more than one occasion?

21 A More than one.

22 Q Was this over a period of months?

23 A Yes.

24 Q Did you see these guns in Donald's possession?

25 A Yes.

26 Q On one occasion or more than one occasion?

27 A More than one.

28 Q Now, did Donald ever talk to you about his feelings

3a-4

1 towards the guns?

2 MR. KANAREK: Irrelevant, your Honor, immaterial,
3 improper foundation.

4 MR. MANZELLA: Being offered for state of mind.

5 THE COURT: The objection is overruled. It is being
6 received again for that limited purpose, and that is if it
7 shows -- if you indeed feel it shows a state of Mr. Shea
8 at the time of the statement.

9 Q BY MR. MANZELLA: Did Donald ever talk to you
10 about those feelings towards those guns?

11 A Yes. He said, "Don't let no one touch them."
12 He said "Put them away for me."

13 Q Was this prior to the time he went to Las Vegas?

14 A Yes.

15 Q Did he take the guns back when he returned to Los
16 Angeles?

17 A Yes.

18 Q Now, during August of 1969, Mrs. Pearl, did you
19 ever see any vehicles being driven by Mr. Manson and the other
20 members of the family?

21 A Yes.

22 Q Were they driven on Spahn Ranch?

23 A Yes.

24 Q What kind of vehicles were they that were being
25 driven?

26 A Buses and vans and small cars.

27 Q Do you know -- are you familiar with a vehicle
28 called the dune buggy?

3a-5

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A Yes.

Q Did you ever see those on the ranch?

A Yes.

Q And were they being driven by Mr. Manson and members of the Family?

A Yes.

Q And did you see where these vehicles were being driven by Mr. Manson and members of the Manson Family?

A Yes.

Q And where were they being driven?

3b fls. A Across the road over to the Iverson Ranch, down the road off the property, and down the road to the farmhouse.

3b-1

1 Q When you're referring to the farmhouse, are you
2 referring to the farmhouse on Mr. Retz's property?

3 A Yes.

4 Q Now, after the August 16th raid, Mrs. Pearl, did
5 you see any weapons on the ranch?

6 A I don't recall after the raid.

7 Q Now, did you ever see Mr. Manson and members of the
8 Family carrying any weapons?

9 A Oh, yes, theirs. They always wore them.

10 Q Now, was this after the August 16th raid?

11 A Yes.

12 Q Now, what kind of weapons did you see Mr. Manson
13 and the other members of the Family carry?

14 A They, uh -- the members all had their bowie knives
15 and Mr. Manson had a sword-type thing.

16 Q Now, was this --

17 MR. KANAREK: I didn't get that last part.

18 THE COURT: Would the reporter read it back, please.

19 (Whereupon, the record was read by the reporter as
20 follows:

21 "A They, uh -- the members all had their
22 bowie knives and Mr. Manson had a sword-type thing.")

23 Q BY MR. MANZELLA: Now, the persons who were carrying
24 knives, were these just the male members of the Family, but
25 also the female members of the Family?

26 A Also the females, too.

27 Q Had you seen the girls and the other members of
28 the Family carrying these knives before the August 16th raid?

1 A No.

2 Q They began to carry them after the August 16th
3 raid?

4 A Yes.

5 MR. MANZELLA: Your Honor, I have a knife which I would
6 like to have marked People's 79 for identification. The
7 handle is off the knife, your Honor. It is in two separate
8 pieces.

9 THE COURT: You wish the handle and the blade marked
10 People's 79?

11 MR. MANZELLA: People's 79, yes, your Honor.

12 THE COURT: So ordered.

13 Ladies and gentlemen, we'll recess now until 1:30
14 rather than 2:00 o'clock. If we start at 1:30 perhaps we
15 can catch up some time. I must spend this afternoon on some
16 other matters at 2:00 o'clock.

17 MR. KANAREK: Your Honor, I had contemplated 1:45
18 because of a certain --

19 THE COURT: Let's see if you can adjust your time. Let's
20 start at 1:30. Perhaps I can give you some further time at
21 about 2:00, and I'll call several matters, although it won't
22 take ten minutes for the Court to accomplish this other work.

23 MR. KANAREK: I will endeavor, certainly, your Honor, to
24 accommodate the Court, but this was --

25 THE COURT: All right, 1:30, then.

26 MR. KANAREK: Very well.

27 THE COURT: The Court admonishes you that you are not to
28 converse amongst yourselves, or with anyone else, nor permit

1 anyone to converse with you on any subject connected with
2 this matter, nor are you to form or express any opinion on the
3 matter until it is finally submitted to you.

4 See you at 1:30.

5 Let's see, Mr. Kuczera, could the jury assemble --
6 rather than being in the warm hallway, could they assemble in
7 that 103 room?

8 THE BAILIFF: Yes, sir.

9 THE COURT: If they could. It is apparently cool in
10 there, is it not, and you could make some arrangements so that
11 communications would be available to them, if you can.

12 You are excused until 1:30.

13 (Whereupon, a recess was taken at 12:04 p.m. to
14 reconvene at 1:30 p.m., same day.)
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1 LOS ANGELES, CALIFORNIA, MONDAY, SEPTEMBER 13, 1971 1:40 P.M.

2 - - - - -

3
4 THE COURT: Case of People vs. Manson.

5 The record may show that the jurors are all
6 present. The jurors and alternates.

7 MR. MANZELLA: Mrs. Pearl.

8
9 RUBY PEARL,

10 the witness on the stand at the time of the noon recess,
11 having been previously duly sworn, resumed the stand and
12 testified further as follows:

13
14 DIRECT EXAMINATION (Continued)

15 BY MR. MANZELLA:

16 Q Mrs. Pearl, before we took the recess, you were
17 telling us that after the August 16th raid you saw members
18 of the Family begin carrying knives.

19 Would you describe those knives to us, please?

20 A Yes. They were what we call Bowie knives or
21 Buck knives, and carried in a sheath.

22 Q Directing your attention to the exhibit which has
23 been marked People's 79 for identification.

24 How would you compare the knives which you saw
25 to the -- uh, the Manson Family carrying to that knife?

26 MR. KANAREK: Irrelevant, immaterial, calling for a
27 conclusion, no foundation.

28 THE COURT: Sustained.

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

2 THE COURT: Yes, you may.

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

6 MR. MANZELLA: Your Honor, we're offering this to --
7 Mrs. Pearl found this knife at the ranch and this knife was
8 similar to the same kind of knives that the members of the
9 Family were carrying. And they began carrying these knives
10 at the August 16th raid. And I believe the evidence will show
11 that Shea was killed --

12 THE COURT: Is it a peculiar kind of knife or what?

13 MR. MANZELLA: No, it is not, your Honor.

14 Shea was killed by stabbing. And I believe the
15 evidence -- this evidence is relevant on that point.

16 MR. KANAREK: It is so prejudicial compared to any
17 probative value. There are millions and millions --

18 THE COURT: Just a minute.

19 MR. KANAREK: Yes, your Honor.

20 MR. MANZELLA: Her testimony is that they began carrying
21 knives up to the August 16th raid and this knife is the kind
22 of knife that the members of the Family began to carry.

23 THE COURT: I understand. It is a rather common kind
24 of knife. I don't see its connection, really. I don't
25 think that it would be admissible.

26 MR. MANZELLA: All right.

27 THE COURT: Unless she can describe the different
28 kinds of knives they carried, if you wish to. But without

1 there being some connection with this particular knife, I
2 can't see that it would be material.

3 MR. MANZELLA: You don't feel this knife would be admissible
4 even for illustrative purposes, even if she says these were
5 the description of the knives they were carrying, they were
6 carrying these knives?

7 THE COURT: You anticipate that she will so identify
8 this particular knife?

9 MR. MANZELLA: Yes, your Honor.

10 MR. KANAREK: But it is prejudicial, your Honor.

11 THE COURT: Well, sometimes --

12 MR. KANAREK: But the point is to --

13 THE COURT: -- relevant evidence is prejudicial.

14 MR. KANAREK: Well, by prejudicial I mean the probative
15 value is far outweighed by just bringing an instrument in this
16 courtroom, a knife, and just having her testify about it.
17 These people -- Mr. Manson is not saddled with every human
18 being that lived at this ranch. There is no conspiracy
19 alleged even as to people --

20 THE COURT: You may proceed, then, if you wish, if
21 it is your representation that she will recognize this knife
22 as the style and type of knife that was carried.

23 MR. MANZELLA: Yes, your Honor.

24 MR. KANAREK: I don't see how that --

25 THE COURT: But how is it relevant to what you intend
26 to show thereafter?

27 MR. MANZELLA: The relevancy is that this -- the members
28 and Family began carrying knives --

1 THE COURT: What is the relevance --

2 MR. MANZELLA: -- after August 16th and Shea was
3 killed by knives. He was killed by members of the Family,
4 Mr. Manson and Mr. Grogan and Mr. Davis.

5 THE COURT: Well, I'll sustain the objection.

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

9 Q BY MR. MANZELLA: All right, Mrs. Pearl, would
10 you describe the knives which the members of the Family began
11 carrying after the August 16th raid?

12 MR. KANAREK: Irrelevant, immaterial, ambiguous,
13 unless it is --

14 THE COURT: Sustained.

15 Q BY MR. MANZELLA: Now, Mrs. Pearl, directing your
16 attention again, just for one or two questions, back to the
17 negatives which I showed you this morning. The ones which
18 you testified you loaned to Donald Shea in June of 1969.

19 THE COURT: She testified she gave them to him.

20 MR. MANZELLA: Yes, your Honor.

21 Q BY MR. MANZELLA: When you gave the negatives to
22 Shorty Shea in June of 1969, did you say anything to him
23 about those negatives?

24 A Yes.

3d fls.

3d-1

Q And what did you say to him?

MR. KANAREK: Hearsay, irrelevant, immaterial, improper.

MR. MANZELLA: Offered for state of mind.

MR. KANAREK: Improper foundation.

THE COURT: The objection is overruled. It is admitted, ladies and gentlemen, for the sole purpose of establishing, if it does establish, Mr. Shea's state of mind with respect to the negatives.

THE WITNESS: Yes, I told him to be sure to give them back. Don't let anything happen to them. And, also, make me a copy of them.

Q BY MR. MANZELLA: Now, did Shorty say anything to you when you said that to him?

A Oh --

MR. KANAREK: Irrelevant, immaterial, hearsay, no foundation.

THE COURT: Objection is overruled.

THE WITNESS: Yes, he said he would take good care of them and give them back.

Q BY MR. MANZELLA: Did he ever give them back to you?

A No.

MR. KANAREK: Irrelevant, immaterial, calling for a conclusion, your Honor.

THE COURT: The objection is overruled. You may answer.

THE WITNESS: No.

Q BY MR. MANZELLA: All right, Mrs. Pearl, do you recall the last time that you saw Donald Shorty Shea?

A Yes.

1 Q Do you recall what month it was?

2 A Last part of August, '69.

3 Q Where were you when you last saw Donald?

4 A In the yard, by the boardwalk.

5 Q This is the yard of Spahn Ranch in front of the
6 main buildings?

7 A Yes.

8 Q Approximately what time was it?

9 A It was 11:00 o'clock in the evening.

10 Q Where were you going at that time?

11 A I was going home.

12 Q How were you traveling home?

13 A I had a small black Rambler.

14 Q Now, would you tell us what happened on that
15 occasion when you last saw Shorty?

16 MR. KANAREK: Object, your Honor, to the essay. It is --
17 uh -- the question is ambiguous.

18 THE COURT: Overruled. You may answer.

19 THE WITNESS: Yes, I went and got in my car to go home
20 and Shorty stepped up to the car, started talking to me. And
21 he said, uh --

22 Q BY MR. MANZELLA: May I interrupt you for just a
23 moment?

24 A Yes.

25 Q About -- strike that.
26 Was this after the August 16th raid?

27 A Yes.

28 Q About how much time after the August 16th raid?

1 A Oh, a couple of weeks or so.

2 Q So we're talking about the latter part of August,
3 1969?

4 A Yes.

5 Q Now, when Donald came over to your car, did you have
6 a conversation with him?

7 A Yes.

8 Q Did he ask you anything?

9 A Yes.

10 Q What did he ask you?

11 A He asked if he could come home and stay at my house.

12 Q Did you say anything in reply to that?

13 A Yes, I said, well, you could -- there's a place in
14 the shed there to stay. My house is so small. And I had the
15 little dogs in my house. And I said, "You're welcome to stay
16 in the shed."

17 Q Did Donald say anything in reply to that?

18 A Yes. He said it was rather cold in there. He
19 didn't think he would.

20 Q Did you make any other suggestions about where he
21 could stay?

22 A Yes. I said, "Why don't you go over to the Fountain
23 of the World?"

24 Q What is the Fountain of the World?

25 A That is a religious cult that takes in people that
26 doesn't have a place to sleep.

27 Q How far is that from the Spahn Ranch?

28 A And it is only three miles west of the ranch.

1 Q Is that in Simi Valley?

2 A Simi Valley, yeah.

3 Q When you said that, did Donald make any reply?

4 A He said, "Well, I don't know. I guess I'll stay
5 here."

6 Q Now, had you, during the years, 15 or so you had
7 known Mr. Shea, had you had an opportunity to observe his
8 demeanor or behavior?

9 A Yes.

10 Q All right. Did you observe his demeanor and
11 behavior during this conversation?

12 A Yes. He was more nervous -- never was nervous
13 about wondering where he was going to stay before.

14 Q Had you ever seen him like that before?

15 A No.

16 Q Now, after you had the conversation with Shorty,
17 what did you do?

18 A I took off slowly.

19 Q In your car?

20 A Yes.

21 Q When you say you took off, did you drive in a
22 particular direction?

23 A Yes, towards the exit of the ranch there.

24 Q Is that towards Santa Susana Pass Road?

25 A Yes.

26 Q Now, as you were driving out, did anything happen?

27 A Yes.

28 Q What was that?

1 A A car sped in across the driveway and parked real
2 suddenly. And, uh--

3 Q Now, when you said it sped in, are you referring to
4 the fact that it sped in to the Spahn Ranch yard?

5 A Yes.

6 Q That's the same yard you were pulling out of,
7 correct?

8 A Yes.

4
1 Q And where did the car stop, in relation to, say,
2 the boardwalk?

3 A Behind the telephone pole.

4 Q And where is that in relation --

5 A That was in the very center of the yard.

6 Q And where were you at the time the car stopped?

7 A Against the haystack, to the extreme right.

8 Q About how far from the car were you?

9 A Oh, quite a ways from that car; about -- oh, 30 feet,
10 40 -- 30, 40 feet.

11 Q And did you continue to look at the car when it
12 stopped, after it stopped?

13 A Yes.

14 Q And what, if anything, did you see?

15 A I saw the male members of the Family get out and,
16 in a hurry, start down towards the boardwalk.

17 Q And where was Shorty at that time?

18 A He had just reached about to the boardwalk.

19 Q Now, did you see -- can you identify any of the
20 people who got out of the car?

21 A Yes.

22 Q Would you give us their names, please?

23 A Steve Grogan, Tex Watson, Charlie Manson, and
24 Bruce Davis.

25 Q Now, did you continue to watch them as they
26 approached the boardwalk?

27 A Yes. I --

28 Q And what did you see?

1 A I kept stretching my neck and slowly pulling out
2 and seeing where they were going, and I saw them sort of
3 spread out, as they reached the boardwalk.

4 Q And where was Donald -- where was Shorty at that
5 time?

6 A He was just on the edge of the boardwalk, in the
7 middle.

8 Q He was in the middle of this group --

9 A Of the group.

10 Q -- of men?

11 A Yes.

12 Q Now, when you last saw the men you've named, were
13 they still approaching Shorty?

14 A Yes.

15 Q And how far were they from Shorty when you last
16 saw them?

17 A Just as I was going out of sight, they were about
18 five feet from him.

19 Q Now, did you ever see or hear from Shorty after that, --

20 A No.

21 Q -- after that night?

22 A No.

23 Q Did you return to the ranch the next day?

24 A Yes.

25 Q And did you return to the ranch daily thereafter?

26 A Yes.

27 Q Now, the next day when you returned to the ranch,
28 did you see Mr. Manson at the ranch?

1 A I don't recall. Yes, I think I saw them for --

2 Q Did you see Mr. Davis at the ranch?

3 A An hour or so, yes.

4 Q Did you see Mr. Grogan at the ranch?

5 A Yes.

6 Q Now, some time thereafter, did Mr. Manson and the
7 rest of the Family move from the ranch? Move from Spahn
8 Ranch?

9 A Yes.

10 Q Approximately how long after you last saw Shorty
11 alive?

12 MR. KANAREK: Well, just a moment. I will object to the
13 word "alive," your Honor, and ask that -- that Mr. Manzella
14 be requested not to --

15 THE COURT: I'm sorry. I didn't hear the question.
16 Would you read it?

17 (Whereupon, the record was read by the reporter as
18 follows:

19 "Q Approximately how long after you last
20 saw Shorty alive?"

21 MR. KANAREK: It's assuming facts not in evidence, your
22 Honor.

23 THE COURT: You may rephrase your question.

24 Q BY MR. MANZELLA: You said that Mr. Manson and most
25 of the Family moved from the ranch sometime after the last time
26 you saw Shorty.

27 How long after the last time you saw Shorty did
28 Mr. Manson and most of the other Family members move from the

1 ranch?

2 A. Very shortly. Probably the next day.

3 Q Now, did -- during the month of August, 1969, did
4 Shorty ever tell you that he was leaving town or the State of
5 California permanently?

6 A. No.

7 MR. KANAREK: Objection, your Honor. Leading and
8 suggestive. And the question is compound as to form.

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

10 The objection is overruled.

11 MR. MANZELLA: Your Honor, I have here a series of
12 photographs, color photographs, that I would like to have
13 marked People's 80-A through H.

14 THE COURT: So ordered.

15 Q BY MR. MANZELLA: Mrs. Pearl, directing your
16 attention to the series of photographs which have been marked
17 People's 80-A through -H for identification, directing your
18 attention to the first photograph, People's 80-A, can you tell
19 us what is shown in that photograph?

20 A The western street, the telephone pole, the entrance
21 from the street.

4a-1

1 Q And is this the front yard of Spahn Ranch?

2 A That's the -- the back yard of Spahn Ranch.

3 The house is way up here (indicating); that goes to the front.

4 That's the back entrance.

5 Q The buildings that we see in the center of the
6 photograph, what are those buildings?

7 A That's the western street.

8 Q And the walkway in front of those buildings, is
9 that what you refer to as the boardwalk?

10 A Yes.

11 Q Directing your attention to the photograph marked
12 People's 31-B for identification, do you recognize what is
13 shown in that photograph?

14 A Yes.

15 Q Would you tell us what that is?

16 A That's the end building, which is the storeroom.

17 Q And is that one of the buildings that fronts on
18 the boardwalk?

19 A Yes.

20 Q All right. Directing your attention to the
21 photograph marked People's 31-C for identification, do you
22 recognize what is shown in that photograph?

23 A Yes.

24 Q All right. Would you tell us what that is?

25 A That shows the center area of the boardwalk,
26 approaching from the street, a little farther west.

27 Q All right. And --

28 A From the entrance.

4a-2

1 Q And the yard shown in front of those buildings,
2 is that the -- the yard where your car was parked, where you
3 had the conversation with Shorty?

4 A Yes.

5 Q All right. Now, there are certain markings on
6 this photograph, People's 80-C for identification. Did you
7 place those markings on there in another proceeding?

8 A Yes.

9 Q And would you tell us what those markings
10 represent, please?

11 A That's where the Manson's men approached, past
12 the telephone pole, --

13 MR. KANAREK: Well --

14 THE WITNESS: -- and started towards the boardwalk.

15 MR. KANAREK: I will object to that, and ask that that
16 be stricken, that "Manson's men," that conclusion.

17 THE WITNESS: And his men.

18 MR. KANAREK: Or "and his."

19 THE COURT: All right. The description, "Manson and
20 his men," is stricken. You -- those words are stricken.

21 Q BY MR. MANZELLA: Now, the people that you are
22 referring to are Mr. Manson, Mr. Grogan, and Mr. Davis?

23 A Yes.

24 Q And were there any other men there? With Mr.
25 Manson, Mr. Grogan and Mr. Davis at that time, that got out
26 of the car?

27 A No.

28 Q That you recall?

4a-3

1 A Well, that's about all.

2 Q All right. Now, there are some X's on the

3 photograph. What do those X's represent?

4 A Where they moved. They were walking.

5 Q Now, there's a -- there are two sets of initials,

6 "SS." What does that stand for?

7 A (No response.)

8 Q Does that stand for "Shorty Shea"?

9 A Yes.

10 Q All right. Now, the set near the telephone pole,

11 what does that represent?

12 A Where they walked, right here (indicating).

13 Q Does that represent where Shorty was standing?

14 A Where Donald was walking, yes.

15 Q And the set that's closer to the boardwalk, does

16 that represent another later position of Shorty --

17 A Yes.

18 Q -- as he was walking towards the boardwalk?

19 A Yes.

20 Q Now, the telephone pole about which you are

21 referring is one with sort of a red CAUTION sign on it?

22 A Yes.

23 Q Now, where was Donald -- where was Shorty when

24 you last saw him?

25 A Heading right toward the storeroom (indicating).

26 Q All right. And he was approximately where this

27 second set of initials "SS" --

28 A Yes.

1 Q -- are in the photograph?

2 A Yes.

3 Q And those are the ones that are closest to the
4 boardwalk; is that right?

5 A Yes, right.

6 Q Now, directing your attention to the photograph
7 marked People's 80-D for identification, do you recognize
8 what is shown in that photograph?

9 A Yes.

4b fls.

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1 Q And what is that?

2 A That's the front end of the buildings, of the
3 boardwalk.

4 Q And the area where you last saw Shorty and Mr.
5 Manson and the other men you've mentioned, is that to the left
6 or the right of the storeroom?

7 A To the left.

8 Q As you are looking at --

9 A Yes.

10 Q All right. Directing your attention to the
11 photograph marked People's 80-E for identification, do you
12 recognize what is shown in that photograph?

13 A Yes.

14 Q What is that?

15 A That's the front end, again, from a different
16 angle. And the center of the street there.

17 Q Now, directing your attention to the photograph
18 marked People's 80-F for identification, do you recognize
19 what is shown in that photograph?

20 A Yes.

21 Q And what is that?

22 A That's the area between the Spahn Ranch house and
23 the boardwalk section.

24 Q Now, the boardwalk section is to the left as you
25 are looking at the photograph?

26 A Yes.

27 Q And the Spahn Ranch house is to the right?

28 A Yes.

1 Q All right. Could you point that building out,
2 please?

3 A Yes, right here (indicating).

4 THE COURT: Indicating the building to the right of the
5 picture.

6 THE WITNESS: To the right.

7 Q BY MR. MANZELLA: And that's a building that's
8 marked with an X on the photograph?

9 A Yes.

10 Q All right. Directing your attention to the
11 photograph marked People's 80-G for identification, do you
12 recognize what is shown in that photograph?

13 A Yes.

14 Q And is that a different view of the same area about
15 which you have been testifying?

16 A Yes.

17 Q All right. Directing your attention to the
18 photograph marked People's 80-H for identification, do you
19 recognize what is shown in that photograph?

20 A Yes.

21 Q And what is -- do you know the name of the road
22 shown in the foreground?

23 A Yes. That's Santa Susanna Pass.

24 Q And is that the road you were approaching from the
25 -- when you drove out that night?

26 A Yes.

27 THE COURT: We'll take a short recess at this time,
28 ladies and gentlemen. The Court must call several other

1 matters.

2 You may step down, --

3 THE WITNESS: All right.

4 THE COURT: -- Mrs. Pearl. And be back in ten minutes,
5 if you would, please.

6 You are admonished that, during the recess, you are
7 not to converse amongst yourselves nor with anyone else, nor
8 permit anyone to converse with you on any subject connected
9 with this matter, nor are you to form or express any opinion
10 on the matter until it is finally submitted to you.

11 (Short recess.)

4c

4c-1

1 THE COURT: Off the record.

2 (Whereupon certain remarks were addressed to
3 the jury and the courtroom at large by the Court,
4 which were not reported.)

5 THE COURT: On the record, the record will show that the
6 jurors and alternates are present.

7 Mr. Kanarek --

8 MR. KANAREK: Yes.

9 THE COURT: -- for the defendant, --

10 MR. KANAREK: Your Honor, may we approach the bench,
11 please?

12 THE COURT: -- and Mr. Manzella. Yes, Mr. Kanarek.

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

16 MR. KANAREK: Your Honor, I have been trying to locate
17 a witness, one Marian Binder, which is -- who is a very
18 important witness.

19 The prosecution, in the form of Mr. Whiteley and
20 Mr. Manzella, have indicated to me -- I -- I have told them I
21 need her phone number, I need her address; and they have
22 refused to cooperate with me.

23 The point is, under People vs. Kiihoa, I have
24 reason to believe -- because her testimony is favorable to
25 Mr. Manson -- I have reason to believe she is being secreted
26 by Mr. Manzella.

27 They know where she is. They brought her husband
28 here. They could bring her here. And her testimony is very

4c-2
1 important.

2 And I allege a suppression of evidence under
3 Brady vs. Maryland and its progeny, as well as People vs.
4 Kiihoa, as a violation of due process, under the 14th
5 Amendment.

6 THE COURT: Mr. Manzella?

7 MR. MANZELLA: Yeah. I don't know where she is. I'll
8 ask my investigator for her address, and I will give it to
9 Mr. Kanarek, if he's got it.

10 MR. KANAREK: Well --

11 MR. MANZELLA: I don't know if he has it. I don't know
12 where she is.

13 THE COURT: See what you can find.

14 MR. KANAREK: Well, during --

15 THE COURT: Let's proceed with the trial. We can take
16 this up at the conclusion of the day's business.

17 MR. KANAREK: It's very important, your Honor.

18 (Whereupon, the following proceedings were had
19 in open court, within the presence and hearing of the
20 jury:)

21 THE COURT: Mr. Manzella, you may proceed.

22
23 RUBY PEARL,
24 having been previously duly sworn, resumed the stand and
25 testified further as follows:
26

27 DIRECT EXAMINATION (Continued)

28 BY MR. MANZELLA:

4c-3

1 Q Mrs. Pearl, directing your attention to the
2 photograph marked People's 80-G for identification, do you
3 recognize what is shown in that photograph?

4 A Yes.

5 Q All right. And I neglected to ask you: Is Mr.
6 Spahn's -- was Mr. Spahn's house shown in this photograph?

7 A Yes, sir.

8 Q Would you point it out, please?

9 A (Indicating.)

10 Q All right. And is that the house in the fore-
11 ground, and to the right as you look at the photograph?

12 A Yes.

13 MR. MANZELLA: Your Honor, when I was referring and
14 showing Mrs. Pearl the photographs in People's 80 for
15 identification, I believe I referred to some of them as
16 People's 31.

17 I just wanted to make it clear that I was
18 referring to People's 80 for identification.

19 THE COURT: I didn't catch the slip, if you did. The
20 record should show, however, that you did, during all of
21 your questions, mean to refer to the group of photographs
22 heretofore marked for identification as 80.

23 MR. MANZELLA: Thank you, your Honor.

24 Q Mrs. Pearl, sometime after the last time that
25 you saw Shorty Shea, in late August of 1969, did you have
26 a conversation with Mr. Manson, somewhere in downtown
27 Los Angeles?

28 A Yes. I went to see him at his cell.

4d fls.

4d-1

1 Q And in what month was this?
2 A November or December.
3 Q Of 1969?
4 A 1969.
5 Q And do you recall which jail you went to?
6 A The new jail.
7 Q And did you see Mr. Manson when you went to the jail?
8 A Yes.
9 Q Did you have a conversation with Mr. Manson?
10 A Yes.
11 Q All right. Who was present at that conversation?
12 A My girl friend, Mrs. Quant.
13 Q And you and Mr. Manson?
14 A Yes.
15 Q Was anyone else there?
16 A No.
17 MR. KANAREK: Your Honor, I will object on the grounds
18 of no showing of any corpus delicti, and --
19 THE COURT: The objection is overruled.
20 MR. KANAREK: -- and on the grounds that it's not
21 relevant or material; hearsay; and no foundation.
22 THE COURT: The objection is overruled.
23 Q BY MR. MANZELLA: All right. Mrs. Pearl, would you
24 tell us what the conversation was that you had with Mr. Manson?
25 MR. KANAREK: Same objection, on the grounds of
26 irrelevance, immaterial, hearsay; no showing of any corpus
27 delicti, as to either -- as to any of the counts of the
28 Indictment.

1 No foundation, your Honor.

2 THE COURT: The objection is overruled.

3 However, the Court would --

4 MR. MANZELLA: Would you like me to approach the bench,
5 your Honor?

6 THE COURT: Yes.

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

10 MR. MANZELLA: Your Honor, her testimony would be that
11 she asked Mr. Manson where Shorty was buried, and she told
12 him she wanted to see that he got a proper burial;

13 That Mr. Manson looked at the ground and said --
14 and said, "Ask the Black Panthers."

15 And she then said to him, "You know that there
16 haven't been any Panthers out at Spahn Ranch."

17 We are offering the testimony to show a false --
18 as a false exculpatory statement on the part of Mr. Manson,
19 showing a knowledge of Mr. Shea's death; and also going to
20 the degree of the crime, in that he was attempting to shift
21 the blame for the killing of Shea.

22 THE COURT: Well, the Court would permit it to come in.
23 However, it -- it may all be stricken, if the Court is not
24 satisfied at the conclusion of your case that there is a cor-
25 pus delicti with respect to Shea.

26 MR. KANAREK: Well, it's our belief --

27 MR. MANZELLA: Yes, your Honor.

28 MR. KANAREK: -- it's not an admission; it's a -- it is

1 no --

2 THE COURT: Well, it constitutes a type of admission,
3 for him to say that.

4 MR. MANZELLA: He said, "Ask the Black Panthers."

5 THE COURT: "Ask the Black Panthers."

6 It depends on how the jury views it.

7 MR. KANAREK: It's very prejudicial. This jury, I
8 believe, has seven or eight black people on it, and I don't
9 believe that any kind of a striking or any kind of an
10 admonishment is going to suffice.

11 As I say, there are seven or eight black people on
12 the jury, and it's our belief that -- our information is that
13 this so-called statement is absolutely irrelevant and immaterial
14 in any event. It's hearsay. There's no foundation for it.

15 There can't be -- there has to be a showing -- it
16 can be done at a later time, in that -- there is no showing of
17 any corpus delicti, as to either Mr. Hinman -- pardon me; I'm
18 sorry -- as to Mr. Shea.

19 And purportedly, this is -- this is going in on
20 Shea, on the Shea matter; and also on the --

21 THE COURT: Yes. It would come in on the Shea matter.

22 MR. MANZELLA: Your Honor, if I might be heard briefly
23 on that point? The case with regard to Shea is circumstantial,
24 as we've already made clear. We have no eye witnesses, so
25 that the admonition at a later time would be an effective way
26 of handling it.

27 Because, if the Court found at a later time -- if
28 the Court found there was no corpus, the Court would have to

1 strike all the statements, and we would have no statements
2 anyway.

3 So the jury would have no case to decide in any
4 event, at that late time.

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1 THE COURT: That's correct. However, I think that
2 you should establish your foundational facts, Mr. Manzella,
3 more specifically than you have.

4 MR. MANZELLA: With regard to the time and who was
5 present and so forth?

6 THE COURT: Time and place, who was present and so
7 forth.

8 MR. MANZELLA: All right, your Honor.

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

12 Q BY MR. MANZELLA: Mrs. Pearl, where did you have
13 this conversation with Mr. Manson?

14 A Where they took us into the cell.

15 Q And was this in the visitors' room of the New
16 County Jail?

17 A Yes.

18 Q And was anyone present besides Mrs. Quant,
19 yourself and Mr. Manson?

20 A No. I suppose there were some guards back
21 (indicating) but they weren't listening.

22 Q Did you talk in a little room, or did you talk
23 out in the big room at the New County Jail?

24 A It was a little place where you talk through a
25 glass.

26 Q Now, you've already said that it occurred in
27 November or December of 1969. Can you be any more specific
28 with regard to when the conversation occurred?

4e-2

1 A It seems like it was December, or more towards
2 December.

3 Q In relation, say, to Christmas of December of
4 1969, can you tell us whether it was -- does that help you
5 recall any more specifically what time it was?

6 A No, I can't really recall.

7 Q How about with regard to, say, Thanksgiving, in
8 November of 1969? Can you place the conversation in relation
9 to Thanksgiving at all?

10 A No, I just can't tell just when it was.

11 Q All right. Would you tell us what the conversa-
12 tion was that you had with Mr. Manson?

13 MR. KANAREK: Object on the ground of no foundation,
14 your Honor; irrelevant, immaterial; the prejudicial matter
15 outweighs the probative value. Hearsay.

16 THE COURT: The objection's overruled.

17 THE WITNESS: Yes. I told him he looked like he lost
18 weight, and he looked drawn and real bad.

19 And then I asked him a question.

20 Q BY MR. MANZELLA: What did you ask him?

21 A I asked him to tell me where he buried Shorty.

22 MR. KANAREK: I'll ask that that be stricken, your
23 Honor, on the grounds of hearsay; assuming facts not in
24 evidence; no corpus delicti; irrelevant and immaterial; no
25 foundation.

26 THE COURT: The objection is overruled.

27 Q BY MR. MANZELLA: Did Mr. Manson reply to your
28 question?

4e-3

1 A Yes, he replied.
2 Q What did he say?
3 MR. KANAREK: The same objections, your Honor.
4 THE COURT: Overruled.
5 THE WITNESS: He said, "Ask the Black Panthers."
6 Q BY MR. MANZELLA: And did you reply to that?
7 A Yes.
8 Q What did you say?
9 A I said, "You know there never was any Black
10 Panthers up there."

11 THE COURT: Was there any reply to that?

12 THE WITNESS: No.

13 THE COURT: The statement of the witness, the last --
14 to the last question and answer is stricken.

15 MR. KANAREK: Then may I approach the bench, your
16 Honor?

17 MR. MANZELLA: I'm sorry. On which question and
18 answer?

19 THE COURT: The witness' last statement.

20 MR. KANAREK: May we approach the bench?

21 THE COURT: No, you may not.

22 MR. KANAREK: Pardon? I didn't hear.

23 THE COURT: Very well. You may.

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

27 MR. KANAREK: I ask your Honor to request the jury not
28 to consider it for any purpose; but in view of the fact that

4e-4

1 there are seven or eight black people on the jury, a mere
2 admonishment not sufficing, I ask for a mistrial.

3 THE COURT: Well, the Court finds that the statement is
4 probative. The Court finds that the prejudicial value is --
5 strike that.

6 The prejudicial quality is --

7 MR. MANZELLA: The probative value outweighs the preju-
8 dicial effect?

9 THE COURT: No. Excuse me. The prejudicial quality
10 of the testimony is questionable. I don't know what
11 inferences you are drawing in finding that it's too preju-
12 dicial, Mr. Kanarek.

13 But I don't see that it is excessively prejudicial.
14 It's a statement, the purport of which, the meaning of which
15 the jury alone can decide.

16 It can be certainly said that, from the People's
17 viewpoint, it constitutes a type of an admission.

18 MR. KANAREK: Well, your Honor, I don't see how that
19 could possibly --

20 THE COURT: But the Court finds that its probative
21 value outweighs its prejudicial effect.

22 However, as to this last statement, do you wish --
23 that she made, that there were no -- "And I said, 'You know
24 there were no Black Panthers in the area,' " I have stricken
25 that.

26 Do you want me --

27 MR. KANAREK: I would ask your Honor to ask the jury
28 not to consider it for any purpose. And mere admonishment not
sufficing, I ask for a mistrial.

4f fls.

4f-1

1 It's my belief that you can't unring that bell.

2 THE COURT: The Court will further instruct the jury in
3 that regard.

4 MR. KANAREK: May I have a ruling on the request for a
5 mistrial?

6 THE COURT: The request for mistrial is denied.

7 MR. KANAREK: Thank you, your Honor.

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

10 THE COURT: Miss Pearl's response to Mr. Manson, the
11 response to Mr. Manson's statement in this conversation, which
12 he has been describing on the witness stand, the Court has
13 stricken.

14 The Court instructs you, once again, that you are
15 to treat such matters as if they had not been uttered; you are
16 to disregard the statement, in other words, completely;
17 that is, the witness' last remark, in response to Mr. Manson's
18 statement.

19 All right. Go ahead.

20 MR. MANZELLA: All right. Thank you, Mrs. Pearl.

21 I have no further questions, your Honor.

22 THE COURT: Mr. Kanarek?

23 MR. KANAREK: Thank you, your Honor.

24
25 CROSS-EXAMINATION

26 BY MR. KANAREK:

27 Q Mrs. -- do you prefer to be called Mrs. Pearl, or
28 Pearl? How do you prefer to be called?

1 A Yes. They call -- they all call me Mrs. Pearl.

2 Q Mrs. Pearl, you prefer to be called?

3 A Yes, please.

4 Q Mrs. Pearl, when you first met Mr. Shea, that was
5 in what year?

6 A Well, it was so long ago, it's hard to say what
7 year. 15 years ago.

8 Q Would you give us your best estimate about when it
9 was?

10 A Well, ten years ago would be '60, and -- '55,
11 something like that.

12 Q And when you first met Mr. Shea, had you yet met a
13 wife of his -- or, a purported wife of his, called Sandy?

14 A No, he hadn't married her yet.

15 Q And would you tell us the time when you first met
16 a person that you knew as Sandy?

17 A Sandy used to work for us at Corriganville; and
18 so did Shorty.

19 Q And can you give us about the year when you first
20 met Sandy?

21 A No. I can't tell when that was.

22 Q Did you meet Sandy after you met Mr. Shea?

23 A Oh, yes.

24 Q And it was after 1955?

25 A I'm not sure of the year, sir.

26 Q Well, it was after 1955 that you first met Sandy?

27 A Oh, it had to be after.

28 Q Right?

1 A Yes.

2 Q And can you give us an estimate of how many years
3 it was after 1955 that you first met Sandy?

4 A Well, we were always working, and it was in a --
5 in the midst of going back and forth to work; and Shorty was
6 going back and forth with us, and met Sandy over there at
7 Corriganville, the same time I did.

8 Probably a few years or so afterwards.

9 Q And from -- from the beginning of the time that
10 you met Sandy, until some later time, you saw Sandy at the
11 Spahn Ranch?

12 A Yes.

13 Q Would you tell us the last time -- give us the date
14 of the last time that you saw Sandy?

15 A No, I can't say just when I saw Sandy last.

16 Q Well, could you give us a rough estimate -- I'll
17 withdraw that.

18 Would you give us the year, your best estimate of
19 the year that you last saw Sandy?

20 A I saw her so many times back and forth, even after
21 they separated, that I can't say when it was.

22 Q Well, would it be 1965, '66, '67?

23 A Oh, he had been separated with her for a long
24 time.

25 Q So Sandy lived at the Spahn Ranch area after
26 Mr. Shea and she had separated; is that correct?

27 A No, not after they separated.

28 Q Well, after they separated -- well, I'll withdraw

1 that.

2 Can you think about it and perhaps give us a year
3 when you last saw Sandy?

4 A No, I can't, because she had a home, and her
5 folks were always coming back and forth, when they were having
6 little troubles.

7 Q Well, how many years ago would you say it was that
8 you last saw her?

9 A Oh, it was seven or eight, something like that.

10 Q That you last saw her?

11 A Yes.

12 Q Now, Mr. Shea brought another girl to the Spahn
13 Ranch, that he called his wife; is that correct?

14 A Yes.

15 Q Is that lady's name Phyllis Shea?

16 A I know a Phyllis.

17 Q When you say you know a Phyllis, --

18 A Yes.

19 Q -- what do you mean?

20 A Uhhh -- he was going with Phyllis. I never paid
21 too much attention.

22 Q Did he marry Phyllis?

23 A Uhhh -- he said he did, I guess. I didn't pay
24 much attention to her -- to --

4g-1

1 Q Was he married to Phyllis?
2 A That, I don't know.
3 Q Do you remember testifying before the Grand Jury?
4 A Yes, I know Phyllis. And I guess he said he
5 was married to Phyllis.
6 Phyllis worked over at Corriganville also, but
7 she never --
8 THE COURT: That's stricken.
9 Do you remember testifying before the Grand Jury?
10 THE WITNESS: Uh -- I remember they mentioning Phyllis;
11 that's all I remember.
12 Q BY MR. KANAREK: Well, in fact, you, Mrs. Pearl,
13 mentioned Phyllis --
14 A Uh-huh.
15 Q -- as being Mr. Shea's second wife; is that
16 correct?
17 A I -- it's possible.
18 Q Is there any doubt in your mind about it?
19 A No.
20 Q Then in fact you did testify before the Grand
21 Jury that Phyllis was Mr. Shea's second wife? You so
22 testified?
23 A If I did, I did.
24 Q Pardon?
25 A I don't remember if I did.
26 Q You don't.
27 May I approach the witness, your Honor?
28 THE COURT: Yes, you may. Show the passage that you

4g-2

1 are referring to to Mr. Manzella, if you would, please.

2 (Pause in the proceedings while the transcript
3 was perused by Mr. Manzella.)

4 Q BY MR. KANAREK: Would you read over the bottom of
5 page 819, Mrs. Pearl?

6 THE COURT: You may read the lines to her, Mr. Kanarek.

7 MR. KANAREK: Oh. Very well. Thank you, your Honor.

8 Q Did you testify at the Grand Jury, referring to
9 the Spahn Ranch, at page 819, as follows:

10 "Q Did he ever live there with any of his
11 wives?

12 "A Yes.

13 "Q Who did he live there with, if you recall?

14 "A His first wife was named Sandy.

15 "They lived together there for a period
16 of time?

17 "A Yes.

18 "Q And did he ever bring any other girl to
19 the ranch?

20 "A Yes.

21 "Q Who was that?

22 "A His second wife. There was an interval
23 of four or five years in between two of the marriages,
24 and he brought Phyllis to the ranch.

25 "Q Was he married to Phyllis?

26 "A Yes.

27 "Q As far as you know?

28 "A Well, I just assumed.

4g-3

1 "Q You have no personal knowledge; is that
2 correct?

3 "A No."

4 Now, when you answered that question, that you
5 had no personal knowledge, actually, you meant yes, you had
6 no personal knowledge?

7 A Yes, that's what I said. I don't really know.
8 Of course, I have nothing to go by.

9 Q So you had no personal knowledge --

10 A No.

11 Q -- about Mr. Shea's affairs; right?

12 A At that time, no.

13 Q Now, did Mr. Shea have a child with Phyllis,
14 a girl named Karen Arlene Shea?

15 THE COURT: If you know.

16 THE WITNESS: Sometimes I heard there was a baby, and
17 I didn't pay that much attention at that time.

18 Q BY MR. KANAREK: Well, did you at sometime later
19 begin to pay more attention?

20 A Well, we had more contact later, in later years,
21 in our work than I did in earlier years with Shorty.

22 He came and went, the same as the other boys.

23 Q Oh, he came and went, about the same throughout
24 all the years that you knew him; right?

25 A Off and on.

26 Q And so he came and went about the same, through
27 all the years that you knew him?

28 A No. We got better acquainted with him, after we

4g-4

1 lost our job at Corriganville. We stayed home on the ranch,
2 and we were more in contact with each other.

3 Q Well, Mr. Shea worked at both Corriganville and
4 at the ranch?

4h fls. 5 A Yes. At that time, in early years.

4h-1

1 Q And later on -- you saw Mr. Shea at Corriganville
2 and the Spahn Ranch?

3 A Yes.

4 Q And so you still saw Mr. Shea the same at that
5 time that you had seen him previously; is that correct?

6 A Oh, it ain't necessarily correct.

7 Q Pardon?

8 A It ain't necessarily correct if I saw him the same
9 in the later years as I did earlier.

10 Q It would not be correct?

11 A No, it's not.

12 Q It's not?

13 A Not.

14 Q Has your interest been focused on Mr. Shea, by
15 virtue of your speaking with law enforcement officers? That
16 is, the District Attorney of Los Angeles County's represen-
17 tatives, and Sheriff's officers and personnel, Mrs. Pearl?

18 A Oh, no.

19 Q That had no effect on --

20 A None at all.

21 Q -- your memory or anything like that?

22 A No, no.

23 Q Now, did Mr. Shea have a child that was born
24 November 10, 1959? A child by the name of Karen Arlene
25 Shea?

26 A As I said, I guess they had a baby.

27 Q Well, in the years that you say that you've --
28 that you saw Mr. Shea more often than previously -- let's say

1 the last five or six years -- have you ever seen Mr. Shea with
2 a daughter that he held out as his daughter, Karen Arlene Shea?

3 A Yes.

4 Q And you've seen that little girl with Mr. Shea?

5 A Only with his wife. I never saw it with him.

6 Q You never saw Mr. -- you never saw this girl,
7 Karen Arlene Shea, with Mr. Shea?

8 A Not unless they were all together; and I didn't
9 pay that much attention.

10 Q And when was it that you saw Mr. Shea in the
11 immediate presence of this girl, Karen Arlene Shea?

12 A Well, at Corriganville. They were putting kids
13 on the horses. And I didn't pay much attention to whose they
14 were.

15 Q And that was how many years ago, that you last saw
16 Mr. Shea with his daughter, Karen Arlene Shea?

17 A Well, it was eight or ten years ago, then.

18 Q So it's been some ten years since you've seen
19 Mr. Shea with Karen Arlene Shea; --

20 A Yes.

21 Q -- is that correct?

22 A Yeah.

23 MR. KANAREK: Your Honor, I have here a Certificate of
24 Live Birth, a copy of a Ventura, California -- it's a Ventura
25 County official record.

26 THE COURT: Do you wish to show it to Mr. Manzella before
27 you further identify it?

28 (Pause in the proceedings while Mr. Manzella

perused the proffered exhibit.)

MR. KANAREK: May this be marked for identification at this time, your Honor?

THE COURT: What is your next number?

MR. KANAREK: Pardon?

THE COURT: What is your next number?

MR. KANAREK: I don't know, your Honor.

THE CLERK: A special number?

THE COURT: No, we won't regard this as special.

All right. It will be marked H for identification.

MR. KANAREK: Defendant's H, your Honor?

THE COURT: Defendant's H for identification.

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

THE COURT: No, you need not approach the witness.

Q BY MR. KANAREK: Directing your attention, Mrs. Pearl, to the Simi Medical Center, located at 1890 Deodora, D-e-o-d-o-r-a, Street, in Simi, in the County of Ventura, California, did you on any occasion visit that location --

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

THE COURT: Sustained.

MR. KANAREK: I haven't finished.

THE COURT: The objection is sustained.

Q BY MR. KANAREK: Did you, with Mr. Shea, visit the Simi Medical Center at the time when this little girl was born?

A Not that I remember.

4i-1

1 Q Did Mr. Shea, since the day that you last saw
2 Mr. Shea and this little girl at Corriganville, some ten
3 years ago, did Mr. Shea ever mention this little girl,
4 Karen Arlene Shea?

5 A I don't recall.

6 Q Ever once mention that girl, to your knowledge?

7 A No, not that I recall.

8 Q When is the next time that Mr. Shea mentioned
9 his wife, Phyllis Shea?

10 A I don't recall.

11 Q Well, could you give us your best estimate of
12 when Mr. Shea mentioned his wife, Phyllis Shea?

13 MR. MANZELLA: Objection, your Honor. The question
14 assumes a fact which is not in evidence.

15 THE COURT: Sustained.

16 Q BY MR. KANAREK: Did Mr. Shea tell you that he was
17 married to Phyllis?

18 A Yes, he mentioned it.

19 Q That he was married to Phyllis?

20 A That he was married.

21 Q All right. Now, would you tell us when Mr. Shea
22 last spoke of this lady Phyllis Shea?

23 A No, I can't remember.

24 Q Was it eight, nine years ago that he last mentioned
25 it?

26 A I don't know.

27 Q Might have been ten years ago, the day at
28 Corriganville?

41-2

1 A Times goes so fast there, and we work every day,
2 I have no knowledge of the day.

3 Q And as far as time goes, you have difficulty
4 remembering time; right?

5 A That early. Because we were too busy then to
6 monkey with people, with their family affairs.

7 Q When you say "we," what do you mean by that?

8 A "We," Mr. Spahn, our cowboys.

9 Q You were too busy to remember --

10 A We didn't pay much attention to their family
11 affairs.

12 Q Well, when, if at all, did you ever pay attention
13 to Mr. Shea's family affairs, Mrs. Pearl?

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

15 THE COURT: Sustained.

16 Q BY MR. KANAREK: When is the last time that you
17 spoke with Mr. Shea concerning his family affairs?

18 A Well, I remember several incidents. One time, they
19 went on a little vacation --

20 Q When you say "they," who do you mean?

21 A Sandy, I was referring to at that moment. Sandy
22 and Shorty went on a little vacation.

23 And they took their folks' car, and the mother came
24 up and talked with me, and I was very happy for them.

25 They were gone for a few weeks. And that's about
26 the only extent I remember of his family affairs.

27 Q And that was how long ago?

28 A Oh, it was a long time ago.

41-3

- 1 Q Can you give us an estimate of how many years?
- 2 A Seven, eight years.
- 3 Q So, for some seven or eight years, you haven't
- 4 discussed any family affairs with Mr. Shea?
- 5 A Not about his previous marriages, no.
- 6 Q His previous marriages? With respect to what,
- 7 when you say "previous"?
- 8 A Well, Phyllis and Sandy.
- 9 Q And you -- you are speaking of "previous" in
- 10 connection with what, Mrs. --
- 11 A With Niki.
- 12 Q I see. Now, how many times in your lifetime have
- 13 you seen Niki?
- 14 A Just twice.
- 15 Q In your whole life?
- 16 A Right.
- 17 Q Now, directing your attention, Mrs. Pearl, to the
- 18 time that you tell us you saw these people, and you drove up
- 19 to the ranch and all of that, you remember discussing that a
- 20 little while ago with Mr. Manzella?
- 21 A (Indicating affirmatively.)
- 22 Q Would you speak audibly?
- 23 A Yes.
- 24 Q On that occasion, how many people -- how many men
- 25 did you see get out of the car that you've spoken of, Mrs.
- 26 Pearl?
- 27 A Well, I didn't sit down there and count them.
- 28 I just recognized them, as they were pouring out.

4i-4

1 Q Well, would you tell us now how many there were?

2 A There were four, maybe five. But I recognized
3 definitely the ones I mentioned.

4 Q Maybe five, maybe six, maybe seven?

5 A There weren't that many in the gang.

6 Q There weren't that many in what you call the gang;
7 is that right?

8 A Right.

9 Q And -- do you remember testifying before the
10 Grand Jury?

11 A Yes.

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4JQ1

1 Q Did you testify before the Grand Jury that Bill
2 Vance --

3 A Might have been there.

4 Q May I finish the question? Mrs. Pearl?

5 A Go ahead.

6 THE COURT: Go ahead, Counsel.

7 Q BY MR. KANAREK: Previously, you -- today, you
8 have told us -- you have not mentioned Bill Vance up to this
9 point; right?

10 A I didn't mention him.

11 Q Did you tell the Grand Jury that Mr. Vance was one
12 of the people that you saw in this automobile?

13 A I said he could have been there.

14 Q Was Mr. Vance one of the people that you saw in the
15 automobile?

16 A I didn't recognize him. I was too busy watching
17 the others.

18 Q I see. So, as we have the scene, you are looking
19 at this area, and you are now telling us that you were too
20 busy watching everybody, except Bill Vance; is that right?

21 A Well, as I was following the front ones, there
22 could have been another one coming along behind; but I was
23 watching them.

24 And it was dark. But I could see their outlines.
25 I was keeping my eye on the front ones.

26 Q You were keeping your eye on the front ones.
27 And why were you keeping your eye on the front ones?

28 A To see where they were going in such a hurry.

1 Q And did you see where they went?

2 A Yes.

3 Q And after you saw where they went, was there some
4 reason for not paying any attention to Bill Vance?

5 A By that time, they had sifted up toward the dark
6 shadows of the boardwalk.

7 Q These people, including Bill Vance; is that right?

8 A I didn't say he was there. He could have been.

9 Q Well, do you remember --

10 A I said he could have been there.

11 Q Well, maybe Mr. Manson wasn't there.

12 A Oh, he was there.

13 Q He was there. You've spoken with law enforcement
14 officers concerning this case; is that right?

15 A I see it in my mind.

16 Q You see it in your mind.

17 And you made it a point to look at everybody
18 except Bill Vance?

19 A I seen him so many times, it would mean nothing.

20 Q Well, you saw Mr. Manson; right?

21 A Well, Mr. Vance was just around as a prop. He
22 wasn't -- he didn't mean nothing.

23 Q Well, what do you mean, when you say that Mr.
24 Vance was around as a prop, Mrs. Pearl?

25 MR. MANZELLA: Objection, your Honor. It's not
26 relevant.

27 MR. KANAREK: We have a right to know what she means by
28 that --

1 THE COURT: The objection --

2 MR. KANAREK: Yes, your Honor?

3 THE COURT: The objection is overruled.

4 You may answer.

5 THE WITNESS: As someone that's always around,

6 We ignored him.

7 Q BY MR. KANAREK: And when you say, "We ignored
8 him," what do you mean --

9 A Our cowboys and myself ignored him.

10 Q And directing your attention, then, to this
11 particular man that you are speaking of, you made it a point
12 to watch everyone except Bill Vance; is that correct?

13 A I saw them all, as they gathered around, and was
14 concentrating on a few of them.

15 Q I see. Tell us the ones you were concentrating
16 on, Mrs. Pearl.

17 A Those that you couldn't help but distinguish,
18 their shape and hair and general walk.

19 Q And was there some reason you were concentrating
20 on them?

21 A Yes. I was wondering where they were going. They
22 were -- they weren't supposed to be prowling around that hour
23 of the night.

24 Q I see. And who were the ones you concentrated on?

25 A Mr. Manson, Mr. Grogan, and Bruce Davis.

26 Q Anybody else?

27 A Tex Watson.

28 Q Anybody else?

1 A That's what I remember watching.

2 Q Well, they were in that general area from time
3 to time, weren't they?

4 A Not at that hour.

5 Q From time to time, they -- they were in that
6 general area at that hour, at all hours?

7 A I never saw 'em streak out like that before.

8 Q My question is: As far as their presence was
9 concerned, they were, on other occasions, at that scene at many
10 hours, many different times of the day?

11 A Not grouping together like that, or not going fast;
12 just one here, one there, and one here.

13 They never were grouped like that.

4K

1 Q And that -- they never grouped like that?

2 A In a mission, on a mission like that. They were
3 always busy within one's ownself. They never did anything
4 in a row like that.

5 Q Well, you left immediately; right?

6 A I was leaving.

7 Q You didn't -- you didn't report this incident to
8 anybody?

9 A The next morning, I did.

10 Q The next morning, you reported the incident?

11 A To my friends up there.

12 Q To whom did you report the incident?

13 A To the cowboys that worked with me, and my girl
14 friend. I called her on the phone.

15 It was a very strange incident.

16 Q And you told your friends that -- who were the
17 people that you had seen that night?

18 A I told them who I had seen and asked if they had
19 seen Shorty.

20 Q That's the very next morning?

21 A Yes.

22 Q And you -- what are the -- would you tell us who
23 you said were the people that you had seen the night before?
24 Who did you tell your friends that you had seen the night
25 before?

26 A I said I saw the Manson group of boys, and I named
27 'em.

28 Q What names did you state?

1 A Charlie --

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

3 THE COURT: Overruled.

4 THE WITNESS: Charlie, Steve, Tex Watson, and Bruce.

5 I said I saw them all bunching up.

6 Q And Bill Vance?

7 A No. I saw Bill Vance other times. I didn't pay
8 much attention to whether he was there or not. I didn't care
9 if he was there or not.

10 Q You didn't care if he was there?

11 A No. He was always somewhere around there anyway.

12 Q That next morning, when you say you told your
13 friends as to who had been there the night before, did you
14 state that Bill Vance was there?

15 A No.

16 Q Never told anyone that?

17 A No. I said a group of the boys were there, to
18 our cowboys.

19 Q And when did you first speak to any law enforcement
20 officer concerning what you say you saw that night, with these
21 people and Mr. Shea?

22 A I don't know. It was quite a while after that.

23 Q How long after that?

24 A Quite a while after that. Probably several months.

25 Q Several months before you ever mentioned it to any
26 law enforcement officer? Right?

27 A Yes.

28 Q And when you first mentioned it to a law

1 enforcement officer, where were you, and where was the law
2 enforcement officer? And where was it that it took place,
3 that you discussed it?

4 A I don't know.

5 Q Now, then, when you saw this -- this scene that
6 you are speaking of, you became scared; is that right?

7 A Yes. When I didn't see Shorty around any more.

8 Q I am talking about at the time that it happened.

9 A At the time it happened, yes, I was.

10 Q You were scared?

11 A Yes.

12 Q You were scared that these people might hurt
13 Mr. Shea?

14 A Yes.

15 Q Right?

16 A Yes.

17 THE COURT: We'll take a short recess at this time.

18 During the recess, you are admonished that you
19 are not to converse amongst yourselves nor with anyone else,
20 or permit anyone to converse with you on any subject connected
21 with this matter, nor form or express any opinion on the
22 matter until it is finally submitted to you.

23 The case of People versus Robert Peckham.

24 About ten minutes, ladies and gentlemen.

25 We will break a little earlier tonight, about 4:00 o'clock.

26 It's a little warm in here.

27 (Mid-afternoon recess.)
28

5-1

1 THE COURT: Case of People vs. Manson. All right, the
2 record will show that the jurors and alternates are present.

3 You may proceed.

4 BY MR. KANAREK:

5 Q Mrs. Pearl, then, directing your attention to the
6 time that you spoke to Mr. Shea there at the area that you
7 testified to, when Mr. Manzella was speaking with you. Mr.
8 Shea told you that he was scared, is that right?

9 A Yes. Yes.

10 Q What did you say when he told you that he was
11 scared?

12 A I said, "I don't think they'll bother you, they
13 never have before."

14 Q So, now, you are telling us that you were not --

15 A When I was talking to --

16 Q Mr. Shea.

17 A -- Mr. Shea, I didn't feel any fear for him, then.

18 Q You had no fear at all for him?

19 A No, not then.

20 Q Then, when did you develop the fear for Mr. Shea?

21 A When the boys started running down there fast,
22 and actually I'd never seen before, approaching him, knowing
23 he was there alone. That's when I felt it.

24 Q And you left the ranch?

25 A Yes.

26 Q And you did nothing about it?

27 A No. I hesitated a minute or two, wondering
28 whether to go back or not. I didn't hear anything. But I had

5-2

1 left slowly.

2 Q And saw nothing?

3 A Nothing I would pinpoint.

4 Q Until you spoke to some law enforcement officers?

5 A Oh, no, the very next day I started looking,

6 "Has anyone seen Shorty?"

7 Q For several months you were looking for Shorty?

8 A Yes.

9 Q But you never mentioned it to anybody in law
10 enforcement?

11 A We mentioned it among ourselves there at the
12 ranch, had anyone seen him.

13 No, it was nothing we could call the law about.
14 We hadn't pinpointed anything.

15 Q And the reason -- well, let me withdraw that.

16 Why was it that it was nothing that you could
17 call the law about, Mrs. Pearl?

18 MR. MANZELLA: Objection, your Honor, it calls for
19 a conclusion and speculation on the part of the witness.

20 THE COURT: Sustained.

21 Q BY MR. KANAREK: Well, did anyone stop you from
22 going to a law enforcement officer concerning Mr. Shea at
23 any time?

24 A No.

25 Q Did anyone tell you not to go to see a law
26 enforcement officer?

27 A No.

28 Q And directing your attention to the time that you

5-3

1 saw Mr. Shea on this evening, what was the condition of the
2 weather?

3 A At that evening it was cool outside. It was
4 always cool up in the mountains in the evening.

5 Q Well, how was the visibility?

6 A Like it always was. Never had lights. Learned
7 to work in the dark.

8 Q Well, as far as seeing that people were there.

9 A At one point they passed me, I could see them.

10 Q You had no difficulty seeing them?

11 A No.

12 Q How long was it that you stayed at the ranch,
13 that you stayed in your car after these people arrived, Mrs.
14 Pearl?

15 A Barely a few minutes. Barely more than a few
16 minutes. Just -- just as Shorty left, I started the engine
17 and was going to start creeping away when the car came in.

18 Q Now, would you tell us, Mrs. Pearl, how could you
19 tell Mr. Shea that there was nothing to be ascarded of; you
20 did tell him that?

21 A I told him that. I had seen nothing to indicate
22 that he should be afraid.

23 Q You saw nothing whatsoever? This is after the
24 raid, people are carrying these knives around that you are
25 speaking about and you saw nothing for anybody to be afraid
26 about?

27 A We all worked together. We never expressed our
28 feelings. We had to work. There was no getting around that.

5-4

1 We had to stay there until way after dark and work.

2 Q Well, you tell us that you saw all of these people
3 with all of these knives, right?

4 A Yes. We walked right in between them with their
5 knives.

6 Q You weren't scared of anything?

7 A I didn't feel any fear.

8 Q You felt no fear when you left the ranch that
9 night?

10 A After talking with Shorty and seeing the boys,
11 I did.

12 Q Well, where were the boys when Mr. Shea told you
13 whatever he told you before these people got out of the car?

14 A Well, they hadn't arrived. The car didn't
15 arrive until after Shorty was just leaving my car and walking
16 behind me and I went to leave and the car came swerving in.

17 Q And what -- what had Shorty told you just instants
18 before the car came sweeping in?

19 A He told me the place was getting kind of weird.
20 He didn't want to stay there.

21 Q Then, the car came in?

22 A After he had turned and left me. I told him I
23 guess everything will be all right. I hadn't noticed any
24 commotion and I was proceeding to go, and he left, turned his
25 back on me and went.

26 Q And you told him that there's nothing to be
27 afraid about, right?

28 A I told him I didn't think they would bother him.

5-5

1 Q You told him that you didn't think that anybody
2 that was at that ranch would do anything to hurt Mr. Shea?

3 A That's what I told him.

4 Q Is that right?

5 A Yes.

6 Q And you had no reason ever to change that
7 feeling except when you spoke to law enforcement, is that
8 right?

9 A No, I got a shuddering feeling as I left, seeing
10 that. And then, I realized what Shorty was thinking about.

11 Q And then, you realized what Shorty was thinking
12 about.

13 When was that?

14 A When I was leaving. I got the message that he
15 was trying to put across.

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1 Q Well, did anybody interfere with his putting
2 across any message to you, Mrs. Pearl?

3 MR. MANZELLA: Objection, your Honor. The question is
4 vague and ambiguous.

5 THE COURT: Overruled. You may answer.

6 THE WITNESS: No one interfered. It was between us,
7 right then.

8 Q BY MR. KANAREK: Well, what day of the week was it
9 when this incident occurred, that you have told us about,
10 Mrs. Pearl?

11 A I can't say exactly what day of the week it was.

12 Q Well, Monday, Tuesday, Wednesday?

13 A I can't say.

14 Q Do you --

15 A I don't know.

16 Q You don't know?

17 A No.

18 Q You don't know whether it was the end of the week
19 or the beginning of the week?

20 A I can't say for sure.

21 Q Now, at the time that you had this conversation
22 with Mr. Shea, had you spoken with Mr. Shea concerning the
23 security work that Mr. Shea was to do at the ranch?

24 A Yes. Yes, I had.

25 Q And you had spoken with him, and you still
26 stated that there -- that there wasn't anybody on that ranch
27 that Mr. Shea could fear -- or need fear?

28 A No. Because he said he -- he wouldn't have any

1 trouble with them.

2 Q Mr. Shea told you he wasn't going to have any
3 trouble?

4 A Yes. He said he wouldn't have any trouble.

5 Q Well --

6 A He was easy-going and good-natured. He never had
7 any enemies.

8 Q But you tell us Mr. Shea -- just now, a few moments
9 ago, that he told you that he was scared?

10 A That was later. It wasn't the same moment. That
11 was later. It wasn't even the same day.

12 Q Well, was there any reason for you not -- not to
13 remember the supposed conversations you had with Mr. Shea about
14 his becoming some kind of a guard?

15 A He wasn't afraid to be a guard at that time. That
16 was an honor job.

17 Q What do you mean by "an honor job"?

18 A Well, he was there anyway, and that would be a
19 good honor for him, to be the night watchman, and draw pay,
20 just to see that people didn't bother the horses, to see that
21 people didn't break up the place.

22 Q And that was what the job was for, was to make
23 sure that people didn't bother the horses, or break up the
24 place?

25 A As I understood it.

26 Q Then were there any other reasons for the job?

27 A Well, if so, it was between -- it was between
28 Mr. Spahn and Shorty.

1 Q Well, my -- my question is: As far as your
2 thinking was concerned, Mr. Shea's entire job was to just watch
3 the horses and see that no one broke up the place?

4 A And keep other so-called hippies from coming in.

5 Q Oh, He was to keep other hippies --

6 A Other hippies out.

7 Q In other words --

8 A They were beginning to appear and disappear,
9 through the ranch, too often.

10 Q I see. And -- in other words, he wasn't supposed
11 to do anything, as far as the hippies that were there then,
12 but other hippies --

13 A And their friends. They probably -- it probably
14 included all of them. They were milling around and -- and
15 too many on the ranch. George didn't want too many on the
16 ranch.

17 Q Now, Mrs. Pearl, you don't like Mr. Manson, do you?

18 A Well, I always liked him when he was there. Sure,
19 I liked him.

20 Q You liked him?

21 A Sure.

22 Q Mrs. Pearl, your state of mind was that Mr. Manson
23 and the people that were there were undermining your relation-
24 ship --

25 A Oh, no.

26 Q -- with Mr. Spahn?

27 A Oh, no.

28 Q Not at all?

1 A. No. We liked 'em all.
2 Q. You liked them all?
3 A. George liked them, and I liked them.
4 Q. You liked Mr. Manson?
5 A. We never had an argument. Never had an argument.
6 Q. You never had any argument with Mr. Manson at all?
7 A. No.
8 Q. Right?
9 A. Right.
10 Q. And you never saw Mr. Manson have any argument
11 with anyone else, --
12 A. No.
13 Q. -- right?
14 A. Right.
15 Q. And so there was no reason for Mr. Shea to have
16 any -- any kind of guard duty, as far as Mr. Manson and the
17 other people at the ranch were concerned, --
18 A. That wasn't up to me.
19 Q. -- right?
20 A. That was between Frank Retz and George, at the time
21 Frank Retz was buying the lower end of the ranch.
22 That was in a little different category.
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1 Q All right. Tell us how different that category
2 was.

3 A That job just came up. Mr. Retz was talking to
4 George on several occasions about getting a night watchman,
5 for his end; and at the same time, Mr. Shea -- Shorty -- was
6 trying to watch our end, too.

7 Q Now, what would be the reason for watching your
8 end, if Mr. Manson and the people on the ranch were not causing
9 any problems to anybody?

10 A What would be the reason? A night watchman doesn't
11 have to have a reason. He just walks around and sees that
12 everything is just going smooth.

13 Q Now, Mrs. Pearl, are you putting us on? Do you
14 know what I mean by "putting us on"?

15 MR. MANZELLA: Objection, your Honor.

16 THE COURT: Objection --

17 MR. MANZELLA: This is ridiculous.

18 THE COURT: -- sustained.

19 Q BY MR. KANAREK: Mrs. Pearl, Mr. Shea had the
20 reputation of being a person who came and went; right?

21 A He was his own boss.

22 Q Right. He was a person whose personality was
23 that he came and he went at will; right?

24 A Yeah.

25 Q Hardly a night watchman type of person; right?

26 MR. MANZELLA: Objection, your Honor.

27 THE COURT: Sustained. The objection is sustained.

28 Q Did you speak with Mr. Shea about the night

1 watchman job, Mrs. Pearl?

2 A Only that he was going to get it and make some
3 money on it.

4 Q And what were the wages to be, Mrs. Pearl?

5 A That, I don't know.

6 Q What were the working hours to be, Mrs. Pearl?

7 A Evenings.

8 Q From when to when?

9 A Because I was there till late. So when I left,
10 probably he would continue the shift, so there would be someone
11 on the ranch.

12 Q Well, before Mr. Shea -- I'll withdraw that.

13 Before this discussion of night watchman came up,
14 with Mr. Shea, was there ever a night watchman there?

15 A No.

16 Q And Mr. Manson and -- oh, people like Mr. Watson
17 and Bill Vance and Ella Jo Bailey and Linda Kasabian, Susan
18 Atkins, Patricia Krenwinkel, Little Larry -- do you know all
19 those people?

20 A I know them all.

21 Q Larry Jones? You know all of them, don't you?

22 A I know them, um-hmm.

23 Q Those people were there for many months, and the
24 ranch had been there for many years, without a night watchman?

25 A Right, yes.

26 Q Is that right?

27 A Yes. But George didn't want the night watchman.
28 Mr. Retz did. He didn't want them down on his property. That

1 was the question. George didn't care if they were on his.

2 Q Well, then, there were no hours; there was no need
3 for any continuation of your shift, and that's untrue, Mrs.
4 Bailey?

5 A Oh --

6 Q I mean, Mrs. Pearl? You didn't work for George
7 Retz, did you?

8 MR. MANZELLA: Objection, your Honor. The question is --

9 THE COURT: Sustained.

10 Q BY MR. KANAREK: Did you work for George Retz,
11 Mrs. Pearl?

12 A No. No, his name is Frank.

13 Q Pardon?

14 A Frank Retz.

15 Q All right. Did you work for --

16 A No, I didn't --

17 Q -- for Frank Retz?

18 A -- work for Frank Retz.

19 Q You didn't work for Frank Retz?

20 A No, I didn't work for Frank Retz.

21 Q You worked for George Spahn?

22 A Only for George.

23 Q So that's a lie; it's untrue that there was any
24 necessity for any continuation of your shift. That's an un-
25 truth that you are trying to put -- well, I won't say it.

26 But that is untrue, about any continuation of
27 your shift, taking place at the George Spahn Ranch; is that
28 true?

1 A Well, it wasn't up to me to hire a night watchman.
2 It wasn't my thoughts.

3 Q Well, you have told us that you had a shift which
4 was to be continued by Mr. Shea.

5 MR. MANZELLA: Objection, your Honor. The witness did
6 not testify to that.

7 THE COURT: The objection is sustained.
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1 THE WITNESS: The shift would have to be after I left,
2 to be night. A night watchman means night.

3 So I was there till 11:00. That was dark.

4 Q BY MR. KANAREK: And there was to be a shift after
5 you left, that Mr. Shea was to take over for George Spahn; is
6 that right?

7 MR. MANZELLA: Objection, your Honor. It assumes a fact
8 not in evidence.

9 MR. KANAREK: I am asking her.

10 MR. MANZELLA: And calls for facts beyond this witness'
11 knowledge.

12 MR. KANAREK: I am asking her. They have brought this
13 whole subject matter in, your Honor.

14 THE COURT: The objection's overruled.

15 You may answer.

16 THE WITNESS: Yes. I thought I clarified that.

17 It would have to be after my shift. I went home --

18 Q BY MR. KANAREK: Well, who did you discuss it
19 with? Someone coming in and taking over after your shift?

20 A It hadn't got that far advanced yet. They had
21 just brought the subject up, that he was going to be a night
22 watchman.

23 Q And when you say "they" --

24 A George and Mr. Retz.

25 Q And you say it hadn't been that advanced?

26 A No.

27 Q So there was no discussion about Mr. Shea being a
28 night watchman on the Spahn Ranch. So that's --

1 A Yes.

2 Q -- just a figment of your imagination?

3 A There was a discussion on it.

4 THE COURT: Just a minute -- well, the answer may remain.

5 MR. KANAREK: Pardon?

6 THE WITNESS: There was a discussion on it. That's
7 where he was going to make some money.

8 Q BY MR. KANAREK: I see. And who had the
9 discussion?

10 MR. MANZELLA: Objection. The question has been asked
11 and answered.

12 MR. KANAREK: No, it hasn't, your Honor.

13 THE COURT: I don't believe it's been asked on cross-
14 examination.

15 You may answer.

16 THE WITNESS: Who was going to hire Shea?

17 THE COURT: The question is: Who had the discussion?

18 THE WITNESS: Who had the discussion? Shorty and I.
19 If this is the one you are referring to.

20 Q BY MR. KANAREK: Well, would you tell us what the
21 discussion was?

22 A The discussion previously was George and Mr. Retz.
23 Shorty didn't enter in the first part of it.

24 Later, Shorty told me he was going to be night
25 watchman.

26 Q All right. When did Shorty tell you he was going
27 to be a night watchman?

28 A Oh, several occasions around the ranch, while we

1 were working.

2 Q How long before this night that you are telling
3 us about, supposedly, Mrs. Pearl?

4 A Just recently to that.

5 Q How many nights before?

6 A Oh, maybe one or two.

7 Q One or two nights before?

8 A Yes.

9 Q Who was present when this conversation took place?

10 A I didn't pay that much attention.

11 Q Well, give us your --

12 A It wasn't that important.

13 Q Pardon?

14 A It wasn't that important.

15 Q And it never occurred; right?

16 A It occurred. Because he wanted to borrow money,
17 and I mentioned, "Wait until you get your job. You'll get some
18 money."

19 Q He wanted to borrow money?

20 A Yes. So this is what brought the subject up.

21 Q I see. And you told him to wait until he got the
22 job.

23 What was holding the job up?

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

25 Q BY MR. KANAREK: Was there any discussion as to
26 what was holding the job up?

27 THE COURT: You needn't answer that.

28 Unless you want to pinpoint the discussion.

1 The discussion that was raised on cross-examination -- on
2 direct examination.

3 MR. KANAREK: Well, your Honor, we are not limited.

4 May we approach the bench?

5 THE COURT: The Court limits you at this time.

6 Q BY MR. KANAREK: When you had this discussion,
7 you say, about the money, you spoke about Mr. Shea who was
8 going to be the night watchman. You spoke about that with
9 Mr. Shea; is that right?

10 A Yes.

11 MR. MANZELLA: Objection. The question has been asked
12 and answered.

13 THE COURT: Yes, it has been asked and answered.

14 MR. MANZELLA: I'll withdraw the objection.

15 THE COURT: The answer may remain in, however.

16 Q BY MR. KANAREK: When was Mr. Shea, in your
17 presence -- I'll withdraw that.

18 How many times in your presence did Mr. Shea
19 discuss this supposed job?

20 A Well, once when he wanted the money, when he asked
21 for money; and once just a casual mentioning of it.

22 Q All right. Would you tell us where the first
23 "once" was? Where were you and where was Mr. Shea and where
24 did it occur?

25 A It probably occurred at the house.

26 Q Probably occurred at your house?

27 A No, at the Spahn house, when we all got together.
28 Otherwise, we weren't all together that much, except when we

1 got together at dinnertime, at food time.

2 Q What day was that?

3 A Oh, I don't know.

4 Q When was the second "once"?

5 A The second one, he wanted money, outside.

6 Q Where was that?

7 A Outside, on the boardwalk.

8 Q And who was present when he --

9 A Just him and I.

10 Q And how long was that before this incident?

11 A Just a short time before.

12 Q How many days?

13 A A day or so before.

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1 Q Now, you saw Linda Kasabian there at the Spahn
2 Ranch, right?

3 A Only once or twice.

4 Q You saw Linda Kasabian only once or twice?

5 A Yes.

6 Q She was there during the entire month of July,
7 1969, is that correct, Mrs. --

8 A I don't know how long she was there.

9 Q Well, were you there every day?

10 A I was there every day.

11 Q And you never wore blinders, you --

12 THE COURT: You need not answer that.

13 Q BY MR. KANAREK: Do you have any trouble --

14 THE COURT: Mr. Kanarek, will you restrain yourself
15 and not argue with this witness?

16 MR. KANAREK: Yes, your Honor.

17 Q BY MR. KANAREK: Mrs. Pearl, is there anything
18 wrong with your vision? Do you have to wear glasses or
19 anything like that?

20 A No, I don't wear glasses.

21 Q And did you ever see Linda Kasabian carrying a
22 knife before the August 16th, 1969, raid?

23 A No.

24 Q You never saw Linda Kasabian carrying a Buck
25 knife?

26 A No.

27 Q Did you see any Buck knives at the ranch before
28 August 16, 1969?

1 A Yes, I saw a few of them.

2 Q Did you see people carrying those knives before
3 August 16, 1969?

4 A Yes.

5 Q And there was no difference in what people
6 carried before August 16, 1969, and afterwards?

7 A They --

8 Q Was there, Mrs. Pearl?

9 A Yes, it made a difference.

10 Q It made a difference?

11 A Yes, because the girls were wearing them after-
12 wards and before only the boys were playing with them.

13 Q You say playing with them; how were they playing
14 with them?

15 A Flipping them in the haystack.

16 Q And you didn't see any girl with any Buck knife
17 at all? You never saw Linda Kasabian with one?

18 A No, I didn't see her with any.

19 Q Did you ever see Ella Jo Bailey carry a Buck
20 knife?

21 A Yes, I saw her with one.

22 Q You saw her with one after August 16, 1969?

23 A I thought you meant before.

24 Q Well, before or after, Mrs. Pearl.

25 A Not after. I don't think I ever saw her after
26 the raid.

27 Q Well, did you see her carry a Buck knife?

28 A I had seen her with one, yes.

1 Q Before?

2 A Before, yes.

3 Q Now, who else had you seen before carry a knife,
4 any female?

5 A I don't recall any others.

6 Q You're pretty familiar with knives, aren't you,
7 Mrs. Pearl?

8 A I've seen a few.

9 Q Ever have any arguments with Shorty Shea?

10 A Not that I recall.

11 Q Not that you recall.

12 From time to time you and Mr. Shea had words,
13 right?

14 A I can't recall any.

15 Q You mean it might have happened and you don't
16 recall it?

17 A I don't recall any right at the moment.

18 Q Did Mr. Shea owe you any money?

19 A That's immaterial.

20 Q That's immaterial.

21 He owed you quite a bit of money, Mrs. Pearl,
22 didn't he?

23 A Not that anyone knew about.

24 Q Tell us about it right now. Now is the right
25 time.

26 A At times I gave him money. When I give money
27 to the boys I know I'll never see it again.

28 Q I see. And so how much did Mr. Shea owe you?

1 A Oh, I can't say exactly.

2 Q Well, give us your best estimate.

3 A \$20 at a time maybe, now and then.

4 Q How much does he owe you right now?

5 A I wouldn't say he owed me anything because I
6 never expected it back when I gave it to him.

7 Q You gave it to him?

8 A No, we never acted as if it was a loan. When
9 they needed money --

10 Q When you say "we" --

11 A Mr. George.

12 Q You mean --

13 A Mr. George. I always asked George if I could give
14 him some. It wasn't always my money I was handling.

15 Q You handled Mr. Spahn's money?

16 A I handled Mr. Spahn's money.

17 Q Mr. Spahn was blind?

18 A Right.

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1 Q So when you gave Mr. Shea money, you gave him
2 Mr. Spahn's money on occasion?

3 A On occasion.

4 Q And on occasion you gave him your money?

5 A Yes.

6 Q How much of your money have you given Mr. Shea
7 that is not yet repaid?

8 A I don't think that's anyone's business.

9 MR. KANAREK: Your Honor, may I have an answer to the
10 question?

11 THE COURT: Yes, Mrs. Pearl, please answer Mr. Kanarek's
12 question.

13 THE WITNESS: How much money I have given him over a
14 period of all of those times?

15 THE COURT: That he owes you.

16 THE WITNESS: Well, I give him money now and then. I
17 can't say even how much he owes me. If he owes it,

18 Q BY MR. KANAREK: The question, Mrs. Pearl, is how
19 much have you given to Mr. Shea that he has not returned?

20 A That he has not returned? Well, some things I
21 gave him, not giving it to him, I bought things off of him.
22 I bought a movie projector and things like that when he
23 needed money. So that's not giving it to him.

24 Those boys always come up with something to sell
25 if they needed money.

26 Q Mr. Shea always came up with something to sell
27 when he needed money?

28 A Not often, no.

1 Q He came up with a movie projector one time when
2 he needed money?

3 A Yes.

4 Q When was that?

5 A That was recent. That was recent.

6 Q Would you tell us when it was, Mrs. Pearl?

7 A It was in June.

8 Q 1969?

9 A Yes.

10 Q He came up with a movie projector?

11 A Uh-huh.

12 Q How much did you give him for the movie projector?

13 A That was \$50.

14 Q And he gave you -- you got -- in other words,
15 that would be full price for the movie projector?

16 A Yes, yes.

17 Q Did he tell you where he got the movie projector?

18 THE COURT: You needn't answer that. Immaterial.

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

20 THE COURT: No, you may not.

21 Q BY MR. KANAREK: Did you have a discussion with
22 him at the time that he gave you the movie projector for
23 \$50?

24 THE COURT: You needn't answer that. That is
25 immaterial.

26 Q BY MR. KANAREK: Well, then, apart from that \$50,
27 looking at your debit-credit relationship with Mr. Shea, how
28 much money have you given him that he has not yet returned?

1 MR. MANZELLA: Objection, your Honor.

2 THE COURT: Are you able to --

3 MR. KANAREK: We haven't had an answer to that question
4 yet.

5 THE COURT: Are you able to fix a figure?

6 THE WITNESS: No.

7 Q BY MR. KANAREK: Give us your best estimate.

8 A It has no memory to me.

9 THE COURT: It has been asked and answered.

10 MR. KANAREK: I didn't hear her statement, your Honor.
11 She made something --

12 THE COURT: She said no, she could not come up with a
13 figure.

14 Ladies and gentlemen, we'll recess at this time,
15 until tomorrow morning at 9:30 or 9:45. Hopefully the Court
16 will be through with the calling of Department 100's
17 calendar, and this calendar by 9:45 and we can start
18 promptly.

19 Remember the admonition that I have heretofore
20 given you, and that is that you are not to converse amongst
21 yourselves, nor with anyone else, nor permit anyone to
22 converse with you on any subject connected with this matter,
23 nor are you to form or express an opinion on the matter until
24 it has finally been submitted to you.

25 Remember, too, the admonition that I have
26 heretofore given to you, and the Court will not repeat it,
27 except to tell you that you should avoid any publicity
28 concerning this case or any other case in which Mr. Manson

1 may become involved or take active steps to avoid it.

2 MR. KANAREK: May we remain in session for a moment?

3 THE COURT: Yes, 9:45. Good night. See you tomorrow
4 morning.

5 (Whereupon, the jury panel retired from the
6 courtroom at ten minutes after 4:00.)

7 THE COURT: Off the record.

8 (A discussion was had off the record.)

9 THE COURT: On the record.

10 MR. MANZELLA: Can Mrs. Pearl be excused?

11 THE COURT: Mrs. Pearl, you are excused and ordered to
12 return tomorrow morning at 9:45.

13 All right, the record will show that the jurors
14 have left the courtroom.

15 Mr. Kanarek.

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MR. KANAREK: Yes, your Honor.

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1 THE COURT: Use the microphone, will you? I'm having
2 trouble hearing you with the noise of the air conditioners.

3 MR. KANAREK: Mr. Manson informs me that he has been
4 beaten up twice in the jail today.

5 THE COURT: I observed Mr. Manson this morning and I
6 observed no marks of a beating on his person.

7 Does he -- have you talked to him personally?

8 MR. KANAREK: Yes, yes.

9 THE COURT: Have you seen his person?

10 MR. KANAREK: Well, I didn't --

11 THE COURT: Have you looked at -- is there any indica-
12 tion that there has been a beating?

13 MR. KANAREK: I am not a doctor. I -- I --

14 THE COURT: Is there any visible indication to you that
15 there has been a beating?

16 MR. KANAREK: Well, it is possible for someone to be
17 mistreated without the person having a hematoma that is livid
18 and so, I mean, I am not a doctor but I -- so I can't say that
19 I have seen any hematoma, if that's -- if your Honor's
20 talking about black and blue marks.

21 THE COURT: That's what I am talking about.

22 MR. KANAREK: No, I can't represent that I have seen
23 that, no.

24 THE COURT: Well, what else do you wish to put on the
25 record?

26 MR. KANAREK: Well, we do wish that witness that I
27 indicated to the Court -- and it is our belief that there is
28 a suppression of the evidence, which is violative of the

1 14th Amendment, and it is a People vs. Kiihoa-type of
2 situation. And we have discovery from this person. And
3 because this discovery is favorable to Mr. Manson, it is our
4 belief the prosecution is hiding out this person or at the
5 very minimum is not allowing us to -- give us an address to
6 subpoena the person. I've asked Mr. Manzella and asked Mr.
7 Whiteley, as your Honor knows.

8 THE COURT: All right, excuse me, Mr. Kanarek,
9 Mr. Manzella.

10 MR. MANZELLA: Yes, we'll have an address on the
11 witness for Mr. Kanarek tomorrow at 2:00 o'clock.

12 THE COURT: Fine.

13 MR. KANAREK: I -- I --

14 THE COURT: Do you have an address of Phyllis Shea?

15 MR. MANZELLA: No, your Honor, I don't.

16 THE COURT: Or Mr. Kanarek?

17 MR. KANAREK: No. I say, I welcome the assistance of the
18 Court. I can represent to the Court and offer to be sworn
19 that, uh, that when I asked previously for this, I was told
20 in no uncertain terms that this information was not available
21 to me by both Mr. Manzella and Mr. Whiteley.

22 MR. MANZELLA: That is not true, your Honor. Mr. Kanarek
23 was told I did not have an address on the witness, and that
24 I do not have addresses on any of my witnesses.

25 MR. KANAREK: Mr. Whiteley --

26 THE COURT: There is no need to prolong this. The
27 address will be provided, Mr. Kanarek, to you tomorrow morning
28 -- or at 2:00 o'clock.

1 MR. KANAREK: Yes.

2 And I would like to make this statement, that Mr.
3 Blackburn has told me that he is not objective. He made this
4 candid statement, and I think Mr. Manson should be protected
5 from this kind of journalism and kind of reporting. He told
6 me he thinks Mr. Manson is guilty, and I don't think in the
7 interest of justice this man should be allowed into this
8 courtroom and that he should be excluded from the courtroom.
9 He told me that he is out to get Mr. Manson.

10 THE COURT: The motion is denied and your remarks are
11 stricken.

12 DEFENDANT MANSON: (From within the holding tank) I
13 didn't tell Irving what he said I said, I wish that to be --

14 THE COURT: Is there any other matter you wish to
15 bring to the Court's attention?

16 MR. KANAREK: No, your Honor, except that --

17 THE COURT: All right, let's get Mr. Manson out.

18 (Whereupon, the Defendant Manson was brought
19 out from the holding tank into the courtroom.)

20 THE COURT: Mr. Manson, is somebody beating you? Has
21 somebody beaten you, as Mr. Kanarek says?

22 THE DEFENDANT: We had a little thing going. We
23 bounced back and forth. I did a little bit and they did
24 a little bit. I hit one of them and kicked one in the knees.

25 THE COURT: You are not in any state of physical
26 disability now?

27 THE DEFENDANT: No, I live in violence all the time.

28 THE COURT: All right, we're in recess until tomorrow

1 morning at 9:45.

2 THE DEFENDANT: They wasn't misusing me, I was misusing
3 them.

4 (Whereupon, at 4:15 o'clock p.m. an adjournment
5 was taken until the following day at 9:45 o'clock
6 a.m.)
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