

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.

147

No. A-267861

REPORTERS' DAILY TRANSCRIPT

Monday, September 20, 1971

VOLUME 47APPEARANCES:

For the People:

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

For Defendant Manson: IRVING A. KANAREK, Esq.

WHITELEY (7140)

WATKINS (PAUL) (7146) (7168)
DIRECT CROSSPOSTON (BROOKS) (7240) (7248) (7281)
DIRECT CROSS RE-DIRECTMARY LOU BRIANDI, C.S.R.
ROGER K. WILLIAMS, C.S.R.
Official Court Reporters

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1 LOS ANGELES, CALIFORNIA, MONDAY, SEPTEMBER 20, 1971 9:55 A.M.

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3
4 THE COURT: The case of People vs. Manson?

5 (Whereupon, the following proceedings were had
6 at the bench among Court, counsel and the defendant,
7 outside the hearing of the jurors:)

8 THE COURT: Mr. Manson, again we will ask you whether
9 you can and will be quiet today and not disturb the court.
10 If you can, of course you can remain. If you cannot, then
11 you'll have to remain in the lockup behind the courtroom
12 here.

13 THE DEFENDANT: I have no judgments in this courtroom?
14 None whatsoever?

15 THE COURT: Can you tell me that you will be quiet?

16 THE DEFENDANT: I wouldn't want to misrepresent
17 anything to you.

18 THE COURT: All right. I'll allow you to be here
19 today. But the first outburst, the disturbing of the court,
20 you'll have to leave.

21 Let's proceed.

22 THE DEFENDANT: My position hasn't changed, though.

23 THE COURT: All right. Let's proceed.

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

27 THE COURT: The People may proceed.

28 MR. MANZELLA: The People call Sergeant Whiteley.

1 THE COURT: The record may show that the jurors and
2 alternates are all present.

3 Good morning, ladies and gentlemen.

4 (Whereupon, murmurs of "Good morning, your Honor,"
5 were heard from the members of the jury.)

6 THE COURT: The Court's happy to see you all.

7 The defendant is present with his counsel, Mr.
8 Kanarek; Mr. Manzella for the People.

9 MR. KANAREK: Oh, your Honor. May we approach the bench?
10 I --

11 THE COURT: Yes, you may.

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

15 MR. KANAREK: Your Honor, I represent to the Court that
16 I did research over the weekend, and there's absolutely no
17 basis for this hearsay, self-serving --

18 THE COURT: Do you mean the -- asking Sergeant
19 Whiteley whether he was able to find Shea as a result of his
20 investigations?

21 MR. KANAREK: Yes. And that's absolutely unheard of in
22 the law, your Honor.

23 THE COURT: I don't know of any case that has ruled
24 on the point. But it seems to me that --

25 MR. KANAREK: It's hearsay.

26 THE COURT: It seems to me to be analogous to those
27 cases wherein there is a presumption or -- or an inference
28 raised, say, short of seven years -- that the seven years

1 presumption arises as to death.

2 Under certain circumstances -- under all circum-
3 stances, where a defendant has not been -- or where a person
4 has not been heard of during that period of time, an inference
5 can be raised as a result of evidence presented short of
6 seven years.

7 MR. KANAREK: That's why we have rules of evidence,
8 though, your Honor. It's hearsay; it's immaterial; it's
9 irrelevant.

10 The prejudicial effect far outweighs any probative
11 value.

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12 Human affairs being what they are --
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1 THE COURT: Well, the Court --

2 MR. KANAREK: Mr. Shea could have -- it's actually --

3 THE COURT: The Court believes that it's a matter of
4 weight for the jury to determine; and it does have probity;
5 and the probity outweighs any prejudicial effect that --

6 MR. KANAREK: There's no foundation for it, your Honor.
7 The man is merely --

8 THE COURT: You may proceed.

9 MR. KANAREK: -- merely a police officer.

10 Your Honor, may I make the record on it? Your
11 Honor?

12 THE COURT: No, I'm not interested in hearing from you any
13 further.

14 MR. KANAREK: May I have a continuing objection on this?

15 THE COURT: No, you may not.

16 MR. KANAREK: So that I don't have to object to every
17 question, your Honor?

18 THE COURT: Well, if it's --

19 MR. KANAREK: I mean, if he's going to testify to nothing
20 but hearsay --

21 THE COURT: If it is based on your objection as heretofore
22 stated, yes.

23 MR. KANAREK: And furthermore, I object on the grounds
24 it denies Mr. Manson a fair trial, under the Fourteenth
25 Amendment to the United States Constitution; and due process
26 under the California Constitution; and equal protection under
27 the Fourteenth Amendment of the United States Constitution;

28 That that denies him a right to confront under the

1 Sixth Amendment, the right to effective counsel; no discovery
2 has been made concerning this.

3 We are entitled to discuss it. I make a motion
4 for an evidentiary hearing, that this man testifies outside
5 the presence of the jury as to these matters.

6 We are entitled to discovery. This has never
7 been made available to us, and this is a second violation of
8 due process and equal protection, for the District Attorney,
9 all of a sudden, to bring up this type of evidence, without --
10 without informing us in advance that this is going to take
11 place.

12 This is the first that we knew of it, was last
13 Friday. And I have researched it over the weekend, and there
14 is absolutely no basis for it.

15 Now, we were told what would be discovered, and
16 this was not part of the evidence.

17 MR. MANZELLA: Well, your Honor --

18 MR. KANAREK: None of this was made available to us, your
19 Honor.

20 MR. MANZELLA: Your Honor, because of Mr. Kanarek's
21 statement with regard to discovery, I think I should say that
22 this information is contained in the Homicide Manual, in
23 various places. In other words, I believe there are actual
24 copies of telegrams which Sergeant Whiteley sent, and which
25 are contained in the Homicide Manual, along with persons he
26 did contact, and the result of his continuing investigation of
27 the Shea case.

28 Furthermore, Sergeant Whiteley testified

1 substantially as I will ask him to testify today at the
2 Grogan trial, and that that is contained in the transcript of
3 that case.

4 THE COURT: All right.

5 MR. KANAREK: Well, your Honor --

6 THE COURT: The Court's not interested in hearing any
7 further.

8 MR. KANAREK: We ask for an evidentiary hearing, your
9 Honor.

10 THE COURT: The Court denies your motion for an evidentiary
11 hearing. The Court denies all your motions in respect to it.

12 MR. KANAREK: Well, then, may I have --

13 THE COURT: The Court will hear the questions.

14 MR. KANAREK: May I have a continuing objection to all
15 of this, so I don't have to -- on all of the bases that I
16 have indicated here, may I have a continuing objection on
17 that?

18 THE COURT: Yes, you may.

19 MR. KANAREK: Thank you. Now, I ask the Court to --

20 THE COURT: Let's proceed.

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

23
24 PAUL J. WHITELEY,
25 recalled as a witness by and on behalf of the People, having
26 been previously duly sworn, resumed the stand and testified
27 further as follows:

28 DIRECT EXAMINATION (CONTINUED)

1 BY MR. MANZELLA:

2 Q Sergeant Whiteley, as the homicide investigator
3 assigned to this case --

4 MR. KANAREK: Your Honor, I would object to any preface
5 or argument. Can he not just ask a question?

6 And I object to the -- this is no --

7 THE COURT: The objection is overruled.

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1 Q BY MR. MANZELLA: (Continuing) -- did you make
2 efforts to locate Donald Shea?

3 A Yes, I did.

4 Q And would you tell us what you did in that
5 connection?

6 A I sent nation-wide teletypes to all missing
7 persons details throughout the nation.

8 I sent teletypes to the FBI, the California
9 Investigation & Identification Section in Sacramento;

10 I sent teletypes to the State of Massachusetts,
11 Texas, Nevada, Arizona, and California, specifically to the
12 Division of Mental Hospitals; also in California, to the
13 Division of Mental Hospitals.

14 I checked the State Department, Division of
15 Passports; the Department of Motor Vehicles, for driver's
16 license record.

17 I contacted the Southern California Credit
18 Unions and Film Maker's Unions.

19 I contacted the Veterans Administration. I
20 contacted the military records that -- at Lexington, Kentucky.

21 I can't remember any more of them.

22 Q Did you contact the Coroner's Offices?

23 A Yes.

24 Q And in what states?

25 A California -- specifically, in California,
26 Nevada, Arizona, Texas, Massachusetts.

27 Q Did you contact the Social Security Administration?

28 A Yes, I did.

1 Q Did you contact California Workmen's Compensation?

2 A Yes, I did.

3 Q Did you contact the United States Postal Service
4 in any state?

5 A Yes, I did.

6 Q And do you recall in what states, specifically?

7 A Massachusetts, Texas, Nevada, Las Vegas,
8 California.

9 Q Did you contact the Internal Revenue Service?

10 A Yes, I did.

11 Q Did you contact any utility companies?

12 A I can't recall.

13 Q All right. As a result of -- strike that.

14 In the teletypes which you sent to these agencies,
15 did they contain a description, a physical description and
16 the nicknames of Donald Jerome Shea?

17 THE COURT: The Court will sustain its own objection to
18 that. The answer is stricken.

19 Q BY MR. MANZELLA: As a result of your efforts,
20 were you able to locate Donald Jerome Shea or his whereabouts?

21 A No.

22 MR. MANZELLA: All right. Thank you. I have no further
23 questions of Sergeant Whiteley at this time, your Honor.

24 THE COURT: Any questions, Mr. Kanarek?

25 MR. KANAREK: Yes, your Honor.

26 If I may have a moment?

27 THE COURT: You may.

28 (Pause in the proceedings.)

CROSS-EXAMINATION

BY MR. KANAREK:

Q Now, Officer, you have done all this checking; is that correct?

A That's correct.

Q And you did all this checking at a time when Mr. Manson was being prosecuted in connection with this case; is that right?

A Yes, during a portion of -- the major portion of that time.

Q And during this time, your state of mind was to convict Mr. Manson of first-degree murder?

A No, sir, I don't convict anyone.

Q Your purpose was to gather evidence -- your intent and your motivation was to gather evidence to bring before these people on the jury, with the purpose of getting a conviction for first-degree murder against Mr. Manson; is that correct?

A No, sir.

Q Your purpose was not to gather evidence against Mr. Manson?

A No, that was my purpose, was to gather information.

Q To gather evidence?

A And evidence.

Q And your purpose in gathering this evidence was on behalf of the prosecution?

A Yes.

Q And the purpose of the prosecution is to convict

1 Mr. Manson?

2 A Yes, I suppose so.

3 Q Well, there's no question in your mind about that,
4 is there?

5 MR. MANZELLA: Objection, your Honor. The question's
6 been asked and answered.

7 Q BY MR. KANAREK: Is that right, Officer? Your
8 purpose was to convict Mr. Manson for murder in the first-
9 degree? That was your purpose and motivation in connection
10 with your activities in this case, in what Mr. Manzella has
11 termed your position as chief investigating officer?

12 MR. MANZELLA: The question has been asked and answered.

13 THE COURT: Sustained.

14 MR. KANAREK: Thank you, your Honor.

15 Thank you, Officer.
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MR. MANZELLA: I have no questions on redirect examination, your Honor.

THE COURT: Call your next witness.

MR. MANZELLA: The People call Mr. Paul Watkins.

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

You do solemnly swear that the testimony you may give in the cause now pending before this court shall be the truth, the whole truth, and nothing but the truth, so help you God?

THE WITNESS: I do.

PAUL WATKINS,

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

THE CLERK: Please take the stand and be seated.

Please state and spell your full name..

THE WITNESS: Paul Watkins; W-a-t-k-i-n-s.

DIRECT EXAMINATION

BY MR. MANZELLA:

Q Mr. Watkins, do you know the defendant in this case, Mr. Charles Manson?

A Yes.

Q And when did you first meet Mr. Manson?

A In the spring of 1968.

Q And where did you meet him?

A In a house in Topanga Canyon.

Q And was that house on Summit Drive in Topanga

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1 Canyon?

2 A Yes.

3 Q Now, who was at the house on Summit Drive in
4 Topanga Canyon, at the time that you met Mr. Manson?

5 A A guy named Bruce, and --

6 THE COURT: Get a little closer to the microphone,
7 would you? About an inch away.

8 THE WITNESS: All right. Well, there was a guy named
9 Bruce, and a guy named Mark.

10 Q Were there any other males at the house?

11 A And Charlie was there. And then there was about
12 ten girls, something like that. There was Snake and Ella
13 and --

14 Q Is Ella, Ella Jo Bailey?

15 A Yeah. And Stephanie; and Mary; and Brenda; and
16 Katie and Sadie.

17 Q All right. Was Snake, Dianne Lake?

18 A Yes.

19 Q And was Brenda McGann at the house on Summit
20 Drive?

21 A Yes.

22 Q Did you later know her by some other name?

23 A Uh -- I have heard her use other names.

24 Q Did you also know her by the name of Nancy Pitman?

25 A Yeah.

26 Q Mary, was that Mary Brunner?

27 A Yeah.

28 Q And Lynn, was that Lynn Fromme?

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1 A Yes.

2 Q And Sadie, was that Susan Atkins?

3 A Yes.

4 Q And was Sandy Good at the house on Summit

5 Drive, if you recall?

6 A Yes.

7 Q Now, did you stay at the house on Summit Drive

8 when you first met Mr. Manson in the spring of 1968?

9 A Only one night.

10 Q And when did you next see Mr. Manson?

11 A In the summer, about -- of that same year, about

12 June or July.

13 Q Of 1968?

14 A Yes.

15 Q And where did you see Mr. Manson?

16 A At Spahn's Ranch.

17 Q And were other members of the Family at the Spahn

18 Ranch at that time?

19 A Yes.

20 Q Now, did you see Bruce Davis at Spahn's Ranch

21 when you next saw Mr. Manson?

22 A No.

23 Q Did you see Steve Grogan at Spahn Ranch when you

24 next saw Mr. Manson?

25 A Yes.

26 Q Did you know Steve Grogan by a nickname?

27 A Glem.

28 Q Now, did you begin living at Spahn Ranch with

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Mr. Manson and the Family in June or July of 1968?

A Yes.

Q And for how long did you live at Spahn Ranch with Mr. Manson and the Family?

A Hmmm -- almost continuously until October.

Q Of 1968?

A Yes.

Q Now, in October of 1968, did Mr. Manson and the Family leave Spahn Ranch?

A Yes.

Q And were you part of the Family at that time?

A Yes.

Q Did you leave Spahn Ranch also?

A Yes.

Q And where did you go?

A To Barker's Ranch.

Q And did Mr. Manson and the rest of the Family go to Barker's Ranch?

A Yes, except for a couple of girls that stayed at the Spahn's Ranch.

Q Now, is this Barker's Ranch which is near Goler Wash in Death Valley?

A Yes.

Q And to get to Barker's Ranch on that occasion, did you go through Ballarat?

A Yes.

Q And through Goler Wash?

A Yes.

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Q Now, except for trips away from Barker Ranch of short duration, for approximately how long did you remain at Barker Ranch?

A Until a couple of weeks in January.

Q Of 1969?

A Yes.

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1 Q Now, during that time was Mr. Manson and members
2 of the Family staying at the Barker's Ranch?

3 A Yes.

4 Q Now, did they also stay at Meyers' Ranch or did
5 the Family restrict yourself -- did you or the Family restrict
6 yourself to Barker's Ranch?

7 A We used them both.

8 Q Approximately how far from Barker Ranch is
9 Meyers' Ranch?

10 A A quarter of a mile.

11 Q Now, in January of 1969, did Mr. Manson and the
12 Family move some place?

13 A Yes.

14 Q Where did you go?

15 A To a house in Canoga Park.

16 Q Was that on Gresham Street?

17 A Yes.

18 Q Did you go with Mr. Manson and the Family?

19 A Yes.

20 Q Mr. Watkins, directing your attention to the two
21 photographs which have been marked People's 82-C and 82-B for
22 identification.

23 Do you recognize what is shown in both of those
24 photographs?

25 A Yes.

26 Q And directing your attention to the house which
27 is shown in People's 82-B for identification.

28 Could you identify that house for us?

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A Yes.

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Q And that is that?

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A It is that house that we moved to in Canoga Park.

4

Q Is that what you refer to as the Gresham Street house?

5

A Yes.

6

Q All right. Directing your attention to the photograph marked 82-C for identification, is the same house shown in this photograph?

7

A Yes.

8

Q And is that to the left of the photograph as you look at it?

9

A Yes.

10

Q Now, when you moved to the Gresham Street house, did Steve Grogan -- if you recall, did Steve Grogan or Clem move there with Mr. Manson and the Family?

11

A Yes, he did.

12

Q Now, do you recall seeing Bruce Davis at that time?

13

A No.

14

Q Now, did you meet -- strike that.

15

Do you know someone by the name of Bill Vance?

16

A Yes.

17

Q When did you meet him?

18

A Shortly after we moved into the Gresham Street house.

19

Q And this is in January of 1969?

20

A Yes.

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1 Q Now, did you later also know Mr. Vance by some
2 other name?

3 A Yeah, I heard him use another name.

4 Q Did you know him by the name of William Rex
5 Cole, C-o-l-e?

6 A Yeah, that was it.

7 Q Now, do you know a girl by the name of Barbara
8 Hoyt?

9 A Yes.

10 Q When did you first meet her?

11 A At the Gresham Street house, later on, about
12 March.

13 Q In 1969?

14 A Yes.

15 Q Now, sometime after you moved to the Gresham
16 Street house, in January of 1969, did you -- did Mr. Manson
17 and the Family, including yourself, move from the Gresham
18 Street house to some place else?

19 A Could you come again?

20 Q Sometime after you moved to the Gresham Street
21 house in January of 1969, did you leave the Gresham Street
22 house and go some place else; that is, Mr. Manson and the
23 Family, including yourself?

24 A Yes.

25 Q Where did you go?

26 A Well, first we went for about ten days to a house
27 up in Santa Monica Mountains.

28 Q How long did you stay there?

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1 A About ten days. And then, we went to the Spahn's
2 Ranch.

3 Q And in what month of 1969 did you move to Spahn
4 Ranch?

5 A Sometime around March.

6 Q Now, when you moved to Spahn Ranch, did Mr. Manson
7 and the other members of the Family move to Spahn Ranch?

8 A No. A few people stayed at the Gresham Street
9 house for a little while.

10 Q Now, sometime after you -- strike that.
11 Did Mr. Manson go to the Spahn Ranch when you
12 did?

13 A Yes.

14 Q Now, sometime after you moved to the Spahn Ranch,
15 did the other members of the Family that were living at the
16 Gresham Street house come to the Spahn Ranch to live?

17 A Yes.

18 Q Now, how long did you, yourself, remain at the
19 Spahn Ranch, living at the Spahn Ranch?

20 A Until mid-May of that year.

21 Q 1969?

22 A Yes.

23 Q Now, during the time that Mr. Manson and the
24 Family, including yourself, were living at the Spahn Ranch,
25 did you have -- did you use any vehicles for transportation
26 about the ranch?

27 A Yes.

28 Q What kind of vehicles were they?

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1 A We had an old Studebaker and we had some dune
2 buggies and we had some old trucks.

3 Q And who drove the dune buggies, if you recall?

4 A Mostly just the guys.

5 Q And who were the guys who drove the dune buggies?

6 A Myself, and Charlie, and Tex and Clem.

7 Q Is Charlie, Charles Manson, the defendant in this
8 case?

9 A Yes.

10 Q And is Tex, Tex Watson?

11 A Yes.

12 Q And where did you drive them?

13 A Oh, we used to drive around in the hills around
14 there, up Devil's Canyon and up around back of the ranch and
15 stuff.

16 Q On and around Spahn Ranch?

17 A Uh-huh.

18 Q Now, do you know a man by the name of Danny DeCarlo?

19 A Yes.

20 Q When you went to the ranch, with Mr. Manson and
21 the rest of the Family, including yourself went to the Spahn
22 Ranch in March of 1969, did Mr. DeCarlo begin to live at Spahn
23 Ranch with you and the rest of the Family?

24 A Yes.

25 Q And when you left Spahn Ranch in May of 1969,
26 where did you go?

27 A To the Barker Ranch.

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1 Q And except for trips away of short duration, how
2 long did you stay at Barker Ranch?

3 A Until October.

4 Q Of 1969?

5 A Yes.

6 Q Now, again, except for trips of short duration
7 away from Barker Ranch, were you living at Barker Ranch in
8 September of 1969?

9 A Yes.

10 Q Directing your attention to the date of September
11 1st, 1969, did you leave Barker Ranch on that date?

12 A Yes.

13 Q Now, sometime prior to your leaving, did anyone
14 -- that is, sometime prior to your leaving Barker Ranch, did
15 anyone come to Barker Ranch?

16 A Yes.

17 Q Who came to Barker Ranch?

18 A Well, first, Tex and Brenda and Bruce came up.

19 Q And Bruce; is that Bruce Davis?

20 A Yes.

21 And shortly thereafter, Snake and another girl
22 Kitty and Sheri, and -- and, uh, Charlie came up there.
23 And then, Tex and Bruce and Brenda came back up again.

24 Q Did Barbara Hoyt come to the ranch shortly before
25 you left on November 1st, 1969?

26 A Yes, she was there, too.

27 Q And the "Charlie" you refer to, is that Charles
28 Manson, the defendant in this case?

1a-2

1 A Yes.

2 Q Now, approximately how long before you left on
3 September 1st, 1969, did Mr. Manson come up to Barker Ranch?

4 A About 24 hours.

5 Q And while Mr. Manson was at the ranch, before --
6 before you left the ranch on September 1st, 1969, did he
7 talk to you?

8 A Yes.

9 Q Did Mr. Manson talk to you about Shorty Shea?

10 A Yes.

11 MR. KANAREK: Calling for a conclusion, leading and
12 suggestive, your Honor.

13 THE COURT: Overruled. The answer may remain.

14 Q BY MR. MANZELLA: Now, did you know a man by
15 the name of Shorty Shea?

16 A Yes.

17 Q Where had you met Mr. Shea?

18 A At Spahn's Ranch.

19 Q Was that during the time that you had lived at
20 Spahn Ranch?

21 A Yes.

22 Q Now, where did Mr. Manson talk to you about
23 Shorty Shea?

24 A On the front porch of the Barker Ranch.

25 Q And is that the front porch of the ranch house
26 at Barker Ranch?

27 A Yes.

28 Q And approximately -- strike that.

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1 Was this during the day or night that he spoke
2 to you?

3 A It was during the day.

4 Q Who was present on the porch with you and Mr.
5 Manson at the time he talked to you?

6 A No one besides us.

7 Q Now, would you tell us what Mr. Manson said to
8 you at that time?

9 MR. KANAREK: Object on the grounds of hearsay, no
10 corpus delicti, your Honor.

11 THE COURT: Overruled.

12 MR. KANAREK: Conclusion, irrelevant and immaterial,
13 no foundation.

14 THE COURT: The objection is overruled.

15 A He said we had to kill Shorty. He said Clem cut
16 his head off. And he said that he's been bad-mouthing the
17 ranch and that he knew too much about the Fountain of the
18 World and so -- that he was messing things up, up there.

19 THE DEFENDANT: Are you sure?

20 THE WITNESS: (Nods head.)

21 Q BY MR. MANZELLA: Do you know what -- do you
22 know a place known as the Fountain of the World?

23 A Yes.

24 Q And was that near Spahn Ranch? Was that near
25 Spahn Ranch?

26 A Yes.

27 THE DEFENDANT: How many times have you gone over this
28 in your mind?

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1 Q BY MR. MANZELLA: Now, during the time of --
2 strike that.

3 Now, did -- when Mr. Manson was talking to you,
4 did he say anything about the police?

5 MR. KANAREK: Object, your Honor, the question has
6 been asked as to what he said, been asked and answered, as
7 well as -- I object on the grounds of hearsay, no corpus
8 delicti, no foundation, irrelevant and immaterial.

9 THE COURT: The objection is sustained. It is leading.

10 Q BY MR. MANZELLA: Do you recall anything else
11 that Mr. Manson said to you?

12 A I --

13 Q At that time?

14 A I thought I said, "He's been calling the man on
15 the ranch."

16 Q And is that what Mr. Manson said to you?

17 A Yes.

18 THE COURT: What was that, I'm sorry.

19 THE WITNESS: "He's been calling the man on the ranch."

20 THE COURT: Get a little closer to that microphone,
21 will you?

22 THE WITNESS: Okay.

23 Q BY MR. MANZELLA: All right, Mr. Watkins, some-
24 time after Mr. Manson made those statements to you, and in
25 particular on September 1st, 1969, did you leave Barker
26 Ranch for some other place?

27 MR. KANAREK: Object, your Honor, it's been asked
28 and answered.

1a-5

1 THE COURT: Overruled.

2 A Yes, I left shortly thereafter.

3 Q Now, for how long did you stay away from Barker
4 Ranch?

5 MR. KANAREK: It is assuming facts not in evidence,
6 your Honor.

7 THE COURT: Overruled, you may answer.

8 A I was gone for about a week.

1b fls.

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1 Q BY MR. MANZELLA: Then, you returned to Barker
2 Ranch?

3 A Yes.

4 Q Now, when you returned to Barker Ranch, approxi-
5 mately what date was that?

6 A Uh, about the 8th.

7 Q Of September, 1969?

8 A Yes.

9 Q When you returned to Barker Ranch, to the Barker
10 Ranch area, did you also spend sometime at Meyers Ranch?

11 A Some.

12 Q Did you see Juan Flynn in that area?

13 A Yes.

14 Q Did you see Danny DeCarlo in the Barker-Meyers
15 Ranch area?

16 A Yes.

17 Q Sometime later did you see the defendant --
18 strike that.

19 Did you see Steve Grogan or Clem?

20 A Yes.

21 Q Now, sometime later did you leave the Barker-
22 Meyers Ranch area?

23 A Yes.

24 Q And at approximately what time did you leave?

25 A Around the first of October.

26 Q When you left, was Barbara Hoyt still at the
27 Barker-Meyers Ranch area?

28 A No.

1b-2

1 Q When was the last time you'd seen Barbara Hoyt?

2 A Oh, about a week before I'd left. About a week
3 before the first of October she went.

4 Q And where was she when you last saw her?

5 A Walking down across Panamint Valley.

6 Q Was she with anyone else?

7 A Yes.

8 Q Who was she with?

9 A Sheri Cooper.

10 Q And had you given her a ride to any part -- any
11 distance from Barker-Meyers Ranch?

12 A Yes.

13 Q Where had you given her a ride to?

14 A I gave her a ride to the top of the falls.

15 Q Are these the dry falls in Goler Wash?

16 A Yes.

17 Q Now, after you left the Barker-Meyers Ranch area,
18 the beginning of October, 1969, did you return there to live
19 with the Family?

20 A No.

21 Q Mr. Watkins, directing your attention to the
22 photographs which have been marked People's 90 for identifi-
23 cation.

24 Do you recognize what is shown in these photographs?

25 A Yes.

26 Q Can you tell us generally what is shown in those
27 photographs?

28 A Well, this first one is --

1b-3

1 Q Let me interrupt you.

2 Is that the Barker Ranch area?

3 A Yes.

4 Q All right, directing your attention to the
5 photographs -- strike that.

6 Is the place where you stayed at Barker's Ranch
7 shown in any of those photographs?

8 A Yes.

9 Q Directing your attention to People's 90-C for
10 identification, is the place where you stayed shown in that
11 photograph?

12 A Yes.

13 Q And how is it shown in that photograph?

14 A It is circled.

15 Q Did you place that circle around that building
16 at another proceeding?

17 A Yes.

18 Q And did you place your initials "PW" inside
19 that circle?

20 A Yes.

21 Q Mr. Watkins, directing your attention to the
22 aerial photograph which has been marked People's 93 for
23 identification.

24 Do you recognize what is shown in this photograph?

25 THE COURT: Is that 93 or 92?

26 MR. MANZELLA: I believe that's 93, your Honor.

27 Q BY MR. MANZELLA: Does this appear to be an
28 aerial photograph of the Spahn Ranch and the area surrounding

1b-4

1 Spahn Ranch?

2 A It appears so, yeah.

3 Q All right. Now, directing your attention to the
4 photograph, and in particular that area of the photograph
5 which depicts Spahn Ranch.

6 Can you tell us where you stayed during the time
7 that you spent at Spahn Ranch with Mr. Manson and the Family?

8 THE COURT: You can use that pointer there that's
9 in back.

10 THE WITNESS: Where I stayed?

11 What do I do with this?

12 Q BY MR. MANZELLA: You can get up and come over
13 to here.

14 A Well, I stayed at this ranch here (indicating),
15 and the ranchhouse right back here (indicating), and I stayed
16 some here (indicating).

17 Q All right. Would you take this pointer and stand
18 back just a little bit, stand up on the steps.

19 THE COURT: Mr. Kanarek, perhaps you can stand back
20 so the jury can see.

21 Q BY MR. MANZELLA: Stand up on the steps and point
22 to the place.

23 THE COURT: Use the microphone.

24 A I stayed here (indicating).

25 Q BY MR. MANZELLA: Now, the first place where you
26 stayed, is that the main building at Spahn Ranch?

27 A Yes.

28 Q Where is the second place that you stayed, that

1b-5

1 you just mentioned?

2 A Back here at the farmhouse.

3 Q Is that where the label in blue appears
4 "Farmhouse" on the aerial photograph?

5 A Yes.

6 Q And where else did you stay?

7 A Outlaw shack.

8 Q Is that the label bearing the designation which
9 appears on the photograph?

10 A Yes.

11 Q Now, was there a creek running behind the main
12 buildings at Spahn Ranch?

13 A Yes.

14 Q And is that area which is designated "Creek"
15 on the aerial photograph, is that accurately shown on the
16 photograph?

17 A Yes.

18 Q Now, you can tell us approximately where that
19 creek began and where it ended, if those points are shown
20 on this aerial photograph, People's 92 for identification?

21 A Those points aren't quite shown, but it starts
22 over here (indicating).

23 Q Starts at the left edge of the photograph?

24 A And it goes right down (indicating) --

25 THE COURT: Indicating a line roughly to the south
26 of the road.

27 Q BY MR. MANZELLA: Now, the creek, that you
28 pointed out, roughly followed Santa Susanna Pass Road or went

1 ran parallel to it?

2 MR. KANAREK: I'll object to that, calls for a
3 conclusion, and also to the use of the word "roughly."

4 THE COURT: Overruled, the jury has seen the witness
5 indicate the line and the Court believes that it more or
6 less roughly follows the line that he drew, more or less
7 roughly follows the road, south of it.

8 MR. KANAREK: But at the point where it is at the main
9 buildings, it clearly does not follow the road.

10 THE COURT: The Court believes that is an accurate
11 observation which the jury is able to determine from the
12 photograph.

13 MR. MANZELLA: All right, thank you.

14 Q BY MR. MANZELLA: Mr. Watkins, when you left the
15 desert -- or rather when you left the Barker-Meyers Ranch
16 area beginning in October, 1969, was Mr. Manson still there?

17 A When?

18 Q When you left the Barker-Meyers Ranch area in
19 the beginning of October, of 1969, was Mr. Manson still
20 there?

21 A He was there shortly before I left.

22 Q Did you see him before you left at the beginning
23 of October, 1969?

24 A Yes.

25 Q And was he there when you left the Barker-Meyers
26 Ranch area, when you left the desert?

27 A Yes.

28 Q Was he -- were the other members of the Family

1 still there?

2 A Uh, yes, quite a few of them.

3 MR. MANZELLA: Thank you, I have no further questions,
4 your Honor.

5 May I have a moment, your Honor, to get an
6 exhibit?

7 THE COURT: Yes.

2 fls.

2-1

CROSS-EXAMINATION

BY MR. KANAREK:

Q Mr. Watkins, directing your attention to -- you've heard of the so-called Tate-La Bianca murders?

A Have I heard of the Tate-La Bianca murders?

Q Yes.

A Yes.

Q And directing your attention to people, editorial people, book people, in connection with those events which allegedly occurred on August 8th, 9th and 10th of 1969, those alleged Tate-La Bianca murders, you have made certain money; is that correct?

A That's correct.

Q Would you tell us how much money you have made by way of your relationship with certain writers and book publishers and allied -- that is, people in the -- you're stretching. Are you --

A Yeah.

Q -- bored?

A Yeah.

But let me tell you. First of all, I didn't work with any --

THE COURT: Had you finished the question?

THE WITNESS: -- book publisher or --

MR. KANAREK: Pardon?

THE COURT: You interrupted your question.

MR. KANAREK: Yes, your Honor. The witness seemed --

THE COURT: Let him finish the question, and then -- and

1 then get closer to the microphone and answer it.

2 Q BY MR. KANAREK: Now, Mr. Watkins, how much money
3 have you received for making statements to writers, book
4 publishers, story tellers, in connection with matters
5 allegedly pertaining to the Tate-La Bianca murders?

6 A I made \$1100, working with a group of journalists,
7 none of which were book publishers.

8 They were just journalists for foreign publication.

9 Q For what?

10 A Foreign publications.

11 Q Well, was Ivor Davis one of those people?

12 A Yes.

13 Q Well, you know, of your own knowledge, that
14 Mr. Davis participated in a book --

15 A Yes, I do.

16 Q -- which incorporated your story-telling; is
17 that right?

18 A It's not totally, no.

19 Q Well, Mr. Davis, to your knowledge, is the author
20 of a book, --

21 A Yes.

22 Q -- is that right?

23 A Yes, that's right.

24 Q And this book includes material that you told
25 Mr. Davis?

26 A Somewhat twisted material.

27 THE DEFENDANT: Like your testimony?

28 THE WITNESS: Pardon me?

1 THE COURT: Mr. Manson, be quiet.

2 Get on with your questions.

3 MR. KANAREK: Yes, your Honor. May the witness'
4 statement about "somewhat twisted," may that be stricken as
5 not responsive to the question?

6 THE COURT: The motion is denied.

7 Q BY MR. KANAREK: So you made \$1100 --

8 THE DEFENDANT: You can postulate anything you want to
9 happen, anyway it's beneficial to you.

10 THE COURT: Mr. Manson, you are going to have to leave
11 now.

12 THE DEFENDANT: Is it more beneficial to you that I go
13 to the gas chamber? Tell these people what I do to liars.
14 Tell them what I do with them.

15 I generally run them out of my vision, don't I?
16 I don't like people that lie, do I?

17 You better tell Paul to knock up another thought
18 in your head, young man.

19 Or, excuse me; young boy.

20 (Whereupon, the Defendant Manson was ushered into
21 the detention room.)

22 THE COURT: Go ahead, Mr. Kanarek.

23 MR. MANZELLA: Your Honor, may the jury be instructed
24 to disregard Mr. Manson's statements, unless they're made
25 from the witness stand under oath?

26 MR. KANAREK: Well, your Honor, may we approach the
27 bench?

28 THE COURT: Yes, you may.

2 a 1 (Whereupon, the following proceedings were had at
2 the bench among Court and counsel, outside the hearing of the
3 jury:)

4 MR. KANAREK: I would ask the Court to admonish the jury
5 not to consider Mr. Manzella's last statement, about -- about
6 "unless they're seated on the witness stand under oath," or
7 whatever, for any purpose.

8 And mere admonishment not sufficing, I ask for a
9 mistrial, in view of Griffin vs. California, which allows a
10 man not -- I mean, I don't have to belabor -- I am sure the
11 Griffin rule, the Court is familiar with.

12 And that has been invaded, without any chance of --
13 of the mere admonishment sufficing.

14 So, mere admonishment not sufficing, I ask for a
15 mistrial, because this has invaded Mr. Manson's right not to
16 intimidate himself by that statement: "Unless he says it from
17 the witness stand under oath."

18 I do ask for relief.

19 MR. MANZELLA: That's the same admonishment the Court
20 gave on an earlier occasion, when Mr. Manson made comments
21 directly to one of our witnesses.

22 THE COURT: Of course, it's a difficult admonishment to
23 make, --

24 MR. KANAREK: Well, no --

25 THE COURT: -- generally to say that all of Mr. Manson's
26 statements should be disregarded.

27 The jury might conceivably take it incorrectly.
28 I don't think so, however.

1 MR. KANAREK: Well, I --

2 THE COURT: But they might conceivably take it
3 incorrectly, that all of the statements are to be disregarded,
4 even those that he might make under oath.

5 But I don't think that --

6 MR. KANAREK: Well, I don't --

7 THE COURT: -- that the remark that Mr. Manzella has
8 made, the Court does not believe -- the Court believes it does
9 not constitute any violation of the rules set forth in
10 Griffin.

11 I will admonish the jury, however, to disregard
12 the statements just made by Mr. Manzella; and also --

13 MR. MANZELLA: Your Honor, I didn't make any remark.
14 That was a request for an admonishment.

15 THE COURT: Yes. Well, it should be done at the bench.

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

18 THE COURT: The Court will strike the question --
19 or the request of Mr. Manzella, and the words that
20 Mr. Manzella used in making the request of the Court.

21 But the Court tells you all now that you are to
22 disregard the remarks just made by Mr. Manson prior to the
23 time that the Court caused him to be taken from the courtroom.

24 Let's proceed.

25 Q BY MR. KANAREK: So you made \$1,100 in connection
26 with these matters that you have spoken about; is that right?

27 A Yes.

28 Q And do you have, in addition to that, certain

1 other literary rights; is that right?

2 A Yes.

3 Q Would you tell us what these literary and story-
4 telling rights are?

5 A The rights are supposed to be for the information
6 that I gave to Ivor Davis, Jerry Le Blanc and Don Dornan --

7 Q Would you spell those names for us?

8 A I-v-o-r, D-a-v-i-s, Ivor Davis.

9 J-e-r-r-y, L-e B-l-a-n-c, Jerry Le Blanc.

10 D-o-n, D-o-r-n-a-n, Don Dornan.

11 Now, but I was supposed to receive one-seventh of
12 any -- any money that was made from any information that is
13 already passed on to them.

14 Q So you have a continuing interest in the
15 publicity and -- and you have a continuing financial interest
16 in the publicity surrounding Mr. Manson; is that right?

17 A Well, it just so happens that it's wrong.

18 Q Now, you have -- this one-seventh has to do with
19 feature sales, does it not, in connection with what you --
20 the publications that you have indicated? Is that right?

21 A Yes.

22 Q So the more books that are sold, the more news-
23 papers that are sold, the more that this information that --
24 that you have told these people, the more that that is
25 disseminated, the more money you make; right?

26 A Except for -- it expired 60 days after the Tate-
27 La Bianca trial was over.

28

2b

1 Q Your one-seventh expired?

2 A The whole contract expired.

3 Q I see. So now, you are free to go ahead and sell

4 whatever you want to sell to completely new people, if you

5 so desire, right?

6 A If I so desire.

7 Q Correct?

8 A Correct.

9 Q Now, directing your attention, Mr. Watkins, to

10 -- you're speaking of -- you've spoken to us about the period

11 which included December of 1968; right?

12 A Right.

13 Q At one time during December of 1968, were you and

14 Bobby Beausoleil thrown out of the house of Gary Hinman by

15 Gary Hinman?

16 A Yes.

17 Q But you and Bobby Beausoleil had an argument with

18 Mr. Hinman at that time; is that right?

19 A Correction. No. Allow me to --

20 Q Well --

21 A -- tell you what --

22 Q You were asked to leave?

23 A Bobby Beausoleil had the argument, and I just

24 watched the whole thing.

25 Q You were asked by Gary Hinman to leave his home;

26 along with Bobby Beausoleil?

27 A Yes.

28 Q Now, so your state of mind was, at Barker Ranch,

1 you tell us, that you were present with -- leaving Barker
2 Ranch, the Meyers' Ranch also, with Mr. Manson, after you had
3 been told, supposedly by him, that Mr. Shea was dead?

4 That is, that his head had been cut off; right?

5 A (Indicating affirmatively.)

6 Q Correct?

7 THE COURT: Answer out loud.

8 THE WITNESS: Correct.

9 Q BY MR. KANAREK: Would you answer out loud, with-
10 out the --

11 A Charlie didn't sleep at the ranch then. After
12 that.

13 Q My question is: You slept at the ranch; right?

14 A Yes.

15 Q And you slept -- and then you said, you had no
16 knowledge where Mr. Manson was; right?

17 A Most of the time, yes.

18 Q Pardon? Right, you did not know where Mr. Manson
19 was?

20 A Most of the time, yes.

21 Q All right. And you were -- your state of mind was
22 that you believed that Shorty Shea was there; is that right?

23 A No, I didn't believe it.

24 Q You didn't believe Shorty Shea was dead?

25 A No.

26 Q I see. But you had no reason whatsoever to believe
27 that was true, that Shorty Shea was dead?

28 A No, I didn't, other than the fact that he told

1 me.

2 And I wasn't in the habit of believing things,
3 then.

4 Q You weren't in the habit of believing things,
5 then?

6 A Yes.

7 Q Now, Mr. Watkins, on how many occasions in your
8 lifetime have you taken LSD?

9 A Quite a few.

10 Q Now --

11 A Approximately 150 times.

12 Q Hundreds of times; right?

13 A 150; perhaps 200.

14 Q You did not keep a log --

15 A No.

16 Q -- of your consumption of LSD, did you?

17 A No.

18 Q You have taken LSD so many times that you -- that
19 you do not know how many times you've taken it; is that
20 right?

21 A I don't know an exact number, no.

22 Q And when did you first start taking LSD, Mr.
23 Watkins?

24 A When I was 16.

25 Q And you are now what age?

26 A 21.

27 Q And up until, let's say, the end of 1969, from the
28 time you were 16 until the end of 1969, you had taken LSD in

1 many, many different places, --

2 A Yes.

3 Q -- is that right?

4 A That's right.

5 Q You took LSD at the Barker Ranch; right?

6 A Yes.

7 Q At the Meyers' Ranch?

8 A Yes.

9 Q At Spahn Ranch?

10 A Yes.

11 Q On Gresham Street?

12 A Yes.

13 Q In Canoga Park?

14 A (Indicating affirmatively.)

15 Q Right?

16 A Right.

17 Q In the Topanga Canyon area?

18 A Yes.

19 Q And is it a fair statement that on literally
20 hundreds of occasions, you have smoked marijuana?

21 A Yes.

2c

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2c-1

1 Q What other drugs or narcotics have you taken
2 in your lifetime?

3 A I've used mescaline and psilocybin; and
4 belladonna; opium; hashish; and heroin; and barbiturates;
5 amphetamines.

6 That's -- that about sums it up.

7 Q And you've taken heroin with a needle in your
8 arm; right?

9 A Yes.

10 Q Have you taken speed?

11 A Yes.

12 Q And on how many occasions have you taken each
13 of the drugs that you have mentioned to us? Would you go
14 down the list and tell us?

15 A All right.

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

18 MR. KANAREK: It's relevant on the state of mind,
19 the credibility of this witness, your Honor.

20 MR. MANZELLA: It is if he's taking them now, your
21 Honor.

22 MR. KANAREK: That is not so.

23 MR. MANZELLA: Or if he was taking them --

24 THE COURT: Gentlemen. Gentlemen. Don't argue.
25 Simply state the objection.

26 Again, I'll caution you with respect to that,
27 Mr. Kanarek.

28 MR. KANAREK: I'm sorry. Then may I approach the

2c-2

1 bench?

2 THE COURT: No, you may not.

3 The Court overrules the objection.

4 I have told you before not to argue.

5 MR. KANAREK: I apologize, your Honor.

6 THE COURT: You may answer. How many times have you
7 taken these drugs?

8 THE WITNESS: I shot heroin one time. I've used
9 speed or amphetamines approximately 50 times.

10 I've used hashish approximately 75 times. I have
11 used marijuana hundreds of times.

12 I've used belladonna approximately 20 times.
13 I have used opium approximately five times.

14 And I included in -- as far as mescaline and
15 psilocybin went, I included that in the number I quoted for
16 how many LSD trips I had.

17 I just rolled them all into one, because they're
18 all pretty much the same, and called them LSD trips.

19 So all of those 150 to 200 times, I said I took
20 LSD, wasn't all LSD; some of it was mescaline and some of it
21 was psilocybin.

22 Q BY MR. KANAREK: And have you ever -- have you
23 finished?

24 A Yes.

25 Q And are there occasions when, as you try to
26 recollect, you do not know whether in fact something that
27 you think you recollect occurred in real life or not?

28 MR. MANZELLA: Objection, your Honor. The -- it calls

2c-3

1 for speculation and conclusion which is irrelevant.

2 MR. KANAREK: It's relevant and material.

3 THE COURT: Excuse me just a minute.

4 MR. KANAREK: I'm sorry, your Honor. May I approach
5 the bench?

6 THE COURT: No, you may not.

7 Overruled.

8 THE WITNESS: No, there are not such occasions. My
9 memory is very good -- in good shape.

10 Q BY MR. KANAREK: And you -- in connection with
11 events which have occurred in the past, that you recollect,
12 did some of these events occur while you were under the
13 influence of one or more of the drugs or narcotics that you
14 have indicated to us?

15 A Yes.

16 Q And do you --

17 A Not the events which I have spoken of here today.

18 MR. KANAREK: Well, your Honor, may the witness be
19 asked -- may that last comment be stricken?

20 MR. MANZELLA: I oppose that, your Honor. The --

21 THE COURT: The motion is denied.

22 It may remain in the record.

23 Q BY MR. KANAREK: Mr. Watkins --

24 MR. MANZELLA: Your Honor -- excuse me, Mr. Kanarek.

25 Your Honor, I didn't hear the entire answer of
26 the witness. May I have that read? I didn't hear it.

27 THE COURT: Very well.

28 MR. KANAREK: May we have the question read, your Honor?

2c-4

2d fls.

1 THE COURT: Read the question and the entire answer,
2 then, would you, Mr. Williams, please?
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1 (Whereupon, the record was read by the reporter
2 as follows:

3 "Q And you -- in connection with events
4 which have occurred in the past, that you recollect,
5 did some of these events occur while you were under
6 the influence of one or more of the drugs or narcotics
7 that you have indicated to us?

8 "A Yes.

9 "Q And do you --

10 "A Not the events which I have spoken of
11 here today.")

12 MR. KANAREK: So that was clearly not responsive to any
13 question, your Honor, that last statement, that gratuitous
14 statement of Mr. Watkins.

15 I ask that it be stricken.

16 THE COURT: The Court's already ruled on the motion.
17 Ask your next question.

18 Q BY MR. KANAREK: You know what euphoria is,
19 Mr. Watkins?

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

22 THE COURT: Sustained.

23 Q BY MR. KANAREK: During any of these times that
24 you were taking the drugs or narcotics indicated by you,
25 were you in a state of euphoria?

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

28 THE WITNESS: I don't know what "euphoria" is.

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

2d-2

1 remain.

2 Q BY MR. KANAREK: In connection with your taking
3 of LSD, Mr. Watkins, have you ever had the occasion of being
4 on a trip, or a feeling of under the influence, even though
5 you had not taken the LSD at the time, or near the time that
6 you felt the trip or feeling?

7 A No, I've never had any of that.

8 Q You never had any flashbacks?

9 A No.

10 Q Have you ever had a bum trip?

11 A Uh -- yes.

12 Q And would you tell us what your experience was
13 when you had a bum trip?

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

15 THE COURT: Objection sustained. It's irrelevant.

16 Q BY MR. KANAREK: Now, directing your attention to
17 the time that you say Mr. Manson made these statements to you,
18 you tell us that -- that you did not believe these statements;
19 right?

20 A Right.

21 Q And you -- you left -- you left the ranch some
22 24 hours, you say, after these alleged statements were made
23 to you; is that right?

24 A Right.

25 Q Well, would you tell us when, last, before you
26 left the ranch -- was that the Barker Ranch?

27 A You're asking the questions.

28 Q I am asking you, Mr. Watkins. Was that the Barker

2d-3

1 Ranch?

2 A The ranch you are talking about where he talked
3 to me about what --

4 Q Where you say he talked to you about this, yes.

5 A That was the Barker Ranch.

6 Q When had you last taken any drug or narcotic
7 prior to the time that you left the Barker Ranch on that
8 occasion?

9 A It had been May of that -- it had been in May of
10 that year.

11 Q You hadn't taken any -- anything since May --

12 A Yes.

13 Q -- of 1969?

14 A Yes.

15 Q I see. And at that time, when you left the Barker
16 Ranch, where did you go?

17 A I went to Las Vegas.

18 Q You went to Las Vegas. Where did you go in Las
19 Vegas?

20 A To the -- my aunt's house.

21 Q To your aunt's house?

22 A Yeah.

23 Q And how long did you stay at your aunt's house?

24 A I stayed there overnight; and then the next
25 morning, I went to Los Angeles.

26 Q And directing your attention to your method of
27 transportation, how did you get to Las Vegas?

28 A By bus.

2d-4

1 Q And how did you get to Los Angeles?

2 A Oh, you mean to Las Vegas? I hitchhiked,
3 To Los Angeles, I got there by bus.

4 Q And when Mr. Manson supposedly told you these
5 statements that you tell us that you didn't believe, what
6 did you say to him?

7 A Nothing. Not for a long time, I didn't say any-
8 thing.

9 Q What do you mean by "a long time"?

10 A Not until -- for about three hours.

11 Q For about -- are you tired right now, Mr. Watkins?
12 Sort of tired?

13 A No.

14 THE COURT: Proceed with your questioning, will you,
15 Mr. Kanarek?

16 MR. KANAREK: Yes, your Honor.

17 Q For about three hours, you didn't say anything;
18 is that right?

19 A Not to Charlie.

20 Q And then you came back, after having left, and
21 said something to Charlie?

22 A Yes.

23 Q And where did you go during the three hours?

24 A I wandered around the ranch. I ate dinner. I
25 stayed right at this Barker Ranch.

26 Q So the scene is that Mr. Manson comes up to you and
27 makes these statements; you then leave for three hours, walk
28 around the ranch, have dinner, and then come back; is that it?

2d-5

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A . Never left. I just stayed at the ranch, and
didn't talk to him.

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2e fls.

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1 Q For three hours, you left Mr. Manson's immediate
2 presence?

3 A Yes.

4 Q And just prior to the time that Mr. Manson
5 supposedly made these statements to you, Mr. Watkins, where
6 were you?

7 A At the Meyers Ranch.

8 Q Where were you -- where on the Meyers Ranch?

9 A Up underneath the fig tree.

10 Q And where was Mr. Manson, just prior to the time
11 you saw him, in your immediate view?

12 THE COURT: If you know.

13 THE WITNESS: I don't know.

14 Q BY MR. KANAREK: Well, you hadn't seen Mr. Manson
15 before that day; is that right?

16 A Not for a long time.

17 Q That's what I mean.

18 A Yeah.

19 Q On that day, you hadn't seen him for a long time?

20 A Yes.

21 Q And so when you saw him, he came from where?
22 Where did you see him walking from?

23 A I didn't see him walking. I walked in, and he
24 was in the house.

25 Q And you hadn't seen him for sometime?

26 A Yes.

27 Q Now, Mr. Watkins, have you -- you've spoken to
28 law enforcement officers on many occasions; is that right?

1 A That's right.

2 Q Concerning Mr. Manson; right?

3 A Right.

4 Q On how many different occasions?

5 A Ooohh -- I'd say dozens of occasions.

6 Q Dozens, --

7 A Yes.

8 Q -- literally, that you've spoken to law enforce-
9 ment officers?

10 A Yes.

11 Q About Mr. Manson?

12 A Yes.

13 Q And on this occasion that you are speaking of,
14 where -- wherein you say that Mr. Manson made these statements,
15 did you -- did you have any occasion to write down anything
16 that he said?

17 A Did I have any occasion to write down anything
18 he said?

19 Q Right.

20 A No.

21 Q And you hadn't seen them for sometime; right?

22 A Right.

23 Q And this was inside the house, that Mr. Manson --
24 and Mr. Manson was there when you walked in?

25 A Yes.

26 Q And how long had it been since you'd seen him?

27 A Since May of -- no, wait a minute. Since about
28 June. I saw him for one afternoon.

1 Q June of '69?

2 A Yes.

3 Q So Mr. Manson -- so you came upon Mr. Manson in
4 the house, and you didn't know he was there?

5 A I did.

6 Q Right?

7 A I did know he was there.

8 Q You did know he was there?

9 A Yes.

10 Q I see.

11 And who had told you that he was there? Or how
12 did you --

13 A One of the girls had told me,

14 Q That Mr. Manson was in the house?

15 A Yes.

16 Q What girl told you that?

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

18 Q BY MR. KANAREK: How long before you came to
19 where Mr. Manson was did -- did this girl tell you that Mr.
20 Manson was there?

21 THE COURT: That's immaterial.

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

23 THE COURT: No, you may not.

24 Q BY MR. KANAREK: So you came in, and Mr. Manson
25 was there. And then what happened?

26 A Oh, there was -- they were already in the midst
27 of a conversation, and they conversed for a while and talked
28 on and on.

Q Who's "they"?

A Oh, there was -- there was Brooks Posten, Paul
Crockett, Bruce Davis, Charlie Manson, Tex Watson, were all
sitting around the table.

3 fls.

3-1

1 Q All right, and what was said?

2 A The conversation was mostly about ideas. Every-
3 one was talking about ideas and -- and, uh, there was some
4 talk about some fellow named Frank Retz. And there was some
5 talk about how -- about a raid that went on at the ranch and
6 how the police were so mean, you know. Just was talking
7 about what was going on in our lives, while we had been
8 apart. That about sums it up.

9 Q Yeah, then, what happened?

10 A Then, I went walking out the door and Charlie
11 walked out behind me. And that's when he told me.

12 Q And he laid his hand on your shoulder and told
13 you this?

14 A Hah, no, he didn't lay his hand on my shoulder.

15 Q Well, what -- he just -- you got up and left
16 first, and then Mr. Manson got up and left?

17 A Yes.

18 Q And he followed you out the door?

19 A Yes. I reckon. He was right behind me coming
20 out.

21 Q Then, what occurred?

22 A And he told me about how they had to kill Shorty.
23 And it kind of blew my mind, but I didn't believe it, I
24 didn't want to, because -- that's more what it was like.
25 I didn't want to believe it.

26 Q It blew your mind?

27 A Yeah.

28 Q What do you mean by that?

1 MR. MANZELLA: Objection, your Honor.

2 MR. KANAREK: We have a right -- may I approach the
3 bench, your Honor?

4 THE COURT: No, you may not.

5 You may answer. You may answer the question.

6 Do you wish to have it read back?

7 THE WITNESS: No, I understand it. I mean, I had spent
8 the previous year of my life, invested that whole year and all
9 my attention and all my actions and all my thoughts and
10 everything into that Family, and that Family all centered
11 around Charlie. And I didn't want to accept that that was
12 true because then it would make a fool out of me. And I
13 didn't want to make a fool out of myself, so I just didn't
14 want to believe it. It was just something I didn't want to
15 believe. That's what I call blew my mind. It kind of
16 startled me.

17 Q BY MR. KANAREK: You didn't want to believe it?

18 A Right.

19 Q And, well, so what did you say to Mr. Manson?

20 A I didn't say anything until about three hours
21 later. And then, uh, --

22 Q Mr. Manson told you what; what did he tell you?

23 A He said we had to kill Shorty. He said Clem cut
24 his head off with a machete. I left that out the last time
25 I told it.

26 He said he was bad-mouthing the ranch. I said,
27 "Why?" Of course. He said, "He was bad-mouthing the ranch.
28 He was calling the man on us, and he knew too much about

1 the Fountain of the World."

2 Q What else did you say to Mr. Manson?

3 A I didn't say anything else.

4 Q Well, you did have words with Mr. Manson then
5 before you came back three hours later?

6 A "Why?" That was the words I had.

7 Q You came three hours later?

8 A Yes.

9 Q And saw Mr. Manson again?

10 A Yes.

11 Q What did you say then?

12 A Well, I was asking him about another story. He
13 told me some other guy had killed somebody else and so I was
14 asking him about that.

15 Q Anything else?

16 A No, that was all there was for that day.

17 Q Well, after -- this blew your mind, you say,
18 right? You went around, sort of wandering around in a daze
19 for three hours? You were so disenchanted with Mr. Manson,
20 is that it?

21 A That -- you ain't too far off.

22 Q I see. So you came back after three hours, and
23 now you've told us everything you said after you came back
24 in three hours and spoke to Mr. Manson, is that right?

25 A Yes.

26 Q Then, where did you go after this three-hour
27 period?

28 A Well, the next day I left for Los Angeles. For --

1 via Las Vegas.

2 Q Now, is there -- yes, you've told us everything
3 that was said after you came back in three hours, is that
4 right?

5 A Yes, it was a very short-type conversation. I
6 didn't tell you everything, though, because I didn't think
7 it makes any difference. I told you the essence of it.

8 Q Well, when you came back after three hours,
9 Mr. Watkins, this having blown your mind, you made no mention
10 of Mr. Shea?

11 A Right.

12 Q I see.

13 And Mr. Shea was not mentioned in this conversa-
14 tion that you say occurred three hours later?

15 A Correct.

16 Q And you tell us that you didn't want to believe
17 it, right?

18 A Right.

19 THE COURT: We'll take a recess now for ten minutes.

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

25 Yes, you can step down and be back in ten minutes.

26 (Morning recess.)
27
28

3a fls.

3a-1

1 THE COURT: The record will show the jurors and
2 alternates are present, you may proceed.

3 Mr. Kanarek.

4 BY MR. KANAREK:

5 Q Mr. Watkins, when have you last taken, before
6 coming to court this morning, any drug or narcotic?

7 A It was in approximately Christmas of 1970.

8 Q Within the last 24 hours or within the last few
9 hours, have you taken any stimulant or any drug or any
10 narcotic before coming to this courtroom?

11 A I drank a cup of coffee in the room outside.

12 Q That's all you've had?

13 A Yes.

14 Q In the last 24 or 48 hours?

15 A Yes.

16 Q Now, in -- on this occasion, after this three-
17 hour period, Mr. Watkins, is there some reason that you
18 didn't mention Shorty Shea to Mr. Manson in this -- after
19 this three-hour period when you saw Mr. Manson again, you
20 tell us?

21 A Yes.

22 Q Is that because your mind was blown?

23 A Yes, I'd say so. Didn't want to.

24 Q You didn't want to?

25 A No.

26 Q Because your mind was blown?

27 A Well, because -- because it -- because, uh, I
28 didn't want to press it.

1 Q You didn't want to press it?

2 A It was surely none of my business in the first
3 place.

4 Q It was none of your business. You didn't want
5 to press it?

6 A Right.

7 Q And so you -- and what do you mean when you say
8 it wasn't any of your business, Mr. Watkins?

9 A I mean I wasn't involved in it, so it wasn't any
10 of my business.

11 Q And so your state of mind at the end -- after this
12 three-hour period had elapsed was that you weren't involved
13 in it and it was none of your business and you were not going
14 to ask any questions, is that it?

15 A That's it.

16 Q When you say, "It was none of your business,"
17 what do you mean by that? It --

18 A Anything Charlie was doing or the Family was
19 doing at that point was none of my business.

20 Q And so you -- you wanted to make this none of
21 your business, right?

22 A Wrong, it was none of my business.

23 Q It was none of your business.

24 And you wanted it to be none of your business
25 because you didn't want to become involved, is that it?

26 A I wanted it to remain none of my business because
27 I didn't want to get involved, yes.

28 Q You didn't want to be involved, right?

1 A Right.

2 Q You didn't want to be involved in murder?

3 A Right.

4 Q You didn't want to be accused of the murder of
5 Shorty Shea, right?

6 A I didn't consider such.

7 Q Pardon?

8 A I didn't consider such.

9 Q What do you mean you didn't consider such?

10 A I didn't consider being accused of the murder of
11 Shorty Shea.

12 Q Well, when you say you didn't want to be involved,
13 what was it that you didn't want to be involved in?

14 A I didn't want to be involved in -- if I had got
15 interested in that, then, I'd get interested in other things,
16 and interested in other things, and pretty soon I'd be right
17 back there in it again. And then, it would have been all
18 my business. I had other things to do.

19 Q You'd be in it again?

20 A Yes.

21 Q What were you in before that you didn't want to
22 be in again?

23 A The Family.

24 Q And that -- and that's the reason or you've told
25 us the reasons why you didn't mention Shorty Shea?

26 A Not totally. There are other reasons.

27 Q Well, give us the other reasons.

28 A The other reasons was as I told you before, I

1 didn't really believe that it was true and I didn't want to
2 believe that it was true because I thought it was just --
3 Charlie was just trying to stir fear with me and so I just
4 sort of shined it on like the breeze blowing by because it
5 didn't really amount to that thing, because at that point
6 it didn't really pay to be afraid because when you are afraid
7 you're subject to control.

8 Q And you felt that if you -- if you were afraid,
9 you were subject to control?

10 A Yes.

11 Q This way you're not afraid?

12 A Yes.

13 Q Is that right?

14 A Yes.

15 Q But you came -- I'll withdraw that.

16 But you came back -- after leaving on this
17 occasion, you came back to the Barker area, right?

18 A Yes, yes.

3b fls.

3b-1.

1 Q And you knew that Mr. Manson was there?

2 A Yes.

3 Q And you thought that Shorty Shea was dead?

4 A I didn't think too much about that.

5 Q What do you mean, you didn't think too much
6 about that, Mr. Watkins?

7 A I kind of just put it out of my mind and didn't
8 even -- didn't even think about it until I talked with
9 police officers.

10 Q I see.

11 A Sometime later.

12 Q I see. And the police officers, after -- and
13 your testimony here is after many, many conversations with
14 police officers, like you've told us, so many that you
15 can't even remember, right?

16 A Right.

17 Q Mr. Whiteley, Mr. Guenther, Inyo County police
18 officers, Los Angeles Police Department, just a large group
19 of law enforcement officers; right?

20 A Right.

21 Q Several Deputy District Attorneys, right?

22 A Right.

23 Q And so, when you came back, when you came back
24 to the Barker-Meyers Ranch area, you came back with the thought
25 in your mind you didn't want to believe it, but the thought
26 was in your mind that Shorty Shea was dead; is that right?

27 A The thought was in my mind, yes.

28 Q That Shorty Shea was dead, right?

1 A Yeah, but I sort of put it way back in my mind.
2 I didn't think about it, in other words.

3 Q Did you, uh -- did you, uh, report your thinking,
4 whether it was back in your mind or in the front of your mind
5 or wherever it was in your mind, did you report this to any
6 law enforcement officer?

7 A Yes.

8 Q When?

9 A Uh, about the 15th of October I reported it to
10 Sergeant Whiteley.

11 Q Where was Mr. Manson when you reported it to Mr.
12 Whiteley?

13 A In Inyo County Jail.

14 Q Arrested, right?

15 A Right.

16 Q Arrested for the Tate-La Bianca murders, right?

17 MR. MANZELLA: Objection, your Honor, calls for
18 speculation.

19 MR. KANAREK: I'm asking for a state of mind, your
20 Honor.

21 MR. MANZELLA: Calls for speculation.

22 THE WITNESS: Those murders, at that point I knew nothing
23 about it.

24 Q BY MR. KANAREK: You knew nothing about it?

25 THE COURT: You needn't answer that.

26 MR. MANZELLA: Objection, your Honor, calls for
27 speculation.

28 THE COURT: Sustained.

1 Q BY MR. KANAREK: You, Mr. Watkins, told it to Mr.
2 Whiteley in October of 1969, after Mr. Manson was in custody,
3 right?

4 A Right.

5 Q And you decided that you were going to make as
6 much hay as possible out of Mr. Manson's being arrested, is
7 that right?

8 A As much what?

9 Q Hay.

10 A Hay?

11 Q Hay, money.

12 A Oh, money.

13 I decided to make a certain amount. I didn't
14 decide to make as much as possible. Maybe I should have.

15 Q You decided to make a certain amount?

16 A Yes.

17 Q You put a limit on how much you were going to make?

18 A No.

19 Q So you were out to get as much as the traffic
20 would bear, is that right?

21 A No, I tell you how I did it, I decided to publish
22 stories in foreign countries because the United States was in
23 sort of a state of shock, and they didn't -- I didn't think that
24 the people in the United States were in any position to hear
25 the truth and view it objectively. And so all the publications
26 that I was responsible for having written, were published in
27 foreign countries. Anything that was published within the
28 United States was without my knowing.

1 Q Well, Ivor Davis and Mr. LaBlanc published a book?

2 A Without my knowing.

3 Q From which you have received proceeds and you've
4 taken the money and used it for your personal advantage,
5 right?

6 A No, that's not.

7 Q Is that right?

8 THE COURT: You need not answer that.

9 Move on, Mr. Kanarek.

10 MR. KANAREK: Well, he says it is not true.

11 THE COURT: The answer is stricken.

12 MR. KANAREK: I would like to go into that subject, if
13 I may, your Honor.

14 THE COURT: You may not. You've covered it before.

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

3c fls.

17 THE COURT: Very well, you may.

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3c-1

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

THE COURT: Yes.

I didn't mean to preclude you from going into that, if there is something that impeaches him in something he has written or said, but I think you have established now in the jury's mind that he is a person who has sold information concerning Mr. Manson.

Is that your purpose to --

MR. KANAREK: Well, yes, right.

THE COURT: -- to impeach him?

MR. KANAREK: Yes.

THE COURT: On something that he has said specifically?

MR. KANAREK: Oh, no, not --

THE COURT: Just to show his state of mind of --

MR. KANAREK: At this point a lot of it depends, your Honor, upon another factor; that is, I have asked the District Attorney for his testimony in the Grogan case which was mistried, a mistrial before the Honorable Judge Call.

THE COURT: Did this gentleman testify --

MR. KANAREK: Mr. Manzella tells me the incredible statement that he doesn't know where those transcripts are, and I believe that's a denial of due process. We are entitled -- the District Attorney's office --

THE COURT: Have you had them, Mr. Manzella?

MR. MANZELLA: I don't know where the transcripts are right now, your Honor, because I haven't used them to prepare

1 the testimony in quite a while now. And there may be some
2 in the office. I don't know where they are right now.

3 MR. KANAREK: I would ask the Court to order that I be
4 allowed to --

5 MR. MANZELLA: They're available, but where they are
6 right now, I don't know.

7 THE COURT: Well, Mr. Kanarek, you were going to follow
8 through with the acquisition of copying, which the Court
9 requested Mr. Denny who was in -- who was involved as the
10 counsel for Mr. Davis, the co-defendant. Now, the Court
11 authorized Mr. Denny, who was appointed under 987(2) to have
12 those things reproduced at six cents a page or something of
13 that nature from the Grogan trial, and I had spoken to Mr.
14 Denny in your presence and asked him to permit you to have
15 the use of those transcripts when he had them reproduced.

16 Have you contacted him?

17 MR. KANAREK: Oh, yes, he has not -- he has not --
18 that is, I don't know whether he has reproduced the entire
19 amount yet, your Honor.

20 THE COURT: Well, I hate to delay proceedings.

21 MR. KANAREK: No, I'm not asking that. I think Mr.
22 Manzella -- since the Grogan trial is going on right now in
23 Judge Call's court, and on this very floor --

24 THE COURT: Go ahead. --

25 MR. KANAREK: I'm sure Mr. Katz' copies of that first
26 trial --

27 THE COURT: Go ahead with your cross-examination.

28 MR. KANAREK: At noon I'd be more than glad to go over

1 and get them if your Honor --

2 THE COURT: Go ahead with your cross-examination.

3 MR. KANAREK: Very well.

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

7 THE COURT: Have you concluded with your cross-examina-
8 tion?

9 MR. KANAREK: No, I have not.

10 THE COURT: Very well, proceed.

11 Q BY MR. KANAREK: Now, you know Mr. Vance, Bill
12 Vance?

13 A Yes.

14 Q Mr. Vance went under the name of Cole, C-o-l-e?

15 A So I understand.

16 Q Well, when you say, "so I understand," you mean
17 you know that to be true?

18 A From what he has told me, yes.

19 Q He's told you that he has used the name Cole for
20 his own purposes, right?

21 A Yes.

22 Q Mr. Vance is a person whose girl friend was
23 Ella Jo Bailey, is that correct?

24 A I guess you could say that.

25 Q Well, that is -- is that so, within your observa-
26 tion?

27 A Well, I heard that they left Spahn's Ranch
28 together, so I figure you could say that.

1 Q Well --

2 A I don't know what the relationship was.

3 Q You never saw them together?

4 A No, actually.

5 Q Pardon?

6 A Actually, no.

7 Q Now, directing your attention to People's 83,
8 Mr. Watkins, do you see a map of the portion of the San
9 Fernando Valley?

10 A Yes.

11 Q The house on Gresham Street that you have referred
12 to, would you show us where it is with respect to this map?

13 A It is right on Gresham Street. I don't know if
14 it is --

15 THE COURT: I can't hear you.

16 THE WITNESS: Second house off this corner, this one
17 house (indicating).

18 THE COURT: Speak into the microphone.

19 Turn your head and speak into the microphone.

20 THE WITNESS: It is right where it is initialed "PW."

21 Q BY MR. KANAREK: That's the house on Gresham
22 Street, and that was a house that was owned by Bill Vance,
23 right?

24 A That's what I understand.

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1 Q Now, at the time that you spoke with Mr. Poston
2 and Mr. Crockett, while you were in the Meyers'-Barker Ranch
3 area, was there anyone else present when you three people
4 were together?

5 A Yes. Some of the time.

6 Q Who else was present?

7 A There was a girl by the name of Juanita Wildbush;
8 a guy by the name of Bob Berry; a guy by the name of Stanley
9 Berry, occasionally; various and assorted tourists.

10 Uh -- a guy by the name of Tom Berry was there
11 very shortly; and his wife and their daughter were there very
12 shortly.

13 And Charlie and members of the Family were there,
14 during those times that I mentioned.

15 Q Do you know of a Tom Phillips?

16 A Qh, yes, He was there one time.

17 Q And Mr. Phillips was present while you were
18 talking with Mr. Crockett and Mr. Poston?

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

20 Q BY MR. KANAREK: Is that correct?

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

22 THE COURT: Sustained.

23 MR. KANAREK: Well, your Honor, I am laying a
24 foundation.

25 THE COURT: The objection is sustained.

26 MR. KANAREK: May I approach the bench?

27 THE COURT: No, you may not. You may go on with your
28 next question.

1 Q BY MR. KANAREK: What day was it, Mr. Watkins,
2 when Mr. Phillips was present at a time when you were speaking
3 with Brooks Posten and Mr. Paul Crockett?

4 A It would be around the first part of August. Uh --
5 him and his wife and his son and daughter visited us there a
6 few days. And then we talked together, he and Brooks and Paul
7 and I, quite often during those few days.

8 Q What about at times other than the first week in
9 August?

10 A Uh -- was he there at the Barker Ranch while me
11 and Paul and Brooks talked? He was only up there on one other
12 occasion, that I was there, and at that time, Brooks and Paul
13 weren't there.

14 Q Well, when you say Paul Brooks, you mean Paul
15 Brooks? You stated "Paul Brooks,"

16 A I said Brooks and Paul.

17 Q You mean Paul Crockett and Brooks Posten?

18 A Yes.

19 Q And Mr. Phillips was present at the -- at the
20 area of those ranches on one occasion other than the first
21 part of August, 1969?

22 A Yes.

23 Q When?

24 A Well, that -- about the latter days of September,
25 say. Probably around the last day of September. I went down
26 to Las Vegas to get supplies and returned with Tom Phillips --
27 he and I and another girl, -- and -- but at that time, Paul
28 Crockett and Brooks Posten were gone.

1 So it was just us and the rest of the Family.

2 Q Where -- who is -- who is the other girl with whom
3 you came back with Tom Phillips?

4 A Uh -- Pauly; her name was Pauly -- I don't know
5 her other -- oh, Pauly Wittig is her name.

6 Q How do you spell Wittig?

7 A I don't know.

8 Q And what is her address?

9 A I don't know.

10 THE COURT: It would be immaterial.

11 MR. KANAREK: May we approach the bench?

12 THE COURT: The answer may remain. He said he didn't
13 know.

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

15 THE COURT: No, you may not.

16 Q BY MR. KANAREK: To your knowledge, when you
17 returned with Mr. Phillips, where was Paul Crockett?

18 A To my knowledge, I had none as to their whereabouts
19 at that time.

20 Q Well, when did you next see Paul Crockett?

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

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

24 THE COURT: Very well. You may.

25 We will recess, ladies and gentlemen, until 1:45.

26 You are obliged, during the course of the recess,
27 not to converse amongst yourselves, nor with anyone else,
28 nor permit anyone else to converse with you on any subject

1 connected with this matter, nor are you to form or express an
2 opinion on the matter until it is finally submitted to you.

3 You are ordered to return at 1:45.

4 THE WITNESS: Yes, sir.

4a

4a-1
1 (The following proceedings were had at the
2 bench, outside the presence and hearing of the jury.)

3 THE COURT: What is the relevancy or materiality of
4 the whereabouts of Paul Crockett?

5 MR. KANAREK: Because it's our position that -- that
6 this particular defendant -- or, this particular witness got
7 together with Brooks Posten and Paul Crockett and decided
8 what they were going to -- what was going to be said concerning
9 Mr. Manson.

10 And we have a right to -- we have a right to --

11 THE COURT: You intend to show a conversation between
12 Posten, Brooks Posten, Crockett, and this man?

13 MR. KANAREK: That's right.

14 THE COURT: When?

15 MR. KANAREK: That's what I am trying to find out.

16 THE COURT: You mean you are speculating as to whether
17 they did get together?

18 MR. KANAREK: I'm not speculating. This man has
19 refused to talk to me. These people -- this is the only way
20 I could find it out.

21 THE COURT: Well, this is not the time, Mr. Kanarek,
22 when you examine on irrelevant and immaterial matters --

23 MR. KANAREK: It's not irrelevant and immaterial.

24 THE COURT: -- and immaterial matters, or explore some-
25 thing that's outside of the course of the direct
26 examination.

27 MR. KANAREK: Well, your Honor, if I may, this is within
28 the ambit of direct, because it's our position that this --
that these conversations that he's speaking of with Mr. Manson,

1 that these are -- and I can only do it on the information
2 that I have, as a lawyer, because these people will not talk
3 to me.

4 The District Attorney has them -- when you try to --

5 THE COURT: All right. Tell me what you intend to
6 establish by reason of this side trip concerning --

7 MR. KANAREK: It's not a side trip. Because we are not --

8 THE COURT: -- concerning Mr. Crockett?

9 MR. KANAREK: -- because we are not bound to his
10 particular location, where he says it occurred, or when he
11 says the conversation occurred.

12 It's our position that the conversation may never
13 have occurred, and may have been conjured up by him and other
14 people, at a later time.

15 And if I can have a witness here to show that, that
16 they had this relationship --

17 THE COURT: But you don't know at this time; you are
18 speculating that this may be true, and asking about it?

19 MR. KANAREK: Well, you can't take a deposition in a
20 criminal case, your Honor. And they -- this -- the
21 prosecution witness refuses to talk to me.

22 MR. MANZELLA: They all refused to talk to you, if I
23 remember correctly.

24 MR. KANAREK: Well, that's right. Because of the
25 tutelage that they have been given by law enforcement and by
26 the deputy -- by the District Attorney's office.

27 They have a phalanx of people surrounding them,
28 and they tell them --

????

1 THE COURT: Well, this theory of yours is based on a
2 meeting of these three men -- a supposed meeting that you are
3 speculating about, some time in --

4 MR. KANAREK: Well, I'm not --

5 THE COURT: In October? A meeting that occurred some
6 time in October of '69?

7 MR. KANAREK: Well, let's put it this way: In a meeting
8 that occurred long after August of 1969.

9 THE COURT: Well, I would suggest that you ask him --

10 MR. KANAREK: Not after the first of August, but I'm not
11 bound by his --

12 THE COURT: I would suggest that you ask him directly,
13 and not speculate about -- not ask him to engage in speculation
14 about the whereabouts of the other two, and various other
15 types of questions of this sort that you have started to ask.

16 All right. Ask him directly about it, if there
17 was such a conference or a meeting, and I think that that
18 would -- that would certainly be a legitimate source of
19 inquiry.

20 MR. KANAREK: Yes, your Honor.

21 Now, I might say that it's been the policy, as to
22 all of -- as to Mr. Manson and all of the defendants -- like
23 in the Tate-La Bianca case, the District Attorney's Office
24 and the law enforcement make it a policy to have these people
25 cultivated not to talk to any lawyer that represents any of
26 those defendants; that is, you could -- the record is replete
27 with that.

28 Now, I'm not the only one that has pointed this out

1 to this Court. -- well, actually, I may be the only one who
2 has pointed it out to this Court, but the record is replete,
3 in the Tate-La Bianca case --

4 MR. MANZELLA: That's not --

5 MR. KANAREK: -- is that as to all --

6 THE COURT: Yes, Mr. Manzella?

7 MR. MANZELLA: That's not true, your Honor.

8 THE COURT: Well, the Court has not observed that it's
9 true. It appears to be a voluntary course of conduct on the
10 part of some persons not to talk with you, Mr. Kanarek.

11 But I don't know that there's -- I haven't seen
12 any.

13 MR. KANAREK: Well, Mr. Denny --

14 THE COURT: I haven't seen that there has been any
15 coercion on the part of the People's investigators, to keep
16 them from talking.

17 MR. KANAREK: Well, the very same thing happened with
18 Mr. Denny.

19 THE COURT: I'll see you gentlemen at 1:45.

20 MR. KANAREK: Mr. Denny --

21 (Whereupon, an adjournment was taken in this
22 matter at 12:05 p.m. to reconvene at 1:45 p.m., same day.)
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LOS ANGELES, CALIFORNIA, MONDAY, SEPTEMBER 20, 1971

2:10 P.M.

THE COURT: The case of People versus Manson. The record will show all the jurors and alternates are present.

Mr. Kanarek for the People.

The witness may come up to the stand.

Step forward, close to the microphone, and state your name for the record.

THE WITNESS: Paul Watkins.

THE COURT: You may proceed with cross-examination.

MR. KANAREK: Yes, your Honor.

PAUL WATKINS,

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

CROSS-EXAMINATION (RESUMED)

BY MR. KANAREK:

Q Now, Mr. Watkins, in August and September of 1969, did you take any LSD while you were at the Barker or Meyers' Ranch?

A In August and September of 1969?

Uh, no, I didn't.

MR. KANAREK: Your Honor, may the record reflect that the witness has hesitated many seconds before making that answer; is that a fair statement?

THE COURT: Proceed with your next question.

Q BY MR. KANAREK: Now, during August and September,

1 1969, did you see Bill Vance?

2 A Yes, I did.

3 Q Would you tell us where you saw Bill Vance?

4 A No, it wasn't August or September, excuse me.

5 Oh, wait, I did see him at the Barker Ranch.

6 Q In September of 1969?

7 A I saw him at Spahn's Ranch.

8 Q You saw him at Spahn Ranch?

9 A Yes.

10 Q In September of 1969?

11 A Yes.

12 Q And you saw him also at the Barker and Meyer Ranch
13 out near Goler Wash and Ballerat in September of 1969?

14 A No.

15 Q Never did?

16 A No. Saw him in October.

17 Q What day was it that you saw him Mr. Vance at
18 Spahn Ranch?

19 A The 5th, 6th and 7th of September.

20 Q And you saw him at the Spahn Ranch after you had
21 seen the people who were friends of Mr. Manson, the girls,
22 and Mr. Manson come to the Barker-Meyers' Ranch areas?

23 A Yes.

24 Q Is that right?

25 A That's right.

26 Q Is that correct?

27 And what day was it that you had this conversation
28 that you've spoken of with Mr. Manson where supposedly he

1 mentioned Shorty Shea?

2 A The 1st of September.

3 Q September 1. There's no question in your mind
4 about that?

5 A There is a bit of question. It could have been
6 the very last day of August, but I do recall that I left the
7 first day of September, that it was the day before.

8 Q Oh, you're telling us now that it could have been
9 the last day of August?

10 A Yes, it could have been the last day of August.

6
1 Q And it could have been earlier than the last day
2 of August; is that right?

3 A No, it couldn't have, because I have a very
4 definite anchor point.

5 Q Pardon?

6 A It couldn't have been any earlier, because I have
7 a very definite anchor point in time there. It was my draft
8 physical.

9 Q Did you testify before the Grand Jury as follows:

10 "Q When did you first see Charles
11 Manson at Barker Ranch in the summer of '69?

12 "A It would be around the last part
13 of August, in the last days of August.

14 "Q Approximately when in the last days
15 of August?

16 "A Oh, I see. I would have left on
17 August 31st, if there is 31 days in August, and
18 it would have been around the 28th or 29th."

19 Did you so testify?

20 A I reckon I did. You just read it to me.

21 Q Well, my question is -- I'm not asking you any
22 question, Mr. Watkins, except: Did you so testify before the
23 Grand Jury?

24 A Yes, I did.

25 But it's straighter in my mind now.

26 Q It's straighter in your mind now?

27 A Yes, it is.

28 Q I see. Which is later in time than when you

1 testified before the Grand Jury --

2 A Yes.

3 Q -- on December 29th, 1970?

4 A Well, I have had occasion to look at the records
5 for what the day was that I had to be down in L.A., that I was
6 in L.A.

7 Q You have had occasion to look at these records?

8 A Yes.

9 Q And you have had occasion to talk to law enforcement
10 people; right?

11 A Yes.

12 Q Now, did you so testify -- did you testify as
13 follows before the Grand Jury?

14 "Q How many days was Charles Manson
15 at Barker Ranch until you left for Los Angeles
16 for your physical?

17 "A Oh, two or three.

18 "Q And you have stated, to the best
19 of your recollection, you left for Los Angeles
20 about August 31st, 1969?

21 "A Yes.

22 "Q So Charles Manson would have been
23 there about the 27th or 28th of August; is that
24 correct?

25 "A Yes."

26 Did you so testify before the Grand Jury?

27 A Yes. But you'll notice that all --

28 Q Would you just answer the question, please,

1 Mr. Watkins?

2 A That's what I was doing.

3 Q My only question is: Did you so testify before
4 the Grand Jury? Yes or no. Or don't you know?

5 A I don't know, actually.

6 Q All right, Would you read over --

7 THE COURT: Mr. Manzella --

8 There's no need to do that, Mr. Kanarek.

9 Mr. Manzella, have you seen that?

10 MR. MANZELLA: No, I haven't, your Honor.

11 Q BY MR. KANAREK: Would you read over to yourself --

12 THE COURT: Mr. Kanarek, show it to Mr. Manzella, will
13 you, please?

14 MR. KANAREK: Well, it's a Grand Jury transcript, your
15 Honor.

16 THE COURT: Show it to him.

17 MR. KANAREK: Certainly. I am sure he has read it.

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

21 THE COURT: Is it stipulated?

22 MR. MANZELLA: The People will so stipulate, that
23 Mr. Watkins so testified, your Honor.

24 MR. KANAREK: Your Honor, I cannot accept the stipulation.
25 I want the witness, in the presence of the jury, to read
26 this over and give his answers in the presence of the jury.

27 THE COURT: There's no need to, Mr. Kanarek. He is --
28 by stipulation, it is agreed that he has so testified.

1 He has stated that he does not remember whether
2 he so testified. Whether he reads it, or whether you state it
3 to him again, --

4 MR. KANAREK: Well --

5 THE COURT: -- it is stipulated that he has so testified.

6 MR. KANAREK: Well, your Honor, his -- as I say, may
7 I approach --

8 THE COURT: You may not.

9 MR. KANAREK: -- the bench?

10 THE COURT: No, you may not. Proceed with your next
11 question.

12 MR. KANAREK: I cannot accept the stipulation, your
13 Honor.

14 THE COURT: Well, do not pursue the course of asking
15 him whether or not he has so testified again.

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1 MR. KANAREK: Well, as your Honor well knows, the
2 request for a stipulation should be made outside the presence
3 of the jury, in accordance with ethical conduct. And --

4 THE COURT: The Court does not need, Mr. Kanarek, to
5 have you remind it of the procedure that should be followed.

6 It is stipulated, now, that he has so testified.

7 MR. KANAREK: I cannot, with good conscience, accept
8 the stipulation, your Honor.

9 THE COURT: All right. Proceed with your questions.

10 Q BY MR. KANAREK: Would you --

11 THE COURT: Would you please back up from the jury --
12 from the witness box, and resume your place at the counsel
13 table?

14 MR. KANAREK: I wish to attempt to refresh his recollec-
15 tion, your Honor.

16 THE COURT: Proceed with your next question.

17 MR. KANAREK: May I attempt to refresh his recollection?

18 THE COURT: Not by approaching the witness.

19 MR. KANAREK: Well, then, may I -- I would like for him
20 to be shown --

21 THE COURT: Ask your next question, Mr. Kanarek.

22 (Pause in the proceedings while Mr. Kanarek
23 perused the transcript.)
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7 fls.

?? A-1 7-1 1 THE COURT: Ladies and gentlemen, the People concede
2 by Mr. Manzella's statement, in other words, that the state-
3 ment -- that the questions were asked at the Grand Jury
4 proceedings as -- and those answers were given as Mr.
5 Kanarek has put in his last question to the witness.

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

7 THE COURT: No, you may not.

8 Q BY MR. KANAREK: Now, after you came, Mr. Watkins,
9 to the Los Angeles area, how many days was it before you saw
10 Bill Vance?

11 A Just about three.

12 Q Would you tell us your -- tell us the date that
13 you saw Bill Vance?

14 A Yes. It was about the 5th, 6th and 7th.

15 Q You saw him for three -- on three separate days
16 during that period of time; is that what you are telling us?

17 A Yes, at three different occasions, different
18 times during days.

19 Sometimes in the morning, sometimes late in the
20 evening, sometimes in the next morning, late the next evening,
21 and then early the next morning.

22 Q At the Spahn Ranch?

23 A Yes.

24 Q In Los Angeles County?

25 A Yes.

26 Q Right?

27 When, Mr. Watkins, did you, in your mind, think
28 that for sure Shorty Shea was not living, if you ever did

7-2

1 think that?

2 I'm asking for a date.

3 A Uh, the date --

4 I can give you a, uh -- the approximate date,
5 the 6th or 7th of September.

6 Q About the 6th or 7th of September you are telling
7 us now is the time that in your mind you felt sure that Mr.
8 Shea was not living, right?

9 A First you said "think," and now you say "felt
10 sure."

11 Q Well, I'll ask "felt sure."
12 When did you feel sure that Mr. Shea was not
13 living?

14 A I'd say the same time I began to feel sure
15 around the 6th or 7th.

16 Q On the 6th or 7th of September?

17 A Yes.

18 Q And after -- you now tell us -- feeling sure that
19 Mr. Shea was not alive, you then went back to live at the
20 Barker Ranch? Is that correct?

21 A That's correct.

22 Q And you went back to live at the Barker Ranch and
23 you slept on the Barker Ranch and stayed on the Barker Ranch
24 at the same time that Charles Manson was on the Barker Ranch,
25 Barker and Meyers Ranch areas?

26 A That's correct.

27 Q Is that correct?

28 A That's correct.

7-3

1 Q And in connection with this period of time,
2 when you went back to the Barker-Meyers Ranch area, you
3 went of your own free will; is that correct?

4 A That's correct.

5 Q While you were in the Los Angeles County area and
6 the Spahn Ranch area, you knew where there were Sheriff's
7 Substations? You knew where there were Los Angeles Police
8 Department substations? You saw police officers, right?

9 A Yes.

10 Q And you are now telling us you knew -- you, in
11 your own mind, felt for sure that Mr. Shea was not living and
12 you did not contact any law enforcement officer concerning
13 this; is that right?

14 A That's right.

15 Q Did you testify as follows before the Grand Jury:

16 "Q And you have stated to the best of your
17 recollection you left for Los Angeles about August
18 31st, 1959 -- '69?

19 "A Yes.

20 "So Charles Manson would have been there
21 around the 27th or 28th of August, is that correct?

22 "A Yes."

23 Does that refresh your recollection that you
24 actually so testified?

25 A I actually so testified, yes.

26 Q And did you testify at the Grand Jury?

27 A Yes.

28 Q Well, I haven't finished.

7-4

1 A Oh.

2 Q Did you testify before the Grand Jury then that
3 you came directly to Los Angeles and did not go to Las Vegas
4 when you left the Barker's-Meyers' Ranch on August 31, 1969?

5 A No, I didn't.

6 Q You didn't so testify?

7 A Not that, not then.

8 Q Then, the statement I read to you a few moments
9 ago is incorrect, is that right?

10 THE COURT: Do you understand that question?

11 THE WITNESS: No, I don't.

12 Q BY MR. KANAREK: Well --

13 THE COURT: Would you rephrase it, Mr. Kanarek?

14 MR. KANAREK: Yes, your Honor.

15 Q BY MR. KANAREK: "You testified, and you have
16 stated to the best of your recollection you left Los Angeles
17 about August 31st, 1969?

18 "A Yes."

19 Is that correct?

20 A That's what you are reading there, isn't it?

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1 Q Yes.

2 A It has been stipulated that it is correct.

3 Q That is what you testified to?

4 A I already told you, I don't recall.

5 Q You don't recall whether you said that or not?

6 A I don't recall whether I said that date or not,
7 no.

8 Q Well, did you so testify, Mr. Watkins, or
9 didn't you?

10 MR. MANZELLA: I object, your Honor, on the grounds
11 this area has been covered.

12 MR. KANAREK: It hasn't.

13 THE COURT: Your question, Mr. Kanarek, has been
14 asked and answered, and he has stated that he does not
15 remember.

16 MR. KANAREK: Well, then, may I approach the witness to
17 have him read it?

18 THE COURT: You wish to have him read it?

19 MR. KANAREK: That's right. Maybe that will refresh
20 his recollection.

21 THE COURT: All right, we'll let you have him read it.
22 You may approach the witness stand.

23 MR. KANAREK: Thank you.

24 Q BY MR. KANAREK: Would you read over to yourself--

25 THE COURT: Would you tell us the lines and the pages?

26 MR. KANAREK: Yes.

27 Page 1097 of the Grand Jury transcript -- excuse
28 me, Mr. Watkins, of December 29, 1970.

1 Would you read over --

2 THE COURT: To yourself, without reading it aloud.

3 MR. KANAREK: -- lines 3 to 5. And you may read
4 previous to that and after that in the transcript, and let
5 us know whether -- and then, I'll ask you a question, if I
6 may.

7 THE WITNESS: That's -- uh --

8 Q BY MR. KANAREK: Just -- you've read it to
9 yourself?

10 A Yes.

11 THE COURT: Get yourself back in front of that micro-
12 phone.

13 THE WITNESS: That's right.

14 THE COURT: Have you read it?

15 THE WITNESS: Yes.

16 Q BY MR. KANAREK: Do you care to read a page
17 before that?

18 THE COURT: That's not material. Just direct your
19 question to him.

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

21 Q Did you testify:

22 "Q And you have stated to the best of
23 your recollection you left for Los Angeles about
24 August 31st, 1969?

25 "A Yes."

26 Did you so testify?

27 A Yes, I so testified.

28 Now, I'm being exact, when I say I left there on
the first.

8-1

1 MR. KANAREK: Well, your Honor, may this gratuitous
2 statement be stricken? I asked no --

3 THE COURT: The statement is stricken.

4 Q BY MR. KANAREK: Now, in your presence,
5 Mr. Watkins, at the Spahn -- at the Barker and Meyers' Ranch
6 in 19-- in September and October of 1969, did anyone take
7 LSD?

8 A In my presence?

9 Q Yes.

10 A In October -- oh. Oh, yes.

11 Q And in your presence, when these people took LSD,
12 did you take LSD?

13 A I took a tablet, but I didn't eat. I put it
14 under a rock and so they were led to believe that I did eat
15 it.

16 Q Well, in October of 1969 -- this is about October
17 the 4th; right?

18 A (No response.)

19 Q Correct?

20 A (Indicating negatively.)

21 THE COURT: Get on with your question.

22 MR. KANAREK: I am asking him if it's about October 4th.

23 THE WITNESS: No, that's not correct.

24 Q Well --

25 A It would be more like a little later on; maybe
26 like the 7th or the 8th.

27 Q Well, in the presence of Bruce Davis and Bill
28 Vance, did you take LSD?

1 A No.

2 Q Did Bill Vance and Bruce Davis in your presence
3 take LSD?

4 A Well, I didn't see them eat the tablets, but it
5 was apparent that they did.

6 Q And at a time when they were in your presence,
7 they were under the influence of LSD on or about October the
8 4th, 1969; right?

9 A Yeah, right.

10 Q And when they took it, you didn't take it?

11 A Right.

12 Q You put it under a rock?

13 A Right.

14 Q So it was October the 4th?

15 A No, I didn't say it was October the 4th, no.
16 Excuse me.

17 It was later on, Mr. Kanarek, as -- I didn't get
18 up there until a little after the 4th.

19 Q The 5th?

20 A No, I believe it would be a little later on,
21 more like the 7th or 8th.

22 Q Around the 7th or 8th?

23 A Perhaps it was as early as the 4th, Mr. Kanarek.
24 I'm really not too sure on dates right around then.

25 Q Well, it was -- may I then show you -- ask you to
26 read --

27 THE COURT: You may ask him from there.

28 MR. KANAREK: Well, your Honor, I wish him to read it.

1 THE COURT: You may ask him from there.

2 Q BY MR. KANAREK: Did you testify before the Grand
3 Jury that on the night of October the 5th, Bill Vance and
4 Bruce Davis were all on acid?

5 Did you so testify before the Grand Jury?

6 A Yes.

7 Q And by "acid," you mean LSD?

8 A LSD.

9 Q After this date of October the 5th, 1969, it came
10 to your attention that Mr. Manson was arrested; is that
11 right?

12 A That's right.

13 Q On what date did it come to your attention that
14 Mr. Manson was arrested?

15 A Approximately the -- the 15th.

16 Q And between October the 5th and October the 15th,
17 1969, where were you?

18 A I went to Las Vegas.

19 Q And --

20 A And then I went to Shoshone.

21 Q You went to Las Vegas on what date?

22 A When I left the desert, I went to Las Vegas, and
23 it was around -- around the 5th or 6th or 7th; and then I went
24 to Las Vegas.

25 I stayed there for approximately a week, and then
26 I went to Shoshone, stayed there for just a few days, and
27 then I was told that everybody got busted in the desert.

28 Q And when you went to Las Vegas, you went on your

1 own; right? Of your own free will, --

2 A Yes.

3 Q -- is that right?

4 A Yes.

5 Q And you contacted no one -- no law enforcement
6 officer concerning Donald Jerome Shea; right?

7 A Right.

8 Q And when you left Las Vegas and went wherever you
9 went -- Shoshone or wherever it may be -- you contacted no
10 law enforcement officer concerning Shorty Shea; right?

11 A In Shoshone, they contacted me.

12 Q My question is whether you contacted anyone.

13 A No, I didn't.

14 MR. KANAREK: Your Honor, I wonder if we could approach
15 the bench?

16 THE COURT: Yes, you may.

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

MR. KANAREK: Yes, your Honor. I wonder if we could have the afternoon recess at this time? And then Mr. Manzella has another witness, and then he could come back tomorrow, after --

THE COURT: Are you nearly finished with your cross-examination?

MR. KANAREK: Well, yes, but I -- well, I wish to have the benefit of those transcripts, your Honor, which hopefully I will be able to get between now and tomorrow.

Mr. Manzella can then put on his other witness.

THE COURT: Is your witness here?

MR. MANZELLA: No, your Honor. My witness won't be ready until after -- I figured until after the afternoon recess. And I figured you were going to take that about 3:00 o'clock.

THE COURT: I did intend to do that.

Go ahead with whatever cross-examination you have at this time.

MR. KANAREK: Well, I have --

THE COURT: And the Court will permit you to reopen in the event you should desire to, after reading the transcript of the Grogan trial.

MR. KANAREK: Well, this is a very convenient place for me. I don't just want to ask questions for the sake of asking them.

1 THE COURT: No, if you have finished your cross-
2 examination --

3 MR. KANAREK: Well, absent -- except for the use of that
4 transcript, your Honor.

5 THE COURT: You have finished?

6 MR. KANAREK: Well --

7 THE COURT: You don't know at this time whether or not
8 you wish to ask him any questions after -- until you've
9 read that transcript?

10 MR. KANAREK: Yes, I can't make that kind of -- that
11 representation at this time, your Honor.

12 THE COURT: In other words, you may be finished with
13 your cross-examination; you may not?

14 MR. KANAREK: Yeah. But I -- I am -- undoubtedly, I
15 would not be, after I've read that transcript.

16 THE COURT: How do you know that, until you have read
17 it?

18 MR. KANAREK: Well, I mean, the way this witness -- I
19 think that every time he says something, it's -- it changes
20 from hour to hour and day to day, so to speak.

21 THE COURT: Well, if you have any further cross at this
22 time, I will allow you to reopen after you've read that
23 transcript.

24 If you have any further cross at this time, I'll
25 allow you to --

26 MR. KANAREK: Well, I don't. See, I don't -- I don't
27 have -- I don't have anything that -- I'm not just going to --
28 I have up to this point -- planned, up to this point, based on

1 what I have had.

2 So what I would ask is that he be excused --

3 THE COURT: So your witness is not here?

4 MR. MANZELLA: No, your Honor, not yet.

5 MR. KANAREK: What I am saying is, if we took the
6 afternoon recess now, it would be approximately 3:00 o'clock.

7 THE COURT: We'll take the afternoon recess, then.

8 MR. KANAREK: Thank you, your Honor.

9 MR. MANZELLA: Can we take it until about 3:15 or so,
10 your Honor? I don't know if I will be ready at 3:00 o'clock.

11 THE COURT: That's 35 minutes of the afternoon.

12 MR. MANZELLA: I know. I just don't know if I will be
13 ready by 3:00 o'clock.

14 THE COURT: Well, do your best to get your witness here.
15 If you need it, any delay, at that time, let me know. But I
16 will --

17 MR. MANZELLA: Well, it would help, rather than having
18 to come back to court, your Honor, if we are having any
19 problem --

20 THE COURT: Let's see if Mr. Kanarek can get the
21 transcript in hand in the next five minutes. Perhaps we can
22 go ahead before 3:00 o'clock.

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

25 THE COURT: We'll recess at this time, ladies and
26 gentlemen. During the recess, you are admonished not to
27 converse amongst yourselves nor with anyone else, nor permit
28 anyone to converse with you on any subject connected with this

1 matter, nor form or express any opinion on the matter until it
2 is finally submitted to you.

3 It's rather warm in here. You gentlemen may take
4 off your coats when you return, if you wish.

5 Ten minutes, possibly longer, 15 minutes, if you
6 wish to calculate the time, or count to the time. We'll have
7 at least 15 minutes.

8 Be back here, will you please, Mr. Watkins, in 15
9 minutes?

10 THE WITNESS: Yes, sir.

8b-1

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

THE COURT: Incidentally, there's no need to ask the witness, once he has stated these answers in response to these questions on a certain time, to have him read it.

MR. KANAREK: Well, I like the jury to see his demeanor. This witness is especially --

THE COURT: Well, there's no need for that, particularly if there is an agreement -- that the record that you've read is accurate. And --

MR. KANAREK: Well --

THE COURT: -- he did so state. There's really no argument in respect to that.

MR. KANAREK: Well, this -- this witness, and I say, is --

THE COURT: Once that agreement or concession has been made on the part of the People.

MR. KANAREK: I understand your Honor's point. However, I think my point -- I think my point is something to be considered; namely, his demeanor before the witness -- before the jury, I think, is most important.

THE COURT: You mean while he's reading the --

MR. KANAREK: While he's doing whatever he does. Because this witness is a most -- I feel a most deceptive witness, your Honor.

THE COURT: Mr. Manzella, will you see what you can do to get those transcripts of the Grogan trial in Mr. Kanarek's

8b-2

1 hands in the next few minutes? So he can look over the
2 examination?

3 MR. MANZELLA: Well, I won't be able to do anything
4 now. What I have to do is check with Mr. Katz and check
5 my --

6 THE COURT: Can't you do that?

7 MR. MANZELLA: -- my study at home.

8 No, your Honor. I have got a lot of transcripts
9 at home, and I know Mr. Katz has a lot of transcripts.

10 THE COURT: Well, can you -- right now, can you contact--

11 MR. MANZELLA: I don't think so.

12 THE COURT: Well, he's on the same floor, isn't he?

13 MR. MANZELLA: No. He's at home.

14 THE COURT: Oh.

15 MR. MANZELLA: Well, he is not here. He took off for
16 two days. I don't know where he is. I assumed he's at home,
17 but I don't know.

18 But in any event, I have done all I can do.

19 THE COURT: Oh, that's right. This is a holiday for
20 him, isn't it?

21 All right. See what you can do about getting your
22 witness here at 3:00, so we won't have any appreciable delay
23 this afternoon.

24 MR. MANZELLA: All right.

25 MR. KANAREK: Thank you, your Honor.

26 (Mid-afternoon recess.)
27
28

9 fls.

9-1

1 THE COURT: The record will show all jurors are present.
2 Mr. Kanarek for the defendant.

3 Mr. Kanarek, you may proceed with any further
4 cross.

5 (Whereupon, Mr. Kanarek conferred at the counsel
6 table with Mr. Manzella outside the hearing of the
7 jury, which was not reported:)

8 MR. KANAREK: Well, your Honor, then, may this witness
9 be excused and asked to return tomorrow? The prosecution has
10 another witness at this point.

11 THE COURT: The Court will ask this witness to remain
12 today. I may excuse you at -- later on today or may require
13 you to return tomorrow, but would you remain out in the
14 corridor pending such time as the Court excuses you today?

15 THE WITNESS: All right.

16 MR. KANAREK: Thank you, your Honor.

17 Thank you, Mr. Watkins.

18 MR. MANZELLA: The People's next witness is Brooks
19 Poston, your Honor.

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

21 You do solemnly swear that the testimony you may
22 give in the cause now pending before this court shall be the
23 truth, the whole truth, and nothing but the truth, so help
24 you God?

25 THE WITNESS: I do.

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

27 THE BAILIFF: Would you state and spell your full name,
28 sir?

1 THE WITNESS: Brooks Poston, B-r-o-o-k-s, Poston,
2 P-o-s-t-o-n.

3
4 BROOKS POSTON,
5 called as a witness by and on behalf of the People, having
6 been first duly sworn, was examined and testified as follows:
7

8 DIRECT EXAMINATION

9 BY MR. MANZELLA:

10 Q Now, Mr. Poston, do you know the defendant in
11 this case, Mr. Charles Manson?

12 A Yes.

13 Q And when did you first meet Mr. Manson?

14 A In about June of 1968.

15 Q And shortly thereafter, did you begin living with
16 Mr. Manson and the members of the Family?

17 A Yes.

18 Q Now, sometime later in 1968 did you begin living
19 with Mr. Manson and the Family at Spahn Ranch?

20 A Yes, I did.

21 Q When did you leave Spahn Ranch?

22 A Uh, October 31st, 1968.

23 Q Where did you go when you left Spahn Ranch?

24 A To Barker's Ranch in Goler Wash. It is in the
25 Panamint Range.

26 Q Did Mr. Manson go up to Barker Ranch as well?

27 A Yes.

28 Q And did the rest -- strike that.

1 Did other members of the Family go up to Barker's
2 Ranch at that time?

3 A Yes.

4 Q Now, how long did you remain at Barker Ranch?
5 How long did you remain at Barker Ranch? How long did you
6 stay at Barker Ranch?

7 A I was there until approximately about the second
8 week of January.

9 Q Of --

10 A Of 1969.

10 fls.

10-1

1 Q And where did you move after January -- or,
2 strike that.

3 Where did you move in January of 1969?

4 A To a house in Canoga Park. The Gresham Street
5 house is what I know it as.

6 Q That's how you know it, as the Gresham Street
7 house?

8 A Yes.

9 Q And when you moved to the Gresham Street house,
10 did Mr. Manson move there?

11 A Charlie was already there.

12 Q Did other members of the Family -- strike that.
13 Were other members of the Family living at the
14 Gresham Street house?

15 A Yes.

16 Q Now, some time later in 1969, did you move from the
17 Gresham Street house, to begin living some place else?

18 A Yes, I did.

19 Q And when was it that you left the Gresham Street
20 house?

21 A About the second week of February, 1969.

22 Q And where did you move?

23 A Back to Barker's Ranch.

24 Q Now, for how long did you live at Barker's Ranch
25 when you moved there in February of 1969?

26 A I was there until October the 1st, 1969, -- except
27 for an eight-day period in August, when I went to Kingman,
28 Arizona.

1 Q Now, in August and September of 1969, were you --
2 strike that.

3 Was there anyone else at that Barker Ranch with
4 you?

5 A Yes.

6 Q Who was that?

7 A Paul Crockett, Paul Watkins; and for a while,
8 there was a girl named Juanita; and a man named Bob Berry.

9 Q Now, the Paul Watkins that you referred to, was
10 he the previous witness in this case?

11 A Yes.

12 Q Now, some time in September of -- in late August
13 or early September of 1969, did you see Mr. Manson at the
14 Barker-Meyers' Ranch area?

15 A Yes.

16 Q And can you be any more specific with regard to
17 when you saw Mr. Manson first, up at the Barker-Meyers' Ranches?

18 A As nearly as I can place, it was about the second
19 or maybe the third, possibly the first of September, '69.

20 Q And at that time, did other members of the Family
21 come up to the ranches?

22 A Yes.

23 Q And can you give us their names?

24 A Uh -- there was Bruce Davis, Charles Watson,
25 Kitty Lutesinger, Barbara Hoyt, a girl named Quish, Dianne
26 Lake, Sherry Cooper, and Brenda Mc Cann.

27 I believe that's about all.

28 Q Now, some time after Mr. Manson arrived at

1 Barker Ranch, in the beginning of September, 1969, did he
2 talk -- strike that.

3 Did he make any statements in your presence with
4 regard to Shorty Shea?

5 A Yes.

6 Q And did you know a man by the name of Shorty Shea?

7 A Yes.

8 Q And when and where had you met him? Strike that.

9 Where had you seen or met Mr. Shea?

10 A I met him at Spahn's Ranch in '68.

11 Q Now, when did Mr. Manson make the statements about
12 Mr. Shea?

13 A We were in the main ranch house at Barker's Ranch.

14 Q You were inside the house?

15 A Yes.

16 Q And who was present at the time Mr. Manson made
17 the statements?

18 A Uh -- myself, Paul Crockett, Bruce Davis, Tex
19 Watson, Kitty Lutesinger, Sherry Cooper was there, Barbara
20 Hoyt. And I believe Brenda and Snake, but I'm not sure that
21 they were there.

22 Q Now, was Paul Watkins present at the time
23 Mr. Manson made these statements?

24 A No.

25 Q Now, was this -- were these statements made
26 during the day, or at night?

27 A It was in the afternoon -- or close to -- closer
28 to the middle of the day.

1 Q Now, would you tell us what Mr. Manson said?

2 MR. KANAREK: Object, your Honor, on the grounds of
3 hearsay; no -- improper foundation, not relevant or material;
4 no showing of any corpus delicti.

5 THE COURT: The objection --

6 MR. KANAREK: The probative value is outweighed by the
7 prejudicial value.

8 THE COURT: The objection is overruled.

9 The witness may answer the question.

10 THE WITNESS: Charlie said, "You remember Shorty, don't
11 you? You know, we had to do him in. He was bad-mouthing the
12 ranch and calling the Man on us, and scheming with Frank Retz
13 to get the ranch. And we warned him two or three times to
14 stop, but he didn't.

15 "So we hit him on the head, took him for a ride.
16 And when he started to come to, we stuck him with knives.
17 And when he started to get to now, he was really hard to kill,
18 because he wouldn't give it up.

19 "So Clem had to cut his head off."
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1 Q BY MR. MANZELLA: Now, some time thereafter, did
2 you see Clem?

3 A Yes.

4 Q At the Barker-Meyers' Ranch area?

5 A Yes.

6 Q And is Clem a nickname for Steve Grogan?

7 A Yes.

8 Q And approximately how much later did you see
9 Clem at the Barker-Meyers' Ranch area?

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

11 THE COURT: Overruled. You may answer.

12 THE WITNESS: I believe it was about the middle of the
13 month.

14 Q BY MR. MANZELLA: September, 1969?

15 A Yes.

16 Q Now, some time after that, did you leave the
17 Barker-Meyers' Ranch area?

18 A Yes, I did.

19 Q When did you leave?

20 A Uh, on October 1st, 1969.

21 Q Did you leave with someone else?

22 A Yes.

23 Q Who did you leave with?

24 A Paul Crockett.

25 Q Where did you go?

26 A We walked to Warm Springs south and from there we
27 got a ride to Shoshone.

28 Q How far was it from Barker's-Meyer's Ranches to

1 where you first went?

2 A About 21 miles.

3 Q You walked that distance?

4 A Yes.

5 Q Then, you got a ride to Shoshone?

6 A Yes.

7 Q Now, some time later, did Paul Watkins join you?

8 A Yes, he did.

9 Q And where did he join you?

10 A In Shoshone.

11 Q Now, were you aware during the time in September,
12 1969, while you were at Barker's Ranch, were you aware of
13 Paul Watkins leaving to take his physical, his Army
14 induction physical?

15 MR. KANAREK: Object, your Honor, hearsay, assuming facts
16 not in evidence.

17 THE COURT: Sustained.

18 Q BY MR. MANZELLA: Do you know when Paul -- strike
19 that.

20 Do you remember Paul leaving, Paul Watkins
21 leaving the Barker's Ranch in the beginning of September,
22 1969?

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

24 THE COURT: Overruled.

25 THE WITNESS: Yes.

26 Q BY MR. MANZELLA: Now, can you tell us -- strike
27 that.

28 Can you tell us whether the statements that

1 Mr. Manson made with regard to Shorty Shea occurred before or
2 after Paul Watkins left Barker's Ranch?

3 MR. KANAREK: Irrelevant and immaterial.

4 THE COURT: Overruled. You may answer.

5 THE WITNESS: Would you repeat, please?

6 Q BY MR. MANZELLA: Yes.

7 Can you tell us whether the statements that
8 Mr. Manson made with regard to Shorty Shea, occurred before
9 Mr. Watkins left Barker Ranch or after he left the ranch in
10 the beginning of September, 1969?

11 A Oh, he talked about it before Paul left.

12 MR. MANZELLA: I have no further questions, your Honor,
13 thank you.

14 THE COURT: You may cross-examine.

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

16
17 CROSS-EXAMINATION

18 BY MR. KANAREK:

19 Q Mr. Poston, did you participate in obtaining
20 some money as a result of statements that you made to writers
21 and publishers concerning Mr. Manson?

22 A Yeah.

23 Q How much money did you get for the storytelling
24 that you did in connection with these matters?

25 A Well, when we told about living with Charlie --

26 Q Would you listen to the question?

27 A I did listen to the question.

28 Q The question is merely how much money, Mr. Poston?

- 1 A \$1,100.
- 2 Q You personally got \$1,100, right?
- 3 A Uh, that was approximately my cut, yeah.
- 4 Q Your cut. And you got some future royalties,
- 5 also, for your story to these editorial people, these writers?
- 6 A Not yet.
- 7 Q Pardon?
- 8 A Not yet.
- 9 Q Do you have an arrangement whereby you are getting
- 10 future royalties?
- 11 A We don't have -- we haven't gotten anything. We
- 12 have a contract with the people that we worked with.
- 13 Q Mr. Davis and Mr. La Blanc?
- 14 A And Don Dornan, and that's all.
- 15 Q And you are hoping to get future moneys?
- 16 A No.
- 17 Q You are not looking forward to any more money?
- 18 A Huh-uh, not from them.
- 19 Q Not from them.
- 20 But maybe some other source?
- 21 A Our own source.
- 22 Q Right.
- 23 And you intend to write your story concerning
- 24 your relationship with Mr. Manson, is that it?
- 25 A No.

11a-1

1 Q And, now, in your lifetime, Mr. Poston, have you
2 taken any LSD?

3 A Yes.

4 Q And on how many different occasions have you
5 taken LSD?

6 A About 25 times, 25 to 30, I think.

7 Q 25 to 30 times in your entire life?

8 A Yes.

9 Q Uh, what drugs, what other drugs, if any, or
10 narcotics, if any, have you taken besides LSD?

11 A Uh, mescaline, some synthetic grass -- no, I
12 didn't take that. Uh, marijuana, hashish and opium.

13 Q Hashish and opium?

14 A Yes.

15 Q And on how many occasions have you taken marijuana
16 in your lifetime?

17 A I don't know the exact number.

18 Q Hundreds of times?

19 A No.

20 Q Thousands of times?

21 A No, not even close.

22 Q Not close, huh?

23 A It is much fewer.

24 Q Pardon?

25 A Much fewer times.

26 Q Well, at one time in 1968, Mr. Poston, did you
27 go into a catatonic state?

28 A Well, I don't know what a catatonic state is.

11a-2

1 Q Well, did you go into a trance?
2 A No.
3 Q For some three to four days?
4 A No.
5 Q Where you went -- you were immobile for several
6 days?
7 A No, I was not immobile.
8 Q How long were you in this -- you were not in a
9 trance?
10 A No.
11 Q Were you in a situation where you could not take
12 care of yourself physically?
13 A No.
14 Q In connection -- well, may I finish the question?
15 -- where you laid in one place immobile for an
16 extended period of time?
17 A I laid on the couch, but I was not immobile.
18 Q I see. How long -- how long did that last?
19 A Well, when I lay down on the couch it was before
20 sundown, and when I got up it was also right about sundown.
21 Q So you laid there for a day?
22 A I don't think so.
23 Q Well, you had taken LSD?
24 A Yes.
25 Q When was this?
26 A When? You mean an exact date?
27 Q Yes.
28 A Well, I don't know the exact date.

11a-3

1 Q Well, give us your best estimate of the exact
2 date.

3 A I believe it was in the month of October.

4 Q Of what year?

5 A Of 1968.

6 Q When did you first take LSD?

7 MR. MANZELLA: Objection, your Honor, it is not
8 relevant.

9 THE COURT: Overruled, you may answer.

10 A Uh, about in May of 1968.

11 Q BY MR. KANAREK: And in whose presence were you
12 when you first took LSD?

13 A Dean Morehouse.

14 Q And was that at a time when you were in the
15 home of Dennis Wilson of the Beach Boys?

16 A No.

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

19 THE COURT: Sustained.

20 Q BY MR. KANAREK: Well, at this time -- at this
21 time with whom were you living?

22 A I was living with myself. I had an apartment in
23 Ukiah.

24 Q And at this time did you know Mr. Manson?

25 A No.

26 Q And you started taking these drugs before you
27 ever met Mr. Manson, right?

28 A Took it one time.

11a-4

1 Q Only once?

2 A Uh-huh.

3 Q Before you met Mr. Manson?

4 A Yes.

5 Q And you went into this state?

6 A No.

7 Q You went into -- what was the effect upon you
8 of taking this drug?

9 MR. MANZELLA: Objection, your Honor, it is not
10 relevant.

11 THE COURT: Would you rephrase your question? It is
12 ambiguous as to time.

13 MR. KANAREK: Yes.

14 Q Would you tell us, Mr. Poston, what went on in
15 your mind after you took this drug?

16 A The first one?

17 Q Yes.

18 THE COURT: That's -- the Court will sustain its own
19 objection to that. Pinpoint the time. You may ask that
20 question as to a relevant period of time.

21 Q BY MR. KANAREK: Well, after you were in Ukiah with
22 Mr. Morehouse, did you at some time come to live with Dennis
23 Wilson of the Beach Boys?

24 MR. MANZELLA: Objection, your Honor, it is not relevant.

25 THE COURT: Sustained.

26 Q BY MR. KANAREK: Did you stay at the Dennis Wilson
27 home at a time when Mr. Manson was there?

28 A Yes.

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Q When was that?

A That was in June, 1968.

Q And did you come there with Mr. Morehouse?

A Yes.

Q How long did you stay at the Dennis Wilson house in 1968?

A The extended period of time that I was there was about two weeks. I was there like off and on for about three weeks.

Q And while you were there, did you take any drugs or narcotics?

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

Q BY MR. KANAREK: While you were at the Barker Ranch, Mr. Poston, did you take any drugs or narcotics?

A Yes.

Q What drugs or narcotics did you take while you were at the Barker Ranch?

A Uh, smoked marijuana, took mescaline, and I took -- I didn't take any LSD up there.

12 fls.

12-1

1 Q On how many occasions did you take mescaline while
2 you were at the Barker Ranch?

3 A I took mescaline once. And I did take acid -- I
4 took it twice up there.

5 Q When was that, that you took it?

6 A The mescaline was on -- on about the second or
7 third day we were at the ranch, when we last -- I guess it
8 would be --

9 Q What day?

10 A Probably the second or third of October of '68 --
11 not October, but November.

12 Q During the period of time that you were at the
13 Spahn Ranch, on how many occasions did you take LSD?

14 A I suppose about -- oh, 15 times.

15 Q And would you tell us what effect LSD had upon your
16 mind?

17 MR. MANZELLA: Objection, your Honor. The question is
18 vague as to time.

19 MR. KANAREK: When he was at the Spahn Ranch, your
20 Honor.

21 THE COURT: All right. The objection's overruled.

22 You may answer.

23 THE WITNESS: What effect it had on my mind?

24 Q BY MR. KANAREK: Yes.

25 A How do you mean?

26 Q Well, tell us what you saw when you -- in your --

27 A Well, I didn't hallucinate any monsters or
28 dragons. I didn't see the walls falling apart or see colors

1 everywhere.

2 Q Tell us what you --

3 A I saw what I normally saw.

4 Q Tell us what you saw.

5 A I saw people, and I saw the work being done around
6 the ranch, the work not being done around the ranch; I saw
7 people coming to the ranch, leaving the ranch.

8 I saw the horses. I saw the things that went on
9 around the ranch.

10 Q And the LSD had no effect upon you?

11 A It made things different, of course.

12 Q Well, tell us what it -- in what way it made
13 things different.

14 A More real.

15 Q Things seemed more real, more intent?

16 A Yeah, you could say that.

17 Q Did you see all kinds of patterns and --

18 A No.

19 Q You saw no kind of cubicle forms, no squares, no --

20 A No.

21 Q Nothing like that?

22 A Only when they were in the form of a wagon or
23 something.

24 Q I see.

25 A The wagons on the ranch. But other than that,
26 I didn't hallucinate any.

27 Q You didn't hallucinate?

28 A No.

1 Q You never thought you saw God or Christ?

2 A Looking back, I can say I thought I saw Christ.

3 Q Well, while under the influence of LSD?

4 A And while not under the influence of LSD.

5 Q And on how many occasions, Mr. Poston, did you
6 feel that you had communion with God while under the
7 influence of LSD?

8 A Communion with God?

9 MR. MANZELLA: Objection, your Honor. The --

10 THE COURT: You needn't answer that.

11 MR. MANZELLA: The question is vague and ambiguous.

12 THE COURT: Sustained.

13 Q BY MR. KANAREK: Did you, Mr. Poston, feel that you
14 had a oneness with God, when you were under LSD?

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

17 THE COURT: You needn't answer that.

18 MR. MANZELLA: It's irrelevant.

19 THE COURT: Sustained.

20 Q BY MR. KANAREK: Where did you live, Mr. Poston,
21 during August of 1969?

22 A Barker's Ranch; and for eight days, I went to
23 Kingman, Arizona.

24 Q And how -- you counted the days?

25 A Well, for approximately eight days.

26 Q On how many occasions, Mr. Poston, did you take
27 LSD during August of 1969?

28 A None.

1

Q Or September of 1969?

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A None.

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Q In your presence, did anyone take any LSD during
August and September of 1969?

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12a

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

3 MR. KANAREK: It's relevant and material, your Honor.

4 THE COURT: Sustained.

5 MR. KANAREK: Then may I approach the bench, your
6 Honor?

7 THE COURT: Sustained. The objection is sustained.

8 You may approach the bench.

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

12 THE DEFENDANT: (Through the screen in the detention
13 room door:) Irving! Irving?

14 (Whereupon, a discussion off the record ensued
15 at the detention room door between the defendant and Mr.
16 Kanarek.)

17 THE COURT: Mr. Kanarek?

18 MR. KANAREK: Yes, your Honor. It is most relevant
19 and most material, because it goes to his ability to perceive
20 and to understand and to relate. If he is under the --

21 THE COURT: The Court has no objection to your asking
22 him about his state of mind, as a result of his -- particularly
23 his memory, his ability to perceive, as a result of his
24 having taken LSD. Don't misunderstand the Court's
25 sustaining of the objection.

26 But it would seem to me that to ask him about his
27 state of mind during the course of the time that he is on LSD
28 is --

1 MR. MANZELLA: Your Honor?

2 THE COURT: -- is immaterial and irrelevant, --

3 MR. KANAREK: Well, your Honor --

4 THE COURT: -- particularly when it pertains to a time
5 which was some weeks before the time that he's relating these --

6 MR. MANZELLA: Your Honor, the question --

7 MR. KANAREK: But your Honor, we are not limited to
8 -- obviously, he's going to claim he was not under the
9 influence of LSD.

10 THE COURT: Your -- so far as the Court is concerned,
11 the Court will not let you go any farther in connection with --

12 MR. KANAREK: Well, your Honor --

13 THE COURT: -- examining whether or not he saw God when
14 he was under the influence of LSD.

15 MR. KANAREK: Might have been the exact days, your
16 Honor.

17 THE COURT: Very well. You may ask him about that.

18 MR. KANAREK: But we are not limited to his answers.
19 We are entitled to --

20 MR. MANZELLA: Your Honor?

21 THE COURT: Yes?

22 MR. MANZELLA: The question that I objected to, that
23 Mr. Kanarek was asking, was whether he was present when anyone
24 else took LSD, --

25 THE COURT: That's correct.

26 MR. MANZELLA: -- and I felt that was really going out-
27 side any kind of relevancy whatsoever.

28 THE COURT: That's correct.

1 MR. KANAREK: Well, your Honor, it's relevant, because
2 it may be --

3 THE COURT: The Court agrees.

4 MR. KANAREK: -- that he is lying when he says he
5 didn't take it, but other people took it.

6 THE COURT: The Court will sustain the objection.

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

9 Q BY MR. KANAREK: Mr. Poston, did you keep a
10 calendar in 1969 of your days, what you did?

11 A No.

12 Q So you don't know where, actually, you were on any
13 particular day in the summer of 1969, do you?

14 A I have things to relate to, that would give an
15 approximate date or would give a date.

16 Q Well, what date was it, Mr. Poston, that you
17 heard this supposed conversation, this monologue by Mr.
18 Manson, telling all about Shorty Shea?

19 A I have no specific date.

20 Q Well, then, you don't know what date you say it
21 was, do you, Mr. Poston?

22 A I have no specific date that I can relate to on
23 that day.

24 Q And you don't know whether, on that day, you had
25 taken any dangerous drug, drug or narcotic or stimulant or
26 not, do you?

27 A Yeah, I know.

28 Q Do you know each day on which you took stimulants?

1 A I know on days that I did not, and I know a few
2 days that I did.

3 I couldn't give you an exact day, but I know,
4 when events occurred, as to whether or not I was under the
5 influence of a drug.

6 Q And you don't know whether you took marijuana or
7 not on particular days?

8 A I couldn't go down a calendar and say, "On
9 October the 16th, or --" of so and so a year -- "I took this
10 or that."

11 Q Or on September the 16th, or on September the 5th,
12 or on August the 16th, or on any day in the summer of '69,
13 can you?

14 A Not at this time, no.
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1 Q And so on this day that you say that you heard
2 Mr. Manson make these statements, you don't know whether or not
3 you had partaken of marijuana; is that right?

4 A No, that's incorrect.

5 Q You know -- well, would you tell me what is
6 correct, then? You -- you remember that you didn't take
7 marijuana that day?

8 A I did not take any marijuana that day.

9 Q I see. And you made -- you had occasion to make
10 a note of that in some way? Is that right?

11 A I have occasion to remember.

12 Q You had occasion to remember that?

13 A I do remember it.

14 Q You choose to tell us you remember it; is that
15 what you are saying, Mr. Poston?

16 THE COURT: That's argumentative. You need not answer
17 that.

18 Q BY MR. KANAREK: Well, did you -- prior, Mr.
19 Poston, prior to that statement by Mr. Manson, had Mr. Manson
20 made any other statements concerning Mr. Shea at the Barker
21 Ranch?

22 A No.

23 Q And so Mr. Manson, out of a clear blue sky, sat
24 down and said all of these things, --

25 MR. MANZELLA: Objection --

26 Q BY MR. KANAREK: -- is that right?

27 MR. MANZELLA: Objection, your Honor. It's argumentative,
28 "clear blue sky."

1 THE COURT: Sustained.

2 You may reframe your question.

3 Q BY MR. KANAREK: Mr. Manson sat down and made the
4 statement to the assembled group, like a -- an after-dinner
5 speaker or something; is that right?

6 MR. MANZELLA: Objection, your Honor. It's vague and
7 ambiguous, and it's argumentative.

8 THE COURT: Sustained.

9 Q BY MR. KANAREK: Well, what was said, Mr. Poston,
10 just -- would you tell us the words that anybody else said
11 at the table there, while Mr. Manson was supposedly making
12 these statements?

13 A No one said anything.

14 Q Well, there must have been some words said by
15 someone, prior to the time that Mr. Manson uttered these
16 words.

17 A (No response.)

18 Q Is that correct?

19 A Yeah.

20 Q Have you had occasion to remember -- you made a
21 point to remember these words; is that right?

22 A No. At the time, I was not consciously going about
23 remembering everything that was said or everything that was
24 done.

25 Q And you never consciously remembered anything that
26 was said or done at this time, that we are speaking of, when
27 Mr. Manson supposedly made these statements about Mr. Shea?

28 A No. Certain things just impressed me so much that

1 I remembered them.

2 Q I see. And in connection with your taking of
3 dangerous drugs, taking of narcotics, opium and LSD and all of
4 that, these -- these -- the taking of these materials has
5 caused you to be impressionable; is that right?

6 A I was impressionable before I took them.

7 Q I see. And then, the taking of these drugs has
8 had what effect upon you, if any?

9 A (Pause.) I'd say that I learned quite a bit.

10 Q Through drugs?

11 A Through the experiences I had while using
12 drugs.

13 Q I see. And you feel that -- that you've learned
14 a lot about -- about what?

15 A About life.

16 Q Through the taking of drugs?

17 A No, not through the taking of drugs, because you
18 don't need to take drugs to learn about life.

19 Just from the experiences that I had while doing
20 that, while going through that particular phase.

21 Q While you were under the influence of these
22 drugs, is that it, you learned a lot?

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

25 THE COURT: Overruled. You may answer.

26 THE WITNESS: The experiences I had while using drugs
27 did help me to see a lot of things.

28 Q And when you say "see a lot of things," what do you

1 mean, Mr. Poston?

2 A That life wasn't exactly the way I had pictured
3 it when I was in Texas; that I was very naive; that I had a
4 preconceived, false idea of what people were like and what
5 life was supposed to be;

6 That I had no real understanding; I didn't have
7 any idea of what really went on.

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1 Q And so, by taking opium and hashish and marijuana
2 and LSD, speed -- you took speed, too?

3 A Once I tried that.

4 Q You tried that once, too.

5 (Continuing) -- and mescaline, that these gave
6 you this insight, the true insight into life?

7 A No. Experience gives you true insight into
8 life, not drugs.

9 Q Well, the drugs were the path that brought you
10 to this insight?

11 A Taking --

12 MR. MANZELLA: Objection, your Honor. That's argumen-
13 tative.

14 THE COURT: Sustained.

15 Q BY MR. KANAREK: Well, when you say you saw things
16 as they were, Mr. Poston, what do you mean by that?

17 A I said I saw things as being different from the
18 way I thought they were; that things weren't as I thought.

19 Q And this came about by taking drugs, these drugs
20 you have told us about, and narcotics; right?

21 A The experiences that I had on them, yes.

22 Q And did you find that sometimes you heard things
23 that did not in fact take place?

24 A No.

25 Q That never happened?

26 A No.

27 Q Did you find that some of the things you thought
28 were true were not true?

1 A Eventually.

2 Q And when -- when did you determine that you
3 had reached the truth? Was that when they offered you the
4 \$1,100? For the story concerning Mr. Manson?

5 A No.

6 THE COURT: You needn't answer that. It's argumentative.

7 THE WITNESS: Sorry.

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1 Q BY MR. KANAREK: Before -- Mr. Poston, when did
2 you first tell any law enforcement people anything concerning
3 Mr. Manson?

4 A At Barker's Ranch, 1969.

5 Q When? What month? What day?

6 A Uh, near the end of September, 1969. I don't
7 know the exact date.

8 Q You don't know the exact date?

9 A No.

10 Q Then, you don't know the exact month?

11 A Yes.

12 Q You know the month?

13 A Yes.

14 Q In connection with Mr. Manson, at that time, how
15 long was that after this supposed conversation that you are
16 telling us about that happened at the table?

17 A How long afterwards?

18 Q Yes.

19 A Approximately a month.

20 Q One month later.

21 Then, you -- at the time of this conversation --

22 MR. MANZELLA: Objection, your Honor, that assumes a
23 fact which is not in evidence. The witness said it was
24 approximately one month later.

25 THE COURT: Sustained.

26 Q BY MR. KANAREK: All right, approximately one
27 month later from the date of this conversation, you had
28 your conversation with the law enforcement officers, is

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1 that right?

2 A Approximately one month, yeah.

3 Q Where was Mr. Manson at that time?

4 A I don't know.

5 Q Well, where was he to the best of your knowledge?

6 THE COURT: You needn't answer that.

7 Q BY MR. KANAREK: When had you last seen Mr. Manson
8 when you made the statement to the law enforcement -- your
9 first statement to the law enforcement person or persons?

10 A About a day or two before that, and I'm not
11 sure on the exact number of days.

12 Q Where was Mr. Manson when you had last seen him?

13 A He was at Barker's Ranch.

14 Q Now, on how many different occasions, Mr. Poston,
15 did you hear Mr. Manson make any statements concerning Mr.
16 Shea at Barker's Ranch in September of 1969?

17 A How many occasions?

18 Q Yes.

19 A Only the one.

20 Q Just the one occasion?

21 A Yes.

22 Q And on that occasion, how long had it been since
23 you saw Mr. Watkins?

24 A Since I had seen him?

25 Q Yes.

26 A Well, I saw him that morning.

27 Q And to the best of your knowledge, where was
28 Mr. Watkins when Mr. Manson made the statement that you say

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1 he made?

2 A Somewhere around Barker's Ranch area. I don't
3 know where.

4 Q Well, what time of the day or night was it when
5 Mr. Manson supposedly made this statement?

6 A About the middle of the day.

7 Q And this is the middle of the day in September,
8 1969?

9 A Yes.

10 Q What was the occasion for the group of people to
11 be assembled?

12 A Well, as far as I know, there was no special
13 occasion. It wasn't anyone's birthday or anything.

14 Q Well, was there any reason, to your knowledge,
15 for all these people to be together at that point in time?

16 A Wherever the people were and wherever Charlie
17 was, the people were gathered around Charlie, the ones in
18 the Family.

19 Q And how long had Mr. Manson been there on this
20 occasion when you say he made these statements?

21 A I would estimate about an hour.

22 Q When had you last seen him before that hour?

23 A Before he came up in September.

24 Q Yes, before that hour that you have just spoken
25 of.

26 A Uh, the last time I saw him within about the
27 second week of February, 1969.

28 Q So from the second week of February, 1969, to an

13-4

1 hour before you saw him, or heard him make these statements,
2 you hadn't seen him at all?

3 A Right.

4 Q And then, he made these statements in the presence
5 of all of these people?

6 A Yes.

7 Q How long was Mr. Manson there after having made
8 these statements at the ranch -- at the Barker or Meyers Ranch
9 area?

10 A They went that night to Meyers Ranch which is a
11 quarter of a mile away. They were in and around the ranch
12 all that day.

13 Q Well, how long did he stay in that general area,
14 to your knowledge, after making the statement that you say he
15 made?

16 A Until about sundown or maybe a little after.

17 Q Now, how much time or how many days was Mr. Manson--

18 A The same day.

19 Q Pardon?

20 A Of the same day.

21 Q And then, he left the Barker and Meyers Ranch
22 area?

23 A No, he went to Meyers' Ranch.

24 Q The same -- Pardon?

25 A He went to the Meyers' Ranch.

26 Q And then, how long was he at the Meyers Ranch
27 area?

28 A Well, I'm not sure, because I didn't go down there

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1 and stay and watch him.

2 Q And you never saw him again after he came -- you
3 hadn't seen him since February. He came and made this speech
4 concerning Shorty Shea, and then went to the Meyers Ranch and
5 you never saw him again, is that right?

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

8 MR. KANAREK: I'm asking him if that's right. I'm
9 not arguing.

10 MR. MANZELLA: It is argumentative, your Honor, the
11 words.

12 THE COURT: Sustained.

13 Q BY MR. KANAREK: When did you see him again,
14 after he left for the Meyers Ranch on the occasion that you
15 just told us about?

16 A The next day.
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1 Q Where was he when you saw him the next day?
2 A Barker's Ranch.
3 Q Well, where at the Barker's Ranch?
4 A He came into the main ranchhouse.
5 Q Who was present?
6 A Paul Crockett, Paul Watkins and myself.
7 Q Anyone else?
8 A Other than Charlie, not that I remember.
9 Q Did you talk to him about Mr. Shea?
10 A No.
11 Q Never spoke to him concerning Mr. Shea at all,
12 is that right?
13 A That's right.
14 Q When Mr. Manson made these statements, can you
15 tell us whether or not anyone else made any statement?
16 A When --
17 MR. MANZELLA: Objection, your Honor, it is not
18 relevant.
19 THE COURT: He may answer yes or no. Overruled.
20 THE WITNESS: Would you repeat it, please?
21 Q BY MR. KANAREK: Yes.
22 While Mr. Manson was making these statements,
23 did anybody else make any statement?
24 A While he was speaking?
25 Q While he was speaking?
26 A No.
27 Q Do -- after he finished, did anyone make any
28 statement?

13-7

1 A No, no immediate statement from anyone came.

2 Q Well, immediate or not.

3 A Well, after that --

4 Q After he made the statement, did anyone in that

5 group make any statements at that -- not that second, but

6 a few seconds later, a minute later?

7 A Yeah.

8 Q All right. what did anyone say there?

9 A I don't remember the words.

10 Q Concerning Mr. Shea?

11 A No one said anything concerning Mr. Shea. It

12 was sort of dropped, because everyone just sort of dropped --

13 because everyone just sort of milled around. Because I

14 didn't want to believe it, so I didn't press the issue.

15 Q You didn't want to believe it, so you didn't

16 press the issue, so that's the reason --

17 A Other than the fact if it was the truth, I

18 didn't -- I sure didn't want to press the issue.

19 Q You didn't know whether it was the truth or not,

20 you're telling us?

21 A Right.

22 Q And you didn't want to press the issue?

23 A Right.

24 Q And would you tell us the people that were

25 present other than yourself and Mr. Manson?

26 A Uh, Paul Crockett, Bruce Davis, Tex Watson,

27 Barbara Hoyt, Kitty Lutesinger, Brenda McGann. I think she

28 was there. Sheri -- uh, Sheri Cooper. I think that's all.

13-8

1 I'm not sure.

2 Q After Mr. Manson made this statement, nobody
3 made any statement concerning Mr. Shea?

4 A Not that I recall.

5 Q Well, what did this group do after Mr. Manson
6 made his statement?

7 A Sat there. There was silence and Bruce and Tex
8 sort of looked at Charlie and kind of grinned a little bit.
9 And Charlie looked at me and kind of grinned. And I didn't
10 say anything.

11 And then, pretty soon everybody sort of milled
12 around and, uh, walked outside. I got up and left.

13 Q And Mr. Manson made no reference to anything
14 else except Mr. Shea in this speech?

15 A Not that I remember.

16 Q Now, have you discussed this supposed statement
17 of Mr. Manson's with Mr. Watkins?

18 A No.

19 Q Never have in your life? You never have discussed
20 it with him?

21 A We didn't discuss it. I just told him what
22 Charlie said.

23 Q That's my question. Have you ever --

24 A That wasn't a discussion.

25 Q You just told Mr. Watkins what Charlie said?

26 A Right.

27 Q When?

28 A Let's see, in Shoshone, and somewhere around the

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1 November-December period of 1969.

2 Q And from the time that Mr. Manson supposedly
3 made this statement until November or December of 1969, you
4 never mentioned this statement that Mr. Manson supposedly
5 made to Mr. Watkins, is that right?

6 THE COURT: You mean never mentioned it -- you mean
7 by that question -- to Paul Watkins?

8 MR. KANAREK: Yes, yes, your Honor.
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1 THE COURT: You understand the question?

2 THE WITNESS: I think I would like to have it repeated.

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

4 THE COURT: Yes.

5 (Whereupon, the record was read by the reporter
6 as follows:

7 "Q And from the time that Mr. Manson supposedly
8 made this statement until November or December of 1969,
9 you never mentioned this statement that Mr. Manson
10 supposedly made to Mr. Watkins, is that right?")

11 THE COURT: You understand the question?

12 THE WITNESS: Yeah, I'm just seeing if I did.

14 fls.

13 Not that I remember.
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1 Q BY MR. KANAREK: And so, as far as you knew,
2 Mr. Watkins, from the time there when, in September, when Mr.
3 Manson supposedly made these statements, until November or
4 December of 1969, in that whole period of time, as far as you
5 knew Mr. Watkins knew nothing concerning Mr. Shea; is that
6 right?

7 THE COURT: That -- would you rephrase your question?

8 MR. KANAREK: Certainly, your Honor.

9 Q Directing your attention to the period of time
10 between the time that you think Mr. Manson made this
11 statement, until sometime in November or December of 1969,
12 in that period of time you and Mr. Watkins did not discuss
13 the situation, or the death or anything pertaining to Shorty
14 Shea; is that right?

15 A The same day that Charlie told us, when we went
16 to bed that night, the subject was brought up.

17 Now, as near as I can recall, we said -- one of
18 us started it. Anyway, one of the three of us -- Paul, Paul
19 and myself were sleeping in the same building, and -- and
20 something to the effect of, "Charlie said that they killed
21 Shorty."

22 Q Well, then, you discussed this with Mr. -- a
23 few moments ago, you told us you did not mention this to Mr.
24 Watkins until November or December of '69. That's not true,
25 then?

26 A No.

27 MR. MANZELLA: Objection, your Honor. That's argumenta-
28 tive.

1 MR. KANAREK: I am asking him if it's true.

2 THE WITNESS: I didn't remember --

3 THE COURT: The answer may remain.

4 Q BY MR. KANAREK: You didn't remember that until
5 just now?

6 A No.

7 Q Now, you remember that you had talked about it
8 that night?

9 A As near as I can recall, it was that night.

10 Q That you talked about it?

11 A Yes.

12 Q And then when did you talk about it next to
13 Mr. Watkins?

14 A We ceased to discuss it.

15 Q You never talked about it again until November
16 or December of '69?

17 A As nearly as I can recall.

18 Q So that's a period of at least two months; right?
19 That you didn't mention anything about it to Mr. Watkins?
20 You and he didn't talk about it at all?

21 A As nearly as I remember, that's correct.

22 Q Well, when Mr. Poston -- oh, I'll withdraw that.
23 On this occasion, then, you tell us you didn't
24 want to believe that Shorty Shea was dead; right?

25 A Right.

26 Q Would you tell us, on -- when it was, in your mind,
27 if ever, that you believed Mr. Shea not to be living? Did
28 you ever come to believe that?

1 A I still don't know.

2 Q Pardon?

3 A I still don't know.

4 Q You still don't know? In your mind, you don't
5 know whether Mr. Shea -- you have not --

6 A I haven't seen any bodies.

7 Q And in your mind, you are not convinced that
8 Mr. Shea is no longer living; is that right?

9 A (Pause.) That's right.

10 MR. KANAREK: Thank you.

11 THE COURT: Any redirect?

12 MR. MANZELLA: Thank you, your Honor.

13

14

REDIRECT EXAMINATION

15

BY MR. MANZELLA:

16

17 Q Mr. Poston, at the time that you heard Mr. Manson
18 make the statements with regard to Shorty Shea, were you
19 taking drugs at that time?

20

A No.

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22 Q Were the -- were you under the influence of any
23 drugs at the time that statement was made?

24

A No.

25

26 Q Do you recall when it was that you last took
27 drugs prior to the time Mr. Manson arrived at Barker Ranch?

28

A It was in March of 1969.

29

30 Q And you stopped taking drugs for that -- for --
31 at least, from the period of March, 1969, till October of '69?

32

A Uh -- I took LSD once in September.

1 Q Of 19 --

2 A Of '69, yes.

3 Q All right, was that before or after or during
4 the statement that Mr. Manson made with regard to killing
5 Shorty Shea?

6 A It was after.

7 Q How much -- how long after?

8 A Oh, I don't know the exact time. It was about --

9 Q Was it the same day or was it --

10 A No. It was -- it was a week to two weeks later.

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1 Q Now, do you remember talking to Sergeant Paul
2 Whiteley?

3 A Yes.

4 MR. KANAREK: Well, now, that's ambiguous as to time,
5 your Honor.

6 Q BY MR. MANZELLA: And did you talk --

7 THE COURT: The objection's overruled.

8 The answer may remain.

9 Q BY MR. MANZELLA: And did you -- and did you
10 tell Sergeant Paul Whiteley at any time about the statement
11 you heard Mr. Manson make?

12 MR. KANAREK: Objection, your Honor, on the grounds --
13 may we approach the bench?

14 THE COURT: Yes, you may.

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

18 MR. KANAREK: Your Honor, this question is irrelevant,
19 immaterial; calls for hearsay; and there is no foundation for
20 this question at all.

21 THE COURT: The People?

22 MR. MANZELLA: Well, the foundation is that Mr. Kanarek
23 has brought out that -- or, he was questioning him on whether
24 or not he talked to Paul Watkins about the statement after
25 Mr. Manson made the statement.

26 And it's clear from Mr. Kanarek's cross-
27 examination that he's trying to show that the -- that this
28 statement, the fact of the statement is a fabrication.

1 He also brought out that the witness received
2 money for telling what -- the various things that he knew about
3 life with Manson and the Family. And I am attempting to show
4 that he made a statement which was consistent with his testimony
5 -- that he made a statement to Sergeant Whiteley on October
6 13th, 14th and 15th, which was consistent with his testimony,
7 and which was prior to the time that he spoke to anyone about
8 receiving money for what he knew about the Manson Family.

9 MR. KANAREK: Your Honor --

10 THE COURT: And prior to his discussion with Watkins in
11 November or December?

12 MR. MANZELLA: Right.

13 MR. KANAREK: Well, that's --

14 MR. MANZELLA: And it's also prior to that discussion,
15 that's correct.

16 MR. KANAREK: That's irrelevant and immaterial, what he
17 told Whiteley, if he's going to ferret out something about
18 Watkins.

19 But what he told Whiteley or what he told Ivor
20 Davis, that's irrelevant and immaterial to my examination,
21 the fact he told Whiteley.

22 The question was --

23 THE COURT: You mean it would be immaterial to show that
24 this man related the story, prior to the time when he had a
25 motive to fabricate? Is that what you mean?

26 MR. KANAREK: No, no. What I am saying is --

27 THE COURT: Well, isn't it your inference that he's
28 fabricating this story?

1 MR. KANAREK: No, not that.

2 THE COURT: That's not your inference?

3 MR. KANAREK: No. My inference is that --

4 THE COURT: It's a more or less recent fabrication;
5 isn't that your inference?

6 MR. KANAREK: Not necessarily recent. But it's -- it's
7 something that his -- that his drug-befuddled mind may have --
8 may have observed at that time, or he thought he observed
9 it, or heard it at or about that time.

10 My questioning only went as far as when he made
11 these statements, when he made as between himself and
12 Mr. Watkins.

13 I didn't interrogate as to when he made this
14 statement to law enforcement officers. I merely asked him
15 when he first spoke to a law enforcement officer concerning
16 Mr. Whiteley.

17 MR. MANZELLA: Concerning who?

18 MR. KANAREK: I mean concerning Mr. Manson.

19 And that was in October. I didn't ask him -- I
20 didn't go into anything concerning the substance or -- he
21 might have; he might have talked about Mr. Manson's background
22 at the Spahn Ranch. I didn't go into anything concerning that.

23 MR. MANZELLA: Mr. Kanarek --

24 MR. KANAREK: Officer Whiteley and this man --

25 MR. MANZELLA: Mr. Kanarek did go into the fact that he
26 had received moneys for information that he gave with regard
27 to Mr. Manson and the Family.

28 The only purpose I can see in that questioning is

1 to show that -- that has nothing to do with drugs, certainly.
2 The only reason I could see for the questioning was to show
3 that he had a motive to fabricate.

4 MR. KANAREK: Well, that -- that's got nothing to do
5 with recent fabrication.

6 THE COURT: The tenor of your question was that he was
7 story-telling; and it would seem to me to be a consistent
8 prior statement.

9 MR. KANAREK: No, your Honor. But the impeachment has
10 to do with the money.

11 MR. MANZELLA: That's the motive?

12 MR. KANAREK: That's right.
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1 MR. MANZELLA: And this is a statement made prior to --

2 MR. KANAREK: That's right. That's the motive to
3 fabricate in 19 --

4 THE COURT: The Court will permit the question.

5 MR. KANAREK: It's not a recent fabrication, because
6 the motive was in '69.

7 THE COURT: The Court will permit the question.

8 He may answer it.

9 THE DEFENDANT: (Through the screen in the detention
10 room door) Irving?

11 (Whereupon a discussion off the record ensued
12 at the detention room door between the defendant and
13 Mr. Kanarek.)

14 (Whereupon, the following proceedings were had
15 in open court, within the presence and hearing of
16 the jury:)

17 Q BY MR. MANZELLA: Mr. Poston, do you remember
18 talking to Sergeant Whiteley on October 13th, 14th or 15th
19 of 1969?

20 A I don't remember the days, by that name -- you
21 know, by the number. But I remember talking to him in the
22 Sheriff's Office in Inyo County.

23 Q And is Shoshone in Inyo County?

24 A Yes.

25 Q And did you talk to -- to Sergeant Whiteley
26 shortly after you left the Barker-Meyers Ranch area, and
27 walked out?

28 MR. KANAREK: Object, your Honor. Assuming facts not

1 in evidence. No foundation; ambiguous as to time. He's --

2 THE COURT: The word "shortly" does call for a --

3 MR. MANZELLA: I'll withdraw the question, your Honor.

4 Q Mr. Poston, did you talk to Sergeant Whiteley
5 after you left the Barker and Meyers Ranch area?

6 MR. KANAREK: Now, that's ambiguous as to time.

7 THE COURT: Overruled.

8 THE WITNESS: Yes.

9 Q BY MR. MANZELLA: And in relation to when you
10 -- strike that.

11 After you left Barker or Meyers Ranch area, you
12 told us you went to Shoshone?

13 A Yes.

14 Q When did you get to Shoshone in relation to when
15 you left Barker's Ranch?

16 MR. KANAREK: That's ambiguous. I would object to
17 that question on the grounds it's ambiguous, your Honor.

18 THE COURT: Overruled. You may answer.

19 THE WITNESS: October the 2nd, 1969.

20 Q BY MR. MANZELLA: Did you talk to Sergeant
21 Whiteley -- strike that.

22 Do you know how long it was after you got to
23 Shoshone that you talked to Sergeant Whiteley?

24 A Not exactly. But it was after everyone had been
25 busted up in the Wash, the Family had been busted up there;
26 and we went through Inyo -- or, to Independence; they called
27 us over there.

28 Q All right. In relation to when -- strike that.

1 Were these -- was Mr. Manson arrested in this
2 series of arrests?

3 A Yes.

4 Q And other members of the Family were arrested?

5 A As far as I know, everyone up in the Wash was
6 arrested, all of them.

7 Q All right. In relation to these arrests, when
8 did you talk to Sergeant Whiteley?

9 A After the arrests.

10 Q How long after?

11 A Uh -- the Sheriff told us that they had made
12 one raid and came back, another day, and said they had made
13 another one; and that the next day we would go to -- or, the
14 next day? I'm not sure.

15 I think it was about one or two days after the
16 second raid --

17 Q After the second raid -- I'm sorry.

18 A Yes, after the second raid was made up there,
19 that we went to Independence.

20 Q And you talked to Sergeant Whiteley, then, one
21 or two days after the second one of the series of arrests?

22 A As nearly as I can remember now, yeah.

23 Q Okay. And when you talked to Sergeant Whiteley
24 on that occasion, did you tell him about the statement --

25 MR. KANAREK: Object, your Honor --

26 Q BY MR. MANZELLA: -- you had heard Mr. Manson
27 make?

28 MR. KANAREK: Object. Leading and suggestive,

1 your Honor. No foundation; irrelevant, immaterial; soliciting
2 a conclusion.

3 THE COURT: Overruled. You may answer.

4 THE WITNESS: (No response.)

5 THE COURT: Do you want it read back?

6 THE WITNESS: Yeah.

7 THE COURT: Mr. Williams, please?

14c fls.

14c-1

1 (Whereupon, the record was read by the reporter
2 as follows:

3 "Q. Okay. And when you talked to
4 Sergeant Whiteley on that occasion, did you
5 tell him about the statement... you had heard
6 Mr. Manson make?"

7 MR. KANAREK: That's ambiguous, your Honor, also.

8 THE COURT: Overruled. You may answer.

9 THE WITNESS: Yes.

10 Q BY MR. MANZELLA: Now, Mr. Poston, do you recall
11 when it was that you first contacted someone, or someone
12 first contacted you with regard to being paid money in
13 exchange for information?

14 MR. KANAREK: Objection, your Honor. That question is
15 ambiguous, as to who contacted who.

16 THE COURT: Overruled. You may answer.

17 THE WITNESS: It was the night after we had appeared
18 at Charlie's preliminary; and then in -- in Independence.

19 Q And do you recall what month that -- strike that.
20 Was that in 1969?

21 A Yeah, December of '69.

22 Q December of 1969?

23 A Yes.

24 MR. MANZELLA: All right. Thank you. I have no
25 further questions, your Honor.

26
27 RECROSS-EXAMINATION

28 BY MR. KANAREK:

1 Q You appeared at a preliminary in -- you say a
2 preliminary hearing in December of '69?

3 A As -- well, I don't know if it was a preliminary
4 hearing or what it was; but anyway, Charlie was there, and I
5 was there.

6 Q And did you -- you have -- let me withdraw that.
7 You have spoken to law enforcement people on how
8 many occasions concerning Mr. Manson?

9 A (Pause.) I don't know, really. About ten
10 times, I think.

11 Q So many times you can't count 'em; is that right?

12 A Pretty close to --

13 MR. MANZELLA: Your Honor, that's argumentative.

14 THE COURT: Sustained.

15 Q BY MR. KANAREK: You've spoken to Mr. Whiteley?

16 A Yes.

17 Q You've spoken to Deputy District Attorneys in Inyo
18 County; right?

19 A Yeah.

20 Q Deputy District Attorneys in Los Angeles County?

21 A Yes.

22 Q Mr. Guenther of the Sheriff's Department?

23 A Yes.

24 Q And members of the -- and Los Angeles Police
25 Department officers?

26 A I don't know if they were LAPD or what; I don't know
27 who -- really, who's LASO and who's LAPD.

28 Q In fact, you have spoken to law enforcement people

1 and prosecutors so many times that you can't tell us how
2 many exactly; is that correct?

3 A I think I could, if you've got the time.

4 Q Well, take --

5 A Do you want me to --

6 Q Yes, if you would think about that.

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

8 THE COURT: Sustained.

9 It's been asked and answered, too.

10 Q BY MR. KANAREK: Now, Mr. --

11 THE COURT: Your best estimate at this time was ten
12 times?

13 THE WITNESS: Yes, sir.

14 Q BY MR. KANAREK: Mr. Poston, did you and Paul
15 Watkins sell some songs of Mr. Manson's?

16 MR. MANZELLA: Objection, your Honor. This is beyond the
17 scope of redirect examination.

18 MR. KANAREK: It goes to --

19 THE COURT: Sustained.

20 MR. KANAREK: It goes to bias and prejudice, your
21 Honor.

22 THE COURT: All right. I'll change the ruling and
23 permit you to answer.

24 THE WITNESS: No.

25 Q BY MR. KANAREK: You took no music of Mr. -- of
26 Mr. Manson's and tried to sell it?

27 MR. MANZELLA: Objection, your Honor. The question has
28 been asked and answered.

1 Q BY MR. KANAREK: Did you try to sell any songs
2 of Mr. Manson's, --

3 A No.

4 Q -- you and Mr. Watkins?

5 A No.

6 Q Never did. In -- do you have -- did you have
7 any conversations with Mr. Watkins and Mr. Crockett, concerning
8 Mr. Manson and Shorty Shea?

9 A The first night, we did talk about it, yeah.
10 And we had -- and we have sometimes -- a few times since then;
11 but we didn't discuss -- I don't know; it wasn't really a
12 discussion, because we didn't say -- well, you know, set it
13 up as a pro and con situation. It was just what was said,
14 what we heard, and whether or not we believed what we heard.

15 Q At any time when you were in the presence of
16 Paul Watkins and Paul Crockett, when you discussed Mr.
17 Shea and Mr. Manson, was there a person named Tom Phillips
18 present?

19 A I don't know if Phil was there when we were talking
20 about Shorty or not. I don't know if he ever got in on any
21 of those, if he was ever there.

15-1

1 Q Mr. Phillips was at the Barker-Meyers' Ranch area
2 in 1969, September and October, 1969, is that correct?

3 A I think it was September. I'm not sure if it was
4 September when Phil came.

5 Q And when he came there, he was in the immediate
6 presence of yourself and Mr. Crockett and Mr. Watkins at times
7 when you discussed Mr. Manson, is that right?

8 A Yeah.

9 Q Now, did you discuss after Mr. Manson was arrested,
10 in the presence of Mr. Watkins and Mr. Crockett and yourself;
11 was Mr. Phillips present?

12 A Would you restate it, please?

13 Q Surely.

14 At a time when you, Paul Watkins, and Paul
15 Crockett, were present, was Mr. Phillips present after
16 Mr. Manson was arrested out in the desert area, Meyers'-
17 Barker's Ranch area?

18 A Was Phillips there or was he just with us?

19 Q Well, was he in the immediate presence of yourself?

20 A Do you mean in Barker's Ranch?

21 Q Anywhere where you --

22 A Yeah.

23 Q Mr. Watkins and Mr. Crockett were present?

24 A Yes.

25 Q Was Tom Phillips present after Mr. --

26 A Yes.

27 Q -- Mr. Manson was arrested?

28 A Yes.

1 Q After Mr. Manson was arrested, did you discuss
2 Mr. Manson and Mr. Shea in the presence of Mr. Phillips?

3 A I don't recall talking about Shorty to Phil,
4 because Phil didn't even know him, as far as I knew. It
5 wouldn't mean anything to him.

6 Q My question is, not whether you directed your
7 language to Mr. Phillips --

8 A That's what I am saying, I don't think we did.
9 I'm not sure.

10 Q My question is, did you discuss the matter --

11 A I know.

12 Q -- at a time when Mr. Phillips was present? Did
13 you, Mr. Crockett, and Mr. Watkins, discuss Mr. Manson and
14 Shorty Shea after Mr. Manson was arrested at a time when Tom
15 Phillips was present?

16 A Not that I recall.

17 Q But Mr. -- Mr. Phillips was present after
18 Mr. Manson was arrested at the Barker-Meyers' Ranch at the
19 desert area, is that right?

20 MR. MANZELLA: Objection, your Honor, that's compound.

21 THE COURT: Sustained.

22 MR. MANZELLA: The desert area.

23 Q BY MR. KANAREK: Was Mr. Phillips in your presence,
24 and the presence of Paul Watkins, and the presence of Paul
25 Crockett, after Mr. Manson was arrested in the Barker's-Meyers'
26 Ranch area?

27 A After Charlie was arrested in the Barker's Ranch
28 area?

1 Q Yes.

2 A Phil was with us, yes. He did come and visit
3 once or twice.

4 Q Now, you say that you spoke to Officer Whiteley
5 on the 13th, the 14th, and the 15th, is that correct? You
6 spoke -- let me withdraw that.

7 Did you speak with Officer Whiteley on three
8 successive days concerning Mr. Manson after Mr. Manson was,
9 as you put it, busted?

10 A No.

11 Q Well, on how many different days did you speak
12 with Mr. Whiteley concerning Mr. Manson after Mr. Manson was,
13 as you put it, busted?

14 A Uh, the day we went -- or we were called to
15 Independence, that evening, we talked to -- or I talked to
16 Mr. Whiteley.

17 Q You talked to Mr. Whiteley for how many hours?

18 A I don't think it was more than one hour.

19 Q You spoke with Mr. Whiteley for an hour?

20 A About. I'm not sure.

21 Q I see. And on that occasion did you speak to --
22 or, I'll withdraw that.

23 After Mr. Manson was arrested, did you speak with
24 any other law enforcement officer concerning Mr. Manson?

25 A When do you mean?

26 Q There in the Independence, Death Valley, Shoshone
27 area.

28 A Yes.

1 Q How many hours did you speak to these other
2 officers?

3 MR. MANZELLA: Objection, your Honor, it assumes a fact
4 not in evidence.

5 THE COURT: Overruled, you may answer.

6 THE WITNESS: Do you mean all told? How many hours did
7 we talk or just on this one occasion?

8 Q BY MR. KANAREK: All told, after you -- after
9 Mr. Manson was arrested?

10 A All told, maybe five hours.

11 Q Five hours?

12 A Yeah.

13 Q Now, when you spoke -- when you spoke with
14 Officer Whiteley, who else was present?

15 A Uh, Guenther -- I think that's his name, and a
16 matron. I don't know her name.

17 Q Matron?

18 A Uh-huh.

19 Q Mr. Guenther.

20 By a "matron," what do you mean, Mr. Poston?

21 A Uh, a lady cop.

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15a-1

1 Q And Mr. Guenther and Mr. Whiteley were all
2 together, is that right?

3 A Yes.

4 MR. KANAREK: Well, your Honor, I wonder if I might
5 approach the bench?

6 THE COURT: No, you may not.

7 Go on with your questioning.

8 MR. KANAREK: Well, your Honor, that's what I wanted to
9 approach the bench concerning.

10 THE COURT: Well, go ahead and ask your next question.

11 MR. KANAREK: Well, in order to do that, I need certain
12 information which has not been supplied me, your Honor.

13 THE COURT: You may not approach the bench. Go ahead.

14 MR. KANAREK: Well, then, your Honor, I have no further
15 questions, but I ask that this witness not be excused at this
16 time.

17 THE COURT: The Court intends to excuse them, unless
18 you have further questions.

19 MR. KANAREK: Well, your Honor, then -- that's the
20 reason I wanted to approach the bench. I was supposed to be--

21 THE COURT: You may approach the bench.

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

25 MR. KANAREK: Well, your Honor, I wish to have these
26 transcripts, in view of the fact that he's brought --

27 THE COURT: What transcripts?

28 MR. KANAREK: This testimony in the Grogan trial. The

1 same thing as Mr. Watkins.

2 THE COURT: You haven't procured them yet?

3 MR. KANAREK: No, your Honor.

4 THE COURT: And you don't have them?

5 MR. MANZELLA: No, we're in the same situation. I
6 don't have the last few transcripts. I know they are
7 available, I just don't know where they are because we haven't
8 used them in so long.

9 THE COURT: I see.

10 MR. MANZELLA: We checked -- Mr. Kanarek and I looked
11 around my office today.

12 THE COURT: I'm not going to ask him to come back,
13 order him back.

14 MR. KANAREK: Well, I'm asking that he not be excused.

15 THE COURT: The Court is going to excuse him.

16 What you are doing is speculating that there might
17 be something in the transcripts --

18 MR. KANAREK: No, not a matter of --

19 THE COURT: -- that might be different from his
20 testimony that he is giving at this time.

21 MR. KANAREK: It is not a matter of speculation.

22 THE COURT: You could have just as easily have gotten
23 it from Mr. Denny.

24 MR. KANAREK: I cannot know what particular -- what
25 particular witness Mr. Manzella is going to call next, and
26 the point is we have been denied this.

27 THE COURT: Do you know what this particular --

28 MR. KANAREK: I don't know what witness you are going to

1 call next.

2 THE COURT: Who are you going to call next?

3 MR. MANZELLA: Next, I'm going to call Sergeant
4 Whiteley for digging up the ranch. I'm going to call Karen
5 Nelson from the Leslie Salt Company, and James Pursell, a CHP
6 officer that made the arrests on October 10 and 12th at the
7 Barker's and Meyers' Ranch. I'm going to call Johnny Swartz --

8 MR. KANAREK: That's not my point.

9 When I say next, I did not know he was going to
10 call Mr. Poston at the time he was going to call him, at
11 the time he was going to call Mr. Watkins. It is a denial of
12 equal protection and due process of Mr. Manson for the
13 District Attorney to get these copies and for me to more or
14 less have to --

15 THE COURT: You mean for the District Attorney to have
16 the copies of direct examination -- the direct examination and
17 cross-examination?

18 MR. KANAREK: Of the Grogan trial.

19 THE COURT: In connection with this witness?

20 MR. KANAREK: That's right, it makes it an unfair
21 advantage without supplying us with these things in these
22 matters, especially since Mr. Manson is indigent and --

23 THE COURT: So far as I know, Mr. Manson is not
24 indigent. And he is represented by counsel. It is not a
25 987 appointment.

26 MR. KANAREK: That doesn't mean that --

27 THE COURT: The Court has not heretofore ordered that
28 the taxpayers pay for -- or the County pay for the transcripts

1 of the Grogan proceedings, however, I do believe that it
2 could have been available to you had you taken the time and
3 energy to get to Mr. Denny and to have found them.

4 MR. KANAREK: Well ---

5 THE COURT: This time I am going to excuse him unless
6 you have further cross-examination. This man --

7 MR. KANAREK: Well, then, I ask that he be ordered back
8 for, say, about --

9 THE COURT: I'll ask him to be on call.

10 MR. KANAREK: No, but the point is, we want him --

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

13 THE COURT: Ladies and gentlemen, the court will recess
14 until 9:30 tomorrow morning.

15 Remember the admonition, you are admonished that
16 you are not to converse amongst yourselves, nor with anyone
17 else, nor permit anyone to converse with you on any subject
18 connected with this matter, nor are you to form or express
19 any opinion on it until it has finally been submitted to
20 you.

21 Now, remember, too, the admonition that I have
22 heretofore given to you, concerning publicity, you are to
23 take affirmative steps to avoid any mention in any of the
24 news media of Mr. Manson or any -- or this case or anything
25 to do with Mr. Manson.

26 9:30 tomorrow morning, everyone.

27 All right, good night.

28 (Whereupon, at 4:25 p.m. the jury retired from

1 the courtroom, and the following proceedings were had:)

2 THE COURT: All right, Mr. Poston, would you keep your-
3 self on call.

4 You are excused tonight, but keep yourself on call
5 in the event -- where do you live, in Los Angeles?

6 THE WITNESS: No, I live in Inyo County. I'm not going
7 to be leaving, because I came down with another guy that's
8 supposed to go on. We're staying at the same place.

9 THE COURT: Make yourself available tomorrow.

10 Do you think you can come to court?
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1 THE WITNESS: Am I excused?

2 MR. MANZELLA: Your Honor, he'll be back tomorrow.

3 THE COURT: If you are down here with other witnesses,
4 come back tomorrow.

5 MR. KANAREK: Well, will your Honor order him back?
6 We are asking he not be excused.

7 THE COURT: Will you call Paul Watkins in here?

8 MR. KANAREK: Your Honor --

9 (Whereupon, there was a pause in the proceedings
10 while the witness Paul Watkins was brought into the court-
11 room.)

12 THE COURT: Mr. Watkins, the Court will order that you
13 come back tomorrow morning at 9:30.

14 MR. PAUL WATKINS: Okay.

15 THE COURT: 9:30 tomorrow morning, and you are both
16 excused for now.

17 MR. KANAREK: Is Mr. Poston ordered back tomorrow
18 morning at 9:30?

19 THE COURT: No, he is not. He can keep himself on
20 call.

21 The Court has ascertained --

22 You are excused now.

23 Mr. Manzella.

24 MR. MANZELLA: Yes, your Honor.

25 THE COURT: Mr. Kanarek has asked that the District
26 Attorney provide him with a tape of -- from the -- Mark
27 Arneson, the tape of Mark Arneson's interview with the
28 investigating officers, if you have it.

1 MR. MANZELLA: All right, if we have one.

2 THE COURT: And the Court is disposed to order that
3 that be made available to Mr. Manson and Mr. Kanarek.

4 That is a tape which Mr. Kanarek -- you probably
5 previously hear it, have you not?

6 MR. KANAREK: That is correct.

7 There are certain aspects of it -- we want to
8 play it in court.

9 THE COURT: The Court is -- the Court, before it will --

10 MR. KANAREK: Certain portions --

11 THE COURT: -- before the Court will allow the playing
12 of the entire tape.

13 MR. KANAREK: Not the entire tape. All we want are a
14 few -- several passages which will be very brief and we can
15 get them lined up, and we can cooperate with Mr. Whiteley.
16 He wants --

17 MR. MANZELLA: It wasn't transcribed.

18 MR. KANAREK: No, it wasn't transcribed.

19 THE COURT: Well, then, you will have to delineate the
20 portions that you want to play and the Court will ask --
21 and the Court will order, and does order that the District
22 Attorney cooperate with Mr. Kanarek and see that those -- that
23 tape is made available to him so that he can use whatever
24 sections he wishes to offer. Whether or not they are
25 admissible, the Court will determine at a later time.

26 MR. KANAREK: Yes, your Honor.

27 The point is --

28 THE COURT: And the defendant is asking that a Charles

1 Black be subpoenaed from State Prison to testify. I will
2 do that in the event that you present to me an affidavit
3 indicating the materiality of the testimony.

4 The Court has ordered that Robert Beausoleil
5 and an Ernest Shepard be retained here in the County Jail so
6 that you may have access to them. I understand you wish to
7 use them as witnesses, correct, Mr. Kanarek?

8 MR. KANAREK: Yes, we wish to have them available, yes,
9 your Honor.

10 THE COURT: Now, you've indicated to me that you would
11 also like to have Phyllis Shea subpoenaed, and the Court is
12 inclined to grant that. And I think you needed some
13 information -- you do have the knowledge of the whereabouts
14 of that witness?

15 MR. KANAREK: I don't have her precise -- I know the
16 general area that she lives in, but I do not know exactly where
17 she lives, your Honor.

18 THE COURT: If the People have that information, the
19 Court would ask that they disclose it to Mr. Kanarek.

20 MR. MANZELLA: Yes, your Honor.

21 THE COURT: Do you?

22 MR. MANZELLA: The first I heard of Phyllis Shea was
23 when I saw that document that Mr. Kanarek --

24 THE COURT: You mean the suit for wrongful death?

25 MR. MANZELLA: On behalf of Phyllis Shea.

26 THE COURT: On behalf of Phyllis Shea or one of her
27 children.

28 MR. MANZELLA: Yes, your Honor.

1 MR. KANAREK: No, it wasn't a suit, it was a petition
2 that she be made guardian ad litem.

3 THE COURT: I think that was it.

4 MR. MANZELLA: It was against Mr. Manson and Mr. Davis
5 and Mr. Grogan, your Honor. It sounded like a lawsuit.

6 MR. KANAREK: No, it wasn't the lawsuit itself, it was
7 a petition.

8 THE COURT: It was a petition on behalf of the minor?

9 MR. KANAREK: That she be appointed guardian ad litem.

10 THE COURT: And apparently that appointment has been
11 made and there is a suit pending?

12 MR. KANAREK: That is correct.

13 But would your Honor's order concerning the Mark
14 Arneson matter -- would that include that the prosecution
15 furnish us with the recorder that fits that tape, that it is
16 all one package?

17 MR. MANZELLA: I will bring the tape recorder to court
18 and he could play it then, so if any parts of it are relevant,
19 and he wants to introduce it and they are admissible, it would
20 be available for him to play it. We will bring it to court.

21 MR. KANAREK: The tape, plus the recorder, plus the
22 instrument that plays it.

23 THE COURT: The Court so understands and I believe the
24 District Attorney understands.

25 Now, before we terminate this, you've asked that
26 Linda Kasabian be ordered here.

27 The Court believes, having again talked to the
28 clerk of the court in Judge Alexander's department that there

1 was no subpoena issued from that department for Linda
2 Kasabian. She would therefore have not been immune from the
3 service of process, though she came from out of state, and
4 I do not believe that the more or less general agreement
5 between Linda Kasabian and the -- and her counsel, and the
6 District Attorney's Office that she would appear here in
7 Los Angeles in connection with any further prosecution is
8 sufficient to warrant the contention that she was under
9 service of process at the time that she did appear here and
10 when you served her in the County Courthouse.

16
1 So accordingly, the Court will order that she --
2 and does order that she appear here.

3 And you should -- you, Mr. Kanarek, however,
4 should name the date. I'll confer with you later in
5 connection with that.

6 MR. KANAREK: Thank you, your Honor.

7 THE COURT: Now, is there any other matter you wish to
8 raise?

9 MR. KANAREK: Not at this time.

10 THE DEFENDANT: (From within the detention room door)
11 Yes.

12 THE COURT: Now, in connection with the so-called
13 Grogan transcripts, the Court's not going to postpone this
14 matter in order to call these witnesses back for you to
15 cross-examine on something -- just on the -- I will not call
16 them back just on the proposition that you put forth that
17 you may want to cross-examine, after you've read that
18 transcript.

19 The Court will tell you that you should make it
20 your business to get to that transcript.

21 MR. KANAREK: I am, your Honor. I am right at this
22 instant, your Honor.

23 THE DEFENDANT: (From within the detention room door.)
24 Your Honor? Judge, sir?

25 THE COURT: I hear Mr. Manson calling from the
26 detention tank.

27 Mr. Manzella, will you wait just a minute?

28 Do you want to find out what he wants?

1 (Whereupon, a discussion off the record ensued
2 at the detention room door, through the screen, between the
3 defendant and the bailiff.)

4 THE COURT: Will you see to your client here, Mr.
5 Kanarek?

6 (Whereupon, a discussion off the record ensued
7 at the detention room door, through the screen, between the
8 defendant and Mr. Kanarek, while another discussion off the
9 record was had at the bench between the Court and the bailiff,
10 followed by another discussion off the record at the bench
11 between the Court and Mr. Kanarek.)

12 THE COURT: Well, what Mr. Manson wants you to do is
13 not perhaps what you should do. You are the attorney in
14 the matter, and you run it. If -- if Susan Atkins' testimony
15 would be material, and you believe it would be relevant and
16 material for you to present in the course of the defense,
17 the Court would assist you in seeing that she's brought here.

18 But you'll have to submit the usual papers in
19 connection with that.

20 MR. KANAREK: Yes, your Honor.

21 THE DEFENDANT: (From within the detention room door.)
22 Can I get another lawyer?

23 THE COURT: We are in recess.

24 THE DEFENDANT: (From within the detention room door.)
25 Your Honor? Sir?

26 (Whereupon, at 4:35 p.m., an adjournment was
27 taken until 9:30 a.m., Tuesday, September 21, 1971.)
28