

FILED

JAN 6 1971

WILLIAM S. SHARP, County Clerk

BY *[Signature]* **CLERK**

1 Charles Manson et al.
2 Los Angeles County Jails
3 Hall of Justice/Sybil Brand
4 Los Angeles, California

Advised by court on 1/6/71
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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

11 PEOPLE OF THE STATE OF CALIFORNIA,
12 Plaintiff,
13 -vs-
14 CHARLES MANSON, et al.,
15 Defendants.

Case No. A 253 156

MOTION TO EXAMINE
DEFENSE WITNESSES
AND RELIEVE COUNSELS

17
18 TO THE HONORABLE CHARLES H. OLDER, JUDGE PRESIDING:
19 and
20 JOSEPH P. BUSCH JR., DISTRICT ATTORNEY FOR THE
21 COUNTY OF LOS ANGELES AND HIS REPRESENTATIVES:

22
23 COMES NOW, Charles M. Manson, et al., and respect-
24 fully moves this Honorable Court to relieve their defense
25 Counsels, Paul Fitzgerald, Daye Shinn, Irving A. Kanarek et al.,
26 so that they may properly present defense witnesses in their
27 behalf to the criminal charges now pending against them.

28 In support of this motion the above-named defendants
29 realize that by both the California Constitution, Article 1,
30 section 13 and the United States Constitution, Amendment VI and
31 XIV, that they have a right to produce any witness or witnesses
32 who might give evidence favorable to their defense.

1 of counsel?

2 The trial court may in it's discretion, upon what it
3 may determine to be good cause shown, permit a party who is rep-
4 resented by counsel to participate in the conduct of the case
5 . . . or permit a defendant who appears in propria persona to em-
6 ploy an attorney to sit by him or her and advise him or her during
7 the presentation of the case in court, or even appoint an attorney
8 (with the latter's consent) to render such advisory services to
9 an indigent defendant or defendants who wish to represent them-
10 selves. (People v Chessman 38 02d 166, 174)

11 These matters are within the sound discretion of the
12 trial judge, who is in a position to appraise the courtroom sit-
13 uation and determine what procedure will best promote orderly,
14 prompt, and just disposition of the cause. (People v Bourland
15 247 CA2d 76; People v Mattison 51 02d 777)

16 An "orderly, prompt and just disposition of the cause"
17 is precisely the defendant's objective by the within motion. They
18 fully realize that by electing to represent themselves that they
19 have entered into "a temple of the mysteries whose ceremonies are
20 dark, complex and unfathomable" and that "pretrial procedures are
21 the cabalistic rituals of the lawyers and judges who serve as
22 priests." (Daley v County of Butte 227 CA2d 380, 392)

23 The defendants wish to produce witnesses who will testify
24 to the falsehoods announced by the District Attorney's office
25 pertaining to the so-called prejudicial thoughts that the defendants
26 are alleged to have toward Black People.

27 This has gone completely uncontested by the defense
28 attorneys for all the defendants. They are without anyway to rel-
29 ate to the world their true love and feelings towards Black People
30 and all Peoples of the world. They have been accused of trying
31 to start a so-called Race War between the Blacks and the Whites
32 by the District Attorney's office time and time again.

Dated this 5 day of July, 1970.

Respectfully submitted,

Charles M. Manson et al,
Defendants.

Charles M. Manson

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1 Q And what was, in substance, his philosophy
2 as you know it, if we can call it a philosophy in
3 regards to black and white?
4

5 A He grew up in a penitentiary, I will start
6 there.

7 He grew up with Chicanos and black men and
8 some white men, not as many.

9 His frame of reference is, you know the kind
10 of language he uses is the way the black men speak.
11 It is a slang that most people don't understand, and they
12 have a phrase that says "What goes around comes around."

13 THE COURT: The question is, what is his philosophy.
14 Answer the question.

15 THE WITNESS: I wasn't answering it? This is part --
16 BY MR. FITZGERALD:

17 Q Well, maybe you can just -- first of all, give
18 us some synopsis of the philosophy, if you could, about
19 blacks and whites.

20 Better yet --

21 A In other words, are you looking for me to say
22 something?

23 Q Did he hate blacks?

24 A No.

25 Q Did he hate Negroes?

26 A No.

Q Did he ever talk about killing Negroes?

1 A No.

2 Q Did he ever talk about that the white people
3 in this country were going to kill the black people in
4 this country?

5 A Were going to? That is all I have to say,
6 you know, we understand what they have been through.

7 Q Was he sympathetic with the plight of the black
8 man in America?

9 A Total understanding. He has been -- you see,
10 he has been closer to them than us, we don't understand.

11 We come from sheltered homes and things, you
12 know, we don't understand what people have been through.

13 Q It appeared to you --

14 A That people go to jail just because they
15 don't have parents.

16 Q Did it occur to you because of his long
17 contacts with blacks he was much more familiar with them
18 than you were, did it appear to you that that was true?

19 A It is.

20 Q All right. Now, was he more sympathetic of
21 the black man or was he antagonistic to the black man?

22 A No. What I want to say is, that is why we
23 have been out on that corner because --

24 THE COURT: Answer the question.

25 THE WITNESS: Okay.

26 THE COURT: Listen to the question and just answer

1 the question asked.

2 THE WITNESS: Okay. I understand.

3 All right.

4 BY MR. FITZGERALD:

5 Q Did he love the black man or did he hate him?

6 A Loved him. He loved them; he is his father --
7 the black man is Charlie's father.

8 Q Did he say frequently that he loved the black
9 man?

10 A He didn't need to. He has said it, I know he
11 has said it, but he said it in regard to people who would
12 come up to him about this prejudice business.

13 Q Did it appear to you that in any respect he
14 was racially prejudiced?

15 A No.

16 Q Did at any time Manson speak with you about
17 fomenting or starting some race revolution of some kind
18 where the blacks would fight the whites or vice versa?

19 A No, he is trying to tell you that you set
20 this time bomb a long time ago.

4 fls.

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1 Q If you could just answer that question yes or
2 no, then I will ask you the conversation.

3 Did he, at any time, ever tell you that he was
4 interested in starting or fomenting a black-white sort of
5 race war revolution?

6 A No.

7 Q Did he ever say anything like that?

8 A That he wanted to start a black-white revolution?

9 Q Right.

10 A No.

11 Q In his discussions with you, did he tell you
12 that he thought there was going to be a black-white war
13 or revolution?

14 A Well, I can't say.

15 Q Not related to him.

16 A Yes.

17 Q In other words, did he see one coming?

18 A Yes. Long before he ever said anything about it.

19 Q Now, in that sense, he was acting as a prophet;
20 he saw that something was going to happen in the future.
21 Is that a fair statement?

22 A He doesn't call himself a prophet.

23 Q No, no. It is my problem. I am not able to phrase
24 the question precisely.

25 A Yes. The words.

26 Q But did he feel that a revolution was coming that

1 he didn't have anything to do with?

2 A Yes.

3 Q It was just ordained to come?

4 A He has to do with it in so much as there is a
5 white man, there is a red man, there is a yellow man,
6 and there is a black man.

7 The white man -- shall I say what Charlie told
8 me in order to tell you that?

9 Q Well, what was his theory, as you know it, as
10 revealed in his discussions with you, what was his theory
11 about the revolution?

12 A His only theory is your own history, which you
13 have read in your history books.

14 We came to this country. We ran the Indians out.
15 Then we show them a treaty, and we say, "Peace."
16 They sign the treaty. They all smoke their pipes and sit
17 around in a circle. And we come in and wipe them out.

18 We bring the black people over here to work for
19 us. And they are dumb because they have been living in
20 love, they have been living simply. And we show them what
21 to do, and we rape their women, we kill them, because they
22 are just nothing, you know.

23 In other words, you know, the attitudes that
24 have come down in the history of man.

25 We have, as a race, we have killed anything
26 darker than us, or put it down, or put it away, or we have

1 controlled it.

2 Q All right.

3 And was this an integral part of his philosophy,
4 the history of the white men versus the colored races?

5 A It wasn't an integral part of his philosophy.

6 His philosophy right now is: Look what is right
7 in front of you.

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1 Q I am just talking about this philosophy of
2 revolution, how it was going to occur and why it was going
3 to occur.

4 A What is the question?

5 Q Well, now, I am asking you for Manson's
6 philosophy or predictions in regard to this revolution
7 that is going to occur between the races, and apparently
8 you are telling me the background historically about the
9 white man versus the colored races.

10 A Yes.

11 The Indians, the Mexicans.

12 Q So, did Charlie think a revolution was coming?

13 A Yes.

14 Q When?

15 A Well, it is on the way.

16 Q Soon, in other words?

17 A Actually it has already started.

18 Q And why was this revolution, according to
19 Charlie, going to occur?

20 A Why?

21 Q Why.

22 A Why? Yes, why. That is what all of you should
23 be asking yourselves.

24 It is like "What have we been doing?"

25 Q According to Charlie, why was it going to
26 occur?

1 A According to Charlie?
2 Here is all Charlie is. Charlie says: Look
3 over here. See that? Look over there. See that? What
4 does that mean to you?

5 Q Did Charlie express to you that he felt
6 responsible for the white man killing the Indian and
7 the white man putting the black man into slavery?

8 A As a man.

9 Let me tell you an experience.

10 Q Did he do that? Did he say that? Did he say
11 that he felt he was responsible for what had happened to
12 the red man and what had happened to the black man
13 historically in this country?

14 A As a man.

15 Q Now, how do you mean "as a man"?

16 A At one time we went up on top of a mountain
17 and we looked down. And we had taken some acid.

18 Q LSD?

19 A That's right.

20 And I can't possibly describe the experience
21 of LSD to you, but it is very much a part of the woods
22 and the earthly things.

23 Q Have you taken LSD frequently?

24 A I have taken it. Not recently.

25 Q Are you in jail now?

26 A Uh-huh.

1 Q Now, how often have you taken LSD?

2 A Whenever I wished.

3 I can't even say. You know, I can't say. I
4 don't even count the times.

5 Q Did you take LSD frequently when you were at
6 the Spahn Ranch?

7 A We were talking about up on top of a mountain.

8 Q We will get back to the mountain.

9 A We are talking about Charlie's philosophy.

10 Q Yes.

11 You were under the influence of LSD at the
12 time?

13 A Yes.

14 Q Okay. You were explaining --

15 A You can say -- I am sorry.

16 Q You were explaining why, as a man, he felt
17 responsible.

18 A You see what has happened in these courtrooms.
19 People fish around --

20 THE COURT: That will be enough, young lady. Wait
21 for the question and answer only the question.

22 Do you understand?

23 THE WITNESS: Whenever I wish to talk to you, could
24 I talk to you?

25 THE COURT: No, you may not talk to me. Just answer
26 the questions that are asked of you.

THE WITNESS: Okay.

MR. FITZGERALD: Q You said that Manson said that he felt responsible for these historical killings and he felt it as a man.

Could you explain that?

A Yes.

If you were to look at this world from on top of a mountain, if you were to put yourself up there and look at it --

THE COURT: There is nothing pending now.

Mr. Fitzgerald, will you approach the bench, please, with counsel?

THE WITNESS: There is something pending.

(Whereupon, all counsel approach the bench and the following proceedings occur at the bench outside of the hearing of the jury:)

THE COURT: It is obvious that this witness is not interested in being responsive to the questions asked her.

I suggest that you confer with your witness and instruct her that I will insist that she be responsive to the questions asked, and that her refusal and her failure to do so can only inure to the detriment of these defendants.

She is not here to use this court as a forum for her philosophies.

MR. FITZGERALD: I understand.

THE COURT: She can only harm the defendants doing what she is doing.