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TELEPHONE
AREA CODE 415
441-1211

December 5, 1977


Ms. Phyllis D. Houston
P. O. Box 6143
San Francisco, California 94101

RE: Shaw v. Southern Pacific Transportation Co., et al.

Dear Ms. Houston:

Enclosed, pursuant to your request, you will please find a
copy of your deposition.

Very truly yours,


LEO FRIED

LF/vjb
Enclosure

RK4A1

COPY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO

JOYCE CABLE SHAW,
Special Administratrix of the
Estate of ROBERT HOUSTON, JR.,
Deceased,

Plaintiff,

vs.

SOUTHERN PACIFIC TRANSPORTATION
COMPANY et al.,

Defendants.

No. 719-595

DEPOSITION

OF

PHYLLIS DIANE HOUSTON

Wednesday, November 2, 1977

Reported by:
Judith Ann Ossa, CSR
Cert. #2310

HARRY A. CANNON, INC.

Certified Reporters and Notaries
582 MARKET STREET - SUITE 2000
SAN FRANCISCO, CALIFORNIA 94104
(415) 391-7421

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I N D E X

Page

DEPOSITION OF PHYLLIS DIANE HOUSTON

Examination by Mr. Corrigan

Examination by Mr. Fried

Further Examination by Mr. Corrigan

4
29
30

582 MARKET STREET
SAN FRANCISCO

~~KK4A2~~ **KK4A3**
HARRY A. CANNON, INC.
DEPOSITIONS - NOTARIES

TELEPHONE
391-7421

1 BE IT REMEMBERED that, pursuant to Notice, and on
2 Wednesday, November 2, 1977, commencing at the hour of
3 10:10 o'clock a.m. thereon, at the offices of John Corrigan,
4 Esq., One Market Street, Suite 847, San Francisco, Cali-
5 fornia 94105, before me, Judith Ann Ossa, a Certified
6 Shorthand Reporter and Notary Public in and for the State
7 of California, personally appeared

8 PHYLLIS DIANE HOUSTON,
9 called as a witness by defendants, who, being by me first
10 duly sworn, was thereupon examined and testified as herein-
11 after set forth.

12 - - -
13 LEO FRIED, Esq., Chocolate Building, 4th Floor,
14 Ghiradelli Square, 900 North Point, San Francisco,
15 California 94109, appeared as counsel on behalf of
16 plaintiff; and

17 JOHN J. CORRIGAN, ESq., Southern Pacific Building,
18 One Market Plaza, Suite 847, San Francisco, California
19 94105, appeared as counsel on behalf of defendants Southern
20 Pacific Transportation Company and Atlantic Coast Line.

1 PHYLLIS DIANE HOUSTON,
2 having been first duly sworn, testified as follows:

3 EXAMINATION BY MR. CORRIGAN:

4 Q. Is it Mrs., Miss or Ms. Houston? How shall I
5 address you?

6 A. I usually say Ms, M-s.

7 Q. Ms. Houston, my name is John Corrigan. I'm an
8 attorney and I represent the Southern Pacific Transporta-
9 tion Company and the Atlantic Coast Line Railroad in a
10 lawsuit entitled Joyce Cable Shaw, et al. vs. Southern
11 Pacific, et al., which was filed as a result of the death
12 of Robert Houston, which occurred on October 5th, 1976, if
13 my notes are correct.

14 I am going to ask you some questions and your answers
15 are under oath. Do you understand that?

16 A. Yes, I do.

17 Q. When we are done and the Reporter transcribes all
18 this, there will be a little booklet called a deposition.
19 It will look like one of these (indicating) and it will
20 have your testimony in it.

21 You can then read it and correct it, if you want. In
22 order to avoid correcting it, which doesn't help you, you
23 should listen to the questions I ask and if they are un-
24 clear, tell me they are unclear, if you think they are un-
25 clear. If you don't hear them or you don't understand
26 them, you let me know so that I can rephrase them or repeat
27 them to make it easy for you. Okay?

28 A. Yes.

1 Q. You will have to answer out loud. You can't shake
2 your head. Otherwise it won't get in the record.

3 Do you understand that?

4 A. Yes.

5 Q. Now, what is your full name?

6 A. Phyllis Diane Houston.

7 Q. Where do you live?

8 A. 1859 Geary Street.

9 Q. What is your date of birth?

10 A. March 26, 1944.

11 Q. That makes you 33?

12 A. That's correct.

13 Q. How long have you lived at your present address?

14 A. Let me see. About eight months -- six months.

15 Q. What was your last address prior to that time?

16 A. 998 Divisadero.

17 Q. How long did you live there?

18 A. About six months.

19 Q. And could you give me one more address?

20 MR. FRIED: Prior to Divisadero?

21 MR. CORRIGAN: Yes.

22 THE WITNESS: 1450 Nob Hill Road.

23 MR. CORRIGAN: Q. In San Francisco?

24 A. No, that's in Ukiah.

25 Q. How long did you live there?

26 A. About two years.

27 Q. So you were living at the Nob Hill Road address or
28 were you living at the Nob Hill Road address when Mr.

1 Houston died or were you living on Divisadero?

2 A. No, I was living in Ukiah.

3 Q. Now, where were you born?

4 A. San Diego, California.

5 Q. And how much schooling did you have?

6 A. I've had two years of college.

7 Q. Where?

8 A. At Santa Rosa J. C. and at Mendocino Community
9 College.

10 Q. Was that immediately after high school or some
11 time later?

12 A. No, that was some time later I attended Santa
13 Rosa. I went to San Jose State University for one semester
14 immediately after high school.

15 Q. Some place along the line did you marry Robert
16 Houston?

17 A. Yes.

18 Q. When?

19 A. In March of 1963.

20 Q. And where did you meet him?

21 A. In high school.

22 Q. And what high school was that, San Bruno?

23 A. Yes. Capuchino High School.

24 Q. Of course, you were born in San Diego. When did
25 you move up this way?

26 A. My parents moved to the Bay Area about 1946.

27 Q. When did you graduate from high school?

28 A. 1962.

1 Q. Now, were you and Robert the same age?

2 A. No, he was a year older than I.

3 Q. He went on to Cal; is that correct?

4 A. That's correct.

5 Q. And where were you married?

6 A. In Port Chicago, California.

7 Q. Then did you live on campus, the two of you?

8 A. We lived in -- Shortly after we were married, we
9 lived in the University Housing in Albany.

10 Q. Did he have a job then?

11 A. Yes.

12 Q. What did he do?

13 A. He worked part-time for the railroad.

14 Q. He first went to work for the railroad when he was
15 in college; is that correct?

16 A. Yes.

17 Q. Do you know where he worked for the railroad?

18 A. In San Francisco.

19 Q. Were you employed then?

20 A. No, I was not.

21 Q. Some place along the way did the two of you have
22 children?

23 A. That's correct.

24 Q. Their names and their date of birth?

25 A. Okay. Patricia Diane was born on October 2nd,
26 1963.

27 Q. That's Patricia?

28 A. Yes. And Judy Lynn was born November 9th, 1964.

1 Q. And those are the two children you have?

2 A. Yes.

3 Q. That would make them what, 14 --

4 A. And almost 13.

5 Q. Fourteen would be Patricia now?

6 A. Yes.

7 Q. And Judy Lynn would be eight next week?

8 A. She will be 13 next week.

9 MR. FRIED: Thirteen.

10 THE WITNESS: There's just a year difference in their
11 ages.

12 MR. CORRIGAN: Q. Oh, did you say Judy Lynn was born
13 in '64?

14 A. Yes.

15 Q. Okay. Thirteen.

16 They were born when you were living in student hous-
17 ing?

18 A. Well, there was a brief period after we were
19 married before we got into the student housing. I think
20 that Patricia was born during that time. And just shortly
21 after that we moved into the student housing and Judy was
22 born when we lived there.

23 Q. Did you live there the whole time he was in col-
24 lege?

25 A. Until he graduated from UC, which was in '66, I
26 think.

27 Q. Did he work for the railroad?

28 A. During that time?

1 Q. During that time.

2 A. Yes.

3 Q. Did he work nights?

4 A. Yes. I think he worked what they call an extra
5 board so the shifts were not necessarily always regular.

6 Q. When he graduated in 1966 -- What did he study in
7 college?

8 A. Music education.

9 Q. Did you work while he was going to school at all?

10 A. Not until after '66.

11 Q. Where did you first work after '66?

12 A. I worked for the California Physicians Service.

13 Q. Where?

14 A. In San Francisco.

15 Q. How long did you work there?

16 A. Let me see. It was a year and a half to two years.

17 Q. Doing what?

18 A. I was a medical claims auditor.

19 Q. Now, after he graduated from college, did he get
20 some job other than the railroad?

21 A. Well, he continued his education in San Francisco
22 State College.

23 Q. And what did he take up there?

24 A. He was taking graduate courses for his teaching
25 credential.

26 Q. Did he get his teaching credential?

27 A. Yes, he did.

28 Q. After he got his teaching credential, what did he

1 do?

2 A. Then he accepted a job with the Ukiah Unified
3 School District in the Ukiah area.

4 Q. When was that?

5 A. That was in '68.

6 Q. And what was his job?

7 A. He was a teacher, music teacher.

8 Q. So you all moved up to Ukiah?

9 A. Yes.

10 Q. He left the railroad?

11 A. Yes.

12 Q. How long did he teach up there?

13 A. He taught school for one -- one school year.

14 Q. Why did he stop?

15 A. He chose to resign.

16 Q. Why?

17 A. I'm not really clear on the exact reasons.

18 Q. He didn't like it or what?

19 A. Yes. There was some conflict he felt, I think,
20 between his ideas of teaching in a rural area rather than
21 what he'd been accustomed to.

22 Q. Was he fired?

23 A. No, he was not.

24 Q. After that, where did he go to work?

25 A. Then he went to work at the Mendocino State
26 Hospital.

27 Q. Doing what?

28 A. He was a music therapist.

1 Q. For how long?

2 A. Until the hospital closed down. And I forget
3 when that was exactly. It was a year or so, I suppose.

4 Q. Do you know what he was making there?

5 A. I don't remember.

6 Q. Then after Mendocino State Hospital, where did he
7 go?

8 A. He went to work as a sales representative for
9 Xerox.

10 Q. Still in the Ukiah area?

11 A. Yes.

12 Q. How long did he do that?

13 A. I'm afraid I don't remember.

14 Q. And then where did he go after that? Did he leave
15 there and come back to San Francisco?

16 A. The chronology I'm not really clear of in my mind.
17 I'm not sure exactly. I think he worked for Valley Enter-
18 prises or Valley Publishing for awhile.

19 Q. Where is that?

20 A. That was in the Ukiah area also.

21 Q. Did the two of you get divorced someplace along
22 the line?

23 A. Yes.

24 Q. When?

25 A. Our divorce was final in September of 1974.

26 Q. Where was he living then?

27 A. He was living in Ukiah.

28 Q. When the divorce became final?

1 A. Yes.

2 Q. You were divorced in Mendocino County?

3 A. Yes.

4 Q. In the court house there?

5 A. Yes.

6 Q. After the divorce, did he move down here?

7 A. There was some -- As I recall, there was some
8 period of time when he remained in the Ukiah area. Again,
9 I'm not -- you know, I'm not really certain how the turn of
10 events proceeded.

11 Q. Did you leave Ukiah before or after he left Ukiah?

12 A. I left after.

13 Q. How much after?

14 A. A couple of years.

15 Q. Now, did you remarry?

16 A. No.

17 Q. How long after your divorce became final did he
18 remarry?

19 A. I don't know.

20 Q. Did he meet his second wife up there?

21 A. Yes.

22 Q. Just generally speaking, what were the reasons for
23 your divorce?

24 A. Well, we just didn't get along. He had seemed to
25 be interested in her also.

26 Q. Oh, this relationship developed before your di-
27 vorce?

28 A. Yes. We were not getting along.

1 Q. Some time when you were up in Ukiah there, did
2 you folks join the People's Church?

3 A. Yes.

4 Q. When was that?

5 A. In the spring of '69.

6 Q. And have you been a member ever since?

7 A. Yes.

8 Q. Was there a period of time before the divorce
9 action was filed when you were separated?

10 A. We were separated for a time and then we went back
11 together again and then we were separated about the time
12 that the divorce action was filed.

13 Q. Who took custody of the children when you separ-
14 ated?

15 A. I did.

16 Q. And at some later point in time, did you give the
17 custody of the children to him?

18 A. Yes.

19 Q. When was that?

20 A. That was in January of seventy -- '75.

21 Q. So you just had the children from the divorce
22 period, whenever the divorce in '74, to January of '75; is
23 that it?

24 A. Yes.

25 Q. And you remained in Ukiah and the children came
26 down here to live with him?

27 A. That's correct.

28 Q. And had he remarried by that time?

1 A. Yes.

2 Q. Did his new wife adopt the children?

3 A. No.

4 Q. She never adopted the children?

5 A. No.

6 Q. Why did you give custody of the children to him?

7 A. Well, there was a number of reasons. One was that
8 one of the children has an eye condition where she needed
9 treatment periodically here in San Francisco. It was not
10 available there.

11 Another reason was that I felt that the schools were
12 much better in San Francisco. And also our relationship
13 was amiable and agreeable and I just felt they would be
14 better off down here.

15 Q. So even though you were divorced, you were still
16 friends; is that it?

17 A. Oh, yes.

18 Q. I understand you went up to Ukiah in '68 but you
19 joined the People's Church in '69?

20 A. Yes.

21 Q. And you got divorced in '74 and he came down here;
22 is that right?

23 A. Like I say, yes. That must be, yes. That's
24 right.

25 Q. I am interested now in the time between when you
26 joined the People's Church in '69 until the divorce in '74,
27 that period of time. Okay?

28 A. Okay.

1 Q. Did he contribute money that he earned to the
2 Church during that period?

3 A. Yes.

4 Q. How much of his income did he give to the Church?

5 A. Oh, I wouldn't remember that. I don't know.

6 Q. I mean was it a lot in terms of half, a quarter or
7 just a few dollars a month?

8 A. It was quite a bit. The exact percentage, perhaps,
9 a third, perhaps a quarter. I don't know exactly.

10 Q. You weren't employed during that period of time?

11 A. I was employed in -- let me see -- '70 -- '72.

12 Q. Doing what?

13 A. I was a telephone operator.

14 Q. Now, the man who is the head of the Church is a
15 man named James Jones; is that his name?

16 A. That's correct.

17 Q. Did you or do you know him personally?

18 A. Yes.

19 Q. Did your husband?

20 A. Yes.

21 Q. Now, when you were working, did you contribute,
22 while you were still in Ukiah, a portion of your income to
23 the Church?

24 A. Yes.

25 Q. Did you have any arrangement during that period of
26 time wherein you would give money to the Church and then
27 they would, in turn, give you back what you needed in the
28 way of goods and services?

1 A. Generally, I would pay in -- I just budgeted my
2 money so that if I needed something. If there was any extra
3 expense, of course, then that would be underwritten by the
4 Church.

5 So if there was an unusual medical bill or some-
6 thing of that sort, then the Church underwrote that. But
7 insofar as any arrangement, I gave whatever I felt to give.

8 Q. What is the largest percentage of your income you
9 ever gave in one month, do you know?

10 A. A third, I would say.

11 Q. How about your husband, the largest he ever gave
12 while he was in the Ukiah area?

13 A. About the same.

14 Q. Did the Church supply you with any goods and ser-
15 vices in return for what you were giving the Church other
16 than underwriting major medical bills that you might have?
17 Did they give you food, did they give you anything like
18 that?

19 A. Yes. Yes. It didn't depend upon what we gave,
20 though.

21 Q. Were you involved in the travels during that period
22 of time and was your husband down to Los Angeles in the
23 formation of the People's Church down there?

24 A. Yes.

25 Q. How often would you go down there?

26 A. Let me see. At tht time, the frequency varied.
27 And so it would depend on that somewhat. It was whenever
28 they went. Maybe once every two or three months at that

1 point.

2 Q. After you were divorced and he came down here, he
3 was still a member of the Church; right?

4 A. Yes.

5 Q. When did you come down here?

6 A. I moved down here immediately after his death.

7 Q. Why?

8 A. To take care of the children.

9 Q. Did Miss Shaw not want to take care of the child-
10 ren?

11 A. She wasn't in San Francisco.

12 Q. Where was she?

13 A. In Ohio, I guess.

14 Q. How long had she been there?

15 A. Since the summer; July or August.

16 Q. And his death was in October?

17 A. That's correct.

18 Q. Who was looking after the girls all that time?

19 A. He, and there was another adult that was living at
20 his residence there, a Miss King.

21 Q. And how many children lived at the residence
22 besides the two girls?

23 A. Six, I believe.

24 Q. Six others?

25 A. I'm not certain.

26 Q. Where they multi-racial; some black children, some
27 white children?.

28 A. Yes.

1 Q. And Mrs. King, was she a black lady, white lady,
2 Mexican lady, what? Do you know?

3 A. She was white.

4 Q. Now, what was your husband's relationship with
5 Mrs. King? Was she a housekeeper or what?

6 A. I think her primary thing was helping with the
7 children, taking care of the children.

8 Q. Was she a member of the Church?

9 A. Yes.

10 Q. How many bedrooms were in the house?

11 A. I don't remember. Several. It was a large flat.

12 Q. How long had she been living there when he died?

13 A. Well, she had been living there -- Goodness, I
14 don't even know. I know that she was living there when
15 they lived on San Bruno Avenue and then he moved over to
16 Sutter Street and she was living there. She was living
17 there when they were living at San Bruno as well.

18 Q. Did Joyce and Robert live in the house with Mrs.
19 King? Did they all live there at the same time?

20 A. Yes.

21 Q. And then Joyce went to Ohio?

22 A. Yes.

23 Q. And your husband, Mr. Houston, was left behind
24 with -- What was the lady's name again?

25 A. Mrs. King.

26 MR. FRIED: Mrs. King.

27 MR. CORRIGAN: Q. -- Mrs. King; right?

28 A. Yes.

GROUP INSURANCE PREMIUM STATEMENT

TO: AMERICAN LIFE INSURANCE COMPANY

POLICYHOLDER: Peoples Temple Agricultural Project for the Month of: January 1978

GROUP POLICY NO: 118 2297 CURRENCY: 218 Date Prepared: 1/1/78

	LIFE		A. D. & D.		LOSS OF INCOME		HEALTH CLASS			HEALTH CLASS			HEALTH CLASS		
	# Lives	VOLUME OF INSURANCE	# Lives	VOLUME OF INSURANCE	# LIVES	VOLUME OF INSURANCE	2 Emp. only	2 Emp. & 1 Dep.	2 Emp. & Family	2 Emp. only	2 Emp. & 1 Dep.	2 Emp. & Family	2 Emp. only	2 Emp. & 1 Dep.	2 Emp. & Family
1. IN FORCE PREVIOUS MONTH							44		15						
2. ADDITIONS															
3. INCREASES															
4. SUB-TOTAL (1+2+3)							44		15						
5. TERMINATIONS															
6. DECREASES															
7. TOTAL IN FORCE (4-5-6)							44		15						
8. PREMIUM RATE		(Per 1000)		(Per 1000)		(Per 10)	7.34		11.24						
9. TOTAL PREMIUM (7x8)							170.96		168.60						
10. ADJUSTMENTS															
11. TOTAL PREMIUM DUE							359.56								

INSTRUCTIONS:

- Use only section(s) applicable to your coverage(s)
- Explain all changes on lines 2,3,5,6, & 10 on reverse side.
- Attach Enrollment cards for new insureds.
- If additional columns are needed carry forward on second form.
- Indicate Back Premium Charges and Credits on Line 10 - "Adjustments" and explain in Remarks.

TOTAL PREMIUM DUE FOR ALL BENEFITS: 359.56

REMARKS:

- Show Total Benefit
- Show Number of Participants in Category for Lines 1 through 7.
- For changes in Health Dependent Category show new category as "Additions" old category as "Terminations"

COMPLETE REVERSE SIDE FOR ALL CHANGES

1 Q. How old is Mrs. King?

2 A. I don't know her exact age.

3 Q. Is she in her early 30's?

4 A. Something like that.

5 Q. About the same age as your husband?

6 A. I guess. I don't -- I don't know.

7 Q. Would you describe her as a good-looking woman?

8 A. No.

9 Q. Would you describe her as a homely woman?

10 A. She's sort of medium.

11 Q. What?

12 A. She's sort of medium.

13 MR. FRIED: That's a hard question. I couldn't answer
14 a question like that.

15 MR. CORRIGAN: Q. Now, she took care of the children,
16 though, while Joyce was away and Mr. Houston was at work?

17 A. Yes.

18 Q. Now, did she work?

19 A. I don't know whether she did or not.

20 Q. Were any of those children her children?

21 A. No.

22 Q. How did Mr. Houston get all those children, those
23 six other children?

24 A. There were varying circumstances, as I understand
25 it. I don't know exactly.

26 Q. Through the People's Church did he get them?

27 A. Yes, they were members also.

28 Q. All the children were?

1 A. Yes.

2 Q. Now, did you see Mr. Houston from time to time
3 while you were still up in Ukiah and he was down here after
4 your divorce and before his death?

5 A. Oh, yes.

6 Q. Did he ever express to you that he was having
7 difficulty in his relationship with Mrs. Shaw?

8 A. No.

9 Q. Do you have any information that perhaps they were
10 going to be divorced?

11 A. No.

12 Q. Do you know what the reason for their marital
13 separation was?

14 A. Not exactly, I sure don't.

15 Q. Do you know inexactly?

16 A. No, I just --

17 Q. What I want to know -- See, here is what is going
18 through my mind. She is several months separated from him
19 and she's in Ohio and he is here living with another
20 woman. And what I want to know is was their marriage on
21 the rocks?

22 A. Okay. I don't know. I don't think that there was
23 any relationship between Bob and Mrs. King. Whether or not
24 they had, you know, upsets or anything like that, I don't
25 know.

26 Q. Now, after Robert died, you came down the next day,
27 two days, how many days later to get the children?

28 A. Well, I was in Illinois when I heard of his death

1 and I was traveling with the Church at that time. And I
2 immediately flew from there back here. And there was maybe
3 12 hours after I'd heard he'd died I arrived here.

4 Q. Are you active in the Church?

5 A. Yes.

6 Q. Do you have a job with the Church?

7 A. Well, I work. I'm part of the governing board of
8 the Church.

9 Q. Do you have a title?

10 A. No.

11 Q. Are you paid by the Church?

12 A. No.

13 Q. Do you work outside the Church?

14 A. Yes.

15 Q. Where do you work?

16 A. I work for Hartford Steam Boiler Insurance Company.

17 Q. What do you do?

18 A. I'm learning to be a boiler inspector.

19 Q. How much of your income do you turn over to the
20 Church?

21 A. Oh, let me see. It is not a set percentage. What
22 I have done is turn over a lot of it, maybe half or maybe
23 two-thirds, and then whatever I didn't need to live on.

24 Q. If you turn over half or two-thirds, what do you
25 live on? Just what's left? Do you have your own apart-
26 ment?

27 A. No, I live at the Church.

28 Q. For lack of a better word, do you live in a com-

1 mune there in the Church? I mean, can you explain --

2 A. It is a separate room.

3 Q. Well, I know that. I don't know, but you have your
4 own room?

5 A. Yes.

6 Q. Are there many people who live at the Church?

7 A. I wouldn't say so.

8 Q. How many?

9 A. I don't know exactly how many.

10 Q. More than five?

11 A. It's a large building.

12 Q. How many live at the Church?

13 A. Jeess, more than five.

14 Q. Do they all have the basic arrangement that you
15 do, giving part of their income to the Church?

16 A. If they work, yes. I mean at a job that pays
17 money.

18 Q. And is there a community kitchen there in the
19 Church where you cook your meals?

20 A. Yes.

21 Q. And if you have a problem and need money, does the
22 Church take care of you then?

23 A. Yes.

24 Q. Now, after Robert left because of the divorce, he
25 had a similar arrangement with the Church while he was
26 living with Mrs. Shaw; isn't that right? He would give a
27 large percentage of his income to the Church or do you
28 know?

1 A. I don't know. I don't have any personal knowledge.

2 Q. Were you on the governing board then?

3 A. Not when the divorce occurred, no.

4 Q. You got on the governing board after your husband
5 died and you came back here to San Francisco?

6 A. No. After the divorce, I said.

7 Q. Oh, you were on the governing board when you were
8 up at Ukiah?

9 A. Yes.

10 Q. When did the Church move down here?

11 A. There's always been a large membership in San
12 Francisco.

13 Q. Was it in Ukiah first or San Francisco first?

14 A. Well, it's in both places now.

15 Q. Where was it first?

16 A. I guess Ukiah first.

17 Q. Now, after you came back from Illinois, what did
18 you do with the children? Did you take them to Ukiah to
19 live with you?

20 A. No, I stayed in San Francisco.

21 Q. Where did you stay?

22 A. At 998 Divisadero.

23 Q. And what is that?

24 A. An apartment building.

25 Q. Did you have friends there?

26 A. Yes.

27 Q. And was that owned by the Church, 998 Divisadero?

28 A. No.

1 Q. Were these Church members?

2 A. Yes, acquaintances. There were Church members,
3 yes.

4 Q. And they just made room for you?

5 A. I don't understand what you mean.

6 Q. I mean, here you are with two children. They made
7 room for you at 998 Divisadero, the people who lived there;
8 is that it?

9 MR. FRIED: I think she said it was an apartment.

10 MR. CORRIGAN: Q. Oh, you had your own apartment
11 there?

12 A. Oh, yes.

13 Q. Oh, I thought you might have moved in with some-
14 body.

15 A. Oh, no. I just lived, me and the two children.

16 Q. There was a man and the two children?

17 A. No, I said with me and the two children.

18 Q. Just you and the two children moved into the
19 apartment at 998 Divisadero?

20 A. That's correct.

21 Q. And how long did the children and you live --
22 Well, you told me you lived at that address for about six
23 months, you said?

24 A. Yes. Thinking about it, I think it was probably
25 longer than that. Until -- let me see -- July. That's
26 nearly 10 months. I'm sorry.

27 Q. At some point in time, did you separate from the
28 children or did they separate from you? Did they go some

1 place?

2 MR. FRIED: What stage are you talking about?

3 MR. CORRIGAN: Q. After you moved to Divisadero --
4 Let me put it this way: Do you live with the children now?

5 A. No.

6 Q. When did you cease living with the children?

7 A. In August of this year.

8 Q. They lived with you at either the Divisadero ad-
9 dress or the Nob Hill Road address until that time; is that
10 right?

11 A. No. Nob Hill Road was in Ukiah.

12 Q. Right.

13 A. And they didn't live with me until I moved to San
14 Francisco, which was the Divisadero address.

15 Q. I am going the wrong direction.

16 They lived with you either at the Divisadero address
17 or the Geary Street address; is that correct?

18 A. That's correct.

19 Q. At some point in time while you were living at the
20 Geary Street address, they became separated from you;
21 right?

22 A. That's correct.

23 Q. Where did they go?

24 A. To Guyana, South America.

25 Q. To South America?

26 A. Yes.

27 Q. And who took them there?

28 A. They were taken there -- You want to know the

1 precise person that they traveled with?

2 Q. Yes.

3 A. Dorothy Rollins.

4 Q. Rollins?

5 A. Rollins.

6 Q. Who is she?

7 A. She is a friend of mine.

8 Q. Did you consent to have them go there?

9 A. Oh, certainly.

10 Q. What are they doing there?

11 A. They are living there. They are attending school.

12 Q. Does the Church have a colony there; is that the
13 idea?

14 A. That's correct.

15 Q. Reverend Jones is running it down there; is that
16 it?

17 A. That's correct.

18 Q. Who is looking after the children down there?

19 A. Dorothy Rollins, Joyce Touchette and Paule Adams.

20 Q. Now, did any of the other children that were liv-
21 ing with Mr. Houston when he died -- There were six other
22 children. You remember you told me about them?

23 A. Yes.

24 Q. Did any of those children go to Guyana?

25 A. Yes.

26 Q. How many?

27 A. I don't know. I know that there were other child-
28 ren that went to Guyana. Whether or not these particular

1 children went, I don't know.

2 Q. Did they go with their parents?

3 MR. FRIED: If you know.

4 THE WITNESS: As far as I know.

5 MR. CORRIGAN: Q. In your case, they didn't go with
6 you there. So what I'm trying to find out is, do you know
7 if there were other children who went to Guyana without
8 their parents?

9 MR. FRIED: If you don't know, tell him you don't know.

10 MR. CORRIGAN: Q. Do you know of other children who
11 went to Guyana who didn't go with their parents the same as
12 yours?

13 A. I don't know.

14 Q. Now, do you pay the Church to take care of the
15 children in Guyana?

16 A. Well, the children receive Social Security and
17 that goes.

18 Q. How much do they receive?

19 A. About 740.

20 Q. A month?

21 A. Yes.

22 Q. And that is given to the Church?

23 A. Yes.

24 Q. Now, do they receive that because their father
25 died or what is the reason?

26 A. I don't know about what the Social Security setup
27 is. I know that that was, oh, you know, the basis of the
28 claim.

1 You know, I went down. I said, "This is what hap-
2 pened." And they said, "Okay. This is what you get." And
3 I send that money to the children to take care of them.

4 Q. The Church gets the money?

5 A. Yes.

6 Q. Do you know if the Church down there is getting
7 money for other children under the same circumstances?

8 A. I have no idea.

9 Q. I thought you might know because you are on the
10 governing board.

11 A. I understand, but I don't.

12 Q. Now, did there come a time in your husband's mem-
13 bership in the Church when he had a falling out with the
14 Church or he left the Church before he died?

15 A. No.

16 Q. Did he have any violent disagreements with the
17 Church?

18 A. No.

19 Q. Do you know of anyone who might want to murder
20 him?

21 A. No.

22 Q. Do you have any reason to believe that he was
23 murdered?

24 A. No.

25 Q. Have you been contacted by the District Attorney's
26 office concerning homicide?

27 A. No.

28 MR. FRIED: Did you get the answer? The answer was

1 "No."

2 THE WITNESS: The answer was no. I'm sorry.

3 MR. CORRIGAN: Q. Do you know if he had any enemies
4 in the Church?

5 A. No.

6 Q. To your knowledge, did he have any enemies?

7 A. Not to my knowledge.

8 MR. CORRIGAN: No other questions.

9 MR. FRIED: I haven't any at this time.

10 (Discussion off the record.)

11 MR. CORRIGAN: Q. What kind of health do the children
12 enjoy?

13 A. Great.

14 Q. No problems?

15 A. No.

16 Q. They are both healthy?

17 A. Oh, yes.

18 Q. How have they done in school?

19 A. Very well.

20 Q. Do either of them have any chronic problems, oh,
21 like wearing glasses, hard of hearing, anything like that?

22 A. One child wears glasses, yes.

23 MR. CORRIGAN: Okay. That's it.

24 EXAMINATION BY MR. FRIED:

25 Q. You said something about an eye that she had to
26 see a doctor about?

27 A. Yes. She has ambiopia.

28 MR. CORRIGAN: Maybe I will ask you a few more

1 questions.

2 FURTHER EXAMINATION BY MR. CORRIGAN:

3 Q. Mr. Houston worked for the City and County of San
4 Francisco at the same time he was working for the railroad
5 when he died, is that right, or do you know that?

6 A. I don't know for sure.

7 Q. Did he have any health problems that you are aware
8 of?

9 A. No.

10 MR. CORRIGAN: Okay. Thank you very much.

11 - - -

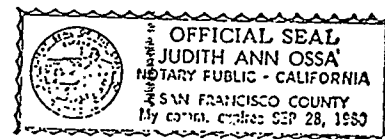
1 STATE OF CALIFORNIA)
 2) ss.
 3 CITY AND COUNTY OF SAN FRANCISCO)

4 I hereby certify that the witness in the foregoing
 5 deposition named PHYLLIS DIANE HOUSTON was by me duly sworn
 6 to testify the truth, the whole truth, and nothing but the
 7 truth in the within-entitled cause, that said deposition
 8 was taken at the time and place therein stated; that the
 9 testimony of said witness was reported by me, JUDITH ANN
 10 OSSA, a Certified Shorthand Reporter and disinterested
 11 person, and was thereafter transcribed into typewriting;
 12 and that the witness was given an opportunity to read and,
 13 if necessary, correct said deposition, and to subscribe
 14 the same.

15 And I further certify that I am not of counsel or
 16 attorney for either or any of the parties to said deposi-
 17 tion, nor in any way interested in the outcome of the
 18 cause named in said caption.

19 IN WITNESS WHEREOF, I have hereunto set my hand and
 20 affixed my seal of office this _____ day of _____ 1977.
 21
 22

23 Judith Ann Ossa
 24



HARRY A. CANNON, INC.

Certified Reporters and Notaries

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Ghiradelli Square, 900 North Point
San Francisco, California 94109

November 14, 1977

In Re: Shaw et al. vs. Southern Pacific Transportation Company et al.

Dear Ms. Houston:

Pursuant to the provisions of 2019 (e) CCP, effective 1/7/77 and FRCP 30 (e), you are advised that your deposition in the above matter taken on November 2, 1977 is available at this office for your reading and signing, and the making of such corrections as you deem necessary.

In the event you have not read and signed your deposition by December 15, 1977, it will be filed with the Clerk of Court unsigned.

Very truly yours,

Harry A. Cannon, CSR
Notary Public

Invoice # 2-2658

Reporter: Judith Ann Ossa, CSR #2310

KK4933