

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE DISTRICT OF COLORADO
 3 Criminal Action No. 96-CR-68
 4 UNITED STATES OF AMERICA,
 5 Plaintiff,
 6 vs.
 7 TERRY LYNN NICHOLS,
 8 Defendant.

ff

9
 10 REPORTER'S TRANSCRIPT
 (Trial to Jury: Volume 119)

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 ff

12 Proceedings before the HONORABLE RICHARD P.
 MATSCH,
 13 Judge, United States District Court for the District of
 14 Colorado, commencing at 1:40 p.m., on the 10th day of
 December,
 15 1997, in Courtroom C-204, United States Courthouse,
 Denver,
 16 Colorado.

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23
24
Transcription
Street,
629-9285

Proceeding Recorded by Mechanical Stenography,
Produced via Computer by Paul Zuckerman, 1929 Stout
P.O. Box 3563, Denver, Colorado, 80294, (303)

13774

1 APPEARANCES
2 PATRICK RYAN, United States Attorney for the
Western
3 District of Oklahoma, and RANDAL SENDEL, Assistant U.S.
4 Attorney for the Western District of Oklahoma, 210 West
Park
5 Avenue, Suite 400, Oklahoma City, Oklahoma, 73102,
appearing
6 for the plaintiff.
7 LARRY MACKEY, SEAN CONNELLY, BETH WILKINSON,
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Attorneys
9 to the U.S. Attorney General, 1961 Stout Street, Suite
1200,
10 Denver, Colorado, 80294, appearing for the plaintiff.
11 MICHAEL TIGAR, RONALD WOODS, ADAM THURSCHELL,
REID
12 NEUREITER, and JANE TIGAR, Attorneys at Law, 1120

Lincoln

13 Street, Suite 1308, Denver, Colorado, 80203, appearing
for
14 Defendant Nichols.

15 * * * * *

16 PROCEEDINGS

17 (Reconvened at 1:40 p.m.)

18 THE COURT: Be seated, please.

19 Counsel, approach, please.

20 (At the bench:)

21 (Bench Conference 119B1 is not herein transcribed
by court
22 order. It is transcribed as a separate sealed
transcript.)

23

24

25

13780

1 (In open court:)

2 MR. TIGAR: May I have a moment, your Honor.

3 Thank you.

4 THE COURT: Sir, if you would just stand right
there.

5 (David Paulsen was called.)

6 EXAMINATION

7 BY THE COURT:

8 Q. Are you David Paulsen?

9 A. Yes, I am.

10 Q. And, Mr. Paulsen, I've been informed that you were
11 subpoenaed to testify in this trial.

12 A. Correct.

13 Q. And that you have talked to Mr. Neureiter as one of
the

14 defense counsel about the reason that you were
subpoenaed and

15 what the subject matter of the proposed testimony is
and what

16 kinds of questions would be asked of you. Is that
true?

17 A. Yes.

18 Q. And then as I understand it, also, you conferred
with an

19 attorney and discussed that subject with your attorney,
who is

20 in Chicago.

21 A. Correct.

22 Q. Is that right?

23 And after conferring with your attorney and
consistent

24 with his advice, you have told Mr. Neureiter that if
called to

25 the witness stand here and asked the questions that he

13781

David Paulsen – Examination

1 identified you would be asked, you would invoke your
privilege

2 under the Fifth Amendment to the United States
Constitution to

3 refuse to answer those questions; is that true?

4 A. Correct, sir.

5 THE COURT: All right. Well, do counsel have
any

6 other questions for him?

7 MR. TIGAR: No, your Honor.

8 THE COURT: All right. You're excused now.

9 THE WITNESS: Thank you.

10 THE COURT: And I'll make the finding that
David

11 Paulsen is unavailable as a witness in the case.

12 Now, we're ready to proceed with the next
witness as

13 soon as we get the jury here.

14 MR. TIGAR: Yes, your Honor.

15 (Jury in at 1:47 p.m.)

16 THE COURT: All right, members of the jury. I
can

17 tell you it stopped snowing, but don't hold me to that
at 5:00.

18 We're ready for the next witness.

19 MR. TIGAR: Barry Osentoski, your Honor.

20 THE COURT: Thank you.

right 21 THE COURTROOM DEPUTY: Would you raise your
22 hand --
23 THE COURT: If you'll stand and take the oath.
24 (Barry Osentoski affirmed.)
25 THE COURTROOM DEPUTY: Would you have a seat,
please.

13782

and 1 Would you state your full name for the record
2 spell your last name.

3 THE WITNESS: Barry Lawrence Osentoski,
4 O-S-E-N-T-O-S-K-I.

5 THE COURTROOM DEPUTY: Thank you.

6 THE COURT: Mr. Thurschwell.

7 MR. THURSCHWELL: Thank you, your Honor.

8 DIRECT EXAMINATION

9 BY MR. THURSCHWELL:

10 Q. Hello, Mr. Osentoski.

11 A. Hello.

12 Q. How are you?

13 A. Very good. Pretty nervous.

14 Q. Okay. I'll take it nice and slow. Where do you
live,

15 Mr. Osentoski?

16 A. I live in Las Vegas, Nevada, at 7160 North Heights.

17 Q. Are you working presently?

18 A. Yes, I am.

19 Q. And where are you working?

20 A. At the Fashion Show Mall located in downtown Las Vegas.

21 Q. Can you speak a little bit slower and lean forward a

22 little --

23 A. I work at the Fashion Show Mall located in downtown Las

24 Vegas.

25 Q. And what are you doing there?

13783

Barry Osentoski - Direct

1 A. I work in a store called Williams and Sonoma as a stocker.

2 Q. Where did you grow up?

3 A. I grew up in Michigan.

4 Q. What part of Michigan?

5 A. Decker Michigan; Argyle, Michigan.

6 Q. And do you know Terry Nichols?

7 A. Yes, I do.

8 Q. How do you know Terry Nichols?

9 A. He married my mother in '82 or '83, I think. He's

my

10 stepfather.

11 Q. He was your step --

12 A. Correct. Stepfather.

13 Q. He was your stepfather?

14 A. Yes.

15 Q. He is no longer?

16 A. No longer.

six

17 Q. Okay. Do you remember -- so for a period of about

18 years, he was your stepfather?

19 A. Correct.

Where

20 Q. Okay. Now, let me take you to November of 1994.

21 were you living at that time?

in Las

22 A. I was living with my mother at 7160 North Heights

23 Vegas.

24 Q. Where you are presently living?

25 A. Correct.

13784

Barry Osentoski - Direct

1 Q. During that November period, did Mr. Nichols visit?

2 A. Correct.

3 Q. Do you recall how often he visited?

4 A. In November?

5 Q. Yes.

6 A. I think once.

7 Q. All right. Do you recall how long a visit it was?

8 A. Just a few days, if I recall.

9 Q. Okay. Do you know where he went when he left?

10 A. When he left Las Vegas?

11 Q. Yes.

12 A. I think he visited Zion National Park in Utah.

13 Q. Okay. Now I'm -- would it refresh your memory if I

14 suggested there was a second visit in November -- you
may be

15 thinking of a visit -- thinking that this visit
occurred in

16 December.

17 A. Yes, I am, yeah.

18 Q. Okay. Does it refresh your memory that there might
have

19 been a second visit in November?

20 A. Yes.

21 Q. Okay. How long was that visit, if you remember?

22 A. I think a week.

23 Q. And do you know where he went after he left Las
Vegas from

24 that visit?

25 A. To the Philippines.

13785

Barry Osentoski - Direct

1 Q. Okay. Now, I -- did there come a time when your
mother
2 told you that Mr. Nichols had left some letters with
her when
3 he left?

4 A. Yes, there was a time.

5 Q. All right. Did anyone read those letters?

6 A. Yes.

7 Q. Who read them?

8 A. Myself, my mother. As far as I know, that's it.

9 Q. All right. And did you do anything as a result of
reading
10 those letters?

11 A. Yes, we did.

12 Q. Okay. What did you do?

13 A. We basically followed the letters' instructions and
read
14 the letters.

15 Q. All right.

16 A. Basically.

17 Q. What were the instructions in the letter?

18 A. There was instructions to disburse his belongings
in case

19 of his death or nonfailure to return; and basically, he
-- he

20 informed us that there was, you know -- there was money

hid in

21 our house.

22 Q. Okay. Did it -- did the letter say where his
belongings

23 were stored?

24 A. Yes, it did.

25 Q. Okay. Where was that?

13786

Barry Osentoski - Direct

1 A. That was at an AAAABCO storage unit.

2 Q. AAAABCO?

3 A. AAAABCO.

4 Q. And where was that located?

5 A. In Las Vegas, Nevada, on Boulder Highway and 95.

6 Q. Did you go to that storage unit?

7 A. Yes, we did.

8 Q. And when you say "we," who are you referring to?

9 A. Me and my mother, Lana Padilla.

10 Q. Now, as precisely as you can, I'd like you to tell
the jury

11 what you did after you arrived at the storage unit.

12 A. We gained access from the information contained in
the

13 letter, and we went to his storage locker, Terry's
storage

14 locker to explore the contents of the locker.

15 Q. Did you go into the storage locker?
16 A. Yes, we did.
17 Q. Both of you went in?
18 A. Well, we both walked into -- I mean to say we went
into the
19 storage unit. You had to go inside of the building to
get to
20 the storage locker.
21 Q. Okay.
22 A. Okay? We gained access to the locker and then
proceeded to
23 explore the contents of the locker.
24 Q. All right. Now, were you both in the storage
locker while
25 you were looking at the contents?

13787

Barry Osentoski - Direct

Lana,
the
remained
1 A. No. Not really. Maybe for a second. But my mom,
2 basically -- you know, explored the items outside in
3 hallway -- there was more light basically -- while I
4 inside looking through the contents.
5 Q. Okay. Were you passing items out to her?
6 A. Yes.
7 Q. Did she have something in particular that she was

looking

8 for or a type of item?

9 A. She was basically looking for paper information,
maybe to

10 help us find out what was going on.

11 Q. Okay.

12 A. Or --

13 Q. Now, tell -- sorry. Tell me what you saw in the
storage

14 unit.

15 A. I saw camping equipment, I saw skis, I saw boxes,
16 briefcase.

17 Q. What kind of camping equipment?

18 A. Like army-issue camping equipment, or was contained
inside

19 of army-issue bagging at least.

20 Q. Okay.

21 A. And -- that's about it.

22 Q. Did you see a tent?

23 A. I did see a tent.

24 Q. All right. Did you see a gas cooking stove?

25 A. Yes.

13788

Barry Osentoski - Direct

1 Q. And you said you saw skis, as well.

2 A. Yes.

3 Q. What kind of ski -- can you describe the skis to
the jury?

4 A. I would say they were downhill-type skis, downhill
skis.

5 Q. Snow skis?

6 A. Snow skis, yes.

7 Q. Now, you also mentioned a briefcase.

8 A. Yes.

9 Q. What -- what did you -- did you do something with
the

10 briefcase?

11 A. Yes, I did. I handed that out to my mom who was in
the

12 hallway more because that may have contained what she
was

13 looking for, the papers and stuff like that; and she
proceeded

14 to open it and explore the contents of the briefcase.

15 Q. Did you get a chance to see the contents of the
briefcase,

16 as well?

17 A. She did bring some things to my attention, yes.

18 Q. Okay. And you went over and looked into the
briefcase?

19 A. Yes, I did.

20 Q. What do you recall seeing in the briefcase?

21 A. I recall seeing a lot of paperwork. I recall
seeing a

22 makeup kit, a wig, and I think some pantyhose. And I

remember

price tag 23 that either the wig or one of the items still had the

24 on it.

25 Q. Still had the price tag on it?

13789

Barry Osentoski - Direct

1 A. Correct.

2 Q. Was that in a container of some kind?

3 A. Yes, it was in a plastic bag.

4 Q. A sealed plastic bag?

5 A. Yes.

6 Q. Did you notice a ski mask?

7 A. I don't remember seeing a ski mask.

mentioned some 8 Q. Now, back in the storage unit, itself, you

9 boxes. What types of boxes did you see?

toolbox. 10 A. Just your basic boxes and toolboxes. I seen a

11 Q. Okay. Did you open the toolbox?

12 A. Yes, I did.

13 Q. And what did you see in the toolbox?

14 A. Basically, I seen a handgun.

15 Q. Okay.

16 A. And I think a few tools.

17 Q. Tools.
18 A. Yes.
19 Q. Anything else?
20 A. Not that I can remember.
21 Q. All right. Did you see any cigar boxes?
22 A. Yes, I did.
23 Q. And what do you remember seeing in the cigar boxes?
24 A. The cigar box contained jade.
25 Q. Okay.

13790

Barry Osentoski - Direct

1 A. And that's pretty much it.
2 Q. Do you remember any other small boxes with other
items?
3 A. Yeah. There was boxes with silver coins and gold
coins.
4 Q. Did that surprise you to see silver coins and gold
coins?
5 A. Not at all.
6 Q. Why didn't it surprise you?
7 A. He's basically always had those possessions such as
silver
8 coins in all shapes and denominations, so it didn't
surprise me
9 at all.
10 Q. All right. You knew that even back when -- at the
time

11 that you were living with Mr. Nichols?

12 A. Yes.

13 Q. Okay. Mr. Osentoski, I now -- taking you to a
later time

14 period, in the spring of 1995, where were you living at
that
15 time?

16 A. Still with my mom at 7160 --

17 Q. All right.

18 A. -- North Heights.

19 Q. All right. Do you recall getting a phone call
concerning a

20 television set?

21 A. Yes, I did.

22 Q. Could you tell the jury what about that telephone
call --

23 what did you -- what -- what did you hear and what did
you say?

24 A. Basically, I was informed that I was -- I might be

25 receiving a call from a Timothy McVeigh concerning a
television

13791

Barry Osentoski - Direct

1 set that was being stored inside of our garage. And I
did

2 receive that call, and it was Timothy McVeigh.

3 Q. And did -- you said you were informed.

4 A. Yes.

5 Q. Do you remember who told you?

6 A. I think my mother told me that there might be a
call coming
7 into the house.

8 Q. Okay. And when Mr. McVeigh or the person who
identified
9 him as Mr. McVeigh called, did he say anything; do you
recall?

10 A. He just basically asked if there was going to be
someone
11 home so he could come and retrieve the television set,
and I
12 informed him that there would be -- if not myself,
someone
13 else -- to let him in.

14 Q. Do you recall more precisely when that call -- you
received
15 that phone call in the spring of '95?

16 A. No, I don't. I do not.

17 Q. All right. Did there come a time when you noticed
that the
18 television set was no longer in the garage?

19 A. Yes. At a later date. I just noticed -- I did not
see him
20 retrieve it, but I noticed that it was gone.

21 MR. THURSCHELL: One moment, your Honor.

22 THE COURT: Yes.

23 MR. THURSCHELL: Thank you.

24 Thank you, your Honor. Nothing further.

25 THE COURT: All right. Mr. Ryan.

13792

1 MR. RYAN: Thank you, your Honor.

2 CROSS-EXAMINATION

3 BY MR. RYAN:

4 Q. Good afternoon.

5 A. Good afternoon.

6 Q. I'll try not to butcher your name too bad, but it's

7 Osentoski; correct?

8 A. Osentoski.

9 Q. Osentoski -- Osentoski?

10 A. Correct.

11 Q. Okay. How are you?

12 A. Pretty good.

13 Q. Let me ask you just a few questions about what
occurred

14 there in November. You recall, apparently, there were
two

15 times when Mr. Nichols came to Las Vegas in the fall or
early

16 winter of -- of -- fall of '94, early winter of '94?

17 A. Correct.

18 Q. And one of the times, he lived down in the desert
and then

19 another time, he lived there at the house?

20 MR. THURSCHELL: Objection to characterizing
the

21 testimony as "living out in the desert."

22 BY MR. RYAN:

23 Q. Did he live out in the desert?

24 THE COURT: When you say "live," I suppose
that could

25 be --

13793

Barry Osentoski - Cross

1 BY MR. RYAN:

2 Q. Well, did he -- was he out in the desert at night?
Was

3 that your understanding?

4 A. That was my understanding.

5 Q. All right. Now, the second time he was there, he
stayed at

6 the home; is that correct?

7 A. Correct.

8 Q. And during the course of that stay, did you see him
writing

9 notes?

10 A. I did see him writing a note.

11 Q. And during the course of that stay, did you see him
in

12 possession of an old video camera?

13 A. Yes, I did.

14 Q. That camera didn't have a manual?

15 A. Did not.

16 Q. And Mr. Nichols was not too familiar with how to
work it;

17 is that correct?

18 A. Correct.

19 Q. And it had a hard case with it?

20 A. If I recall, yes.

21 Q. And it was your understanding that after that stay,
22 Mr. Nichols went to the Philippines?

23 A. Correct.

24 Q. Now, at some point shortly after he left, you saw
the

25 letter that was addressed to Tim McVeigh?

13794

Barry Osentoski – Cross

1 A. Correct.

2 Q. Or to Tim?

3 A. Correct.

4 MR. RYAN: Let me put on the screen, your
Honor,

5 what's been received in evidence as Exhibit 1857.

6 BY MR. RYAN:

7 Q. Is this the letter -- can you see it okay?

8 A. Yes, I can.

9 Q. Is this the letter you had reference to?

10 A. Yes.

11 Q. And this was left -- or was shown to you by your
mother a

12 few days after Mr. Nichols left for the Philippines?

13 A. Correct.

14 Q. And what did you and your mother do at that time?

15 A. We formed theories as to why the letter was given
--

16 Q. I mean, what did you physically do?

17 A. Physically followed the instructions in the letter.

18 Q. And what did that entail?

19 A. Retrieving money that was hidden in our house,
entailed

20 going to the storage unit.

21 Q. Where was the money located?

22 A. In our -- behind our utensil drawer.

23 Q. In the kitchen?

24 A. Correct.

25 Q. And did you assist your mom in removing the -- what
was in

13795

Barry Osentoski - Cross

1 the drawer?

2 A. I did.

3 Q. And how did you do that?

4 A. By removing a fake back and basically pushing it
through.

5 Q. Tell the jury what you found there.

6 A. I found a bag of money.

7 Q. How much money?

8 A. Approximately \$20,000.

9 Q. Old bills?

10 A. There were -- they seemed to appear old in
denomination --

11 Q. Excuse me. I'm sorry.

12 A. They seemed to be old, but in good shape.

13 Q. In multiple denominations?

14 A. Correct.

15 Q. They were in Ziploc bags?

16 A. I don't recall Ziploc bags. They were in a plastic
bag.

17 Q. All right. And your mother took those down to a
safe where

18 she worked?

19 A. Yes.

20 Q. And then following that, your mother and you went
out to

21 the storage locker?

22 A. Correct.

23 Q. And before you went into the unit, you looked into
the blue

24 pickup truck owned by Terry Nichols?

25 A. We looked into the truck.

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Barry Osentoski – Cross

1 Q. It had a white camper shell on it?

2 A. Correct.

3 Q. And within the cab of the pickup truck, you found
some
4 camouflage clothing?

5 A. I don't remember seeing camouflage clothing. I
remember

6 seeing a catalogue. I remember seeing cooking tools
and
7 utensils.

8 Q. Do you remember telling the FBI when they
interviewed you

9 on April 21, 1995, Special Agents Clair Elkington and
Jay

10 Sieger, that you had seen camouflage -- camouflage
clothing in

11 Terry Nichols' pickup truck?

12 A. I do not.

13 MR. RYAN: May I approach, your Honor?

14 THE COURT: Yes.

15 MR. RYAN: This is the 302, 4-21-95.

16 BY MR. RYAN:

17 Q. Ask you to read this first paragraph to yourself.

18 MR. THURSCHELL: What page?

19 THE COURT: What page?

20 MR. RYAN: It's page 4, first paragraph, I'm
asking
21 him to read.

22 THE WITNESS: I just don't remember seeing the
23 camouflage clothes.

24 THE COURT: I think the question was do you
remember
25 saying this to --

13797

Barry Osentoski - Cross

1 THE WITNESS: I do not.

2 THE COURT: All right.

3 BY MR. RYAN:

4 Q. Now, after you looked in the pickup truck, you went
inside
5 the storage unit and you looked through the locker as
you've
6 told us about during your direct examination?

7 A. Correct.

8 Q. And I believe you've told us that you found gold
bars?

9 A. Yes.

10 Q. Gold coins?

11 A. Yes.
12 Q. Silver coins?
13 A. Yes.
14 Q. A wig?
15 A. Yes.
16 Q. Pantyhose?
17 A. Yes.
18 Q. A makeup kit?
19 A. Yes.
20 Q. Were you surprised to find those last three items

in that

21 shed?
22 A. Yes.
23 Q. You found cigar boxes?
24 A. Yes.
25 Q. And in one of those cigar boxes, did you find many

pieces

13798

Barry Osentoski – Cross

1 of jade?
2 A. Yes, I did.
3 Q. It was filled?
4 A. It was filled.
5 Q. And in fact, you took one of those pieces of jade,

didn't

6 you?

7 A. Yes, I did.

8 Q. And you gave that to a friend of yours?

9 A. Yes.

10 Q. And ultimately, the jade was retrieved from your
friend and

11 turned over to the FBI?

12 A. Yes.

13 Q. Now, you didn't look through everything in the
storage

14 locker, I take it?

15 A. No.

16 Q. And your testimony is that you don't at this time
recall

17 seeing a woman's -- excuse me -- a black face mask?

18 A. I do not.

19 Q. And you're not telling us it wasn't there?

20 A. No.

21 Q. You just don't recall it?

22 A. Yes.

23 Q. Your mother is an honest and truthful person?

24 A. Yes.

25 MR. THURSCHELL: Objection.

1 THE COURT: Sustained.

2 BY MR. RYAN:

3 Q. Does she have a reputation for being honest and
truthful?

4 MR. THURSCHELL: Objection again, your Honor.

5 THE COURT: Overruled.

6 THE WITNESS: Yes.

7 MR. RYAN: That's all, your Honor. Thank you.

8 THE COURT: Any redirect?

9 MR. THURSCHELL: No redirect, your Honor.

10 THE COURT: The witness excused?

11 MR. THURSCHELL: Witness is excused.

12 THE COURT: All right. You may step down.
You're

13 excused.

14 THE WITNESS: Thank you.

15 THE COURT: Next, please.

16 MR. TIGAR: Call Edward Killam.

17 THE COURT: Okay. Mr. Killam.

18 MR. TIGAR: While Mr. Killam is coming into
the

19 courtroom, your Honor, we've reached an agreement with
the

20 Government to offer in evidence D1886, which inside the
plastic

21 bag are -- is a wire tie or type of plastic tie which
Roger

22 Moore turned over to the Garland County Sheriff's
Department on

23 the 5th of November, 1994.

Honor,
24 MS. WILKINSON: I believe the agreement, your
25 is that Sergeant Terry recovered them from Mr. Moore's
house on

13800

1 November 5, 1995.

2 THE COURT: You accept that amendment?

3 MR. TIGAR: Yes, your Honor.

4 MS. WILKINSON: With that, we have no
objection.

5 THE COURT: Then it's been agreed, and D1886
is

6 received as that item.

7 MR. TIGAR: Thank you, your Honor.

8 (Edward Killam was re-called.)

9 THE COURT: Mr. Killam, if you'll again resume
the

10 stand under the oath taken some time ago.

11 THE WITNESS: Yes, your Honor.

12 DIRECT EXAMINATION

13 BY MR. TIGAR:

14 Q. Mr. Killam, first, sir, I'd like to show you what
has been

15 marked as Defendant's D1885. Do you recognize that?

16 A. Yes, I do.

17 Q. What is that?

18 A. It's a package of flex cuffs.

19 MR. TIGAR: We offer D1885.

20 MS. WILKINSON: May I inquire, your Honor?

21 THE COURT: You may.

22 VOIR DIRE EXAMINATION

23 BY MS. WILKINSON:

24 Q. Mr. Killam, did you obtain these, Defense 1885?

25 A. They were obtained at my request, but I did not
obtain them

13801

Edward Killam - Voir Dire

1 personally.

2 Q. By who --

3 A. I did not obtain them personally, but they were
obtained by

4 John Hough at my request.

5 Q. And where are they from?

6 A. We bought them at Tuxall police supply store.

7 MS. WILKINSON: Okay. We have no further
questions

8 and no objection.

9 THE COURT: All right. D1885 received.

10 DIRECT EXAMINATION CONTINUED

11 BY MR. TIGAR:

12 Q. Mr. Killam, I'm going to place on the monitor what
has been
13 received as Defendant's D1886. And have you had a
chance to
14 look at this before?

15 I see it coming up here. Can you tell us,
sir, what
16 that appears to be?

17 A. I have not seen it before. It appears to be a wire
tie.

18 Q. Now, I'm going to take out one of these flex cuffs.
And
19 have you ever used a flex cuff before?

20 A. Oh, yes, I have.

21 Q. And during what period of time did you use a flex
cuff?

22 A. During the years I was a police officer.

23 Q. And what is the purpose of a flex cuff?

24 A. Most officers carry them. I used to carry two of
them.

25 And they are used as supplemental restraints. If you
arrest

13802

Edward Killam - Direct

1 more than one or two people at a time, you can bind
their

2 elbows together; or if you have an arrestee who is
unruly, you

from 3 can also bind their knees or their ankles, keep them
4 damaging your car or an individual.

tie, and 5 Q. What's the difference between the D1886, the wire
6 the flex cuff?

7 A. May I see the wire ties, themselves?

whence they 8 Q. Yes, sir. I'll put them back in the bag from
9 came.

ties, as 10 A. Okay. Yes. I'm familiar with these types of wire
11 well. They are shorter, narrower, thinner and weaker
than flex 12 cuffs.

while 13 Q. Now, can I -- if I -- if I had fallen afoul of you
14 you were in the police department, would I be able to
get 15 through these things with a pair of scissors?

16 A. Not likely, no.

17 Q. What sort of thing does it take to cut these?

wire 18 A. We usually use wire cutters -- regular, full-size
19 cutters.

20 Q. And are these also known as police ties, D1885?

21 A. Yes. They are also called police ties.

request, 22 Q. Sir, at -- as -- you testified before that at our

2nd 23 you conducted a search of the Nichols home at 109 South
24 Street?
25 A. Yes, I did.

13803

Edward Killam - Direct

1 Q. I'm going to offer now by reading the exhibit
numbers a 2 series of exhibits, and the Government counsel has the
same 3 list.
4 MR. TIGAR: Your Honor, this does include a
number of 5 books. It is our proposal to show the books to Mr.
Killam; but 6 before the exhibits go to the jury, we would make Xerox
copies 7 of the title page and the cover so that we don't bulk
up the 8 record with them. If -- and that's -- unless
Government 9 counsel wants to offer the entire book.
10 MS. WILKINSON: No. If the understanding is
defense 11 counsel has provided me with photographs with the front
cover, 12 that's what they are offering as the exhibit, we have
no 13 objection.

14 THE COURT: You're going to use the entire
book
15 demonstratively, is that what you're proposing?
16 MR. TIGAR: Yes, your Honor.
17 MS. WILKINSON: We have no problem with that.
18 THE COURT: You may proceed.
19 MR. TIGAR: But it's just at this point, your
Honor,
20 we don't have color photos of all of them, so I'm using
the
21 books today for demonstrative purposes.
22 THE COURT: All right. With the understanding
that
23 what will be actually the exhibits in evidence will
simply be
24 the title --
25 MR. TIGAR: Yes, your Honor.

13804

Edward Killam - Direct

1 THE COURT: -- pages. Cover pages.
2 You may proceed.
3 MR. TIGAR: Yes. Your Honor, at this time, we
move in
4 evidence D220, D842 -- should I do them one at a time?
5 MS. WILKINSON: I'm not as fast as Mr. Tigar.
6 Perhaps, your Honor, we could just ask one title at a
time. I

7 think that would be easier.

8 THE COURT: It might actually be more
efficient and

9 save time.

10 MR. TIGAR: All right, your Honor. We offer
first

11 D220.

12 THE COURT: Perhaps we can just put the whole
box up

13 here with Mr. Killam and --

14 MR. TIGAR: There we go. These are --

15 BY MR. TIGAR:

16 Q. Did you pack the box, sir?

17 A. No. I didn't. I'm not strong enough.

18 Q. All right. We'll start at this end, I'm told.

19 A. All right.

20 Q. And we'll just go right through it.

21 MS. WILKINSON: Excuse me, your Honor. May I
have a

22 moment with counsel so we can find out --

23 THE COURT: Yes.

24 MR. TIGAR: We're all on the same page now.
Okay.

25 We offer D220, your Honor.

13805

Edward Killam - Direct

1 MS. WILKINSON: No objection.

2 BY MR. TIGAR:

3 Q. All right. And what is that, sir?

4 A. It's a -- may I omit describing the plastic bag
each time
5 and just go to the contents?

6 Q. Yes.

7 MR. TIGAR: Your Honor --

8 BY MR. TIGAR:

9 Q. Yes. Excuse me.

10 THE COURT: What is your question?

11 THE WITNESS: May I omit describing the
plastic bag
12 each time?

13 THE COURT: I don't think you need to talk
about the
14 bag. We'll just go right into the book.

15 Right?

16 MR. TIGAR: That's correct, your Honor. It's
not
17 chemistry. This is just stuff.

18 THE WITNESS: This is a brown paper bag
labeled
19 "Kinko's Copy Center" and contains inside a proof sheet
for
20 some business cards and some return address self-
adhesive
21 labels.

22 MR. TIGAR: All right. We offer --

is 23 THE COURT: It's received without objection;
24 that --
25 MS. WILKINSON: Correct.

13806

Edward Killam - Direct

1 BY MR. TIGAR:

2 Q. Next, would you look for D842.

3 A. I have it.

4 MR. TIGAR: We offer it.

this is a 5 MS. WILKINSON: To make clear, your Honor,

6 book entitled Bottom Line Yearbook. I understand just
the

7 front cover will come in.

8 MR. TIGAR: Yes, your Honor. Yes, your Honor
and

9 Counsel.

10 THE COURT: D842 is not objected to?

11 MS. WILKINSON: Not with just the cover.

12 THE COURT: All right. It's received.

13 BY MR. TIGAR:

14 Q. And what is that, sir?

15 A. It's a book entitled The Bottom Line Yearbook,
1994.

16 Q. Where did you find that in Mr. Nichols' house, sir?

17 A. This was located in his -- the storage room on the
main

18 level of his home. There are a series of cabinets
built into

19 the wall. This one came from Cabinet No. 3.

20 Q. Now, in the house, did you find a number of boxes
that had

21 not yet been unpacked or that were not unpacked?

22 A. All the boxes that I saw had already been opened
and

23 unpacked.

24 Q. All right. And could you tell whether that had
been done

25 by the Nichols when they were moving in or by the prior

13807

Edward Killam - Direct

1 searches that had happened before you got there?

2 MS. WILKINSON: Objection, unless he knows.

3 THE COURT: Yes. I don't know with what
foundation

4 you had to --

5 MR. TIGAR: I was just asking if he could tell
whether

6 or not -- tell who it was that did them, the unpacking.

7 THE WITNESS: No. I could not tell that.

8 BY MR. TIGAR:

9 Q. D845, a book, The New World Order.

10 A. I have it.

11 MR. TIGAR: We offer it.

12 MS. WILKINSON: I have one question.

13 THE COURT: Yes.

14 VOIR DIRE EXAMINATION

15 BY MS. WILKINSON:

16 Q. Mr. Killam, does that book have a price tag on it?

17 A. Yes, it does.

18 Q. Is it on the front cover?

19 A. Yes, it is.

20 MS. WILKINSON: We have no objection.

21 THE COURT: D845 received.

22 DIRECT EXAMINATION CONTINUED

23 BY MR. TIGAR:

24 Q. And by whom is that book written?

25 A. Pat Robertson.

13808

Edward Killam - Direct

Nichols'

1 Q. Where would you -- where did you find it in Mr.

2 house?

floor.

3 A. This was also in that same storage room on the main

4 It was in a box on the floor, cardboard box.

5 Q. And can you hold it up so the jury can see the
price tag?

6 Would you look for, sir -- for D847.

7 A. I have it.

8 Q. Business cards.

9 MR. TIGAR: We offer that, your Honor.

10 MS. WILKINSON: No objection.

11 THE COURT: D847 received.

12 BY MR. TIGAR:

13 Q. Where were these -- in whose name are the business
cards?

14 A. The business cards are in the name of Terry
Nichols.

15 Q. And what address?

16 A. Address of 1228 Westloop, No. 197, Manhattan,
Kansas.

17 Q. Where were these cards, sir?

18 A. These were in the box, and they were located on the
dining

19 room table in the dining room area, the main room of
the main

20 floor of the house.

21 Q. In plain sight?

22 A. Yes, sir.

23 Q. Would you look, sir, for D1590, a book.

24 A. I have it.

25 MR. TIGAR: We offer D1590, your Honor.

Edward Killam – Direct

1 MS. WILKINSON: No objection.

2 BY MR. TIGAR:

3 Q. What is the --

4 MR. TIGAR: I'm sorry, your Honor.

5 THE COURT: D1590 received.

6 BY MR. TIGAR:

7 Q. What is the title of that book, sir?

8 A. It's entitled, The Healing Benefits of Acupressure.

9 Q. Can you find D1591? 1591 may be one of the two in
the bag.

10 A. I have it. It is one of the two in this bag.

11 MR. TIGAR: All right. Now, we offer D1591.

12 MS. WILKINSON: No objection.

13 THE COURT: Received.

14 BY MR. TIGAR:

15 Q. What is the title of that book, sir?

16 A. Better Living for Your Home.

17 Q. Can you find D1592?

18 A. Yes, I have it.

19 MR. TIGAR: We offer it, your Honor.

20 MS. WILKINSON: No objection.

21 THE COURT: Received.

22 BY MR. TIGAR:

23 Q. What is the title of that book?
24 A. It is entitled, Prescription for Nutritional
Healing.
25 Q. Who are the authors?

13810

Edward Killam – Direct

1 A. The author of D1592 is James F. Balch, M.D. and
Phyllis A.
2 Balch.

3 Q. Can you find D1596?

4 A. Yes, I have it.

5 MR. TIGAR: We offer it.

6 MS. WILKINSON: No objection.

7 THE COURT: Received.

8 BY MR. TIGAR:

9 Q. Put the cover up on the machine. This book is
entitled A

10 Lamaze Guide, Preparation for Childbirth?

11 A. That's correct.

12 Q. Can you find D1597? A book entitled The Rest of
the Story.

13 A. I have it.

14 MR. TIGAR: We offer it.

15 MS. WILKINSON: No objection.

16 BY MR. TIGAR:

17 Q. That's titled The Rest of the Story ... About

Agriculture

18 Today by Dr. Harold Willis?

19 A. Yes, it is.

20 THE COURT: Let me receive the exhibit.

21 MR. TIGAR: I'm sorry, your Honor.

22 THE COURT: All right. It's received.

23 Now the next. 1597?

24 MR. TIGAR: Yes.

25 BY MR. TIGAR:

13811

Edward Killam - Direct

1 Q. Do you find 1598?

2 A. I have it.

3 MR. TIGAR: We offer it.

4 MS. WILKINSON: No objection.

5 THE COURT: D1598 is received.

6 BY MR. TIGAR:

Magnetic 7 Q. Is this Ancient Mysteries, Modern Visions, The

8 Life of Agriculture by Philip Callahan?

9 A. Yes, it is.

10 Q. Do you see D1599?

11 A. I have it.

12 MR. TIGAR: We offer it, your Honor.

13 MS. WILKINSON: No objection.

14 THE COURT: Received, D1599.

15 BY MR. TIGAR:

C. J. 16 Q. Is this An Acres USA Primer by Charles Walters and

17 Fenzau?

18 A. Yes, it is.

19 Q. Do you see 1609?

20 A. Yes, I do.

21 MR. TIGAR: We offer D1609.

22 MS. WILKINSON: No objection.

23 THE COURT: Received.

24 BY MR. TIGAR:

Science? 25 Q. Is this a book entitled More Food From Soil

13812

Edward Killam – Direct

1 A. Yes, it is.

2 Q. Do you see D1610?

3 A. Yes, I have it.

4 MR. TIGAR: We offer it.

5 MS. WILKINSON: No objection.

6 THE COURT: Received.

7 BY MR. TIGAR:

8 Q. And is this a book entitled How to Build Your Own

Garage?

9 A. Yes, it is.

10 Q. Do you have D1611?

11 A. I have it.

12 MR. TIGAR: We offer it.

13 MS. WILKINSON: No objection.

14 THE COURT: Received.

15 BY MR. TIGAR:

16 Q. And what is the title of this book?

17 A. Be Your Own House Contractor by Carl Heldman.

18 Q. Do you see D1612?

19 A. Yes, I have it.

20 MR. TIGAR: We offer it.

21 MS. WILKINSON: No objection.

22 THE COURT: Received.

23 BY MR. TIGAR:

24 Q. The title Reflexology Today?

25 A. Correct.

13813

Edward Killam – Direct

1 Q. Do you see D1613?

2 A. Yes, I do.

3 MR. TIGAR: We offer it.

4 MS. WILKINSON: No objection.

5 THE COURT: Received.

6 BY MR. TIGAR:

Immune

7 Q. Is this book called Colostrum, Nature's Gift to the
8 System?

9 A. Yes, it is.

10 Q. Do you see D1614?

11 A. Yes, I have it.

12 MR. TIGAR: We offer it.

13 MS. WILKINSON: No objection.

14 THE COURT: Received.

15 BY MR. TIGAR:

editors of

16 Q. Is this book entitled Healing with Nature by the
17 Prevention magazine?

18 A. Yes, it is.

19 Q. Do you see D1615?

20 A. I have it.

21 MR. TIGAR: We offer it.

22 MS. WILKINSON: No objection.

23 THE COURT: Received.

24 BY MR. TIGAR:

to Get

25 Q. And this book is called The Biochemic Handbook, How

Edward Killam – Direct

1 Well and Keep Fit with Biochemic Tissue Salts?

2 A. That's correct.

3 Q. All right. Do you see D1616?

4 A. Yes, I do.

5 MR. TIGAR: We offer it.

6 MS. WILKINSON: No objection.

7 THE COURT: Received.

8 BY MR. TIGAR:

9 Q. And what is this book called?

10 A. Luyties Reference Handbook, A Handbook of Pharmacy
and
11 Therapeutics.

12 Q. Do you see 1617?

13 A. Yes, I do.

14 MR. TIGAR: We offer it.

15 MS. WILKINSON: No objection.

16 THE COURT: D1617 received.

17 BY MR. TIGAR:

18 Q. And this is Luyties Homeopathic Practice by Edward
L.
19 Perry, M.D.?

20 A. Yes. It has a subtitle, The Safe System to Health
for the
21 Entire Family.

22 Q. Do you see D1618?

23 A. Yes, I do.

24 MR. TIGAR: We offer it.

25 MS. WILKINSON: No objection.

13815

Edward Killam – Direct

1 THE COURT: Received.

2 BY MR. TIGAR:

3 Q. Is this a book or a booklet, would you say?

4 A. I describe it as a booklet or a pamphlet.

5 Q. And what's it called?

6 A. It's entitled Swedish Flower Pollen Extract.

7 Q. Do you see D1619?

8 A. Yes, I do.

9 MR. TIGAR: We offer it.

10 MS. WILKINSON: No objection.

11 THE COURT: Received.

12 BY MR. TIGAR:

13 Q. And what is the title?

14 A. Herbal Combinations, Synergistic Formulas
Specifically

15 Designed For Your Body's Needs.

16 Q. Do you see D1620?

17 A. Yes, I do.

18 MR. TIGAR: We offer it.

19 MS. WILKINSON: No objection.

20 THE COURT: Received.

21 BY MR. TIGAR:

Herbs?

22 Q. Is this a booklet entitled Ask Jeanne Rose About

23 A. Yes, it is.

24 Q. Do you see D1621?

25 A. Yes, I do.

13816

Edward Killam - Direct

1 MR. TIGAR: We offer it.

2 MS. WILKINSON: No objection.

3 THE COURT: Received.

4 BY MR. TIGAR:

5 Q. Is this a booklet entitled First Aid with Herbs?

6 A. Yes, it is.

7 Q. Do you see D1622?

8 A. Yes, I have it.

9 MR. TIGAR: We offer it.

10 MS. WILKINSON: No objection.

11 THE COURT: Received.

12 BY MR. TIGAR:

13 Q. Is this a magazine, Natural Health?

14 A. Yes, it is. Subtitled The Guide to Well-Being.

15 Q. Do you see D1843?

16 A. Yes, I do.

17 MR. TIGAR: We offer it.

18 MS. WILKINSON: No objection.

19 THE COURT: Received.

20 BY MR. TIGAR:

21 Q. And is that a book, sir?

22 A. Yes, a large book.

23 Q. What's it called?

24 A. Carpentry and Building Construction, Third Edition.

25 Q. Do you see D1844?

13817

Edward Killam - Direct

1 A. Yes, I have it.

2 MR. TIGAR: We offer it.

3 MS. WILKINSON: I'm sorry. Could I hear the
number?

4 MR. TIGAR: D1844.

5 MS. WILKINSON: No objection.

6 THE COURT: Received.

7 BY MR. TIGAR:

8 Q. And is that the Reader's Digest Do-It-Yourself
Manual?

9 A. Yes, it is. The Complete Do-It-Yourself Manual.

10 Q. Do you see D1861?

11 A. Yes. I have it.

12 MR. TIGAR: We offer it.

13 MS. WILKINSON: No objection.

14 THE COURT: Received.

15 BY MR. TIGAR:

16 Q. And is this the 1992-93 Seed Guide booklet from a
farm in

17 Minnesota?

18 A. Yes, it is. From Top Farm.

19 Q. All right. Is it a pamphlet?

20 A. It's a small booklet, Seed Guide.

21 Q. Do you see D1862 there?

22 A. Yes, I do.

23 MR. TIGAR: We offer it.

24 MS. WILKINSON: No objection.

25 THE COURT: Received.

13818

Edward Killam - Direct

1 BY MR. TIGAR:

2 Q. Is that a book entitled Corn Planting Guidelines or
3 Booklet?

4 A. 1862?

5 Q. Yes. 1862.

6 A. I have it as the Renk, Seeds of Success.

7 Q. Okay.

8 A. It's a seed manual from the Renk Seed Company.

9 Q. Okay. Do you see D1863?

10 A. Yes, I have it.

11 MR. TIGAR: We offer it.

12 MS. WILKINSON: I have some questions, your
Honor, on

13 1863.

14 THE COURT: You may ask them. Can you do it
from

15 there?

16 MS. WILKINSON: Thank you.

17 VOIR DIRE EXAMINATION

18 BY MS. WILKINSON:

19 Q. Where did you find Defense 1863, Mr. Killam?

20 A. It came from a cardboard box in the basement of the
home.

21 Q. And you look like you're reading off a plastic bag.

22 A. I am.

23 Q. Did you identify that on the plastic bag when you
found it?

24 A. Yes. All these booklets were found together. I
packaged

25 them together in a single bag and indicated the room
where I

Edward Killam – Voir Dire

1 received -- or found them.

2 Q. Did you initial and date it?

3 A. I initialed it. I did not date it.

4 Q. So what date did you find Defense 1863?

5 A. These were originally found during that three-day
period in

6 August, 1995.

7 MS. WILKINSON: No objection.

8 THE COURT: All right. D1863 received.

9 DIRECT EXAMINATION CONTINUED

10 BY MR. TIGAR:

11 Q. All right. And what is that book, sir?

12 A. This is Growers Chemical Corporation,
Recommendations for

13 Using Growers Fertilizer Solutions.

14 Q. Do you see D1864 there?

15 A. Yes, I do.

16 MR. TIGAR: We offer it.

17 MS. WILKINSON: No objection.

18 THE COURT: Received.

19 BY MR. TIGAR:

20 Q. And is that a booklet entitled Farmer's Pocket
Notebook

21 from the Tri-County Equipment Company of Marlette,
Michigan?

22 A. Yes, it is.

23 Q. Okay. Do you see D1865 there?

24 A. Yes, I have it.

25 MR. TIGAR: We offer it.

13820

Edward Killam – Direct

1 MS. WILKINSON: No objection.

2 THE COURT: Received.

3 BY MR. TIGAR:

4 Q. Is that a booklet entitled Blaney Top-of-the-Line
Seeds,

5 '92-'93 Corn Notebook?

6 A. Yes, it is.

7 Q. Do you see D1867 there?

8 A. Yes, I do.

9 MR. TIGAR: We offer it.

10 MS. WILKINSON: No objection.

11 THE COURT: Received.

12 BY MR. TIGAR:

13 Q. And is that a Product Data Notebook going back to
1992-93

14 from Ciba-Geigy Seed Division?

15 A. Yes, it is.

16 Q. Do you see D1868?

17 A. Yes, I have it.

18 MR. TIGAR: We offer it.

19 MS. WILKINSON: No objection.

20 THE COURT: Received.

21 BY MR. TIGAR:

22 Q. And is that a Seed Guide Booklet from Dekalb?

23 A. Yes. It's the Dekalb Fact-finder and Product
Guide.

24 Q. Do you see D1869 then?

25 A. Yes, I have it.

13821

Edward Killam - Direct

1 MR. TIGAR: We offer it.

2 MS. WILKINSON: No objection.

3 THE COURT: Received.

4 BY MR. TIGAR:

5 Q. What is that, sir?

6 A. It's an Asgro Corn Seed Catalogue.

7 Q. And do you see D1870?

8 A. Yes, I do.

9 MR. TIGAR: We offer it.

10 MS. WILKINSON: No objection.

11 THE COURT: It's received.

12 BY MR. TIGAR:

13 Q. And what is that, sir?

14 A. It's entitled -- it's another booklet entitled Crop

Yield

15 Results from Growers Fertilizer Company.

16 Q. Now, did you find these various books that you've
talked

17 about in different parts of the Nichols home?

18 A. Yes, I did.

19 Q. What different parts of the home did you observe
books and

20 booklets and pamphlets in when you went in and searched
the

21 Nichols home in August of 1995?

22 A. I would say there were different books in about
four

23 different locations. There were some on a kitchen
shelf.

24 There were some in boxes on the floor of the storeroom.
There

25 were some still in cardboard boxes in the basement.
And then

13822

Edward Killam - Direct

1 there were the cabinets I spoke of in the wall of the
storage

2 room, and there were some books in those cabinets
shelves, as

3 well.

4 MR. TIGAR: Thank you, Mr. Killam. No further

5 questions.

6 THE COURT: Ms. Wilkinson?

7 CROSS-EXAMINATION

8 BY MS. WILKINSON:

9 Q. Good afternoon again, Mr. Killam.

10 A. Good afternoon, again.

11 Q. Are these all the books that you found in Mr.
Nichols'

12 house?

13 A. No, they are not.

14 Q. And you didn't select which books to introduce in
court,

15 did you?

16 A. No, I did not.

17 Q. There were also other documents that were in Mr.
Nichols'

18 house that you haven't brought in today; correct?

19 A. That's correct.

20 Q. You found a lot of receipts in Mr. Nichols' house,
didn't

21 you?

22 A. We found some receipts.

23 Q. He kept a lot of documents about what he purchased,
didn't

24 he? Kept Wal-Mart receipts, didn't he?

25 A. Yes, I recall some Wal-Mart receipts.

Edward Killam – Cross

1 Q. And he kept other types of receipts for his
purchases like

2 purchases of some types of ammunition, didn't he?

3 A. I don't recall seeing any ammunition receipts, but
there

4 were some receipts in the house.

5 Q. Okay. And you specifically recall that he kept
Wal-Mart

6 receipts; correct?

7 A. I do recall seeing at least one Wal-Mart receipt.

8 Q. Now, you said that you found one of the items, I
believe it

9 was Defense 847 or maybe it's 1847 -- the business
cards from

10 Kinko's --

11 A. Yes.

12 Q. And you found those on the dining room table;
correct?

13 A. That's correct.

14 Q. You also found three newspapers there, didn't you?

15 A. I don't believe so.

16 Q. On the dining room table?

17 A. I remember -- no. There were -- I don't recall
seeing --

18 finding three newspapers on the dining room table.

19 Q. Would a picture of the dining room table refresh
your

20 recollection?

21 A. Sure.

22 Q. Well, do you recall finding three newspapers
somewhere in

23 the house before I show you the photograph?

24 A. Yes. There were three newspapers on the property.

25 Q. Okay. And were they all dated Thursday, April 20,
1995,

13824

Edward Killam – Cross

1 the day after the bombing?

2 A. Yes, they all were.

3 Q. And where do you recall those papers were when you
found

4 them?

5 A. I recall one of them being in the home on the
dining room

6 table. I believe the other two were found out in the
storage

7 area in a separate building attached to the garage.

8 Q. When you looked -- you looked at those three
newspapers,

9 didn't you?

10 A. Yes, I did.

11 Q. And do you recall where those newspapers were from
or what

12 the names of the newspapers were?

13 A. Let me answer your second question first. I don't
remember

14 the specific names of the newspapers. I believe that
they were
15 all Kansas locations. I think it was perhaps Kansas
City,
16 Wichita and either Manhattan or Junction City, but I
could be
17 mistaken.

18 Q. You noticed when you looked at all those newspapers
that
19 they all had headlines about the bombing, didn't they?

20 A. No. They didn't. They were all fragments of
newspapers.

21 They were not -- they were just some sections, and I
recall at

22 least one or two of them had headlines -- I don't
recall if the

23 third one was the headline section.

24 Q. Do you recall that one of the papers that Mr.
Nichols had

25 in his house was the Daily Union from Junction City,
Kansas?

13825

Edward Killam - Cross

1 A. It could well have been.

2 Q. And do you recall that the front page of that paper
was
3 missing?

4 A. I don't recall that it was that paper that was
missing, but

front 5 I remember there was at least one that did not have the

6 section.

been 7 Q. Okay. Let me show you if I could what's already

8 introduced in evidence as Government's Exhibit 207A.

the front 9 And this is a Xerox copy, obviously. That's

10 page? Do you see that with the Daily Union on top?

11 A. Yes, I do.

12 Q. And do you see the date there? Can you read that?

13 A. Yes. I can read the date.

14 Q. It says, "Thursday, April 20, 1995"?

15 A. Yes, it is (sic).

Nichols' house, 16 Q. And you found portions of that paper in Mr.

17 didn't you?

date. 18 A. I found portions of three different papers of that

19 This may well be one of them.

-- of 20 Q. Okay. And this is the rest -- zoom back if I could

the 21 that front page, is it not? We can see if we match up

see 22 picture here if we move it down a little bit. Can you

23 that?

24 A. I see it.

25 Q. Now, if you could look at this copy which I've just

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Edward Killam - Cross

1 highlighted so it'll be easier for you to read --

2 MR. TIGAR: Excuse me, your Honor. Is this an
3 exhibit?

4 MS. WILKINSON: Yes. It's already in
evidence, 2078.

5 THE COURT: Was the highlighting in evidence?

6 MS. WILKINSON: Yes. It was just for me to be
able to

7 point out for the witness.

8 THE COURT: That's what we need to have
clarified.

9 This highlighting is not on the exhibit we received.

10 MS. WILKINSON: I thought I just said it; that
I put

11 it on so it would make it easier for the witness to be
able to

12 read.

13 THE COURT: All right. We want to make it
clear to

14 the jury.

15 MR. TIGAR: Thank you, your Honor.

16 BY MS. WILKINSON:

17 Q. Mr. Killam, it says here that "FBI agents are
probing a

18 possible link between a truck rented in Junction City

and the

19 explosion that devastated the federal building in
Oklahoma City

20 Wednesday. They are also looking into local sales of a
21 potentially explosive fertilizer." Do you see that?

22 A. Yes, I do.

23 Q. If you look over here, the rest of the front page.
"Are

24 understood to have made links between the vehicle

25 identification number found on wreckage in Oklahoma
City and

13827

Edward Killam – Cross

1 the truck rented here."

2 A. Yes.

3 Q. Correct?

4 A. I see that. That's correct.

5 MS. WILKINSON: We have no further questions,
your

6 Honor.

7 THE COURT: Mr. Tigar, do you have some more?

8 MR. TIGAR: No questions, your Honor. Thank
you very

9 much.

10 MS. WILKINSON: I do have one other question.
I'm

11 sorry, your Honor. If I could.

12 THE COURT: All right.

13 BY MS. WILKINSON:

14 Q. Mr. Killam, you testified about the wire ties --
wire ties,

15 excuse me -- that were recovered by Sergeant Terry at

16 Mr. Moore's house on November 5 and the police ties
that you

17 bought or you had someone purchase, Defense Exhibit
1185. Do

18 you recall that?

19 A. Yes, I do.

20 Q. Now, you are not saying that the wire ties that
were

21 recovered from Mr. Moore's house would not have bound
someone,

22 are you?

23 A. No, I'm not.

24 Q. Okay. So you don't disagree with Sergeant Terry;
correct?

25 A. I don't know what Sergeant Terry may have said.

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Edward Killam - Cross

1 MR. TIGAR: I object to that.

2 THE COURT: Sustained as to whether he agrees
with

3 Sergeant Terry.

4 MS. WILKINSON: I will withdraw the question.

5 THE COURT: All right. Mr. Tigar.

6 REDIRECT EXAMINATION

7 BY MR. TIGAR:

8 Q. Mr. Killam, did you ever use hardware store wire
ties to
9 restrain a suspect?

10 A. No, sir, I didn't.

11 MR. TIGAR: Thank you. No further questions,
your
12 Honor.

13 RECROSS-EXAMINATION

14 BY MS. WILKINSON:

15 Q. Mr. Killam, did you ever rob anyone at gunpoint?

16 THE COURT: Objection sustained.

17 You want to retrieve this?

18 MR. TIGAR: Yes, your Honor, if I may.

19 THE COURT: Mr. Killam, you may step down. I
don't
20 know if we're going to see you again or not.

21 MR. TIGAR: No, I don't think so.

22 THE WITNESS: This was separate.

23 MR. TIGAR: Thank you.

24 THE COURT: Next witness, please.

25 MR. NEUREITER: One moment, your Honor.

1 THE COURT: All right.

2 MR. TIGAR: Marife Nichols, your Honor.

3 THE COURT: All right.

4 THE COURTROOM DEPUTY: Would you raise your
right

5 hand, please.

6 (Marife Nichols affirmed.)

7 THE COURTROOM DEPUTY: Would you have a seat,
please.

8 THE WITNESS: Yes.

9 THE COURTROOM DEPUTY: Would you state your
full name

10 for the record and spell your last name.

11 THE WITNESS: Marife Nichols. Nichols, N-I-C-
O-L-S

12 (sic).

13 THE COURTROOM DEPUTY: Thank you.

14 THE COURT: Mr. Woods.

15 MR. WOODS: Thank you, your Honor.

16 DIRECT EXAMINATION

17 BY MR. WOODS:

18 Q. Good afternoon, Mrs. Nichols.

19 A. Good afternoon.

20 Q. Do you know Terry Nichols?

21 A. Yes.

22 Q. How do you know him?

23 A. He's my husband.
24 Q. When were you married?
25 A. November, 1990.

13830

Marife Nichols - Direct

1 Q. And where were you married?
2 A. In Philippines.
3 Q. Okay. Where are you from?
4 A. I'm from Philippines.
5 Q. Okay. Prior to 1990, had you ever left the country
of the
6 Philippines?
7 A. No.
8 Q. Okay. Where did you meet Terry Nichols and when?
9 A. I met Terry Nichols in summer of 1990. August in
Cebu,
10 Philippines.
11 Q. Is that where you live?
12 A. Yes.
13 Q. Okay. Did Mr. Nichols meet your parents?
14 A. Yes.
15 Q. Okay. Was Mr. -- do you know why Mr. Nichols was
in the
16 country in August of 1990?
17 A. He was just having a vacation there.

18 Q. Okay. How long did he stay in the country?
19 A. Two weeks.
20 Q. And after he left, did you stay in communication
with
21 Mr. Nichols?
22 A. Yes.
23 Q. How did you do that?
24 A. Through letters.
25 Q. All right. Did you have phone conversations, also?

13831

Marife Nichols - Direct

1 A. Sometimes, yes.
2 Q. Okay. Did there come a time then that you decided
to marry
3 Mr. Nichols?
4 A. Yes.
5 Q. And the marriage took place on what day again?
6 A. November -- I'm not quite sure, but it's November.
7 Q. Okay. Does November the 20th refresh your memory?
8 A. Yes.
9 Q. All right.
10 A. Sorry.
11 Q. Now, did you immediately go to the United States
with
12 Mr. Nichols?

13 A. No.

14 Q. Why not?

in 15 A. Because we have to work on my visa to come in here

16 America.

17 Q. How long did that take?

18 A. Eight months. Something like that. I'm not sure.

States? 19 Q. Do you recall when you first came to the United

20 A. July.

21 Q. Of what year?

22 A. 1991.

and 23 Q. All right. Did Mr. Nichols come to the Philippines

24 pick you up to escort you back to the United States?

25 A. Yes.

13832

Marife Nichols - Direct

1 Q. And where did you go in July of 1991?

2 A. Henderson, Nevada.

Nevada? 3 Q. All right. And where did you live in Henderson,

4 A. I'm not -- I've forgotten my address there.

5 Q. Was it a house or an apartment?

6 A. It's an apartment.

of '91? 7 Q. And what was Mr. Nichols doing at that time in July

8 A. He was in school of technician, slot machine.

9 Q. All right.

10 A. And he has a little business.

11 Q. What was the business, if you recall?

12 A. With Lana. He was selling water filter.

with 13 Q. All right. You mentioned that he was in business

14 Lana. Who is Lana?

15 A. Lana, his ex-wife.

when you 16 Q. All right. Is this the first time you had met her

17 moved to --

18 A. Yes.

19 Q. -- Henderson, Nevada?

20 A. Yes.

21 Q. Do you and Mr. Nichols have children?

22 A. Yes, we do.

23 Q. How many?

24 A. Two.

25 Q. And who are they?

13833

Marife Nichols - Direct

1 A. Nicole and Christian.

2 Q. When was Nicole born?

3 A. August 1, 1993.

4 Q. All right. And when was Christian born?

5 A. December 15, 1996.

6 Q. All right.

7 A. '95.

8 Q. '95?

9 A. I'm sorry.

10 Q. Are you a little nervous?

11 A. Yeah.

12 Q. All right. And you were living in Henderson,
Nevada, in

13 the summer of '91. How long did you live there before
you

14 moved somewhere else?

15 A. I forgot. It was just about three, four months.

16 Q. All right. Where did you move?

17 A. We moved from Henderson, Nevada, to Michigan.

18 Q. And where did you move to in Michigan?

19 A. James Nichols' house, his brother.

20 Q. All right. And what town is that near?

21 A. Decker, Michigan.

22 Q. Okay. Do you recall approximately when it was that
you

23 moved there to Decker, Michigan, to live in the
farmhouse?

24 A. We moved somewhere October.

when you 25 Q. All right. And did anyone go with you and Terry

13834

Marife Nichols - Direct

1 left Nevada to go to the -- to Decker, Michigan?

2 A. Yeah. His son and my son.

3 Q. All right. Who was his son?

4 A. Joshua Nichols.

5 Q. Okay. And was he a son by the marriage with Lana
Padilla,

6 to your knowledge?

7 A. Yes.

8 Q. All right. And you mentioned that your son went,
also.

9 A. Yes.

10 Q. And who's that?

11 A. Jason.

12 Q. All right. And how long did you live in Decker,
Michigan,

13 from that period of 1991 before you moved again?

14 A. I was on and off about two years.

15 Q. Okay. When you say on and off, did you ever move,
or what

16 are you speaking of?

17 A. I -- Terry stays there full-time for the whole --
no, not

18 really, but I was on and off. I was there and then I

come back

19 home to Philippines.

20 Q. And when you would go back home to the Philippines,
how

21 long would you stay?

22 A. A month.

23 Q. All right. And when you say "on and off," is that
what you

24 mean, that you went back to the Philippines and then
came back

25 to Decker?

13835

Marife Nichols – Direct

1 A. Yes.

2 Q. Now, how long did you live, then, in Decker before
you

3 moved somewhere else?

4 A. Two years or so.

5 Q. Do you remember when it was that you left Decker?

6 A. December of 1993.

7 Q. Okay. And where did you go when you left Decker,
Michigan?

8 A. We went to Las Vegas, Nevada.

9 Q. All right. And what was the purpose of going to
Las Vegas,

10 Nevada?

11 A. We moved back there.

12 Q. All right. What was Terry Nichols doing in Decker,
13 Michigan, during those two years from October, '91, to
14 December, '93?

15 A. Working in a farm with James Nichols.

16 Q. All right. And do you know how large that farm is?

17 A. I know it's pretty big, but I forgot how many
acres.

18 Q. Do you know what type of crops they raise there?

19 A. Corn, soybeans.

20 Q. All right. Did you work on the farm, also?

21 A. Well, I just stayed -- well, I don't know. I -- I
cooked
22 for them.

23 Q. Okay. Did you consider that work?

24 A. No.

25 Q. All right. In December '93, you went to Las Vegas;
is that

13836

Marife Nichols - Direct

1 correct?

2 A. Yes.

3 Q. Do you recall whether or not you made a stop in
Kingman,

4 Arizona, on that trip to Las Vegas?

5 A. Yes. We stopped by Mike Fortier's house.

6 Q. Had you ever known Mike Fortier before that time?

7 A. No.

8 Q. How were you traveling, if you recall?

9 A. We load -- we rented a truck -- I forgot what kind
of truck

10 was that. We rented a truck, and we just towed the
pickup

11 truck of Terry.

12 Q. All right. Did Terry have a pickup at that time?

13 A. Yes.

14 Q. Now how -- you say you towed it. How was it towed?

15 A. Behind a -- the rent-a-truck that we have.

16 Q. Okay. It was on a trailer, or was it just a hitch
that

17 pulled the car along?

18 A. I forgot.

19 Q. Okay. Describe Terry's pickup, if you would.

20 A. It's a GMC. I forgot what model. It's blue.

21 Q. Do you recall when Mr. Nichols obtained the truck?

22 A. Somewhere in 1992.

23 Q. Okay. Do you recall Mr. Nichols' painting the
truck at any

24 point in time?

25 A. Yes.

1 Q. And do you remember when that was?
2 A. October of 1993.
3 Q. Okay. And was it -- describe for the jury what
color it
4 was painted.
5 A. It was painted blue. Shiny blue.
6 Q. All right. And when you had the truck, did it
remain a
7 shiny blue?
8 A. Yes.
9 Q. Was it shiny blue up until the time that you went
to the
10 Hering -- Herington police station?
11 A. Yes.
12 Q. On April the 21st?
13 A. Yes.
14 Q. It was still shiny and not dull?
15 A. That's correct.
16 Q. Okay. Now, let me go back to the time that you
stopped at
17 the Fortiers'. How long did the visit last at the
Fortiers',
18 if you know?
19 A. About two hours.
20 Q. Okay. Were you present inside Mr. Fortier's
residence, if
21 that's where the meeting took place?
22 A. Yes.

23 Q. How did you get to Mr. Fortier's residence?

24 A. We called -- when we reached to Kingman, Arizona,
we

25 called -- he called Mike Fortier's and he came and pick
us up

13838

Marife Nichols - Direct

1 and led us to his house.

2 Q. Okay. Now, do you know how you had the number of
Michael

3 Fortier?

4 A. I assume he got it from Tim.

5 Q. All right. Now, you mentioned Tim. Did -- did you
meet

6 somebody named Tim McVeigh?

7 A. Yes.

8 Q. Okay. And where did you first meet Mr. McVeigh?

9 A. Back in Decker, Michigan.

10 Q. All right. Do you recall approximately what time
it was --

11 what year it was when you first met Mr. McVeigh?

12 A. Somewhere -- November or December of '92.

13 Q. Okay. Did Mr. McVeigh visit the farm?

14 A. Yes.

15 Q. Is that the first time you'd ever seen him?

16 A. Yes.

17 Q. Do you know how long he stayed at the farm of James
18 Nichols?
19 A. I forgot.
20 Q. Okay. Was he there full-time, or was he off and
on, like
21 you spoke of how you used to go back to the
Philippines?
22 A. I don't understand.
23 Q. Okay. Did -- when you met Mr. McVeigh in late '92,
did
24 Mr. McVeigh stay there at the James Nichols farm, or
did he go
25 back to wherever he was from, or did he travel around?

13839

Marife Nichols - Direct

1 A. He went back to where -- to where he was from.
2 Q. Do you know where he was from?
3 A. New York.
4 Q. All right. And did he come back to the farm off
and on
5 or -- can you tell us what period of time Mr. McVeigh
was at
6 the James Nichols farm while you were there? You left
in
7 December '93; is that correct?
8 A. Yes.
9 Q. What period of time was Mr. McVeigh there, also?

10 A. About weeks or so.

11 Q. Okay. All right. So he -- he wasn't -- he was not
there
12 full-time; is that correct?

13 A. No.

14 Q. Okay. Now, do you know where Mr. Nichols had met
Mr. --
15 when I say "Mr. Nichols," do you know where Terry
Nichols had
16 met Tim McVeigh before?

17 A. Yes. He met him in the Army.

18 Q. Okay. And when you left in December, '93, to go to
Las
19 Vegas, what -- where was Mr. McVeigh, if you recall?

20 A. He was in the farm, Decker Michigan.

21 Q. Was he there when you and Terry left?

22 A. Yes.

23 Q. All right. You stayed for a couple of hours at the
24 Fortiers' house in Kingman, Arizona?

25 A. Yes.

13840

Marife Nichols - Direct

1 Q. Did you overhear any conversation between Terry
Nichols and

2 Mr. Fortier?

3 A. Yeah. I was there.

4 Q. What were they talking about?

5 A. About jobs around the area.

Did

6 Q. Okay. And what was the result of that discussion?

7 Mr. Nichols look for jobs around that area?

8 A. No.

9 Q. What -- how long did you stay there?

10 A. In Mike Fortier's house?

11 Q. Yes.

12 A. About two hours.

13 Q. Was this a house, or a trailer home, or apartment?

14 A. It's a trailer.

hours,

15 Q. All right. And after you left his house after two

16 where did you go?

17 A. We went directly to Las Vegas.

Did

18 Q. All right. And how long did you stay in Las Vegas?

19 you get there in December '93? Is that correct?

20 A. Yes.

21 Q. All right. What did Terry Nichols do at that time?

22 A. He was working part-time in the temporary service.

Vegas?

23 Q. All right. How long did the two of you stay in Las

24 A. About two months.

25 Q. All right. And where did you go at that time?

13841

Marife Nichols - Direct

1 A. I went back to Philippines.

2 Q. All right. This is what month?

3 A. February.

4 Q. This is February of '94.

5 A. Yes.

6 Q. Okay. And what did Terry do when you left?

7 A. I think he give up the apartment that we have and
-- before

8 I left, we sold some of our stuff. And whatever is
left, he

9 packed it up and he went to Kansas.

10 Q. All right. What was Mr. Nichols' plans, if you
know, when

11 you left to go to the Philippines in February of '94?
What was

12 Mr. Nichols going to do?

13 A. He was planning to find a job somewhere in Kansas,
because

14 he doesn't like Las Vegas.

15 Q. All right. Did you like Las Vegas?

16 A. Yes, I do.

17 Q. Did you want to live on a farm?

18 A. No.

19 Q. All right. What did you do when you went to the

20 Philippines in February of '94? What were your plans

at that

21 time?

22 A. I was planning to go to school, but I didn't.

23 Q. How much schooling have you had, Mrs. Nichols, in
the

24 Philippines?

25 A. I only graduated in high school.

13842

Marife Nichols - Direct

1 Q. Have you attended some college?

2 A. Yeah. One semester.

3 Q. All right. And have you attended college in the
United

4 States any?

5 A. No.

6 Q. All right. What were you studying in college in
the

7 Philippines?

8 A. Bachelor of science, major in biology.

9 Q. All right. So when you went back in February of
'94, did

10 you go to school at all?

11 A. No. I did not.

12 Q. All right. And what city are you from in the
Philippines?

13 A. Cebu.

part, 14 Q. And what part of the Philippines is that? Northern
15 southern part?
16 A. Southern part.
17 Q. All right.
18 A. Right in the middle.
United 19 Q. Did there come a time when you returned to the
20 States from the Philippines in early '94?
21 A. Pardon?
the 22 Q. Yes, ma'am. Did you -- how long did you stay in
23 Philippines? You said that Terry was going to go to
Kansas to 24 find a job on a farm. How long did you stay before you
25 returned to the United States?

13843

Marife Nichols - Direct

1 A. About a month.
United 2 Q. Okay. Do you recall when you returned to the
3 States?
4 A. April -- no. April 21. I just remember my
passport.
5 Q. Okay. Of '94?
6 A. Yes.
7 Q. And did Terry Nichols meet you at the airport?

8 A. Yes.

9 Q. And did he take you somewhere?

10 A. He take me to Marion, Kansas.

11 Q. Is that the first time you'd ever been to Marion,
Kansas?

12 A. Yes.

13 Q. Had Terry talked to you on the phone and told you
where he
14 was working?

15 A. Yes.

16 Q. When you arrived there in April of '94, where was
he

17 working, to your knowledge?

18 A. He was working with Tim Donahue's farm.

19 Q. Okay. And what kind of housing did you have at Tim
20 Donahue's farm?

21 A. We have a -- is that a -- it has a basement, so I
could
22 not -- I can't tell which one is trailer, which one is
a house.

23 Q. Okay. Was it in the country?

24 A. Yes. We're in the country.

25 Q. All right. Were there any other houses nearby
around,

13844

Marife Nichols - Direct

1 people that you could talk to?

2 A. Not nearby.

3 Q. Okay. Now, during this time, could you drive a
car? Did

4 you have a driver's license?

5 A. No. I don't have driver's license.

6 Q. Even today, you still don't have a license?

7 A. That's right.

8 Q. All right. So when Mr. Nichols went to work, did
you have

9 any -- any way to go to town or move around?

10 A. No.

11 Q. What type of hours did Mr. Nichols work there at
the

12 Donahue farm?

13 A. Well, started at 8; and whenever the sun is down,
he would

14 be home.

15 Q. All right. And what -- what about the weekends?

16 A. Yes. He has the weekends off.

17 Q. Had those off?

18 A. Yes.

19 Q. Okay. Now, you mentioned to the jury that your
daughter

20 was born in '93; is that correct?

21 A. That's right.

22 Q. August of '93?

23 A. Yes.

24 Q. So she's living there with you; is that correct?

25 A. Yes.

13845

Marife Nichols - Direct

of '94 1 Q. All right. Did there come a time during that year

2 when Mr. McVeigh showed up?

3 A. Yes.

that he 4 Q. Would you tell the jury approximately when it was

5 came to visit in Marion, Kansas.

August. 6 A. As far as I can remember now, he came somewhere in

leave 7 Q. Okay. And I'll come back to this, but when did you

8 Marion, Kansas?

9 A. When did I leave?

10 Q. Yes.

11 A. September.

12 Q. And do you recall approximately what day you left?

13 A. 22d.

14 Q. All right. And where were you going?

15 A. To Philippines again.

16 Q. And for what purpose?

17 A. I'm going to school.

of '94 18 Q. Okay. So you are there from April to September 22
19 there at the farm in Marion, Kansas?
20 A. Yes.
August; is 21 Q. And you mentioned that Mr. McVeigh came there in
22 that correct?
23 A. That's correct.
24 Q. Excuse me. Did he stay the whole time?
25 A. No. He was on and off.

13846

Marife Nichols - Direct

and off" 1 Q. Would you explain to the jury what you mean by "on
2 as to Mr. McVeigh being present there in Marion Kansas?
3 A. He would stay there for a week and then he'll
leave.
4 Q. Did he ever tell you where he was going?
5 A. Yeah. He was going -- first time, he was going to
Kingman,
6 Arizona.
7 Q. Kingman, Arizona?
8 A. Yes.
9 Q. All right. Any other times, did he tell you where
he was
10 going?
11 A. The second time, he was going to New York.

12 Q. All right. And you know that's where he's from, or
did he

13 tell you that's where he's from?

14 A. Yeah. He's from New York. That's what he told me.

15 Q. So how many times was he there on and off that
summer of

16 '94, before you left on September 22?

17 A. Three times --

18 Q. Okay.

19 A. -- I guess right now.

20 Q. All right. Did Mr. Nichols advise -- advise you in
August

21 of '94 that he was going to quit his job at the farm?

22 A. In August?

23 Q. Yes. Either late August or early September, did
24 Mr. Nichols advise you he was going to quit his job at
the

25 farm?

13847

Marife Nichols - Direct

1 A. Yes.

2 Q. And what did he tell you?

3 A. That he's going to do gun show with Tim McVeigh.

4 Q. Okay. And what did you understand that to mean?

5 A. I -- I don't understand.

meant? 6 Q. Did Mr. Nichols explain to you what doing gun shows

7 How he was going to earn a living doing gun shows?

8 A. He would sell guns in every gun show around the
country.

9 Q. All right. And what were your plans, the two of
you, you

10 and Mr. Nichols, as to where you would live while he's
doing

11 this traveling around the country, going to gun shows?

12 A. The plan is either I would stay somewhere nearby
Marion,

13 either Hillsboro, somewhere that there is a colleges;
that he

14 would be gone for weeks or so, or I could go back to
home to

15 Philippines and go to school there.

16 Q. Okay.

17 A. I'm so independent with him, so -- I decided to go
home.

18 Q. When you mentioned that the option was staying near
19 Hillsboro, near colleges, did Mr. Nichols encourage you
to

20 resume your college courses?

21 A. Yes.

22 Q. And you decided to return to the Philippines?

23 A. Yes.

24 Q. Okay. Was there any set plan on how long you would
stay in

25 the Philippines?

13848

Marife Nichols - Direct

1 A. About a year.

2 Q. All right. So you left on September 22; is that
correct?

3 A. Yes.

4 Q. Before you left, did you have an occasion to go to
a coin

5 store to obtain some money?

6 A. Yes.

7 Q. And how did you get to the coin store?

8 A. Tim McVeigh and I went to somewhere in Wichita, and
he sold

9 gold coins. I stayed in the car. And we -- he got a
check

10 from that, and I am the one who cashed the check. It
was in my

11 name.

12 Q. Yes, ma'am. Where did the gold coins come from?

13 A. From Terry Nichols.

14 Q. Did Terry have gold coins in his possession during
the time

15 that you knew him from the time you were married in '90
up

16 until his arrest of '95?

17 A. Yes.

18 Q. Would you say -- or why did he have gold coins, if
you

19 know?
20 A. He would rather have gold coins than bank account.
21 Q. Okay. So you obtained some gold coins from Terry
Nichols
22 in September of '94; is that correct?
23 A. Yes.
24 Q. Do you -- how did you get to the coin store?
25 A. Tim McVeigh is the one who drove there.

13849

Marife Nichols - Direct

1 Q. All right. Did you have your daughter with you?
2 A. Yes.
3 Q. What did you do about a baby seat for the daughter?
4 A. Well, we -- I forgotten to take it off from Terry's
truck,
5 so we went and tried to find Terry at Tim Donahue's
farm.
6 Q. And did you find him?
7 A. No. We didn't; but we found his truck, so we got
the seat.
8 Q. Did Mr. Donahue help you find Terry?
9 A. Yes.
10 Q. And you obtained the -- the baby seat from the
truck; is
11 that correct?
12 A. That's correct.

13 Q. Okay. And then what happened next?

14 A. We went --

15 Q. How did you get to the coin -- how did you get
there?

16 A. Through McVeigh's car.

17 Q. All right. How would you describe Mr. McVeigh's
driving?

18 A. He has a lead foot.

19 Q. A lead foot?

20 A. He drive fast.

21 Q. Okay. And you went to the coin store; is that
correct?

22 A. Yes.

23 Q. And you mentioned to the jury that the check was
made

24 payable to you?

25 A. Yes.

13850

Marife Nichols - Direct

1 Q. And how were you able to cash it?

2 A. We went to the bank and cashed it.

3 Q. All right. And you obtained some money; is that
correct?

4 A. That's correct.

5 Q. And what did you do with the money?

6 A. We paid a ticket, airplane ticket for me to

Philippines.

7 Q. Where did you fly out of?

8 A. Out of Kansas City International Airport.

9 Q. All right. How much did the ticket cost, if you recall?

10 A. More than \$1,000.

11 Q. Okay. Did -- when you arrived in the Philippines, did you

12 have money with you then to be able to live for a while, while

13 you went to college?

14 A. Yes.

15 Q. Do you recall approximately how much money you had with

16 you?

17 A. Somewhere \$1,000.

18 Q. All right. Did you also have coins?

19 A. Yes.

20 Q. And where did you obtain the coins?

21 A. From Terry Nichols.

22 Q. And what kind of coins were they?

23 A. Maple Leaves.

24 Q. And are those gold coins?

25 A. Yeah. Gold coins.

13851

Marife Nichols - Direct

1 Q. And you stayed there in school; is that correct?

2 A. That's correct.

3 Q. And from September, '94, till when?

4 A. Till March of '95.

5 Q. Did Mr. Nichols visit you during that period any
time from

6 September, '94, to March, '95?

7 A. Yes, he came and visit me on November.

8 Q. Okay. Do you recall approximately when?

9 A. November 22 or 23, somewhere.

10 Q. Were you expecting Mr. Nichols to come that day?

11 A. No. I was not.

12 Q. How did Mr. Nichols find you? What -- what
happened when

13 he came?

14 A. He showed up in the school campus.

15 Q. All right. And were you surprised?

16 A. Yes.

17 Q. How long did Mr. Nichols stay after that visit when
he

18 arrived there in November 22 or so?

19 A. He -- he had a 59-days visa, so he stayed there for
59

20 days.

21 Q. And do you recall approximately when he left?

22 A. January 16.

23 Q. Okay. So he was there during Christmas?

24 A. Yes.

25 Q. All right. Did Mr. Nichols tell you how he was
doing in

13852

Marife Nichols - Direct

1 the gun show business?

2 A. He said that in the wintertime, the gun show
business is

3 not really good.

4 Q. In the wintertime?

5 A. But he was doing good on summer when I left.

6 Q. Okay. Mr. Nichols then left on January the 16th,
did you

7 say, of '95?

8 A. Yes.

9 Q. Okay. When did you return to the United States?

10 A. March 17, '95.

11 Q. Okay. During that period of time, did you and Mr.
Nichols

12 talk on the telephone?

13 A. Yes.

14 Q. Did Mr. Nichols -- what did Mr. Nichols advise you
of

15 during this time from January the 16th, '95, until you
came

16 back on March 17th?

I want, 17 A. That he had bought a house there and that he -- if
18 I could stay here in America and continue my schooling.
he told 19 Q. All right. And anything else you can recall that
20 you he was doing during that time?
21 A. He wasn't doing business with Tim McVeigh anymore.
22 Q. Did he say why?
our life. 23 A. No. I'm the one who said I don't want McVeigh in
24 Q. All right. And why did you say that?
25 A. Because I -- I get jealous with him.

13853

Marife Nichols - Direct

1 Q. All right. And why were you jealous?
2 A. Terry would spend time with him.
3 Q. Okay.
4 A. And I don't have friends in the country.
5 Q. Okay. And so did you make that a condition --
6 A. Yes.
7 Q. -- of you returning?
8 A. Yes.
9 Q. Okay. And what did he say to that?
with 10 A. He said that he's not going to do any more business
11 Tim McVeigh anymore.

12 Q. All right. Now, when you came back on March 17,
where did
13 you fly into?
14 A. Kansas City International Airport.
15 Q. Okay. And did you have Nicole, your daughter, with
you?
16 A. Yes.
17 Q. And did Mr. Nichols meet you there?
18 A. Yes.
19 Q. And he took you to Herington?
20 A. Yes.
21 Q. Had you ever been to Herington, Kansas, before?
22 A. We passed by there, but I never get into the town.
23 Q. Okay. So you had been previously living in Marion;
is that
24 correct?
25 A. Yes. That's correct.

13854

Marife Nichols - Direct

1 Q. And Herington is sort of near Marion --
2 A. Nearby.
3 Q. -- is that correct?
4 A. Yes.
5 Q. So you were familiar with the geography in central
Kansas a

6 little bit whenever Terry would drive you around?

7 A. A little bit, yes.

8 Q. And you didn't drive at any time during that, even
without

9 a license; is that correct?

10 A. That's correct.

11 Q. Okay. What did you notice in the house in
Herington when

12 you first came?

13 A. I noticed there's a lot of guns and stuff that he
said he's

14 selling that to the gun show.

15 Q. Okay. Can you describe some of it?

16 A. I've noticed ammonium nitrate. All kinds of guns.
I don't

17 know. Ammo cans. What else? Books.

18 Q. Okay. When you say "ammonium nitrate," tell the
jury what

19 you mean when you say you saw ammonium nitrate.

20 A. I saw ammonium nitrate inside the house, and he was
putting

21 it in this small jar and that he said he was selling it
to the

22 gun show.

23 Q. Okay. How many bags of ammonium nitrate did you
see?

24 A. Two.

25 Q. Okay. Did you ever see more than two at any time
in the

Marife Nichols - Direct

1 house?

2 A. I don't remember.

3 Q. Okay. What else did you notice in the house that

4 Mr. Nichols had obtained to sell at gun shows?

5 A. I don't know. There's all kinds of stuff there
that --

6 Q. Okay. Did there come a time when you went to a gun
show

7 with Mr. Nichols shortly after you came in, March 17th,
'95?

8 A. Yes.

9 Q. And what gun show was that?

10 A. In Salina, Kansas.

11 Q. Is that nearby?

12 A. About an hour or so drive.

13 Q. Okay. Do you recall what weekend that was?

14 A. Somewhere in April, the first weekend of April.

15 Q. All right. And did you go to the gun show with
him?

16 A. Yes.

17 Q. Did you help load up the pickup to take the goods
--

18 A. Yes.

19 Q. -- to the gun show?

20 A. Yes.

21 Q. Did you take the bottles of ammonium nitrate?

22 A. I don't remember.

bottles 23 Q. Okay. Would you describe for the jury what the

24 look like of ammonium nitrate.

25 A. They are 8-ounce plastic bottle and 12-ounce.

13856

Marife Nichols - Direct

this 1 Q. All right. What type of goods did you set up at

2 Salina gun show, if you recall?

3 A. MREs, guns. I forgot what it's called. It's --

Did you 4 Q. Okay. Did you help sell items at the gun show?

5 stand there at the table and help sell items?

6 A. Some.

anything 7 Q. All right. Do you recall whether or not you sold

8 at that gun show?

9 A. I think I sold some ammonium nitrate.

nitrate 10 Q. Okay. Do you recall the price on the ammonium

11 bottles?

12 A. I forgot. Somewhere -- 5 or something.

13 Q. \$5?

14 A. Yeah.

jury
15 Q. All right. You mentioned MREs. Would you tell the
16 what you mean by MRE?
17 A. That's a military food in the box.
was
18 Q. All right. Do you recall how much in dollar volume
19 sold on that first gun show that you went with Terry?
20 A. I don't recall.
first week
21 Q. Okay. When you came home from that gun show the
22 of April, '95, what did you do after that?
23 A. I just stayed in the house.
24 Q. All right. Was there a time when you obtained more
25 inventory to sell at the gun show?

13857

Marife Nichols - Direct

surplus.
1 A. Yeah. Because Terry bought stuff in the military
2 Q. All right. Where was the military surplus?
3 A. Somewhere in Fort Riley.
he had
4 Q. Okay. Did you help Mr. Nichols load up items that
5 purchased?
6 A. Yes.
weekend?
7 Q. Do you recall when that was after the first

8 A. I forgot what day. Some day.

weekend? 9 Q. Was it soon, or a long time after that first

10 A. Soon.

into the 11 Q. Do you recall what type of items you helped load

12 pickup?

13 A. Ammo cans, axles, was there --

14 Q. You said "axles"?

15 A. Yeah. Axles. Shovels. It was in a crate. So I

--

inside 16 definitely did not see -- when they load it, I was just

17 the truck, watching.

18 Q. You were inside the truck as it was being loaded?

19 A. Yes.

20 Q. By the people at the army surplus?

21 A. Yes.

car, or 22 Q. And when you said "axles," you mean axles like on a

23 are you meaning axes?

bad. 24 A. Axes. I'm sorry. I always pronounce words real

that 25 Q. All right. What other type of items can you recall

13858

Marife Nichols - Direct

1 were purchased?

2 A. That's about -- nails.

3 Q. Were there -- how would you describe the nails?

What --

4 A. They are --

5 Q. How were they packaged?

6 A. They were inside the crate.

7 Q. Okay. So did you have just the pickup, or did you

have a

8 trailer, or how did you haul all of this?

9 A. We had the U-Haul trailer.

10 Q. Was this a small one that you tow behind the

pickup, or is

11 this a U-Haul truck?

12 A. It's a small one that you -- you tow behind the

pickup.

13 Q. All right. And did you then help Mr. Nichols

unload those

14 items at the home?

15 A. Yes.

16 Q. Okay. Where did you put all these items in the

home?

17 A. Behind our house in the garage.

18 Q. Okay. Do you recall where -- did you help unload

and put

19 some order and organization to the -- to the garage?

Is that

20 correct?

21 A. Yes.

22 Q. Did you put anything inside the house?
23 A. Some of the ammo cans. I need to dust it up.
24 Q. Okay. Did you go to a gun show after that first
one in
25 Salina? Did you go to another one?

13859

Marife Nichols - Direct

1 A. We went to Grand Rapids -- Rapids, Michigan.
2 Q. And do you recall which weekend in April that was?
3 A. I forgot.
4 Q. Okay. You mentioned earlier that the Salina gun
show was
5 the first weekend?
6 A. First weekend. It must be the second weekend that
we went.
7 Q. Do you recall whether or not you were home a long
time, or
8 did you go to gun shows back to back?
9 A. I don't understand.
10 Q. Okay. Do you recall, after going to the Salina gun
show,
11 if you were home in Herington for a long time before
you went
12 to the next gun show, or were they near in time to each
other?
13 A. They were near in time.
14 Q. Okay. How did you get to the Grand Rapids gun
show?

truck. 15 A. We drove there. He drove there. I was in the

16 Q. And were you with him?

17 A. Yes. With Nicole.

18 Q. And was Nicole with you?

19 A. Yes.

Rapids gun 20 Q. What type of items were you taking to the Grand

21 show to sell?

cable 22 A. Guns, MREs. What else did I have? There was a

23 cutter. I just remember -- ammonium nitrate.

MREs? 24 Q. Okay. You mention MREs. Where did you obtain the

25 Where did you buy that?

13860

Marife Nichols - Direct

1 A. From this person named "David."

2 Q. And where?

3 A. In Fort Riley.

4 Q. Okay.

5 A. In Junction City. I forget.

dealer? 6 Q. Was that on the Army base, or was this a surplus

7 A. It's a surplus store.

8 Q. Just a surplus store?

9 A. Yes.

10 Q. Do you know Dave's last name?

11 A. I forgot.

12 Q. Okay. Is it somebody you'd met more than once?

13 A. Yes.

14 Q. When you bought things during this period of time,
did you
15 buy things from him more than once?

16 A. Yeah. We -- we bought some military jackets.

17 Q. Okay. Well, back to the Grand Rapids show. You
have a
18 truckload of things that you're taking up to Grand
Rapids; is
19 that correct?

20 A. Yes.

21 Q. Now, is Grand Rapids near Decker, Michigan?

22 A. No. It's far.

23 Q. All right. Before you went to Grand Rapids, did
you go by
24 Decker, Michigan?

25 A. Yes. We went to -- we stopped by at Lapeer,
Michigan,

13861

Marife Nichols - Direct

1 which that's where his mother lives. And then we went
to his

2 dad's house.

is who?

3 Q. Let's stop first at Lapeer, Michigan. His mother

4 A. Joyce Nichols.

Lapeer?

5 Q. Okay. And was anybody home when you went to

6 A. Nobody was home.

7 Q. Okay. Was a note left on the door?

8 A. Yes.

9 Q. Okay. Did you write the note?

10 A. No, I did not. He did.

11 Q. Did you see what the note said?

12 A. Probably. I forgot what it says.

13 Q. All right. No one was home there; is that correct?

14 A. Yes.

15 Q. And then you went to where?

16 A. To his dad's house in Imlay.

17 Q. All right. Is that nearby?

18 A. 30 minutes away.

19 Q. Okay. And what's his dad's name?

20 A. Robert Nichols.

21 Q. Did -- was he home?

22 A. Yes.

23 Q. Did you visit with him?

24 A. Yes.

25 Q. Approximately how long?

13862

Marife Nichols - Direct

1 A. About an hour or so.

2 Q. Okay. Where did you go then?

I stayed 3 A. We went to -- we stopped by in some office there.

Marlette, 4 in the truck. He checked on some insurance in

5 Michigan.

on? 6 Q. All right. What type of insurance was he checking

7 A. Car insurance.

8 Q. Okay. And where did you next go?

candles and 9 A. We stopped -- stopped by the store and buy some

10 flowers and went to the cemetery in Marlette.

11 Q. All right. And where did you next go?

12 A. We went to Decker, Michigan. James Nichols' house.

13 Q. And who was present there?

14 A. James and his friends.

15 Q. Who were the friends, if you recall?

16 A. Neighbors. I -- I don't remember.

17 Q. All right. Did Terry -- was Terry with you?

18 A. Yes.

19 Q. And did Terry know the people? Or could you tell?

20 A. He -- I can't tell, because I come in -- in the

house right

21 then, you know. Just feel at home.

22 Q. All right. Was anything sold there at James
Nichols'?

23 A. Yeah. They sold M -- he sold MREs and some guns.

24 Q. Okay. And how long did you stay at the farm in
Decker?

25 A. About two, three hours.

13863

Marife Nichols - Direct

1 Q. Where did you next go?

2 A. We went to Kevin Nicholas' house.

3 Q. And who is Kevin Nicholas?

4 A. He used to work in the farm when we were there.

5 Q. All right. And was he a friend of Terry's?

6 A. Yes.

7 Q. Was Kevin at home?

8 A. Yes.

9 Q. All right. And did you go into his home and visit?

10 A. Yes.

11 Q. And who was present?

12 A. His wife and her daughter and then Rick Nicholas,
Kevin's

13 father, came and visit, too.

14 Q. Okay. And what was the conversation there with
Kevin

15 Nicholas and his wife? Do you remember her name?

16 A. Sheila.

17 Q. Okay. What conversation took place there?

I was

18 A. They are talking about guns and the gun shows, and

19 mainly playing with Nicole and her daughter.

shows and

20 Q. Okay. Was there a discussion concerning the gun

21 what type of items were sold at gun shows?

22 A. Yes.

sale at

23 Q. Do you recall what items they discussed were for

24 gun shows and what items Terry was selling?

is the

25 A. I recall some of items that he was talking to them

13864

Marife Nichols - Direct

show and

1 rifles and the MREs that he's really doing good in gun

2 that he's buying it from the Army surplus store.

he was

3 Q. Okay. Anything else concerning his inventory that

4 selling at the gun shows?

5 A. That's all I can remember.

6 Q. Okay. How long did you stay at the Nicholases'?

7 A. Probably stayed there for four hours.

8 Q. All right. Where did you next go?

9 A. We went to Caro, Michigan, and stayed in a motel.

10 Q. And where is Caro, Michigan?

11 A. That's -- that's nearby Decker.

12 Q. Okay. Was this on the way to Grand Rapids?

13 A. Yes.

14 Q. All right. You stayed in a motel in Caro. What
did you do

15 the next day?

16 A. The next day, we stopped by in Kevin Nicholas'
rental

17 houses, because he was fixing and there were -- I think
he was

18 buying some shovels. And then we went --

19 Q. When you say he was buying shovels, who do you
mean?

20 A. Mr. Nicholas.

21 Q. Was buying shovels from whom?

22 A. From Terry.

23 Q. All right. Did you see Terry sell him some of the
goods

24 that he had, the shovels?

25 A. Yes.

13865

Marife Nichols - Direct

1 Q. Okay. Then where did you go?

2 A. We went to Grand Rapids, Michigan.

3 Q. And how far away was that?

4 A. About two hours, or three. I forgot.

5 Q. And is this on -- what -- what day of the week is
it, if

6 you recall?

7 A. Saturday.

8 Q. Is the gun show on Saturday and Sunday?

9 A. Yes.

10 Q. And what happened when you got to Grand Rapids?

11 A. We -- we tried to find a place to stay because it
was

12 already nighttime.

13 Oh, I was wrong. That was Friday night then.

14 Q. It was Friday night?

15 A. That we had to -- yeah. We went to Grand Rapids.

16 Q. All right.

17 A. And we tried to find a place to stay for the night.
And we

18 stopped by at the Grand Rapids coliseum. Somewhere
where the

19 gun show was.

20 Q. At the coliseum?

21 A. Yes.

22 Q. And had the gun show already started, or do you
know?

23 A. I don't know.

24 Q. All right. Where did you spend the night?

25 A. Residential Inn.

13866

Marife Nichols – Direct

1 Q. Is that in Grand Rapids?

2 A. Yes.

3 Q. And what did you do the next day, Saturday?

4 A. Terry went to the coliseum and set the table and
put his
5 stuff that he's selling.

6 Q. Did you help him do that?

7 A. Some.

8 Q. All right. And did you help man the table at the
gun show
9 on Saturday there in Grand Rapids?

10 A. Yes.

11 Q. Did you do the same thing on Sunday?

12 A. Yes.

13 Q. Okay. What type of items did you sell on Saturday
and
14 Sunday at the gun show?

15 A. Guns, MREs. The same stuff that he had.

16 Q. All right. Did you have any ammonium nitrate in
the small
17 bottles?

18 A. Yes.

19 Q. Did you sell any yourself?

20 A. Yes, I did.

21 Q. Do you know how many you sold?

22 A. I forgot. But I remember one time and Terry
reminded me

23 that I need to give those warning papers to the --
whoever buys

24 the fertilizer.

25 Q. Tell the jury what you mean by the "warning
papers."

13867

Marife Nichols - Direct

1 A. It has a printed in there that could be dangerous.

2 Q. All right. And was that a paper that you had to
give to

3 the purchasers?

4 A. Yes.

5 Q. All right. And did you do that?

6 A. Yes.

7 Q. Do you know how many you sold?

8 A. I forgot how many.

9 Q. Was it a good gun show, in that you made money that
10 weekend?

11 A. Yes. It was a good gun show.

12 Q. All right. How many MREs did you have on hand to
sell?

up 13 A. A whole bunch. I forgot how many. It was so high

14 stacked there, and it was just gone within hours.

15 Q. Did all of the MREs sell out?

16 A. Yes.

items 17 Q. All right. And the other items: Did some of those

18 sell, also?

19 A. Yes.

overall 20 Q. All right. And when you left Grand Rapids, was it

21 a financial success?

22 A. Yes. It was.

23 Q. Okay.

would be an 24 THE COURT: Would this be a -- maybe this

25 interrupting point.

13868

Marife Nichols - Direct

1 MR. WOODS: Yes, your Honor. This is fine.

afternoon 2 THE COURT: All right. Let's take the

3 recess. You may step down now, Mrs. Nichols.

minute 4 Members of the jury, we'll take our usual 20-

follow 5 break, during which, of course, remember, continue to

6 the cautions given regularly at all recesses, avoiding
7 discussion of any of the witnesses or anything about
the case
8 during the time of these recesses and remembering to
withhold
9 judgment until you've heard it all. And of course,
avoid
10 anything outside the evidence.

11 You're excused now. 20 minutes.

12 (Jury out at 3:20 p.m.)

13 THE COURT: We'll recess. 20 minutes.

14 (Recess at 3:20 p.m.)

15 (Reconvened at 3:40 p.m.)

16 THE COURT: Be seated, please.

17 (Jury in at 3:40 p.m.)

18 THE COURT: Mrs. Nichols, if you'll resume the
stand.

19 Mr. Woods, you may continue.

20 MR. WOODS: Thank you.

21 BY MR. WOODS:

22 Q. Mrs. Nichols, when we took our break, we were
talking about

23 the Grand Rapids gun show, and you were coming back
home from

24 the gun show. Do you recall whether or not you made
any stops

25 before you came back to Herington?

Marife Nichols - Direct

- 1 A. We stop by at David's, the one who is selling MREs.
- 2 Q. And what did you do there?
- 3 A. We bought more MREs in his house.
- 4 Q. Were you totally out by that time?
- 5 A. Yes.
- 6 Q. And how many did you buy there, if you recall?
- 7 A. I forgot. Some more, 10 boxes.
- 8 Q. And what did you do after buying the MREs at
Dave's?
- 9 A. We went back to the house in Herington.
- 10 Q. Okay. Do you recall what day that was that you
returned?
- 11 A. Monday.
- 12 Q. Monday, the what?
- 13 A. 11. I forgot the date.
- 14 Q. Does the 10th sound like the day that you got back?
- 15 A. Yeah.
- 16 Q. You know that you got back on Monday. Is that
correct?
- 17 A. Yes. On Monday.
- 18 Q. This is the week before the bombing?
- 19 A. Yes.
- 20 Q. All right. The following day, on Tuesday, did you
have a
- 21 visitor?

22 A. Yes. Josh arrive in Kansas City at early, early morning.

23 Q. How did he get to Herington, if you know?

24 A. Terry went and pick him up.

25 Q. What time did Terry leave on Tuesday to pick up Josh?

13870

Marife Nichols - Direct

1 A. Somewhere 2:00 in the morning.

2 Q. Do you know what time Josh's airplane arrived?

3 A. I forgot. It's early in the morning. I forgot what time.

4 Q. Did there come a time, then, where Josh and Terry returned

5 home to Herington?

6 A. Yes. Return home at -- Josh went asleep, went -- Josh went

7 back to sleep and Terry went back to sleep, too.

8 Q. Okay. And this is on Tuesday, the 11th?

9 A. Yes.

10 Q. What did the three of you -- or the four of you with

11 Nicole -- what did do you that day after people woke up?

12 A. We went to the grocery store.

13 Q. Okay. Anything else?

14 A. And there is some store that we went. I forgot what was

15 the name.

16 Q. All right. Anything unusual that night, Tuesday
night,

17 that you recall that the four of you did?

18 A. I don't remember.

19 Q. Okay. What about the next day, on Wednesday?

20 A. On Wednesday -- I forgot what day, somewhere near.
But

21 when Josh arrive, we try to find a set of bed for him.

22 Q. You mean a bedroom set for the guest room? Is that
what

23 you're saying?

24 A. Yes.

25 Q. During that week, do you recall whether or not you
went to

13871

Marife Nichols - Direct

1 a place and purchased a bed?

2 A. Yes.

3 Q. Do you remember where that was?

4 A. In Fort Riley.

5 Q. Okay. And was this at the army surplus, or was
this from a

6 couple?

7 A. From a couple.

8 Q. And what did you buy there, if you know?

9 A. Just a set of bedroom: Bed, dresser.

10 Q. All right. And was this for the guest room?

11 A. Yes.

12 Q. Did you have furniture in your house when you
arrived in

13 Herington?

14 A. Not much, but we do.

15 Q. What did you have there, if you recall?

16 A. Just a couch, a bed, table.

17 Q. Table?

18 A. Yeah.

19 Q. Did you have anything for a dining room?

20 A. Yes.

21 Q. Okay. So what you were shopping for this week is a
bedroom

22 suite for the guest room; is that correct?

23 A. Yes.

24 Q. And you obtained that what day, if you recall?

25 A. I don't remember exactly what day. It's in that
week.

13872

Marife Nichols - Direct

1 Q. Okay. And this is the week before April 19?

2 A. Yes.

3 Q. What did you do Thursday or Friday, if you recall?

4 A. We went to Wal-Mart and buy stuff.

5 Q. All right. At Wal-Mart where?

6 A. Somewhere in -- not in Junction City. Manhattan or
7 Junction City.

8 Q. Now, was that on Thursday or Friday? I was just
about to
9 get to Saturday, next, if you recall. What happened on
10 Saturday?

11 A. Saturday -- what did we do? I forgot.

12 Q. Okay. Do you recall what day it was that you went
to
and Mail
13 Junction City and Manhattan to run errands at Wal-Mart
14 Box Etcff?

15 A. I don't know. Somewhere there.

16 Q. Okay. I understand. Do you recall whether or not
you went
17 to a Kinko's?

18 A. Yes. That week, we went -- he went to Kinko's to
copy some
19 business card.

20 Q. All right. Do you remember what day that was?

21 A. Friday.

22 Q. All right. Do you remember what day it was, then,
that you
23 went to Wal-Mart?

24 A. Yeah. It was Friday. It was the same day.

25 Q. And what did you do at Wal-Mart?

13873

Marife Nichols - Direct

1 A. We bought stuff for the bedroom, and Josh was
buying
2 baseball cards and Terry returned this oil filter. And
I don't
3 know what else we buy. I forgot.
4 Q. Did Terry get a receipt for the oil filter?
5 A. I don't know.
6 Q. Did he get a refund, or do you know?
7 A. He didn't -- I didn't know until we drive off that
he
8 didn't get a refund.
9 Q. Okay. What happened when you drove off that you
then
10 learned about the refund?
11 A. He said that "I forgot to get the refund," and I
just
12 didn't know because once we're in the store, we're busy
13 shopping. And we stopped by in Junction City Wal-Mart
to get a
14 refund, but I stayed in the -- in the truck.
15 Q. Okay. And was he able to get a refund then at that
16 Wal-Mart?
17 A. I don't think so.
18 Q. Okay. Now, are there two Wal-Marts, one in
Manhattan and

19 one in Junction City?

20 A. Yes.

21 Q. Have you shopped at both of them?

22 A. Yes.

23 Q. Okay. Anything else happen on that Saturday?

24 A. On Saturday. I forgot.

25 Q. All right. What about Easter Sunday? Do you
recall Easter

13874

Marife Nichols - Direct

1 Sunday?

2 A. Oh, yeah. Easter Sunday, we have -- we went to
church, me

3 and Terry and Nicole.

4 Q. Where did you go to church?

5 A. In Junction City.

6 Q. Was there a church in Herington?

7 A. Yes, there is. But it wasn't open or we just --

8 Q. Did you check?

9 A. Terry check, and I tried -- no, I didn't call. He
checked,

10 but I -- I called Junction City church when he came
home. It

11 wasn't open. We don't know what's the schedule of the
mass and

12 everything like that.

Sunday?

13 Q. So did you go to church in Junction City on Easter

14 A. Yes.

15 Q. Do you recall what time you went to church?

16 A. More 11 or 12.

17 Q. And what time did you come home?

18 A. About 2:00 in the afternoon.

19 Q. And did you cook a meal for Easter Sunday?

20 A. Yes.

21 Q. Who was in the house then?

22 A. Josh, Terry, Nicole, and me.

23 Q. Okay. What did you cook?

24 A. Ham.

25 Q. And did the four of you eat Easter dinner together?

13875

Marife Nichols - Direct

1 A. Yes.

2 Q. Okay. After the dinner, was there a phone call

that was

3 received?

4 A. Yes.

5 Q. Okay. And who answered the telephone?

6 A. Terry did.

7 Q. How long did he talk on the telephone?

8 A. Five minutes or so. I forget.

9 Q. After he got off the telephone, what, if anything,
did he
10 say to you?

11 A. He said that he needs to go and help Tim in Omaha
because
12 his car is -- had broke down there and that he needs to
pick up
13 the TV set that Tim is -- has from Las Vegas.

14 Q. Okay. Did you know anything about the TV set; that
Terry
15 told you that a TV set was going to be brought at some
point in
16 time?

17 A. Yes. Because we did -- I did complain we didn't
have TV,
18 and I stayed in the house most of the time, and -- but
when I
19 left the Philippines, he gave it to Josh in Las Vegas,
so
20 that's why it was in Las Vegas. It was Terry's TV set.

21 Q. Okay. Now, as of this day on Sunday, Easter
Sunday, had
22 you seen Tim McVeigh anytime that year?

23 A. No, I did not.

24 Q. When was the last time you had seen Tim McVeigh?

25 A. In his trial.

Marife Nichols - Direct

'95, 1 Q. No, I'm sorry. Before that day on Easter Sunday in

2 when had you seen Tim before?

That's 3 A. I've seen him when I left in Marion, Kansas.

4 somewhere September.

when the 5 Q. So from September, '94, until this Easter Sunday

6 phone call comes in, you had not seen Tim McVeigh?

7 A. Correct.

what he 8 Q. Okay. And Terry told you again -- tell the jury

9 told you.

his car 10 A. That he needs to go and help Tim in Omaha because

said. 11 had broke down and he needs to go like right now, he

television? 12 Q. Okay. And did he say anything about the

13 A. Yeah; that he wants to pick up the television, too.

14 Q. What time did that call come in, if you recall?

15 A. Somewhere 3 or 4, 5. Late afternoon.

16 Q. Did Terry leave after that phone call?

17 A. Yes.

of the 18 Q. Okay. What did you and Josh and Nicole do the rest

19 day?

with the 20 A. Nicole and I took a nap, and Josh is just playing

21 neighborhood's kids.

22 Q. Okay. And what time did you go to bed that night?

23 A. 12 midnight.

24 Q. Was Terry back home by that time?

25 A. No. Me and Josh was just talking and waiting for
Terry

13877

Marife Nichols - Direct

1 until he decided to doze off, and I just go to sleep,
too.

2 Q. Did you know what time Terry came home that night
or early

3 the next morning? Did you wake up when he came in?

4 A. No, I didn't wake up when he came in. I don't
remember.

5 Q. What time did you get up the next day, Monday, the
17th?

6 A. I get up around 9 or so and -- he was right next to
me and

7 Nicole, so

8 Q. He was there in bed asleep?

9 A. Yes.

10 Q. All right. What did you do that morning?

11 A. When Josh woke up and Terry, we went to the store
and rent

12 movies.

13 Q. Okay. Did you notice that there was a television

set in

14 your house?

15 A. Yes, I noticed when I woke up.

16 Q. Where was it?

17 A. In the living room.

18 Q. Okay. Did you try hooking it up to see if it
worked?

19 A. I did.

20 Q. And did it work?

21 A. And there was no antenna.

22 Q. Pardon me?

23 A. There was no antenna, so it didn't work.

24 Q. So you could get no reception, no television
station on it?

25 A. Yes. That's right.

13878

Marife Nichols - Direct

1 Q. Okay. Did you have a VCR?

2 A. Yes.

3 Q. And did it work?

4 A. Yes.

5 Q. Now, you mentioned that -- who all went to the
grocery

6 store to rent videos?

7 A. All of us.

8 Q. Who is "all of us" again?

9 A. Terry, Josh, me, and Nicole.

10 Q. About what time did you do that?

11 A. Late morning.

12 Q. Of Monday, the 17th?

13 A. Yes.

14 Q. And where is the grocery store with the video rental?

15 A. In the town. We just walked there. I think the name is

16 Catlin Grocery Store.

17 Q. How close is Catlin Grocery Store and video store to your

18 house?

19 A. It's the same building.

20 Q. Right. Those businesses are combined in the same building.

21 But how close is it to your house?

22 A. About two blocks away.

23 Q. Okay. All of you walked there?

24 A. Yes.

25 Q. Did you rent some movies?

13879

Marife Nichols – Direct

1 A. Yes.

2 Q. Do you recall what movies were rented?

There 3 A. The Lion King, the Tank. I forgot the other one.

4 was three movies that we rented.

17th, as 5 Q. Now, what was the plan for that day, Monday, the

6 to Josh?

Vegas, so we 7 A. Josh has a late flight from Kansas City to Las

8 did plan to take him to the airport.

the 9 Q. How long does it take to drive from Herington to

10 airport in Kansas City?

11 A. About 2 hours.

12 Q. What did you do that afternoon, then?

Terry 13 A. We watched the movies. Me and Josh and Nicole, and

14 was in and out the house.

15 Q. And where was Terry, if you recall?

house. 16 A. In the garage. He was doing things around the

17 Q. Was your house still full of army surplus items?

18 A. Yes.

April? 19 Q. Did you help clean the ammo cans at any time during

20 A. Yes.

they're 21 Q. What do you have to do to the ammo cans after

22 bought?

23 A. Just dust it up and kind of like clean it off.

that 24 Q. Do you know what other items were in the garage at
25 time?

13880

Marife Nichols - Direct

1 A. Yeah.

2 Q. What?

3 A. Like the stuff that he bought, the nails and the
shovels.

4 I forgot what else, but it's a large amount of stuff
that he
5 got.

6 Q. Did you ever see what was described as a fuel
meter?

7 A. No, I haven't.

8 Q. Okay. Did you ever see an item that was apart in
the
9 garage with a bunch of gears?

10 A. Yeah.

11 Q. Did you ever know what that was?

12 A. No.

13 Q. Okay. How many hours, then, did you watch the
three
14 movies?

15 A. Three hours.

16 Q. Okay. Till what time did you stop watching the
movies?

17 A. Somewhere around 5:00.
18 Q. What did you do then?
19 A. We went -- all of us went to Sirloin Stockade and
then head
20 to the airport.
21 Q. Okay. Now, where is Sirloin Stockade?
22 A. Junction City.
23 Q. Okay. What is that?
24 A. It's a restaurant.
25 Q. Okay. And you ate dinner there?

13881

Marife Nichols - Direct

1 A. Yes.
2 Q. Approximately what time?
3 A. Somewhere around 6:00 or -- I don't know.
4 Q. And you then drove to Kansas City airport?
5 A. Yes.
6 Q. And again how long does it take to drive?
7 A. About 2 hours or might be lesser, because that's
already in
8 Junction City.
9 Q. All right. And what time was Josh's flight, if you
recall?
10 A. Late night. Somewhere 10:00.
11 Q. Okay.

12 A. Or 11.

13 Q. Did you have to wait around while in the airport
before his

14 flight arrived?

15 A. I think we only wait for 20 minutes.

16 Q. And did you see Josh get on the plane and leave?

17 A. Yes.

18 Q. All right. And did you see Terry Nichols make a
phone

19 call?

20 A. Yes. When the plane took off, he made a phone
calls to Las

21 Vegas.

22 Q. Okay. How do you know that?

23 A. Because I overheard their conversation.

24 Q. Who was he talking to?

25 A. To Lana.

13882

Marife Nichols - Direct

1 Q. And what did he say to Lana that you heard?

2 A. That "the plane is taking off now."

3 Q. Okay. And what did you do after that phone
conversation?

4 A. Went home.

5 Q. Okay. Did you see Mr. Nichols make a second call?

6 A. No, I did not.

7 Q. Okay. Were you with him the whole time, or did you
go to

8 the bathroom, or where --

9 A. I went to the bathroom when they were in line --
Josh was

10 in line --

11 Q. Okay.

12 A. -- to get into the plane, so probably gone for 5
minutes or

13 so.

14 Q. After he departed on the plane, you saw Terry make
one

15 call; is that correct?

16 A. Yes.

17 Q. Excuse me. What time did you get back home to
Herington?

18 A. Late.

19 Q. Late Monday night, the 17th?

20 A. Yes.

21 Q. Or early morning --

22 A. Early morning.

23 Q. Approximately what time was it, if you recall?

24 A. 2 or 3.

25 Q. And what happened? Everybody go to bed?

Marife Nichols – Direct

1 A. Yes.

2 Q. Was Nicole -- did Nicole make the trip to the
airport and

3 back with you?

4 A. Yes.

5 Q. What time did you wake up Tuesday morning?

6 A. Tuesday morning? 10, 11.

7 Q. Was Terry there?

8 A. I don't remember.

9 Q. Had Terry told you earlier about his plans for
Tuesday

10 morning?

11 A. No.

12 Q. Do you remember anything about an auction at Fort
Riley?

13 A. Oh, yeah. He did mention to me there is another
auction at

14 Fort Riley.

15 Q. What day was it that he was going to go to Fort
Riley?

16 A. I forgot what day. It's been so many years now.

17 Q. Okay. When did you see Terry, then, on Tuesday?

18 A. When did I see Terry on Tuesday?

19 Q. Yes.

20 A. Somewhere at noon.

21 Q. Okay. Did he come home at noon?

22 A. Well, I'm not very sure. I don't want to say

anything that

23 I'm not sure.

told you 24 Q. Do you recall on Tuesday when you saw him if he

25 anything about where he had been?

13884

Marife Nichols - Direct

and says 1 A. Yes. He was -- I remember he came home one time

2 that he had been to the auction sale.

3 Q. Did he leave at that time?

4 A. Yes.

5 Q. Do you know where he went then?

6 A. He get the license plate.

7 Q. Anything else?

8 A. I don't remember.

18th, 9 Q. Okay. Anything else happen on Tuesday, then, the

10 that you recall?

11 A. No.

bombing, 12 Q. All right. On Wednesday, the 19th, the day of the

13 where was Terry when you woke up that morning?

really 14 A. He was with us, and we went to buy the dolls -- not

they were 15 the dolls, the magnets. We went to the store where

16 selling magnets.

17 Q. Okay. And did you go in?

18 A. Yes.

19 Q. Okay. Where else did you go on that day?

20 A. Probably rented movies.

21 Q. Okay. Did you take the other movies back that you
had

22 rented on Monday?

23 A. Yes.

24 Q. Did you rent more movies?

25 A. Yes.

13885

Marife Nichols - Direct

1 Q. Would the TV work on Wednesday?

2 A. Yes.

3 Q. Well, I mean the reception. Could you get a
television

4 station?

5 A. Oh, on Wednesday?

6 Q. Yes.

7 A. I don't remember.

8 Q. Okay.

9 A. I don't think so.

10 Q. All right. There wasn't an antenna on the
television; is

11 that correct?

12 A. No, there wasn't any antenna.

13 Q. What else did Terry do on Wednesday, if you recall?

14 A. He was fixing the roof. He was up on top of the
roof. We

15 were expecting a UPS delivery.

16 Q. What did he do on the roof, if you recall?

17 A. I have no idea. I mean he was just up there.

18 Q. All right. And did you receive a UPS delivery?

19 A. Yes.

20 Q. That day?

21 A. Yes.

22 Q. Do you know what the delivery consisted of? What
was in

23 the delivery?

24 A. A laser --

25 Q. Was it items for sale at gun shows?

13886

Marife Nichols - Direct

1 A. Yes.

2 Q. Anything else that you recall Terry doing on
Wednesday?

3 A. I don't recall.

4 Q. What about Thursday, when you woke up? Where was
Terry?

5 A. Thursday -- I think Terry went to the cable to --
to help
6 somebody hook cable in our house.
7 Q. Did he tell you that that's what he did?
8 A. Yeah.
9 Q. Okay. Anything else on Thursday that you recall?
10 A. No.
11 Q. When Mr. Nichols told you that he had gone to the
cable
12 store to get his cable hooked up, did he tell you
anything
13 about a bombing?
14 A. Oh, okay. Yeah, he told me about the bombing; that
he saw
15 it on the cable office or wherever that place is and
that there
16 is a bombing in Oklahoma.
17 Q. And what did the two of you do then later that day?
18 A. We went for a short drive, and we stop by behind
our house
19 to buy -- there is a gasoline station behind our house
-- and
20 buy newspapers.
21 Q. Okay. And what newspapers or how many newspapers
did Terry
22 buy, if you recall?
23 A. Two or three newspapers.
24 Q. Okay. And what was the reason for buying the
newspapers?
25 A. To see the news.

13887

Marife Nichols - Direct

1 Q. Concerning?

2 A. Concerning the Oklahoma City bombing.

3 Q. Did you read about it, also?

4 A. Yes, I did.

5 Q. Okay. At that time, had you seen anything on
television

6 about it?

7 A. No, I did not, because we didn't have any.

8 Q. When did the television cable get hooked up?

9 A. Monday -- Friday morning.

10 Q. Okay. Friday, the 21st?

11 A. Yes.

12 Q. And what time did the cable get hooked up?

13 A. Late morning, 10 or 9:00. I don't know. I was
still in

14 bed when the guy came in.

15 Q. All right. And was Terry home?

16 A. Yes.

17 Q. And later that day, were you able to determine that
the

18 cable had been hooked up?

19 A. Yes.

20 Q. Did you watch television that morning after you got

up?

21 A. No, I did not.

22 Q. Okay.

23 A. I probably did watch a little bit the news.

Friday 24 Q. Okay. Did Terry have a phone conversation on

25 morning?

13888

Marife Nichols - Direct

1 A. Yes. That's what he said.

2 Q. Okay. And who was the conversation with?

3 A. Lana called.

4 Q. Lana Padilla?

mad to 5 A. Lana Padilla, his ex-wife, called; and she's upset,

6 Terry.

7 Q. What was she upset about that Terry related to you?

Terry 8 A. Terry told Josh about the money that Lana took from

upset of 9 when he left the Philippines, and so Lana was kind of

understanding. 10 that that he told Josh. That's what to my

11 Q. Okay. And was there some comment made about you?

never 12 A. Yes, that she asked where I'm at; and of course, I

13 wake up in the morning. She said, "We should get her

out of

14 bed and make her work."

15 Q. Okay. And did that upset you?

16 A. Yeah.

17 Q. Okay. Did -- what did you do as a result of being
upset?

18 A. Me and Terry talk about it, and I think I was just
tired of

19 everything. And I decided to go back home to
Philippines and

20 finish school, so I reserved a ticket on that day. I
called

21 the travel agent.

22 Q. This is a travel agent you had dealt with before?

23 A. I don't think so. I just -- I always look in the
Yellow

24 Pages.

25 Q. All right. When did you reserve a ticket for?

13889

Marife Nichols - Direct

1 A. Pardon?

2 Q. When was the flight going back to the Philippines
that you

3 made a reservation?

4 A. Yeah. May 10.

5 Q. May 10?

6 A. Yes.

7 Q. And was that so you could get a discount, advance
purchase?

8 A. Yes.

9 Q. Now, what did Terry do during that day?

10 A. He told me that he needs to go run an errands to
meet this

11 guy who is supposed to trade shingles to him. He is
going to

12 trade the nails for shingles.

13 Q. Okay. You have nails, boxes of nails in your
house?

14 A. Yes.

15 Q. Terry said he was going to trade the shingles?

16 A. Yes.

17 Q. Was Terry going to work on the roof, to your
knowledge?

18 A. Yes.

19 Q. What time did Terry come home?

20 A. Somewhere 1 or 2:00 in the afternoon.

21 Q. Okay. And did he say anything to you when he came
home?

22 A. Yes. He told me that his name is in the news and
James

23 Nichols is in the news and that they're supposed to be
armed

24 and dangerous.

25 Q. That they're armed and dangerous?

Marife Nichols - Direct

1 A. Yes.

2 Q. Now, their name is in the news concerning -- why?

3 A. On that time, I did not understand what he was
talking. He

4 was telling me that -- that Tim McVeigh is on the news,
too.

5 He's a suspect of the bombing and all this stuff.

6 Q. Okay. And did -- what did you do after Terry told
you

7 that?

8 A. I told him to calm down, and I did not believe him.
I told

9 him to like, you know -- maybe it's just the same name.

10 And so I look in the news. I turn on the TV.

11 Q. What did you observe on the television?

12 A. The composite drawing of skinny guy and then
another guy,

13 John Doe No. 1, John Doe No. 2.

14 Q. Okay. Was there anything on the news about Tim
McVeigh?

15 A. Yeah. That he has been arrested for traffic
violation.

16 Q. For a traffic violation?

17 A. Yes.

18 Q. Okay. What did you hear on the news about Terry
Nichols?

19 A. I did not hear anything about Terry.

the 20 Q. Okay. What did Terry tell you that he had heard on
21 news?
22 A. That he's supposed to be armed and dangerous.
the fact 23 Q. And was there a warrant, or what did he say about
dangerous 24 that his name is on television and he's armed and
--
25 what else?

13891

Marife Nichols - Direct

that he's 1 A. I don't know. I don't remember that he tells me
going to 2 a suspect or anything like that, but he said that he's
going on. 3 police station and find it out, check it out what's
appeared 4 Q. Okay. Describe for the jury how Terry Nichols
5 when he came home and told you this.
6 A. He was pale and scared.
7 Q. All right. Anything else?
8 A. He just start talking to me.
9 Q. Okay.
10 A. All the news that he heard.
would 11 Q. All right. And what decision was made as to what
12 happen? What did he say?

station 13 A. He said that "I am going to check it out at police

14 in Herington."

15 When he gave me some money, I decided to go
with him.

16 Q. Okay. What time was this, if you recall?

17 A. I don't know. Somewhere 2:00 or 3.

18 Q. Okay. And did you leave the house shortly
thereafter?

19 A. Yes.

20 Q. And who was with you?

21 A. Nicole, me, and Terry.

22 Q. Now, what were you telling Terry when he's excited
and

23 scared and pale? What did you say to him?

24 A. When we get to the stop sign, I said, you know,
"Just calm

25 down."

13892

Marife Nichols - Direct

1 And he said that there is a car -- a black car
behind

2 us.

3 And I look at the black car. I think I don't
know if

4 I've seen anything. I assume there is nothing there,
and I

5 just all this question came out to my mind; and I asked
him

6 right -- then, "Are you involved to this?"

7 And he said no.

8 And -- and that time, I don't know which way
is police

9 station, but I told him to just calm down.

10 And he told me everything about what is his
activities

11 with Tim McVeigh, like he did not pick up Tim McVeigh
in Omaha,

12 instead in Oklahoma.

13 Q. What exactly did he say? Go slow so the jury can
follow

14 what you're saying. What did Terry Nichols tell you in
the car

15 ride to the police station?

16 A. He told me that when Tim called, he said, "Just
tell them

17 that you're going to pick me up in" Oklahoma -- "in
Omaha," not

18 in Oklahoma.

19 Q. All right. And what else?

20 A. I don't know. I mean, I have all kinds of question
in that

21 time. I don't know which one I asked and -- I mean --
if he is

22 confused, I'm more confused than ever.

23 Q. Did Mr. Nichols tell you why he had told you that
he was

24 going to Omaha, rather than Oklahoma City?

going to 25 A. Because Tim told him just to tell us that he is

13893

Marife Nichols - Direct

1 Omaha.

went to 2 Q. All right. Now, did you stop at a store before you
3 the police station?

4 A. Yeah. We stop and he -- he just walked for a
little bit 5 and get fresh air, I guess, and --

6 Q. Okay. Do you remember what type of store it was?

7 A. I don't know. In that time, I thought it was a
junkyard.

8 Q. It was a what?

9 A. On that time, I didn't know it was a store. I
thought it 10 was a junkyard.

11 Q. Junkyard?

12 A. Yeah.

13 Q. Okay. And how long did he -- were you stopped
there at 14 this store?

15 A. 2, 3 minutes.

16 Q. And then what happened?

17 A. And then we pull off the driveway and turn around
and went

18 to another -- opposite direction and went to police
station.

19 Q. What time did you get to the police station?

20 A. I don't know. The time was probably somewhere 3,
3:30.

21 Somewhere in there.

22 Q. During that time, did Terry tell you he was going
anywhere

23 other than the police station?

24 A. No.

25 Q. Did he ever tell you that "We're going to leave the
city"?

13894

Marife Nichols - Direct

1 A. No.

2 Q. Did you put clothes or anything in the car to flee
the

3 city?

4 A. No.

5 Q. Where did you understand you were going?

6 A. To the police station. I didn't even change my
clothes.

7 Q. Okay. Now, what happens when you get to the police
8 station? Do you park the car?

9 A. Yes. And Terry is the one -- I forgot which of us
carry

10 Nicole. Just came in the police station, and he asked

the

11 policeman, "I hear my name on the news."

12 Q. And were you with Terry side by side going in?

13 A. Yes.

14 Q. Who was carrying Nicole? Do you remember?

15 A. I don't remember. Probably him.

16 Q. And you hear Terry Nichols talk to who?

17 A. To the policeman inside the police station.

18 Q. Was it the first policeman you saw inside?

19 A. Yes.

20 Q. What did Terry say to him?

21 A. "I heard my name in the news. I want to know
what's going

22 on."

23 Q. Did he say anything about being armed and
dangerous?

24 A. No. The guy said that, "Okay, sir, just sit down
and we'll

25 check it for you."

13895

Marife Nichols - Direct

1 And when there is another policeman came out,
or I

2 think it was the same man -- he said, "I'm supposed to
be armed

3 and dangerous. Would you like to search me?"

4 Q. Now, who said that?

5 A. Terry did.

6 Q. All right. And what happened?

7 A. The policeman says that "You come over here --
well, sir,

8 you came over here with your own will, so" -- I forgot
what was

9 the last word. I think he was walking to the hallway.

10 Q. Okay. Was Terry searched at that time?

11 A. No.

12 Q. Were you searched at that time?

13 A. No.

14 Q. What other conversation did you hear Terry and the
15 policeman engage in?

16 A. I don't know. They were talking about there is
some water

17 here in the hallway and to have coffee, stuff like
that.

18 Q. All right. What happened next?

19 A. I don't know how long time we sit there. I was
confused as

20 much as he is; and then FBI, all these people come in.

21 Q. How long did you sit there waiting before the FBI
came?

22 A. I forgot.

23 Q. Can you give the jury just a rough estimate?

24 A. Probably 10, 20 minutes.

25 Q. And what happened when the FBI people came in?

13896

Marife Nichols - Direct

1 A. They separate us. They took Terry and they have
the

2 policeman, a lady, who searched me and search Nicole.
And

3 Terry is somewhere in the police station. I don't
know. And

4 they asked my identification and stuff.

5 Q. Okay. Now, who talked to you?

6 A. There was an FBI who talked to me. I forgot his
name.

7 Q. Okay. How many FBI?

8 A. Just one.

9 Q. Were there people there from other agencies?

10 A. I don't know.

11 Q. Okay. How long did the one person talk to you?

12 A. About 1 or 2 minutes. He or she. I mean -- I
forgot.

13 There was like a whole bunch of people there, but there
was one

14 person who asked me my identification, my name and
Nicole's

15 name and age.

16 Q. All right. And what happened after they got your
17 identification?

18 A. Mr. Thomeczek, another FBI, came in and talked to
me; and

19 there was CID.

20 Q. Now, what is CID?

21 A. He said he worked for the Army.

22 Q. All right. So there is -- you mentioned a Mr.
Thomeczek.

23 Who is he?

24 A. Mr. Thomeczek is an FBI.

25 Q. And there is an Army CID person?

13897

Marife Nichols - Direct

1 A. Yes. Mr. Tom White.

2 Q. Did those two people then talk to you?

3 A. Yes.

4 Q. For how long?

5 A. Forever -- I'm sorry. The whole time.

6 Q. How long is the whole time?

7 A. When they come in and they asked questions -- I
mean we

8 have breaks. I'm allowed to breast-feed Nicole, and
they

9 offered me -- there is some, you know, water -- water,
drinks

10 there, and they did order pizza and stuff like that, if
we need

11 some food.

12 Q. You got there approximately 3:00?

13 A. Yes.
14 Q. What time did you leave?
15 A. Late at night.
16 Q. Do you know what time it was?
17 A. I don't know. There was no clock there.
18 Q. Were you in an office that whole time?
19 A. Yes.
20 Q. Were there any windows?
21 A. No.
22 Q. Was there a clock?
23 A. No.
24 Q. You were interviewed by Mr. Thomeczek and Mr.
White?
25 A. Yes.

13898

Marife Nichols - Direct

1 Q. Anybody else?
2 A. Another FBI agent come in and asked question.
3 Q. And who was that?
4 A. Sheila Dobson.
5 Q. Now, did you know where Terry Nichols was during
this
6 period?
7 A. I probably did ask where Terry, and they said
somewhere --

8 I don't know which one answered -- somewhere in the
basement.

9 Q. Did there come a time when you went down to the
basement?

10 A. Yes.

11 Q. When was that?

12 A. After the interview, we went downstairs, because --
I asked

13 to see Terry, so they took us to downstairs.

14 Q. Is this near the first of the interview, or as
you're about

15 to leave?

16 A. About to leave.

17 Q. Okay. And you still don't know what time it is?

18 A. No, I don't.

19 Q. Were you able to talk to Terry Nichols?

20 A. Yes.

21 Q. For a very long period of time?

22 A. No. This is a short time. He get to -- to hug
Nicole and

23 gave me a calling card, his calling card.

24 Q. Now, what calling card did he give to you?

25 A. I forgot what was the --

13899

Marife Nichols - Direct

1 Q. Was it the Southwestern Bell calling card?

2 A. I think so. Southwestern Bell.

Bridges 3 Q. Were you aware that he had another card, the Daryl

4 phone card, a credit card that he used?

5 A. Yes.

6 Q. Had you used that card in the past yourself?

7 A. No, I did not.

8 Q. You never used it when he got it back in '93?

9 A. No.

10 Q. Never used that card.

11 A. No.

12 Q. Okay. But you were aware of it. Is that right?

13 A. Yes.

14 Q. And Terry gave you this card, the Southwestern Bell
card?

15 A. Yes.

16 Q. And did he -- did it have a code number on it so
that you

17 could make phone calls?

18 A. Yes.

19 Q. Okay. Did the agents tell you where they were
taking you?

20 A. They told me I cannot come into our house on that
time.

21 They're taking me to Junction City, some motel or
hotel.

22 Q. They told you you couldn't go to your house?

23 A. Yes.

house? 24 Q. Did they tell you why you couldn't go to your

25 A. They need to have a bomb squad in there.

13900

Marife Nichols - Direct

1 Q. Okay.

like to 2 A. I mean they even asked me if, you know -- I would

us, 3 come in in the house, and they said it's dangerous for

more. 4 there might be some bombs there, which confuses me

bombs 5 Q. What did you tell them when they said there may be

6 there?

said. 7 A. Well, I -- I was confused. I don't know what I

a bomb?" 8 Probably have said like "I live in this house that had

interviewed by 9 Q. Now, during that time that you were being

questions? 10 the FBI and the CID, did they ask you a number of

11 A. Yes, they did.

you? 12 Q. And did you answer every question that they gave

13 A. Yes.

find out 14 Q. Did there come a time when they would go down and

15 what Terry was saying and then come back and ask you
questions
16 about what Terry was saying?
17 A. Well, there was time that he -- one of them or
18 Mr. Thomeczek get out the room. I don't know where he
went,
19 but --
20 Q. Okay.
21 A. Then he come back and "This is what Terry said."
That's
22 what they said to me.
23 Q. So they were telling you what Terry was saying and
then
24 asking you questions about it?
25 A. Yes.

13901

Marife Nichols - Direct

1 Q. Did you always answer their questions?
2 A. Yes.
3 Q. And do you recall how long that interview lasted
that
4 night?
5 A. I don't know. I mean I feel it was -- the whole
afternoon
6 I talked -- I mean when I get out, I didn't even know
it was
7 already nighttime.

8 Q. When you got to the motel in Junction City, did you
-- were
9 you able to tell what time it was then?
10 A. No. I was so exhausted.
11 Q. All right. Now, did the FBI and the CID stay there
at that
12 motel with you?
13 A. Yes.
14 Q. Were they in a separate room next to you?
15 A. Yes.
16 Q. What did you do the next day?
17 A. The next day, I think I'm still not allowed to come
in the
18 house. I mean I need things, like clothes. So they
said that
19 "We're just going to take you to the store and buy some
clothes
20 because we're still not allowed to come into your
house."
21 Q. And did they do that?
22 A. Yes. They did. We went -- Ms. Sheila Dobson, and
there
23 was another girl went with me in the store; and I
bought some
24 stuff that I needed.
25 Q. All right. Did you buy the clothes yourself,
rather than

Marife Nichols - Direct

1 the FBI?

2 A. I did buy it.

3 Q. Did they interview you again that day?

4 A. Yes, they did.

5 Q. This would be Saturday, the 22d?

6 A. Yes.

7 Q. Who interviewed you?

8 A. Mr. Tom White, Sheila Dobson -- I don't think --
Sheila

9 Dobson was there, but I don't remember she was
questioning me.

10 Mr. Tom White. Thomeczek.

11 Q. Did you answer all their questions?

12 A. Yes.

13 Q. And what did you do the next day, Sunday?

14 A. Sunday, I think we were -- we went to the house,
but we

15 have to go to the Herington police station first to
come into

16 the house.

17 Q. They didn't take you directly to the house?

18 A. No, they did not.

19 Q. Why did you have to go -- did they tell you why you
were

20 going to the police station?

21 A. I don't remember if they told me.

station? 22 Q. Okay. What happened after you went to the police

wallets, and I 23 A. I think I receive stuff from Terry's -- like

24 saw his green jacket there and I pick it up.

25 Q. Okay. Did you then go to your house?

13903

Marife Nichols - Direct

1 A. Yes.

home and 2 Q. Were you able -- were you allowed to then go back

3 stay home?

because 4 A. No. They said I'm not allowed to stay there

5 it's --

6 Q. Because it's what?

7 A. It would be dangerous for us to stay there.

you were 8 Q. Okay. And what did you do there at the home while

9 there?

10 A. Just packed things that I needed.

11 Q. Okay. And what did you pack?

12 A. Clothes, toys for Nicole.

13 Q. Okay. And where did you then go?

forgot 14 A. We went to either Fort Riley or Junction City. I

15 which. We went to another hotel, motel.

16 Q. Okay. Did the FBI ask you more questions that day?

17 A. Yes, I think so.

18 Q. Okay. How -- were you ever allowed to move back
into your

19 home, Mrs. Nichols?

20 A. On that time, no.

21 Q. Okay. How many days did the FBI question you?

22 MR. RYAN: Your Honor, I object to this line
of

23 questioning.

24 THE COURT: Yes. It implies continuous. I
don't

25 think you meant that.

13904

Marife Nichols - Direct

1 MR. WOODS: If I could follow up on the
questions,

2 your Honor.

3 THE COURT: All right.

4 BY MR. WOODS:

5 Q. Ms. Nichols, you said that you weren't allowed to
go home.

6 Is that correct?

7 A. That's correct.

8 Q. And how many cities did you move to while you were
being

9 questioned by the FBI?

10 MR. RYAN: Objection, your Honor.

11 THE COURT: Well, again, are you --

12 MR. WOODS: I'll narrow it down.

13 THE COURT: All right.

14 BY MR. WOODS:

15 Q. We're now on Sunday, the 23d. April 23d. Is that
correct?

16 A. That's correct.

17 Q. Did the FBI question you again about the details of
Terry

18 Nichols' whereabouts and Tim McVeigh?

19 A. They told me that Terry is a material witness.

20 Q. Okay.

21 A. And that the U.S. Marshal -- he's in the custody of
the

22 U.S. Marshal some more in Wichita.

23 Q. All right. And did the FBI ask you questions on
that day?

24 A. I think they did. I've forgotten the questions.

25 Q. We're not going to ask you to recall each and every

13905

Marife Nichols - Direct

1 question that they asked you.

2 A. Okay.

3 Q. But on Monday, the 24th, where were you?

motel
to the
asked me

4 A. Monday, the 24th? I think I'm still at the same
5 where they put me on Sunday. I've forgotten if we went
6 house or police station -- I'm sure every day, they
7 question.

that they
had gone

8 Q. All right. When you say you're in the same hotel
9 put you on Sunday, was that a different hotel than you
10 to on Friday night?

11 A. Yes, it is different. Different place, too.

12 Q. Where is it?

13 A. Somewhere in Junction City or Fort Riley.

14 Q. And how long did you stay in that motel?

15 MR. RYAN: Your Honor, I object.

16 THE COURT: What's the objection?

but I'll

17 MR. RYAN: I thought we had an understanding,
18 withdraw it.

19 THE COURT: All right.

20 MR. RYAN: I question the relevance of this.

21 THE COURT: Proceed.

22 BY MR. WOODS:

23 Q. How long did you stay in that hotel?

24 A. I forgot. Somewhere three, four days.

25 Q. All right. And where did you go after the three or

four

13906

Marife Nichols - Direct

1 days?

forgot

2 A. Somewhere nearby. Across of it is McDonald's. I

or Fort

3 the -- the address, but it's somewhere in Junction City

4 Riley.

you

5 Q. All right. How many days were you in motels before

6 left the country?

7 A. I think 36 days.

8 Q. And how many cities were you in?

Kansas,

9 A. A lot. From Kansas, Wichita, Oklahoma City,

10 Missouri. Somewhere there.

FBI

11 Q. Now, during this period of time, were you with the

12 during the daytime?

13 A. Yes.

14 Q. Did they ask you questions during the daytime?

15 A. Yes, they do.

they asked

16 Q. Okay. Did you try to answer every question that

17 you?

18 A. I did.

19 Q. Did there come a time when some money was returned
to you

20 that was taken from the house?

21 A. Yes. When I was in Oklahoma City, they finally
returned my

22 money.

23 Q. And how much money did you have in the house?

24 A. \$500 -- \$5,000 cash.

25 Q. And was -- where did that money come from?

13907

Marife Nichols - Direct

1 A. It came from Terry, most of it.

2 Q. Okay. And did you have it in the Philippines with
you

3 before you returned?

4 A. Some of it.

5 MR. WOODS: Your Honor, may it please the
Court, I

6 would like to offer into evidence a stipulation at this
time.

7 THE COURT: All right.

8 MR. WOODS: Your Honor, by agreement with
counsel,

9 it's a very short stipulation that I will read into
evidence.

10 THE COURT: All right.

11 MR. WOODS: "On September 18, 1994, Marife

Nichols

12 traveled from Kansas to the Philippines. Marife
Nichols took
13 approximately \$1,500 currency which she deposited in a
branch
14 of the Philippines Commercial International Bank in
Cebu City,
15 Philippines.

16 "On November 22, 1994, the Defendant, Terry
Lynn
17 Nichols, traveled from Las Vegas, Nevada, to the
Philippines.

18 After arriving in the Philippines, Terry Lynn Nichols
provided
19 additional money which was deposited into the same
bank.

20 "On March 15, 1995, Marife Nichols closed the
accounts
21 at the bank by withdrawing a total of \$4,035."

22 BY MR. WOODS:

23 Q. Ms. Nichols --

24 THE COURT: Well -- those facts are agreed?

25 MR. MACKEY: Yes, your Honor.

13908

Marife Nichols - Direct

1 THE COURT: The jury will accept them as
agreed facts.

2 BY MR. WOODS:

have 3 Q. When you returned from the Philippines, did you
4 approximately \$4,000 with you?
5 A. I think so, yes.

told 6 Q. Now, what amount of money was in the house that you
7 the FBI belonged to you?
8 A. \$5,000.

in May? 9 Q. And was most of that money returned to you sometime
10 A. Yes.
11 Q. Do you remember approximately when it was?
12 A. May 25 or 24. Somewhere in there.

money to buy 13 Q. All right. And were you then able to use that
14 an airplane ticket to go back home to the Philippines?
15 A. Yes.

Nichols had 16 Q. As of that time, did you understand that Terry
17 been charged and was in jail for this offense of
bombing the 18 federal building?
19 A. On that time, no, he was not.
20 I forgot. He probably is.

Nichols was 21 Q. All right. Was it your understanding that Mr.
22 in jail?
23 A. Yes.
24 Q. You had earlier told the jury that you had been

informed

25 that he was a material witness.

13909

Marife Nichols - Direct

1 A. Yes.

or do

2 Q. Was he still a material witness in late May of '95,

3 you know?

no.

4 A. I think he wasn't a material witness in that time,

the

5 Q. Do you know whether or not he had been charged with

6 offense?

7 A. Yes, he has been charged.

and

8 Q. And was it your decision, then, to take your child

9 return to the Philippines?

10 A. Yes.

11 Q. Now, Mrs. Nichols, how old are you?

12 A. 24.

13 Q. When were you born?

14 A. June 11, 1973.

you?

15 Q. When you got married to Terry Nichols, how old were

16 A. 17.

year-old

17 Q. Is there a prohibition in the Philippines of a 17-

18 getting married?
19 A. Yes. To my understanding, 17 years old, even with
the
20 parents' consent, it's not going to be able to get
married.
21 Q. Okay. Was your birth certificate changed to
reflect a
22 birth date of 1971?
23 A. Yes. My father did that.
24 Q. Okay. And have you put the -- have you used the
correct
25 age ever since?

13910

Marife Nichols - Direct

1 A. When we apply for the visa.
2 Q. Right.
3 A. No.
4 Q. When you applied for the visa, did you use the '71
birth
5 date?
6 A. Yes. Because it reflects to the marriage contract.
7 Q. And on the marriage contract, you had to put '91 --
'71 as
8 the birth date?
9 A. Yes.
10 Q. All right. Now, you mentioned that you still do
not have a

11 driver's license; is that correct?
12 A. That's correct.
13 Q. Did Terry Nichols encourage you to get a driver's
license?
14 A. Yes, he did.
15 Q. Did he attempt to teach you how to drive?
16 A. Yes.
17 Q. All right. Did he offer to buy you a small car
when you
18 were at the Marion ranch?
19 A. Yes, he did.
20 Q. Were you reluctant to drive the large pickup?
21 A. Around the country, no, I wasn't reluctant at all
as long
22 as there is no traffic. I mean on the gravel road, I
can
23 drive.
24 Q. Okay. And -- but you still haven't obtained a
driver's
25 license; is that correct?

13911

Marife Nichols - Direct

1 A. That's correct.
2 Q. Was that at the insistence of Mr. Nichols that you
not
3 drive?

4 A. No.

5 Q. Okay. What does your father do in the Philippines?

6 is his occupation?

7 A. He is a policeman.

8 Q. And where?

9 A. In Cebu, Philippines.

10 Q. And what is his rank?

11 A. Corporal.

12 Q. Okay. When you were being interviewed by the FBI,

13 days were you interviewed by the FBI? Do you recall?

14 A. I don't know how many days. I mean I was with them

15 days.

16 Q. All right. Any time that they asked you questions,

17 attempt to answer them?

18 A. Yes.

19 Q. Okay. Did you come to learn that you were pregnant

20 you were being interviewed by the FBI?

21 A. Yes.

22 Q. And is that the pregnancy that resulted in the

23 Christian?

24 A. Yes.

25 Q. And Christian, again, was born when?

13912

Marife Nichols - Direct

1 A. December 15, '95.

2 Q. Okay. And you did not see Timothy McVeigh in
Kansas during

3 1995. Is that correct?

4 A. That's correct.

5 Q. Okay. Did you talk to him on the phone?

6 A. No, I did not.

7 Q. Do you recall receiving a phone call from him at
all?

8 A. No.

9 MR. WOODS: Okay. Thank you. I pass the
witness,

10 your Honor.

11 THE COURT: All right. Mr. Ryan?

12 MR. RYAN: Thank you, your Honor.

13 CROSS-EXAMINATION

14 BY MR. RYAN:

15 Q. Good afternoon, Mrs. Nichols.

16 A. Good afternoon.

17 Q. My name is Pat Ryan. I'm the United States
Attorney in

18 Oklahoma City.

19 A. Okay.

20 Q. We've never met, I don't believe.

21 A. That's right.

22 Q. Now, is it -- would I be correct in stating that
Timothy

23 McVeigh was Terry Nichols' best friend?

24 A. Okay. You have to put that what date they were
best

25 friend.

13913

Marife Nichols - Cross

1 Q. At any time prior to the Oklahoma City bombing.

2 A. I don't think they were best, best friend. I mean
-- you

3 have to categorize how much best friend, you know.
They're

4 just -- they know each other from the Army and they --
and they

5 decided to have a business together.

6 Q. Did you tell the FBI on April 21 that Tim McVeigh
was Terry

7 Nichols' best friend?

8 A. I probably did.

9 Q. Can you think of anyone who is a closer friend of
Terry

10 Nichols than Tim McVeigh?

11 A. No.

12 Q. Now, when you married Mr. Nichols, he was
approximately 15

13 years older than Mr. McVeigh. Is that right?

14 A. Yes.

15 Q. And Mr. Nichols is approximately 17 or 18 years
older than

16 you?

17 A. Yes.

18 Q. Mr. McVeigh and Mr. Nichols spent a lot of time
together?

19 A. Yes, they do.

20 Q. In fact, you thought they spent too much time
together?

21 A. That's what I thought, because I don't have friends
around

22 and I just get jealous.

23 Q. You were jealous of all the time that Mr. McVeigh
and

24 Mr. Nichols spent together?

25 A. Yes, because Terry works; and when he came home, if
Tim

13914

Marife Nichols - Cross

1 McVeigh is visiting in our house, he would spend time
with Tim

2 instead of me.

3 Q. And Mr. McVeigh was a regular and frequent guest at
your

4 home both in Michigan and in Kansas?

5 A. That's correct.

6 Q. When I say "Kansas," I'm speaking of Marion,
Kansas.

7 A. Marion, Kansas.

8 Q. Because you've told the jury that Mr. McVeigh had
never

9 been to your home in Herington, Kansas.

10 A. That's right.

11 Q. Timothy McVeigh would often stay with you and Terry
Nichols

12 when he was traveling about the country?

13 A. Yes.

14 Q. Tim McVeigh rarely had any money. Is that fair?
That you

15 could tell?

16 A. I don't know. I never asked the guy if he has
money or

17 not.

18 Q. Did you ever know of him to have a job?

19 A. Back when he was in New York, yes, and he was in
Kingman,

20 too.

21 Q. Did he have a job in 1993 or 1994 that you knew of?

22 A. That I know of? Somewhere in Kingman, Arizona.

23 Q. Did he stay with you and your -- and Terry Nichols
to try

24 to save money? Did he tell you that?

25 A. No. He just visiting.

Marife Nichols - Cross

you, so 1 Q. But whenever he was in the area, he would stay with

2 far as you knew?

3 A. As far as I know, that's correct.

Nichols 4 Q. In fact, did anyone else ever live with you and Mr.

5 besides Tim McVeigh?

with James 6 A. You have to put that -- James -- we were living

7 Nichols in Michigan.

8 Q. No. I'm talking about in your home.

9 A. In my home?

you ever 10 Q. At anyplace that you and Terry Nichols lived, did

11 have a guest other than Tim McVeigh?

12 A. Yes, we do. Somewhere -- some people, foreigners.

13 Q. Who was that?

They're 14 A. I forgot their names. They have -- I don't know.

exchange. 15 from England or somewhere. There used to be student

16 Q. Were these friends of yours?

17 A. No. I never have friends here in America.

18 Q. Friends of Mr. Nichols?

19 A. Yes. And the Nichols family.

20 Q. Is that the only time you've seen these people?

21 A. Yes.

22 Q. They were not close friends of Terry Nichols?

23 A. I have no idea. I mean --

24 Q. Did you ever know of him to ever talk to these
people other

25 than this one occasion?

13916

Marife Nichols - Cross

1 A. Yes. That occasion, when they came and visit in
Michigan.

2 Q. Any other occasion?

3 A. I don't know.

4 Q. Did you ever have a house guest in Marion, Kansas,
other

5 than Tim McVeigh?

6 A. Yes. Our neighbor.

7 Q. When I say "house guest," let me clarify. I'm
speaking of

8 someone who would stay in the home, who would spend the
night

9 in your home.

10 A. No.

11 Q. Tim McVeigh was the only one?

12 A. Yes.

13 Q. And when he was at your home in Kansas, in Marion,
Kansas,

14 he was -- had free access to the home?

15 A. That's right.

16 Q. He could use any of the utensils or plates or
dishes or

17 whatever there was in the home?

18 A. That's right.

19 Q. Now, did I understand you correctly that Mr.
McVeigh also

20 stayed with you and Mr. Nichols at the farmhouse in
Michigan?

21 A. Yes.

22 Q. And he would come and he would go and he would come
and he

23 would go?

24 A. That's right.

25 Q. And this continued over about a two-year period of
time?

13917

Marife Nichols - Cross

1 A. Yes.

2 Q. Now, when you were living in Michigan at the home
of James

3 Nichols and Mr. McVeigh would be there, would Mr.
McVeigh spend

4 time together with James Nichols and Terry Nichols?

5 A. Yes.

6 Q. They would -- let me back up a minute.

York? 7 Did you ever go out to see Mr. McVeigh in New

8 A. Yes, we did.

9 Q. And did you visit him at his apartment there?

10 A. Yes.

11 Q. Would that be you and Terry Nichols?

12 A. Yes.

13 Q. If Mr. McVeigh was in town anywhere where you and
14 Mr. Nichols lived, would you expect Mr. McVeigh to stay
there
15 if he were in the area?

16 A. Yes.

17 Q. Would you agree that Mr. McVeigh and Mr. Nichols
were a lot
18 alike?

19 A. A lot alike?

20 Q. Yes.

21 A. No, they're not a lot alike.

22 Q. They have the same interests?

23 A. Interests in what?

24 Q. Did you tell Dan Rather in an interview on
television --

25 A. They have the same interest --

13918

Marife Nichols - Cross

1 Q. Excuse me just a moment.

2 A. In --

3 THE COURT: Let him finish the question.

4 THE WITNESS: I'm sorry, your Honor.

5 BY MR. RYAN:

6 Q. Did you tell Mr. Rather on September 29, 1997, that
7 Mr. Nichols and Mr. McVeigh had the same interests?

8 A. Yes. They have the same interests in the Army and
guns.

9 Q. They also shared antigovernment interests, did they
not?

10 A. Yes.

11 Q. I mean, you've heard them talk about their
antigovernment

12 views, Mr. McVeigh and Mr. Terry Nichols and Mr. James
Nichols?

13 A. Yes, I heard them.

14 Q. Would that be fair?

15 You've heard them talk about Waco?

16 A. Yes.

17 Q. And --

18 A. And I've watched the news, too -- I'm sorry.

19 Q. Excuse me.

20 A. And I've watched the news, too, about it.

21 Q. Right now, I'm only asking you about things that
you've

22 heard between James Nichols and Terry Nichols and
Timothy

23 McVeigh.

24 A. Okay.

25 Q. Have you heard them talk about their views of Waco?

13919

Marife Nichols - Cross

1 A. Yes.

2 Q. And that they were mad about Waco?

3 A. They? I mean --

4 Q. Yes, Mr. Nichols --

5 A. I did not see Terry being so mad about the Waco
than
6 McVeigh.

7 Q. Mr. Nichols, Terry Nichols, was upset about Waco,
was he
8 not?

9 A. Yes, they were upset.

10 Q. And you tried not to listen?

11 A. I did not try. I just -- it just did not get --
I'm not
12 interested to it.

13 Q. But you heard James Nichols talk about it as well,
have you
14 not?

15 A. Yes.

16 Q. Have you heard James Nichols quote his favorite
saying or a

17 saying that goes, "The tree of liberty must be

refreshed from

18 time to time with the blood of patriots and tyrants"?

19 A. Excuse me? Who said that?

20 Q. James Nichols.

21 A. I did not hear that.

22 Q. You have not heard that?

23 A. No.

24 Q. Have you heard that statement before?

25 A. No. Just now.

13920

Marife Nichols - Cross

between 1 Q. Have you seen letters that have been exchanged

2 Mr. Nichols, Terry Nichols, and Mr. Tim McVeigh?

Terry's 3 A. I've seen McVeigh's letters. I haven't seen

4 letters to Tim.

Nichols? 5 Q. But you've seen Mr. McVeigh's letters to Terry

6 A. Yes.

many 7 Q. And you've certainly seen them together on many,

8 occasions?

9 A. Yes.

telephone on 10 Q. And you've certainly heard them talking on the

11 many occasions?

12 A. On many occasions? Okay. Yes.

13 Q. And did you feel that Mr. Nichols -- excuse me --

14 Mr. McVeigh in his letters to Mr. Nichols wrote in some
sort of

15 code in order to hide the true nature of the
communication?

16 A. Did I feel that way?

17 Q. Yes.

18 A. I heard that from the FBI. "Did you think that was
in

19 code?"

20 And I said yes, because I want to -- I just
don't

21 understand the letters. There are some -- there is
lots of

22 English words that I do not understand.

23 Q. Did you tell the FBI that you thought that Mr.
McVeigh

24 wrote in code to Mr. Nichols?

25 A. I did not say it. They asked me if I thought, and
I said

13921

Marife Nichols - Cross

1 yes.

2 Q. So you agreed with that statement?

3 A. I sort of agree with it.

4 Q. Now, you speak good English. Would you agree? You
5 speak --

6 A. I hope so.

7 Q. You speak English in the Philippines?

8 A. We speak English in school.

9 Q. Yes. And you went to English-speaking high school?

10 A. Yes.

11 Q. And you've taken courses in college that were
taught in

12 English?

13 A. Yes.

14 Q. You've taken courses, including algebra that was
taught in

15 English?

16 A. Yes.

17 Q. And physiology?

18 A. Physiology.

19 Q. Anatomy, physiology?

20 A. That's in high school? I don't remember.

21 Q. Did you take a psychology course in English?

22 A. Yes. In English, psychology.

23 Q. I mean, you've given interviews to the press in
English?

24 A. Yes.

25 Q. So, I mean, you understand me well right now, don't
you?

Marife Nichols - Cross

1 A. Right now, I understand more.

2 Q. And did there come occasions where Mr. Terry
Nichols would

3 see you reading any letter from Tim McVeigh?

4 A. Yes.

5 Q. And he would come and grab it away from you?

6 A. That was back in Michigan. That's what I question
him,

7 "Why would you grab that letter?"

8 Q. And he said?

9 A. He was just teasing me.

10 Q. But he didn't let you read it, did he?

11 A. There is one occasion he didn't let me read it.

12 Q. Were you concerned about Terry Nichols'
antigovernment

13 views that he shared with Tim McVeigh?

14 A. No. I -- I was not concerned at all.

15 Q. Isn't it true that you were so concerned about his
16 antigovernment views that you talked to Terry Nichols'
mother

17 about it?

18 A. Yes, I did, but that wasn't the antigovernment. It
was

19 about what he is doing in like the license and -- okay.
I

20 don't understand fully what's antigovernment is.

Nichols' 21 Q. Did you talk to Terry Nichols' mother about Mr.
22 negative views about the United States Government?
23 A. I don't understand what's negative views, because I
have no 24 idea what's the positive views of the government.
Nichols 25 Q. Were you concerned about the bad things that Mr.

13923

Marife Nichols - Cross

1 was saying about the government?
2 A. About the government. I do not see him talking
about bad 3 things to the government. I was saying -- I've seen he
was 4 talking about the banks, the -- his credits.
5 Q. And Mrs. Nichols, his mother, told you to put your
foot 6 down?
7 A. Yes.
8 Q. But you never did that, did you?
9 A. I don't know how to put my foot down.
10 Q. Did Mr. Nichols, in the years during your marriage,
ever 11 have a job for more than six or seven months?
12 A. Mr. Nichols? He stayed in the farm for almost two
years.

13 Q. Working for his brother?

14 A. Yes.

15 Q. Did you feel like a maid when you lived in
Michigan?

16 A. No.

17 Q. When Tim McVeigh was there?

18 A. No. I did somehow complain that to my parents
because my

19 father doesn't like my idea of going back and forth to
20 Philippines and America.

21 Q. Did you tell a media representative, the "American
22 Journal," that you felt like you were treated as a
maid?

23 A. No.

24 Q. Did you tell that same journal that Terry Nichols
said,

25 "The young ones -- young women are easier to train"?

13924

Marife Nichols - Cross

1 A. To the "American Journal"? Okay. Can you ask the
2 question, please.

3 Q. Yes. Did you tell the "American Journal" that
Terry

4 Nichols used to say to you that "Young ones were easier
to

5 train"?

6 A. Yes.

had no 7 Q. Now, as I understood from what you've told us, you
8 friends in America?
9 A. That's right.
10 Q. You felt totally dependent on Terry Nichols?
11 A. That's right.
12 Q. You never learned how to drive?
13 A. That's right. I never --
14 Q. Excuse me. Go ahead.
15 A. Go ahead.
16 Q. You often fought with Terry Nichols about your
wanting to 17 go back to the Philippines to go to school?
18 A. Yes.
19 Q. Was Terry Nichols good at letting you know where he
was 20 going to be?
21 A. Yes.
22 Q. And if he left without telling you where he was
going to 23 be, did he always leave a note?
24 A. I don't remember. Some occasion, he probably did.
25 Q. Did you -- have you told people in the past that he
always

13925

Marife Nichols - Cross

1 let you know where he was?

2 A. Yes.

3 Q. And was that true?

4 A. That's true.

5 Q. Now, I heard you testify on direct examination that
you and

6 Terry Nichols had two telephone cards.

7 A. Yes.

8 Q. One was the Southwestern Bell card, did you say?

9 A. Yes.

10 Q. And the other was the Bridges card?

11 A. Yes.

12 Q. The Bridges card was owned by Terry Nichols; is
that

13 correct?

14 A. Yes.

15 Q. And that card was owned in the name of Daryl
Bridges?

16 A. Yes.

17 Q. Who is Daryl Bridges?

18 A. I don't know. He picked that name.

19 Q. That is an alias?

20 A. Yes.

21 Q. Do you understand the term "alias"?

22 A. Yes, alias.

23 Q. That is an alias that Mr. Nichols selected?

24 A. Yes.

25 Q. When he took that card out?

13926

Marife Nichols - Cross

1 A. Yes.

2 Q. And do you know -- did you ever receive an
explanation for

3 why that name was selected?

4 A. I don't know. I didn't ask.

5 Q. Did you think it was strange that he was using an
alias?

6 A. No.

7 Q. Have you ever used an alias?

8 A. Pardon?

9 Q. Have you ever used an alias?

10 A. Yes.

11 Q. What alias?

12 A. Nowadays?

13 Q. What alias have you used?

14 A. My address. It's "May Thomas."

15 Q. Because of what's happened since the bombing,
you're

16 talking about?

17 A. That's right.

18 Q. Prior to the Oklahoma City bombing, did you ever
use an

19 alias?

20 A. Back in Philippines?

21 Q. Yes.

22 A. No, I did not. But if we would -- met a stranger,
23 sometimes I'd just tell different names.

24 Q. Did you have an understanding as to why Mr. Nichols
took
25 out the Bridges card in the name of an alias?

13927

Marife Nichols - Cross

1 A. No, I did not ask. It didn't bother me.

2 Q. Did you ever see any record, telephone record, of
the
3 Bridges telephone card?

4 A. No.

5 Q. Did you ever see a telephone bill for the Bridges
card?

6 A. No.

7 Q. You were allowed to use the Southwestern Bell card;
is that
8 correct?

9 A. That's correct.

10 Q. But you were not allowed to use the Bridges card.
Did I
11 understand correctly?

12 A. I did not ask for the -- that card.

13 Q. Terry Nichols used it?
14 A. I assume, yes.
15 Q. And Tim McVeigh used it?
16 A. I guess. There was one time that he asked me the
number.
17 Q. And Tim McVeigh had the special code number for the
Bridges
18 telephone card?
19 A. That's right.
20 Q. Well, who decided when you -- which card you were
going to
21 use, whether it was going to be the Bridges card or the
22 Southwestern Bell card?
23 A. Okay. When we were in Herington, Kansas? Who
decided?
24 Q. Yes.
25 A. Nobody did. He just gave me the card.

13928

Marife Nichols - Cross

1 Q. He gave you the Southwestern Bell card?
2 A. Yes.
3 Q. Did you ever have a conversation with him about
your not
4 using the Bridges card?
5 A. No.
6 Q. But in the time period that that card was in

existence, as

7 far as you know, only Tim McVeigh and Terry Nichols
used it?

8 A. Yes. To my knowledge.

9 Q. Now, at the time the Bridges card was taken out,
that was

10 in Michigan. Do you recall that?

11 A. Yes.

12 Q. And at that time, Terry Nichols was farming in
Michigan.

13 Correct?

14 A. That's correct.

15 Q. He was not in the gun show business?

16 A. That's right. But he did went to some gun shows
there and

17 sell -- sold guns.

18 Q. Now, when Terry Nichols worked at the Donahue
Ranch, I

19 think you've told the jury that that was in the year
1994?

20 A. Yes.

21 Q. Beginning in around March or so and ending around
22 September?

23 A. Yes.

24 Q. He made a good living?

25 A. Yes.

Marife Nichols - Cross

1 Q. A good salary?

2 A. Yes.

3 Q. And had a home that was provided there by --

4 A. By Tim Donahue.

5 Q. -- by Mr. Donahue.

6 A. Yes.

7 Q. And in September -- did you tell us October, 1994,

8 Mr. McVeigh showed up?

9 A. August.

10 Q. I'm sorry. I'm not sure what I said. August,
1994?

11 A. Okay.

12 Q. Mr. McVeigh showed up?

13 A. Yes.

14 Q. And he stayed there at the home?

15 A. Yes.

16 Q. And then he left on a couple of trips, but he
always came

17 back to the home?

18 A. Yes.

19 Q. And when you left for the Philippines -- did you
tell us

20 September 22?

21 A. Yes.

22 Q. Mr. McVeigh was left there with Terry Nichols?

23 A. Yes.
24 Q. Did I understand correctly that at that time, Mr.
Nichols
25 advised you that he was leaving Mr. Donahue and the
farm and

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Marife Nichols - Cross

1 the home you had there --
2 A. That's correct.
3 Q. -- to go in the gun show business with Mr. McVeigh?
4 A. That's correct.
5 Q. Is it true that Mr. Nichols gave you one week to
decide
6 whether or not you were going to go in the gun show
business
7 with him or go to the Philippines?
8 A. That's correct.
9 Q. And you chose the Philippines?
10 A. That's right.
11 Q. How long were you planning to stay in the
Philippines on
12 that occasion, September of 1994?
13 A. I was planning to stay there for a year. I can
only stay
14 in Philippines for a year, or I would lose my green
card.
15 Q. And were you planning on going to school at that
time?

16 A. Yes.

17 Q. And that is when you attended school?

18 A. Yes.

19 Q. You attended, what -- from what period to what
period?

20 A. From October -- late October to March.

21 Q. Did you know of any other job that Mr. McVeigh had
at that

22 time?

23 A. On that time?

24 Q. September of 1994.

25 A. No.

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Marife Nichols - Cross

1 Q. Other than with your husband?

2 A. That's right.

3 Q. Did you ever see any property that Mr. McVeigh had
to sell?

4 A. He had stuff in his car.

5 Q. What was it?

6 A. I don't know. I didn't look in there.

7 Q. Did you ever know of anything that Mr. McVeigh had
to sell

8 at gun shows?

9 A. On that time?

10 Q. In September of 1994.
11 A. No.
12 Q. Did I understand you correctly that Mr. Nichols did
not
13 believe in banks?
14 A. Does not like banks.
15 Q. Did not want to put his money in banks?
16 A. That's right.
17 Q. He believed in holding his money in silver and
gold?
18 A. That's right.
19 Q. Didn't trust banks?
20 A. I wouldn't say he didn't trust it, because he
opened an
21 account with my name in it.
22 Q. But never his?
23 A. Yes.
24 Q. And you had gold and silver coins?
25 A. That's right.

13932

Marife Nichols - Cross

1 Q. In your home in Marion?
2 A. That's right.
3 Q. And in fact, I think you told us on direct that
when you
4 wanted to go back to the Philippines, you and Tim

McVeigh

5 cashed in a number of those coins?

6 A. Yes.

7 Q. To pay for your trip back to the Philippines?

8 A. Yes.

9 Q. And you told us they were gold Maple Leaf coins?

10 A. Yes.

11 Q. Did Mr. McVeigh ever have any gold coins?

12 A. I have no idea.

13 Q. That you saw?

14 A. That I saw? I don't know. I didn't see any.

15 Q. Did you ever see any evidence at all that Mr.
McVeigh ever

16 had any gold or silver coins?

17 A. No, I did not.

18 Q. All of the gold and silver coins that belonged in
your and

19 Mr. Nichols' house belonged to you and Mr. Nichols?

20 A. That's right.

21 Q. And that would be true at the time of Mr. Nichols'
arrest

22 in April of 1995?

23 A. Yes.

24 Q. All of the gold and silver coins that were in your
home at

25 that time belonged to you and Mr. Nichols?

Marife Nichols - Cross

1 A. Okay. When we were in Herington, Kansas, there
were more
2 silver -- I mean silver and gold coins in sort of like
a book
3 where he was selling, and I did not ask if it is his or
Tim or
4 anybody because I -- I just assume it was his.
5 Q. You kept some gold and silver coins in a drawer in
the
6 kitchen? Is that correct?
7 A. That's correct.
8 Q. And were -- all of those coins in that drawer in
the
9 kitchen: Did they belong to you and Mr. Nichols?
10 A. Yes, to Mr. Nichols.
11 Q. Just to Mr. Nichols?
12 A. Yes.
13 Q. All right. Tim McVeigh had no coins in your home
as far as
14 you knew?
15 A. As far as I know.
16 MR. RYAN: Now -- I'm going to start in with
some
17 exhibits, your Honor. Maybe this would be a good time.
18 THE COURT: Yes. I think we'll go ahead and
recess,
19 then, since it's almost 5:00.

resume 20 Mrs. Nichols, you may step down now. We'll
21 your testimony tomorrow morning.

we 22 Members of the jury, I told you yesterday that
23 would -- I would be able to tell you more today with
respect to
24 our schedule, and I can and will and am. We expect
that we
25 will complete the testimony in this case this week. It
could

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taking of 1 be tomorrow, it may be on Friday; that is to say, the
2 the evidence, the testimony from the witnesses and
whatever
3 exhibits and stipulations and so forth.

at 4 And what I have decided to do, then, is that
5 whatever time we finish the taking of the evidence, we
will
6 recess as far as you're concerned and then submit the
case to
7 you, as we say, with arguments and instructions on
Monday
8 morning.

9 Now, it will take longer than Monday morning.
10 Obviously, a good deal of evidence has been provided

here, and

11 you will hear, as I told you when we started this trial
when we
12 talked about the phases of the case and I told you
there are
13 four stages or phases: the opening statements, which
you heard,
14 of course; then the evidence, which we're hearing now;
then
15 there will be closing arguments from the lawyers on
each side,
16 and then I will instruct you in detail with respect to
the law
17 to be applied.

18 So that will happen next week; and the case
will be in
19 your hands, then, hands of the deliberating jurors,
Monday or
20 Tuesday, depending on how long -- and I don't put, you
know --
21 we don't chart the time here with respect to closing
arguments,
22 giving both sides full opportunity to address these
matters in
23 argument. And then the instructions in the case take a
while.

24 So that will be our schedule. The case will,
as I
25 say -- the evidence will be completed this week, and
the case

1 will be submitted to the jury next week.

2 Now, I also want to tell you that I do not now
have
3 any plan to sequester the jury during deliberations. I
do not
4 intend to change the scheduling that we have here, so
that
5 during deliberations, the jury would be here during the
working
6 day and then recess overnight, just as we have been.
And as I
7 say, I have no plan to do that now. And, of course, I
reserve
8 the decision to do it if it should become necessary for
some
9 reason, which I do not anticipate happening.

10 But I just want to keep you advised of where
we are
11 and what to expect.

12 You know, I could do it another way and push
this
13 thing on and then ask you to work over the weekend, but
I --
14 I'm not going to do that. I think that it would be
probably an
15 advisable thing for all of us to take that time and
then come
16 in fresh for the arguments and instructions next week.
So
17 that's what you can expect.

18 Now, of course, when I tell you, as I just
have, that
19 we're nearing the end, obviously there is just a human
tendency
20 to want to review in your minds, perhaps, what it is
that you
21 think you've heard and what it means. Please don't do
that.
22 These arguments that you're going to hear -- first of
all,
23 you're going to hear more evidence. But then in
addition to
24 that, the arguments that you're going to hear from the
lawyers
25 are a very important part of the case, and the
instructions

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1 that I'm going to give you about the law are a very
important
2 part of the case.
3 So it isn't until all of that is done that it
is fair
4 to us and consistent with your oath as jurors to begin
to think
5 about what the decisions in the case ought to be. So
please
6 continue to withhold judgment in your own minds, avoid
7 discussion of the case among yourselves and with all
other

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23 DEFENDANT'S EXHIBITS

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1 DEFENDANT'S EXHIBITS (continued)

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1 REPORTERS' CERTIFICATE

2 We certify that the foregoing is a correct
transcript from

3 the record of proceedings in the above-entitled matter.
Dated

4 at Denver, Colorado, this 10th day of December, 1997.

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Paul Zuckerman

Carpenter

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Bonnie