

Rejoinder by Sylvia Meagher to the reply by David W. Belin

20 April 1971

Mr. Belin acknowledges that there were inconsistencies and conflicts between the testimony of Charles Givens in April 1964 and what he terms "the hearsay statements of third parties" and "early written reports of third parties in our possession" but argues that "the best source of testimony is from the witness himself." That is a defective argument, on factual and logical grounds. First, the "early written reports" included a sworn affidavit signed by Givens himself on November 22, 1963, which cannot be dismissed as a "hearsay statement of a third party" and which is incompatible with the April 1964 testimony. Second, the affidavit and the statements made by Givens later on the same day to two FBI agents, as reported by them, recounted Givens' observations and actions immediately after they took place and must therefore be deemed more plausible and reliable than recollections of a different nature produced by Givens for the first time after the passage of more than four months.

The legitimate "early written reports of third parties" consisted of FBI and Secret Service accounts of interviews with Charles Givens. They are generally compatible with each other and with Givens' affidavit of November 22, 1963. Surely Mr. Belin does not suggest that all those FBI and Secret Service reports of interviews with Givens are inaccurate and unreliable, and Givens' own affidavit as well. If he does suggest that all of Givens' statements prior to April 1964 were inaccurate or inaccurately reported, he was still obliged to place on record the existence of the earlier so-called hearsay statements, as was done in the case of at least 62 witnesses who were confronted during their testimony with FBI reports which the witnesses then alleged to misrepresent their actual statements to the FBI. See, for example, R. Kellerman in 2H 93-95; W. Greer in 2H 131; A. Rowland in 2H 182-183; etc. (a complete list of citations appears in my Subject Index, page 31).

Mr. Belin acknowledges that he was aware that one FBI report alleged that Givens had stated on the day of the assassination that he had seen Oswald at 11:50 that morning in the domino room on the first floor. He nevertheless accepted without demurrer Givens' flat denial on April 8, 1964 that he had ever made such a statement to anyone. In doing so, did he consider that the FBI agents in question had invented the remark they attributed to Givens? Did he question the FBI agents in an attempt to reconcile the conflict between their report and Givens' denial, and to establish which was credible? Seemingly, Mr. Belin simply accepted the denial, again without placing on record the existence of the contrary FBI report. In doing so, he also disregarded the known statement by another witness, William Shelley, that he had seen Oswald on the first floor at 11:50 a.m., which corresponds exactly with the statement allegedly made by Givens to the FBI and invests that statement with independent corroboration. He further disregarded the fact, also known to him, that two additional witnesses had observed Oswald on the first floor, at noon and at 12:15 p.m., respectively.

Mr. Belin has not addressed himself at all to my account and evaluation of the testimony of Inspector Sawyer and Lt. Revill of the Dallas Police as irreconcilable with the evidence in the contemporaneous records (affidavit and police radio alert) and the testimony of the Police Chief. Apparently he does not contest the facts as I set them forth.

In his lengthy reply to my article, Mr. Belin has resorted to considerable obfuscation and irrelevancy, asserting repeatedly his own probity, impartiality, incorruptability, and even his opposition to the Vietnam war. Shorn of these diversionary passages, the reply contains pitifully little that is material and responsive to the issue of prima facie evidence of perjury and collusion that surrounds the testimony of Charles Givens. The lengthy excerpts from the transcript which Mr. Belin has quoted are largely irrelevant and in any case part and parcel of the suspected perjury. His one responsive argument boils down to the claim that the statements made to him by Charles Givens nullify all of Givens' earlier divergent statements as reported by official federal investigators and corroborated



to an important degree by the independent testimony of other witnesses. Implicitly he accepts, and asks us to accept, the far-fetched idea that Charles Givens "forgot" from November 22, 1963 until April 8, 1964 the single most important encounter he experienced on the day of the tragedy--the supposed encounter with Oswald during the supposed return to the sixth floor to get his cigarettes. He asks too much, by far.

I will not comment on Mr. Belin's simplified discussion of extraneous matters such as the Tippit murder and the Mannlicher-Carcano rifle, since I have treated those subjects in great detail in a five-hundred page book documenting the pervasive deformities and misrepresentations of fact in the Warren Report.