

Mr Joseph A Ball  
Ball Hunt and Hart  
120 Linden Avenue  
Long Beach California 90802

24 September 1965

Dear Mr. Ball,

Recently I had a long-awaited opportunity to hear a tape recording of your debate with Mark Lane at Beverly Hills in December 1964, in which you said at one point,

"We didn't take a single bit of evidence into consideration unless it was under oath."

I should like to mention an exception, which perhaps slipped your mind in the heat of the moment---that is, that the Warren Report (page 111) gives "substantial weight" to the observations of Glen A. Bennett, who did not give testimony under oath. I am tempted to mention also Milton Jones, the teen-age bus rider (see GE 2641), but I am not at all sure that his evidence was taken into proper consideration---particularly his startling account of a police search of the bus passengers, which seems not to have been followed up at all. So I will mention only Glen Bennett.

These remarks are by way of preface. The main purpose of this letter is to invite you to comment, if you wish, on certain aspects of the investigation which are treated in Chapter IV of the Report, authorship of which you claimed during the Beverly Hills debate. I am working on a comparative study of the assertions in the Report, on the one hand, and the source data in the Hearings and Exhibits, on the other. In a number of instances, there appear to be serious conflicts between the two. I should not wish to publish criticism or charges of misrepresentation without first using every opportunity to obtain clarification that would serve to dissipate mistaken conclusions on my part. Consequently, I hope that you will not hesitate to correct me if I have misunderstood or misstated the position on the matters which I shall now mention.

The Report (page 175) states repeatedly that Captain Westbrook discovered the jacket discarded by the suspect in the Tippit shooting. Westbrook explicitly said that he did not find the jacket (7H 115-117) but that he was present when an unknown police officer noticed the jacket under a parked car. He said further that he picked up the jacket and instructed the unknown officer to take the license number of the car.

Westbrook's testimony is supported by police officer T.A. Hutson (7H 30-33), who said also that the jacket was picked up by another officer whose name he could not give, and that Captain Westbrook was present at the time.

The police radio log throws grave doubt on the veracity of both witnesses. The radio log indicates that the jacket was found by "No. 279 (Unknown)" some 14 minutes before Westbrook learned that a jacket had been discarded by the suspect and set out to search for it (GE 1974 pages 62 and 77). If the radio log is accurate, Westbrook and Hutson have given a false account of the discovery of the jacket, apparently in collusion, and that account has been legitimized in the Report despite its conflict with facts recorded contemporaneously and presented in the Commission's own Exhibit 1974.

If the radio log is not accurate on this point, how much confidence should be placed in its other parts?

I believe that I have succeeded in working out the identity of "No. 279 (Unknown)" from certain other Commission Exhibits and will be glad to tell you the name if you are interested. His identity serves to increase suspicion of Hutson's testimony, for it is improbable, if not inconceivable, that Hutson was present at the discovery of the jacket but genuinely unable to recognize the officer who found it. By the way, "No. 279" was not a Commission witness nor the subject of any interviews or reports found among the Exhibits.

A similar discrepancy arises with respect to the description of the suspect that was broadcast on the police radio shortly after the Tippit shooting. The Report (page 175) certainly creates the impression that the description came from Mrs H Markham and Mrs B J Davis, through officer Poe. The radio log indicates that the descriptions were called in by officers R W Walker (not C T Walker) and H W Summers, neither of whom seem to have been in contact with the witnesses Markham or Davis, and neither of whom were witnesses before the Commission nor interviewed on this point by any authority. Consequently, while the exquisitely careful phrases on page 175 of the Report are technically correct, they are completely misleading. Reference to Poe's testimony without mention of contrary information in the radio log implies endorsement of a version of events which stands in conflict with the Commission's own Exhibit.

These examples perhaps will suffice for the moment. I have a goodly number of others, many falling within Chapter IV, but I will await your comments, if any, on these matters before proceeding to a complete inventory. There is, after all, some wisdom in keeping one live round in the chamber.

Let me be candid and admit that I am not optimistic about receiving a reply to this letter. Experience suggests that response to questions, despite their legitimacy, is not often forthcoming from members of the Commission or its servants. Perhaps they do not feel a moral obligation in this respect. However, your words and your tone as recorded in the Beverly Hills debate indicate confidence and pride in the job done. That encourages me to hope that you will wish to reply and to disabuse me of my erroneous notions---if erroneous they are. I will be glad and relieved to be proven wrong, paradoxical as that may seem, for I do not live happily with the suspicion that the Report is unreliable and that the truth behind this immense, incomprehensible tragedy remains hidden.

Yours sincerely,

Sylvia Meagher  
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New York N Y 10014

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