

WARREN BOARD SEEKS TO FORCE TESTIMONY AND GRANT IMMUNITY

Witnesses Would Be
Unable to Take Ref-
uge Under Fifth
Amendment

WASHINGTON, Dec. 7 (AP)—

The investigators of the assassination of President John F. Kennedy are asking Congress for extraordinary powers to force testimony from any reluctant witnesses and to grant immunity from prosecution.

The sweeping resolution was introduced in the Senate late yesterday by Senators Richard B. Russell (Dem.), Georgia, and John Sherman Cooper (Rep.), Kentucky, members of the presidential commission headed by Chief Justice Earl Warren.

It came almost simultaneously with announcement that Texas has postponed its court of inquiry at Warren's suggestion to avoid interference with the investigation ordered by President Lyndon B. Johnson.

Texas Attorney General Waggoner Carr said he has been invited to participate in the bipartisan presidential inquiry and would do so.

FBI Gets Files, Evidence
Files and evidence amassed by

Texas state and city authorities already are in the hands of the Federal Bureau of Investigation, he said, and the Texas court will be convened if it can be useful to the Warren Commission in questioning witnesses there.

It may also be convened after the Warren group ends its work if this would serve any good purpose, Carr said. He set forth his belief that federal investigative powers are "being used to the fullest extent."

So broad are the immunity clauses in the Senate resolution offered by Russell and Cooper that some Capitol observers predicted it would undergo scrutiny and possibly some modification. A less drastic bill, providing full subpoena powers without the immunity provisions, already had been introduced by Senator Kenneth B. Keating (Rep.), New York.

However, Warren told reporters that his seven-member commission scanned and approved the Russell-Cooper draft yesterday. Identical legislation will be offered in the House Monday by two other commission members, Representative Hale Boggs (Dem.), Louisiana, and Representative Gerald R. Ford (Rep.), Michigan. Approval by both Houses is required.

Fifth Amendment Use

The measure provides that no one subpoenaed shall be excused from testifying or producing evidence on Fifth Amendment grounds — that to do so might tend to incriminate him.

It provides that no person shall be prosecuted or penalized — except by demotion or removal from office — because of testimony he is compelled to give or evidence he is forced to produce after he claims protection of the Fifth Amendment.

An exception to this immunity would permit prosecution and punishment for perjury of anyone testifying in the commission's investigation.

The commission's subpoenas would be enforceable by federal court orders, and failure to comply would be punishable as contempt.

FBI Report

Warren told reporters yesterday, however, that the commission still has not received the FBI's bulky investigation report. It has been completed and reportedly indicates that Lee Harvey Oswald, acting on his own, killed President Kennedy in Dallas Nov. 22, and that Oswald was killed by night club owner Jack Ruby—who, the FBI believes, also acted on his own.

The commission therefore still has "no idea of the magnitude of our work," Warren said, and still is not ready to say whether the hearings for which the subpoena power is sought will actually be called.

The FBI is still investigating, and a new angle developed yesterday. This was the disclosure that Mrs. Marina Oswald, the Russian born wife of the accused former marine, has told investigators that her husband boasted at firing at former Maj.

Gen. Edwin A. Walker on April 10

Walker, an advocate of right-wing causes, was the target of a rifle shot fired through a window of his home in Dallas by an unseen sniper. The bullet narrowly missed and Walker was cut by flying glass.

The Dallas Morning News says officers are convinced that Oswald fired the rifle shot that barely missed Walker. The News said an entry in a small notebook and the statement by Oswald's widow were the connecting factors.

The story said that investigators found a notebook, in which Oswald had scribbled Walker's name and phone number, in Oswald's room after his arrest in the Kennedy shooting.

The news says also that officers were planning to question Oswald about the Walker incident on Nov. 23—the day before he was shot to death.

The News said that investigators were unable to determine whether the slug fired into Walker's home came from the same gun that fired the fatal shots at Mr. Kennedy.

In nearby Irving, Tex., Mrs. Ruth Paine, in whose home Mrs. Oswald lived until the day of the assassination, said that the FBI knew some time after Oct. 16 that Oswald worked in the Texas School Book Depository building from which the Kennedy assassination shots were said to have been fired.

Mrs. Paine told the Associated Press that she interpreted Mrs. Oswald on two occasions when FBI agents came to warn her about possible blackmail attempts on her relatives behind the Iron Curtain.

In the course of the conversation, Mrs. Paine said, she told the agents that Oswald had rented a room in Dallas and worked in the book depository.

They did not seem particularly interested in Lee," she said. They seemed to want to help Marina if any of her family was threatened after she came to this country.