



# Why Warren Served

11-22-66  
NY  
Post

DREW PEARSON

Washington.

Today, when a favorite national sport seems to be that of casting doubt on the findings of the Warren Commission, it might be well to investigate how the commission came into being.

I discussed the matter with the new President of the U. S. 10 days after President Kennedy's tragic death. Suddenly, from having been a background figure in the Kennedy Administration, Lyndon Johnson had been thrust into the White House, with all its heavy long-range responsibilities plus its immediate problems of President Kennedy's funeral and the fixing of guilt for his death. The latter had been complicated by Jack Ruby's shooting of Lee Harvey Oswald, which unleashed a flood of rumors that Oswald had been in conspiracy with the Dallas police, the underworld, or the pro-fascist right wing in Dallas.

The new President was fully aware of this. He also recalled from history the rumors that followed Lincoln's assassination, the vicious report that members of Lincoln's Cabinet had conspired to kill him.

So Johnson decided to pick the most unimpeachable bipartisan board possible to investigate the tragedy of Dallas.

He picked two Republicans—Sen. John Sherman Cooper of Kentucky and Rep. Gerald Ford of Michigan. He balanced them against two Democrats—Sen. Richard Russell of Georgia and Rep. Hale Boggs of Louisiana. He chose a distinguished elder statesman of the Republican Party, John J. McCloy, who had served as Assistant Secretary of War, High Commissioner to Germany, head of the Chase Manhattan Bank and head of the World Bank; plus Allen Dulles, ex-chief of the Central Intelligence Agency.

But these men were willing to serve only if led by a respected, nonpartisan chairman, and to this end the new President approached the Chief Justice.

\* \* \*

**Earl Warren had been three times Republican** Governor of California, had run for Vice President on the Dewey ticket in 1948. His credentials were of the highest.

But the Chief Justice was most reluctant. He told President Johnson the Supreme Court had made it a rule that its members must not serve outside the Court; that they must concentrate on judicial problems. He recalled criticism of the late Justice Robert Jackson when Jackson took leave of the Court to be U. S. Prosecutor at the Nuremberg war trials. Justice Frank Murphy had also taken time off from the Court for brief World War II military training.

The Chief Justice was adamant in his opposition.

But Lyndon Johnson is a persuasive President. The other members of the commission would serve only if the Chief Justice was its Chairman.

"In 1917," Johnson told the Chief Justice, "you put on a uniform and went out to fight for your country when your country needed you. Your country needs you today."

With tears in his eyes, the Chief Justice accepted.

\* \* \*

**One development in the investigation of the** tragedy which occurred in Dallas three years ago today was the testimony of Mrs. Lee Oswald that her husband had tried to kill Richard Nixon.

She told the Warren Commission how he had read in the newspaper that Vice President Nixon was in town, had strapped his holster and revolver underneath his coat and announced he was going downtown to "kill the Vice President."

Mrs. Oswald, then recently arrived from Russia, didn't know what to do. But when her husband went into the bathroom she locked the door and kept him there for a couple of hours, until his ardor for killing had cooled off.

The incident puzzled the Warren Commission. Checking on the movements of Richard Nixon, they found that he not only was not Vice President at that time, but he was not in Dallas.

On the other hand, Vice President Lyndon Johnson was in Dallas. Commission members concluded, therefore, that it was Lyndon Johnson who had escaped assassination, and that Mrs. Oswald, recalling then Vice President Nixon's visit to Moscow, had confused the two men.