

2 August 1968

Dear Bill:

We checked the record, and I hasten to warn that I misinformed you this afternoon when I told you there seemed to be some correlation between Chief Justice Warren's resignation and the move into federal court by Shaw's lawyers.

The actual connection, if any exists, is between their attempt to drag Ramsey Clark into the case and Warren's decision to quit. The sequence appears to be this:

The Shaw attorneys filed another motion in federal court on June 13, asking that Clark be named a defendant in their suit to block the Shaw trial. The States-Item story says they told the court they had asked Clark to join them as a plaintiff but he had refused to do so. The motion charged that the purpose of Garrison's investigation is to discredit the Warren Report; therefore the Attorney General should be made a party to the suit [apparently as a co-defendant with Garrison, since he had refused to become a co-plaintiff] to protect the interests and integrity of the United States and its citizens.

On the same day, June 13, in a story the AP carried July 5,* Warren is quoted as saying he first telephoned President Johnson in the morning to tell him of his plans to retire, and then went to the White House to submit his letter of resignation. According to the first AP story the States-Item carried on June 21, the day Warren's resignation was announced, this letter was undated.

Even though Warren's phone call to LBJ was in the morning of the 13th, presumably before he could have known from the press of the motion to drag Clark into the mess, it could be that he already knew about it, or had just learned of it. It seems certain that the original move of the Shaw case into federal court must have generated judicial gooseflesh coast to coast, and this could have given Warren the extra little push he needed to tell LBJ he was clearing out before the whole thing blew up in his own face in the Supreme Court. This could depend to a certain extent on whether Ramsey Clark had bothered to tell Warren that he had first been wooed as a co-plaintiff with Shaw and now was having the delectable prospect of being a co-defendant with Garrison dangled before him. Of course we'll never know.

There was one other thing I wanted to bring up with you, but could not think of it, and that was whether Garrison was sending up any particular smoke signal to anyone when he announced he had been exchanging information with an agency of another government. We noted the NY Times version which had him indicating he was announcing it to counter the Epstein article in the New Yorker, but we both felt much more probably was involved.

Best,


jdw

*filed WC (Warren resignation)