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CARR (400)

(WITH WIREPHOTOS FW)

BY MIKE COCHRAN

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5 MAR. 1967

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(WITH WIREPHOTOS FW2)

BY MIKE COCHRAN

ASSOCIATED PRESS WRITER

FORT WORTH, TEX., MARCH 5 (AP)-FORMER TEXAS ATTY. GEN. WAGGONER CARR DENIED TODAY AUTHOR WILLIAM MANCHESTER'S REPORT THAT PRESIDENT JOHNSON AND TEXAS OFFICIALS TRIED TO EXCLUDE FEDERAL AUTHORITIES FROM THE INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, BUT HE SAID THAT CHIEF JUSTICE EARL WARREN TRIED TO PREVENT TEXAS OFFICIALS FROM WORKING WITH THE FEDERAL INVESTIGATING COMMISSION APPOINTED BY THE PRESIDENT.

LATER, CARR SAID, THE CHIEF JUSTICE COOPERATED DULY WITH TEXAS OFFICIALS AND DEALT FAIRLY WITH THE STATE.

CARR SAID HE HAS FULL CONFIDENCE IN THE WARREN COMMISSION'S REPORT.

HE SAID HE HAS PERSONAL KNOWLEDGE THAT FEDERAL INVESTIGATORS CHECKED OUT PERSONS NAMED SO FAR BY DIST. ATTY. JIM GARRISON IN NEW ORLEANS IN HIS INVESTIGATION OF THE ASSASSINATION--AND CLEARED THEM OF ANY CONNECTION WITH IT.

"AS FAR AS I'M CONCERNED, HE'S WAY OUT ON A LIMB," CARR SAID OF THE GARRISON INVESTIGATION.

CARR SPOKE AT THE ANNUAL MEETING OF THE TEXAS ASSOCIATED PRESS MANAGING EDITORS ASSOCIATION.

MANCHESTER WROTE IN HIS BOOK, "THE DEATH OF A PRESIDENT," AS PUBLISHED SERIALLY IN LOOK MAGAZINE, THAT PRESIDENT JOHNSON AND CARR FIRST INTENDED TO LIMIT THE INVESTIGATION OF THE ASSASSINATION TO TEXAS OFFICIALS.

MANCHESTER SAID THAT THIS PLAN WAS DROPPED WHEN ASST. ATTY. GEN. NICHOLAS KATZENBACH, HORRIFIED BY THE PROSPECT, VEHEMENTLY PROTESTED TO THE PRESIDENT.

CARR SAID MANCHESTER WAS "WHOLLY WRONG" ABOUT THIS.

STEP BY STEP, HE RECALLED WHAT HE SAID WERE THESE EVENTS THAT LED TO THE CREATION OF THE COMMISSION HEADED BY WARREN:

EA135DN

HE FLEW TO WASHINGTON FOR KENNEDY'S FUNERAL AND WHILE THERE JOHNSON SUGGESTED THAT HE CALL A TEXAS COURT OF INQUIRY, JOHNSON ASKED THAT

CARR MAKE THE ANNOUNCEMENT IN WASHINGTON AND NOT DISCLOSE THAT THE SUGGESTION HAD COME FROM THE PRESIDENT.

HE SAID THE ORIGINAL PLAN WAS FOR A THREE-PRONGED INVESTIGATION, BY FEDERAL AND STATE AUTHORITIES. FIRST THE FBI WOULD MAKE A COMPLETE INVESTIGATION, THEN TURN THE FACTS OVER TO THE PRESIDENT.

THE FBI REPORT WOULD BE AVAILABLE TO A TEXAS COURT OF INQUIRY WHICH IN TURN WOULD HAVE THE RIGHT TO SUBPOENA WITNESSES.

"THE COURT OF INQUIRY WOULD NOT REACH ANY DECISION," CARR SAID. "EVERYTHING WAS TO BE GIVEN BACK TO WASHINGTON FOR A SPECIAL COMMISSION APPOINTED BY THE PRESIDENT AND THEY WOULD ARRIVE AT A CONCLUSION.

"FROM THE VERY BEGINNING IT WAS TO BE A COOPERATIVE EFFORT WITH THE FEDERAL GOVERNMENT..THERE WAS NEVER AT ANY TIME ANY PLANS BY ANYBODY FOR A STATE INVESTIGATION TO BE EXCLUSION OF THE FEDERAL GOVERNMENT."

THE SIGNIFICANCE OF THE CHARGE BY MANCHESTER, CARR SAID, "IS THAT HERE IN OUR STATE, THE ASSASSINATION HAD TAKEN PLACE AND YOU AND I AS TEXANS, AND PARTICULARLY THOSE OF US WHO WERE PART OF THE GOVERNMENT, WERE UNDER POPULAR SUSPICION.."

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FORT WORTH, TEX., ADD CARR (A134

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HE SAID THERE WERE SOME WHO "EVEN SUGGESTED THERE WAS A CONSPIRACY BETWEEN THOSE OF US WHO LIVED IN TEXAS AND FEDERAL AUTHORITIES, PARTICULARLY TO CLOSE THE MOUTH OF THE ASSASSIN..."

CARR SAID JOHNSON SUGGESTED THE TEXAS COURT OF INQUIRY BECAUSE "HE DIDN'T WANT TO PUT HIS STATE INTO THE SITUATION OF HAVING IT APPEAR FEDERAL AGENTS WERE BEING SENT INTO THE STATE TO PRESERVE LAW AND ORDER...AND GET THE TRUTH."

THE PRESIDENT THOUGHT THIS WOULD "CALM AND COOL DOWN WILD RUMORS" AND HELP OFFSET THE "HOSTILE ATTITUDE OF THE FOREIGN PRESS."

CARR SAID ANOTHER REASON FOR THE PRESIDENT'S PLAN: UNDER FEDERAL LAW AT THAT TIME THERE WAS NO MACHINERY FOR A JUDICIAL PROCEEDING WITH THE POWER TO ELICIT FACTS IN THE MANNER OF A COURT.

HE SAID TEXAS STATUTES "FILLED THIS VOID."

ON THE OTHER HAND, HE SAID, "WE NEEDED THE DIPLOMATIC RELATIONS AND SUBPOENA POWER OF THE FEDERAL GOVERNMENT," BECAUSE THE INVESTIGATION WOULD HAVE TO REACH INTO OTHER STATES AND INTO MEXICO, RUSSIA AND CUBA.

CARR SAID THE PRESIDENT ASKED HIM TO MAKE A PREPARED STATEMENT AT A PRESS CONFERENCE ABOUT THE PROPOSED COURT OF INQUIRY AND NOT TO ANSWER ANY QUESTIONS. CARR SAID HE PREPARED THIS STATEMENT IN CONSULTATION BY TELEPHONE WITH THE WHITE HOUSE STAFF AND WITH HIS AND GOV. JOHN CONNALLY'S STAFF IN AUSTIN.

WHEN HE ISSUED THE STATEMENT, HE SAID, HE WAS ATTACKED BY "HOSTILE, TERRIBLE" QUESTIONS TO WHICH HE COULD NOT RESPOND BECAUSE OF HIS COMMITMENT TO THE PRESIDENT.

EVEN AFTER HE RETURNED TO AUSTIN, HE SAID, HIS MOTIVES WERE UNDER QUESTION BY SOME TEXANS "AND I COULDN'T GET THE COURT OF INQUIRY OFF THE GROUND."

CARR SAID HE FINALLY TELEPHONED KATZENBACH AND PERSUADED HIM THAT IT MUST BE DISCLOSED THAT THE COURT OF INQUIRY WAS THE PRESIDENT'S IDEA AND THAT IT WAS TO BE UNDERTAKEN IN FULL COOPERATION WITH FEDERAL AGENCIES.

EB33

HE SAID THIS CREATED A NEW ATMOSPHERE FOR THE PROPOSED INQUIRY.

BUT ABOUT THAT TIME, HE SAID, THERE WAS A MOVE IN CONGRESS TO APPOINT A CONGRESSIONAL INVESTIGATION COMMITTEE--"AND THIS WAS THE GERM OF THE IDEA THAT RESULTED IN THE WARRAN COMMISSION."

AFTER THE WARREN COMMISSION WAS APPOINTED, CARR SAID HE RETURNED TO WASHINGTON TO CONSULT WITH THE CHIEF JUSTICE. WITH HIM HE SAID WERE DEAN ROBERT STOREY OF THE SOUTHERN METHODIST UNIVERSITY LAW SCHOOL, AND LEON JAWORSKI, A PROMINENT HOUSTON ATTORNEY WHO HAD AGREED TO SERVE ON THE PROPOSED COURT OF INQUIRY.

FOR THREE DAYS, HE SAID, THE THREE MEN SAT IN AN OUTER OFFICE WHILE KATZENBACH TRIED TO GET WARREN TO SEE THEM. "I AM SURE MR. KATZENBACH WAS TRYING TO HELP US," HE SAID.

BUT HE SAID WARREN REFUSED TO SEE THEM "UNTIL WE AGREED TO DROP ALL PLANS FOR AN INVESTIGATION."

CARR SAID HE HAD READ THAT WARREN FELT THAT TEXAS WAS RESPONSIBLE FOR THE ASSASSINATION "AND I WAS NOT GOING TO TURN OVER MY INVESTIGATION TO A MAN WHO HAD PREJUDGED MY STATE."

AT THE END OF THE THIRD DAY, CARR SAID HE DECIDED "I WAS NOT THAT PATIENT. I SAID I HAD OTHER THINGS TO DO AND I WAS GOING BACK TO

TEXAS AND CALL A COURT OF INQUIRY AND CALL UPON THE CHIEF JUSTICE TO MAKE AVAILABLE ALL INFORMATION IN HIS HANDS.

"I SAID I WAS GOING TO ANNOUNCE THAT THE COURT OF INQUIRY WOULD BE PUBLIC, AND THAT I THOUGHT MR. WARREN MIGHT HAVE OTHER IDEAS ABOUT A SECRET INVESTIGATION, AND WE WOULD SEE HOW WORLD OPINION FELT ABOUT THAT.

"AT THAT TIME, THINGS BEGAN TO OPEN UP.

"WE WERE GRANTED AN AUDIENCE WITH MR. WARREN AND THIS COOPERATIVE PLAN WAS WORKED OUT."

EB34

HE SAID THE NEW PLAN WAS THAT TEXAS REPRESENTATIVES WOULD ASSIST IN THE INVESTIGATION AND WOULD BE PRESENT AT QUESTIONING OF WITNESSES AND EVALUATION OF EVIDENCE BUT WOULD NOT SIT WITH THE COMMISSION WHEN IT REACHED ITS CONCLUSIONS.

THE SPECIAL INVESTIGATIVE BODY WAS NAMED BY PRESIDENT JOHNSON WITH CARR AND THE TWO TEXAS REPRESENTATIVES TO SIT IN ON MOST SESSION AS ADVISORS.

"WE HAD VERY LITTLE DIFFICULTY AFTER THAT..."

"WHEN IT WAS OVER, I FELT, AND SO DID THE OTHER TEXAS MEMBERS, THAT EVERYTHING WAS DONE COMPLETELY. THERE WAS NOTHING LEFT UNINVESTIGATED. THERE WAS NOTHING DONE THAT WAS UNFAIR TO OUR STATE.

"WE FELT THAT MR. WARREN HAD BEEN VERY FAIR."

CARR SAID HE TOLD THE WARREN COMMISSION IN THE BEGINNING THAT IF ITS INVESTIGATION WAS INCOMPLETE, OR IF TEXAS WAS TREATED UNFAIRLY, HE WOULD IMMEDIATELY OPEN THE TEXAS COURT OF INQUIRY.

BUT THE WARREN COMMISSION WAS SO THOROUGH, HE SAID, "I DECIDED THERE WAS NOTHING TO BE GAINED BY THE COURT OF INQUIRY."

IN A QUESTION-AND-ANSWER SESSION FOLLOWING HIS ADDRESS, CARR, NOW AN AUSTIN ATTORNEY, WAS ASKED ABOUT THE NEW ORLEANS INVESTIGATION BY GARRISON.

"DUE TO MY COMPLETE CONFIDENCE IN THE REPORT OF THE WARREN COMMISSION, HE IS GOING TO HAVE TO SHOW ME...THE BURDEN OF PROOF IS ON HIM...IT WOULD HAVE TO STAND UP UNDER LIE DETECTOR TESTS AND SUCH PROOF.

"I, LIKE THE REST OF AMERICA, AM STANDING BY TO SEE IF HE CAN PRODUCE SOMETHING.

"AS FAR AS I'M CONCERNED, HE'S WAY OUT ON A LIMB."

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