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Warren 'Quit' Letter Still Binding--Dirksen

By JACK BELL

WASHINGTON (AP) — Senate Republican Leader Everett M. Dirksen says the letter of retirement Chief Justice Earl Warren submitted to President Johnson holds over and could be accepted by Richard M. Nixon after he takes office.

"While the offer to retire was made to President Johnson, there is nothing to prevent the new president from acting on it," Dirksen said in an interview.

This view of the letter, submitted last June, addressed only to "My Dear Mr. President," is contrary to that held by Senate Democratic Leader Mike Mansfield and others who supported Johnson's unsuccessful nomination

of Abe Fortas to succeed Warren.

"Of course," Dirksen added, "The chief justice has the option to retire at any time he chooses, even before the new president takes office."

Dirksen also said that despite the fact Nixon and Warren have been at political loggerheads since the days both were GOP figures in California, he has every expectation that Warren will administer the oath of office to Nixon Jan. 20. There has been no discussion of the matter between Warren and Nixon, other sources said.

Warren has been silent about his future plans since the Senate shelved the Fortas nomination Oct. 2.

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