

## INTERVIEW I

DATE: December 15, 1983

INTERVIEWEEEE: WROE OWENS

INTERVIEWER: Ted Gittinger

PLACE: Mr. Owen's office, Austin, Texas

Tape 1 of 1

G: Mr. Owens, could we begin with some background? What were you doing in 1948 when all of this election controversy arose?

O: I had an office in the Littlefield Building at that time. I had been back practicing law for three years at that time.

G: You had been in World War II?

O: I was in the FBI from 1942 to 1945. I practiced law before that time here.

G: Well, did you know Mr. [James] Gardner or Mr. [Kellis] Dibrell?

O: I knew them both slightly at that time and knew them better during the years after that time.

G: How did you come to get involved in this controversy?

O: I had a wing in the Littlefield Building on the eighth floor, my offices. The adjacent wing was occupied by a law firm, Critz, Kuykendall, Bauknight, Mann, and Stevenson, and that was Pierce Stevenson, Coke's brother. Bauknight, particularly, was a good friend of mine, and Kuykendall was a good friend of mine. They had invited me to join their firm. I had

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declined, but it was at their request that I agreed to go down and help conduct the investigation.

G: So you went down when the investigators first went down, is that right?

O: I don't know when they first went down. They were there when I got there, you know. But I went down for a few days. I don't recall how many days. It's so long now, but it was at their request that I went down to help with the investigation because I'd had investigative training with the FBI.

G: So Mr. Dibrell was already on the scene when you arrived?

O: I believe Mr. Dibrell and Mr. Gardner were there, and it seems that others were there, but I don't recall their names. One or two more ex-agents.

G: Mr. Dibrell has said in another place that the atmosphere was very tense in Alice. Is this the situation that you found when you arrived? Lots of men with guns on their hips?

O: Repeat that.

G: Lots of men with guns on their hips?

O: I couldn't say that I saw any guns on hips except police officers, and this has been so long ago that I really just don't recall, but I don't recall anybody carrying guns. I heard of guns, but I didn't see guns, and I didn't have a gun. I don't really know that any of the group that I talked to had guns.

G: Who did you talk to, do you remember?

O: Barely. I barely remember. Had I not refreshed my memory from your documents I wouldn't know the names. Oh, I would have recalled some of them. My principal contacts were with the law firm Jake Floyd and his law partner named Clarence [C.W.] Perkins and

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a county clerk, Holmgreen, I believe, or something like that [C.H. "Hap" Holmgreen].

G: Yes, C. M. Holmgreen.

(Interruption)

O: Oh, pardon me. Happens I've got some calls--

G: That's fine.

O: I really can't recall the people that I talked to at that time very well.

G: Did you talk to people who participated as voters rather than--?

O: Yes.

G: So you were attempting to gather evidence?

O: Right. Right. I did talk to voters, not too many, but a few voters, and as I said, I went down with my wife and my five-year old daughter, stayed in the hotel, did my job, and came home. That is really what I did, but when I came home, the investigation was, we thought, complete, but I didn't spend a lot of time there, and I didn't do a lot of visiting around with anybody. I did my job and took care of my wife and child. This type of thing, you know.

G: Now, the people that you talked to, the voters, let's say, did they tend to substantiate the allegations that were being made of fraud?

O: Yes, but I can't be too specific on that. There were two distinct factions. There were claims of fraud by the Johnson group against Stevenson in that area and other areas. There were claims of fraud by the Stevenson advocates against Johnson, particularly in that area but in other areas, and the few voters that I talked to, and they were very few, very few, I would say tended to substantiate the fact that there was fraud.

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G: Can you recall in what way, saying that they had not voted or had not voted the way the polls showed?

O: Again, my recollections are vague, just very vague about it. I don't recall that type of witness. I recall witnesses who testified or stated to me, with witnesses, that they voted very late, very late, and that there were many, many people who voted subsequently, their names were voted subsequently, but I didn't talk to people. I was not one that was establishing that someone cast his vote for Stevenson, and Stevenson didn't get such a vote. I didn't do that type of thing.

G: How did you locate these witnesses? How did you get on to these people?

O: Primarily with the help of Perkins and Floyd's firm. The names and addresses, how to get them, and so forth, and at that time, I spoke very, very poor Spanish, but a little, a little, and each that I interviewed and took out, I took a Catholic priest and a local notary public with me.

G: A Catholic priest.

O: A Catholic priest.

G: That's interesting. Whose idea was that?

O: Mine. One, because, first, I wasn't good enough to interpret accurately and, secondly, I thought that it was wise to have someone with me. I was trying to ascertain the truth, and that was all that the priest was to tell them, "Just tell us the truth." I got the Catholic priest there. I couldn't tell you who he was.

G: Oh, we can find out.

O: But there was a Catholic priest and a local notary. Now, I don't recall the notary's name,

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but somewhere in documents--those documents exist. I don't know where they are, but they were introduced, I believe, in Fort Worth at the hearing.

G: Well, those records are in the Federal Records Center in Fort Worth. We've located them.

O: Well, then, you will know from those who I talked to and who I got statements from, but I don't have copies of them.

G: No, that's fine. During those hearings in Fort Worth there were charges made by the Johnson attorneys that these witnesses were victims of intimidation, not just yours, but as a class. What did you make of that? Did you--?

O: That was not true. There was no intimidation and no duress as far as I was concerned, but I was not accompanied by other investigative personnel. They were working primarily, I would say, on other people or other leads, other areas around Jim Wells County, but I didn't do any work except in Jim Wells County as I recall and Precinct 13.

G: Did you get together at the end of the day or at lunch or whatever with Mr. Dibrell or Mr. Gardner and talk over strategy?

O: No. No. I don't believe so. I believe that I may have had one or two meetings in the law offices of Floyd and Perkins that Gardner and Dibrell were there, but no more than that. They were working by themselves. I was working with the law firm and this type of thing. I did have meetings with Mr. Floyd and Mr. Perkins, but again, I was only there a short time. I wasn't there long.

G: Were you there when Mr. Stevenson came down?

O: I don't believe so. I don't recall.

G: That may have been before--

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O: I just don't recall. Let me clarify myself about Mr. Stevenson. I never asked Mr. Stevenson for anything in my life, and I never worked for Mr. Stevenson, and I never expected anything from Mr. Stevenson. I was not what you would call politically ambitious. So I knew him socially, and I worked in the Senate when I was going to college and I knew him there. I was an assistant sergeant at arms, but I respected him, thought he was a good man, and I have hunted at one time, I believe once, at his ranch up near Junction. I was invited by his brother. But our relations were social but limited. You know.

G: I see.

O: I don't believe he was there when I was there. He could have been, but I don't recall it.

G: You don't have to answer this if you don't care to. Were you put on retainer for this?

O: I never received a penny for going, and I don't even believe they paid my expenses. It could be that Kuykendall paid my expenses, because we talked about it. Again, this is so long ago, but I didn't go down there for a fee. I went down there for friendship with that law firm.

G: Right.

O: That's it.

G: This is a common situation when I've asked that question.

O: I don't know. I've never discussed this with the others or not. I was never offered or ask for a fee or anything. They asked if I would go down to help, just for a few days, and I did, and as I said, I was busy with my own law practice, and I didn't stay very long. It might have been three days. It might have been four. I just don't know.

G: You weren't there then when the hearings took place, when the special master went down

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and took testimony?

O: No, I didn't attend those hearings. The only place--I believe I went to Fort Worth, but that was for the convention, not for the hearings.

G: All right, sir. What were your general impressions when you came back from Alice? If you could have summarized what you had done and what you had found and the way things were going, what would you have said?

O: Well, you asking me a question that is not that easy to answer.

G: I understand.

O: I met with Senator Small.

G: Clint Small?

O: Clint Small. C. C. Small. That's the present Clint's father. And again, I had known Senator Small when I worked in the Senate, but, again, I say I was a kid. You understand that.

G: Yes, sir.

O: And on a job to get through school making thirty-five dollars a month. But I met with him, I met with Governor [Dan] Moody, I believe, and I can't recall who else, possibly another lawyer or two from Dallas or Fort Worth. I just don't recall. They felt that they would win the matter and would prove that the election was--well, that Stevenson had won the election. The evidence that we saw indicated that to me, but as far as seeing all of the evidence and knowing all this, I did not.

G: Were you asked to do anything when the case came before Judge [T. Whitfield] Davidson subsequently?

O: Not that I recall.

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G: Well, can we talk about the convention, then, a little bit?

O: Well, it's been so long that I don't remember it. I know that at the convention a friend of mine, I thought he was a friend of mine, I know Johnson--

G: Who was it?

O: I believe it was [John] Cofer. I'm not sure. Mr. Cofer I'd known forever, ever since I had started, but I believe he accused me of duress and that kind of chapped me, but that's about all I recall. I didn't participate as actively as the others. My friends at that time, historically, I was as close to Jake Pickle and Charlie Herring, Homer Thornberry, John Connally--I was as close to them really, closer than I was to the Stevenson group. I never had been involved with them politically either because I didn't want to become involved with it. You understand.

G: Well, it puts you in rather a delicate situation.

O: I did my job. I did my job, and I was conservative. I've always been conservative, and the Stevenson matter--he was very conservative.

G: Yes.

O: So I would say I was not as gung ho as some involved, but I did what I thought I should do for a friend, and I did my job I thought properly, and I came home. That's it.

G: Outside of this one accusation of duress that you referred to, was there any other repercussions in later times?

O: No, never.

G: It didn't hurt any of your friendships?

O: No, no. I would say that every one of those people that I named I respect, and I think they



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all respect me, and I respect what Mr. Johnson did subsequently. I think he did a good job.

I represented his brother. After that, I represented his sister as long as she lived. I still represent her husband, Bob Bobbitt. We're all friends, and I'm not judging anything because it's history. That's what you're interested in; it's history. It's done, and what I might think about it has no effect whatsoever. It's a question of what was proven, what could be proven, what a judge or a jury thought, and I'm not condemning President Johnson. I don't think he was down there. I never heard he was down there. I read some of this--I never heard that he was down there. There were others that I heard were down there, but I don't know that they were. I saw one or two friends down there.

G: Who did you see?

O: Don Thomas was working down there, and he was working for the President, although not the President then. Johnson. And we're still good friends. I think we are. Always have been.

G: Have you ever discussed this as a matter of reminiscence with them?

O: No. No, I haven't discussed it with them. I had completely forgotten about it until you called me. For many years, I had copies of papers. I burned them up twenty years ago, because it's nothing to me.

G: Right. You emptied your 1948 files?

O: That's true. True. No, I haven't--I have been around members of the Johnson family. I respect them. I respect Lady Bird. I just think that I would not do anything that would be damaging to any of the family, and there's nothing to be gained as far as I am concerned by that, and I don't want to hurt people, you understand.

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G: I understand.

O: And I'm not going to because, again, I am not the judge. They put it to a judge, and they lost, the Stevenson faction. Now, right or wrong, they lost so there's nothing to be done now to remedy that situation.

G: One thing that you can comment on as an attorney that is a puzzle to a layman and that is the Johnson side, of course, charged many times that Coke Stevenson had a remedy in law in the state courts and that he didn't use it. Do you have any insight into that particular aspect?

O: No, no, I do not. He had, I thought, the finest lawyers that were in Texas at that time, and they handled it. They didn't consult with me at all. They interviewed me way back there--I couldn't tell you who--I think Senator Small did. No, no. He had great representation. They may have elected the procedure because of their friendship with Davidson, I don't know. I don't know.

G: Do you recall your reaction when the stay order came down to Judge Davidson telling him to call off proceedings and cease and desist?

O: No, I don't recall.

G: Now, you went to Fort Worth as a delegate from this district, is that correct?

O: I don't recall whether I went as a delegate. I doubt it. I probably went as an observer.

G: Did you go to any of the executive committee meetings?

O: Not that I recall.

G: That was where the case was argued.

O: Well, then I probably [did] I was there when they are arguing it so I must have been at what

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you call an executive meeting, but as I say, I didn't participate in it. I listened to some of it, but, again, I was the least active one of any that I know of, because as I said, I didn't get paid; I wasn't hired. You understand, I didn't want anything so I just don't really know why I went to Fort Worth. Somebody asked me to go to Fort Worth, and I went up there. I'm glad you have the records because they will be ten times as accurate as I am today.

G: Well, I understand, but our experience has been that the documents never tell the whole story. You always get corroborating evidence or links supplied from people's memories.

O: But I say this as to what I did and so forth, the accuracy of the documents that I signed would be exact at that time. I can't recall, you know, who I interviewed, what they said. It's been too long, too long.

G: Apparently then, you may very well have been at the executive committee deliberations when they were considering whether to certify the canvass, the official canvass, or whether to go behind the canvass. Can you recall anything of that, any of the turning points, the dramatic moments?

O: No, I couldn't even tell you that I was there. I know I was there at a time that they were arguing and Mr. Cofer mentioned this duress, because that's the only thing that upset me and that's the only thing that I remember.

G: Do you remember if Mr. Bob Calvert was there, Justice Calvert?

O: I don't know. I don't know that he was there or not.

G: He was chairing that committee, and I thought perhaps if you remembered him--

O: I don't. I just don't recall.

G: What about the convention itself, on the floor when they had the fight to oust the--?

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O: I don't recall that. I was only there for one meeting, but I don't recall what it was. I was not a delegate; I'm just sure of that.

G: Well, in any event, the convention did accept Lyndon Johnson as their nominee, and his name did go on the ballot, and, of course, in those days that was the same thing as being elected. Did it ever give you pause to realize that that incident may very well have created the president of the United States fifteen years later?

O: Undoubtedly it did, and I've thought about what if Stevenson had been there and this type of thing, you understand, but, well, of course, a lot of things contributed to that, but I don't think there's any question that without winning that election that he would never have been president.

G: Well, now, you're an observer of the Texas scene, and you have friends in politics if you are not political yourself. Can you comment on what, if any, lasting effects this bitter controversy left on the Texas political scene? Did it create permanent enemies? Were there feuds?

O: Yes, I have heard of such hard feelings that continued. It really didn't affect me that way at all, but I have heard people that were very bitter about it, and I assume maybe some of them still are.

G: Did you ever talk to Mr. Stevenson about this episode?

O: No.

G: Any of the other investigators?

O: No. I've been with Gardner and Dibrell on other matters. I've hired their firm on these matters. Then I believe a man wrote a book. You would know who wrote the book. I can't

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recall his [name], starts with an H, but anyway--

G: Haley. J. Evetts Haley.

O: Yes. I declined on that, and I did talk to Dibrell on the phone about it. Then I performed some legal services for Dibrell on another matter. I haven't gone into it because I had no reason to carry it forward. It meant very little, as I said, it's history. It's your business, but to me, I was not anti-Johnson. You see, there is a difference. I wasn't at that time anti-Johnson. I was for Coke Stevenson, but there's a big difference. I just wasn't anti-Johnson, and never was anti-Johnson. I guess I would say I was fortunate enough to be in President Johnson's suite at the Driskill the night that he was elected, with a very limited number of people.

G: Now, which election are you referring to?

O: I'm talking about the presidential race.

G: 1960 or 1964?

O: Well, I have a picture here somewhere. It was taken that night of my daughter. 1964.

G: 1964.

O: November of 1964.

G: Well, I hadn't known that. How did that come to pass?

O: Well, I was there with Rebekah and Bobbitt, and--Brice and I owned a floral business. We presented her [Mrs. Johnson] with roses that were named for her, grown in Colorado, that night at the Driskill. And as I said, it was a very, very limited group.

G: I would love to talk to you about that sometime. I'm going to stop this for a second.

O: All right.

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End Tape 1 of 1 and Interview I

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