

INTERVIEWEE: BAREFOOT SANDERS (Tape #1)

INTERVIEWER: JOE B. FRANTZ

F: This is an interview with Mr. Harold Barefoot Sanders Jr. in the West Wing of the White House. The interviewer is Joe B. Frantz.

Mr. Sanders, very briefly run down the account of your life and how you came to be where you are.

S: I was born in 1925 in Dallas, Joe. I attended the Dallas Public Schools. My dad was, and still is, a lawyer there. He originally came from Oklahoma; my mother came from Mississippi. I graduated from North Dallas High School in 1942; went to the University of Texas that fall; went into the service--into the Navy V-12 in the summer of 1943; came out of the Navy in 1946 as a lieutenant junior grade; went back to the University of Texas in the fall of 1946--

F: Just for my own information, what did you do in the Navy?

S: I was on a destroyer and destroyer escort when I was at sea duty.

F: What destroyer?

S: It was the Woolsey DD437.

F: I was on the Wilkes for awhile and I just wondered if we ever crossed.

S: What was the number?

F: It was 441.

S: I'll bet it was almost the same squadron. It was Destroyer Squadron 13, I believe. The Wilkes has a familiar ring.

F: We were a part of MacArthur's Navy at one time.

S: Probably you were ahead, because I got aboard the Woolsey at New York in June of 1945 and they were just coming out of the European Theater, and we went into the Pacific. The war was really over while we were out at, I think, Saipan.

At any rate, I came back to the University the fall of 1946 and took one year remaining on undergraduate work and went on into the University law school in the fall of 1947 and graduated in the summer of 1950. I took my bar in July 1950 and finished law school that same month.

When I was at the University, I was president of the student body--

F: I remember the "Barefoot" signs on the campus.

S: Yes. We had a couple of people arrested about it off the campus, but they left us alone on the campus; at least we used whitewash so they could get it off when they decided to.

Then I went over and bummed around Europe for about three months, came back to Dallas and practiced law with my dad's firm; it was Storey, Sanders, Sherrill, Armstrong. That firm went separate ways in 1952, and I went with some other lawyers--Lewis, Lefkowitz and John Green in 1952--to practice law; ran for the legislature from Dallas County that year and was elected.

F: Was that Robert Storey?

S: Yes. R. G. Storey. And served in the legislature for three terms through 1958, and I also practiced law at that same time. Ran for Democratic candidate for Congress in 1958 from Dallas.

F: That was against Alger?

S: I defeated Pool in the primary--he and another fellow. We had a very bitter primary. Segregation was the big issue at that point, as you recall, in the late 1950's. I beat Joe and then Alger beat me in the fall of 1958.

So then I resumed the practice of law, not that I had really left it, but I was off pretty much the entire year of 1958 campaigning.

Then in 1960 I took off about three months to be the county campaign director for the Kennedy-Johnson campaign; and in 1961 I was appointed United States

Attorney for the northern district of Texas. That's a one hundred county area; the big cities in it are Dallas, Ft. Worth, Amarillo, Lubbock, Wichita Falls, Abilene, San Angelo--it runs all the way down below San Angelo a hundred miles or so.

F: It must be about the size of Montana.

S: It's mighty big. It has got large population and quite a job. Very interesting job.

Then I came up here the last of February. I think we arrived here February 21, 1965 to be Assistant Deputy Attorney General over at the Justice Department; Ramsey Clark had been named by the President to be Deputy Attorney General and I was one of two Assistant Deputies. And I served there mainly doing Congressional work for the Justice Department and also working pretty closely with all United States Attorneys, U.S. Marshals, looking over settlements, helping out on judicial appointments, just a variety of things--working with Ramsey and Katzenbach until, I guess it must have been September of 1966 the President nominated me to be Assistant Attorney General of the Civil Division. And I served in that post until May of 1967, when the President asked me to come over here and be the legislative counsel.

The title I took had belonged to Jake Jacobsen. The job that I took so far as the duties were primarily those Henry Wilson had had, working with the House of Representatives on Congressional relations with the President and the Administration's legislative program. I guess that will bring us about up to date.

F: Now let's go back to the Dallas days when you were the--Did you know Mr. Johnson prior to 1960?

S: Yes, I did.

F: When did you first meet him consciously? I mean as a person instead of just in some big crowd.

S: I'm sure Warren Woodward must have introduced me to him back in the early 1950's, but I couldn't even tell you where--probably here in Washington when I might have been here. The clearest recollection I have of meeting him, I met him in the legislature when he was there addressing the legislature on an occasion either in 1955 or 1957.

F: He was the Senate Majority Leader.

S: He was the Senate Majority Leader at that time.

F: You were too young to get into the campaign of 1948 when he ran for Senator, weren't you?

S: I was at the University at that time. I voted for him, but that was all I did that year.

F: Were you active in state politics in 1952 at the time that Adlai Stevenson was nominated the first time?

S: Very slightly. I had had a very tough race for the legislature, so I was running myself. I took a public position for Stevenson; I believe I was the only office holder in Dallas County who did.

Sarah Hughes, who was on the district bench, also did. I don't think anyone else did. And gave a slight--a small contribution to the Democratic campaign. That was it.

F: You were looking after Harold Barefoot Sanders, yes?

S: I had to run my own race, and the Republicans were going to run against me--

F: What about 1956? Did you get into that state convention fight that year?

S: I was over there, but I was not a part of the Dallas County delegation, so I have to say I was pretty much an observer. I don't really remember doing

anything. I remember Pickle came and asked me to help him with one or two people on the committee that had to do with credentials. And we started back--I even forget now who it was I was going to help him with. I just remember the conversation. And the thing got resolved before I got involved in it. I had to really kind of sneak in because I wasn't a part of the Dallas County delegation.

F: When you come down to 1960, had you had anything to do with the pre-convention boom for Mr. Johnson as a presidential nominee, or Mr. Kennedy for that matter?

S: No, I'll tell you. 1960 was like this in Dallas and I think it was pretty much the same way elsewhere in Texas. Everybody was for then Senator Johnson to be President, with a very few exceptions. So I was part of that large group--

F: --Texas pride?

S: Well, probably a little bit of both. And I was part of that large group, but I did not have any position of responsibility in it. I went to my precinct convention, my wife and I and one other person--I remember we were the only ones who stood up for the Democratic loyalty, the thing which in Dallas was quite a big situation. We lost that precinct as indeed we lost a good many precincts.

F: And you didn't go to the convention in Los Angeles?

S: I did not. One other thing--I was pretty active in 1956 when Senator Johnson took over the mechanism of the state Democratic Party from [Gov. Allen] Shivers. I remember that was in order to send a delegation to Chicago. I got fairly active in that in Dallas County and also in my own precinct.

F: You mean organizing at the precinct level to defeat the Shivers' forces?

S: That's right. And also trying to help in a number of precincts around town. I was in the legislature, had something of a springboard there.

F: Was this mainly a matter of buttonholing or--?

S: Calling and buttonholing, right. And being identified publicly in Dallas County; that's something, or it was then. And we lost the county but we carried the state.

And so Senator Johnson went up with a delegation from Texas pledged for the Democratic candidate.

F: But you did carry your precinct this--?

S: No, I didn't carry my precinct.

F: What was your precinct?

S: It was 210 out in Casa Linda.

F: Where's Casa Linda?

S: It's out in the northeast part of Dallas.

F: Near White Creek?

S: White Rock. Northeast part of White Rock. Sort of a silk stocking area.

F: Why were you picked as the county chairman for the campaign of 1960?

S: One, I had written Mr. Rayburn immediately after the convention.

F: Did you know him?

S: I knew him fairly well. I felt like he and I were good friends. He had encouraged me to make the 1958 race and tried to help me and stayed in contact with me, commiserated with me after I lost it.

F: Did Mr. Johnson show his hand at all in the 1958 race?

S: He came to Dallas and made a speech to the Oak Cliff Chamber of Commerce in October of 1958--non-political speech.

F: By that time you had disposed of Joe Pool and [Bruce] Alger was your target?

S: We were deep into the Alger race. And he [Johnson] made a sort of political-non-political speech, and the thrust of the speech was that people in this

area are conservatives, but you have to be responsible conservatives; you have to be in the mainstream of American life. It was a very pointed thing; it was very clear what the message was although he didn't get into any names, mine or Alger's. And I thought it was very helpful.

F: When you first ran against Pool in the primary, was the race to a certain extent predicated on the basis that you are either for the Johnson-Rayburn leadership in Congress, or you're against what they're doing, or was this a factor at all in the primary?

S: Well, it was a factor, but not in the name way. I mean, Pool did not attack Johnson and Rayburn, but he attacked everything they had been for.

F: He attacked the program?

S: That's right, but he kept away from them personally; whereas I was identified with the kind of programs that they had been pushing. But Joe's main thrust in that race was [that] he was going to keep segregation and the blacks in their place and that sort of thing.

F: That was insufficient. Did Alger change the strategy any?

S: Alger just ran on the fact that he was a conservative; that he was a martyr; he had been, for instance, the only Congressman to vote against the school lunch program, the only Congressman to vote against the school milk program; he ran against Rayburn and Johnson. He very definitely involved Rayburn, particularly more Rayburn than Johnson, because that was his bailiwick.

F: And you agreed to go along, at least in theory, with Congressional leadership as it stood then in 1958?

S: It never got down to that, but I sure would have. It would have been very clear.

F: And so the voter would have had a choice?

S: Yes, I knew that I had supported Johnson-- By that time I was, you know, reasonably well-known in Dallas politics. Alger was pushing me personally as a liberal, because in Dallas if you voted the Democratic ticket, you were a liberal.

F: Did Senate Majority Leader Johnson ever contact you when you were state legislator on legislation before the [Texas] House?

S: No, not that I recall.

F: He gets involved.

S: No, it was always being whispered around the legislature that he was interested in this, or he wanted that, or he had called so-and-so. I always discounted it but--

F: You couldn't prove it by you then?

S: No, couldn't prove it by me.

They tried to involve him in 1957 when we had the so-called "Pool Bill"-- Joe's bill. This was at a time when the Senate seat was vacant. There was going to be a special election. And under the laws that existed at that time, the high man in the special election would take the seat for the balance, until the next general election. People generally agreed that Yarborough would win that race; Thad Hutcheson was in it from Houston, as I recall. And Pool introduced a bill which would have changed the law right during the election. It provided that you had to have a majority. I voted against it and spoke against it. There were some good theoretical reasons for being against it, aside from the basic fairness of the situation. I didn't have any particular close relationship with Yarborough at all.

But at any rate, at that time there was a lot of talk in the legislature that Senator Johnson wanted this law changed. But I never saw the proof of

it in any way. The House passed it and the Senate killed it or delayed it.

F: In an earlier period Congressman Johnson had picked two former presidents of the student body--the University of Texas student body--to work with him, John Connally and Jake Pickle. Did he show any interest at all by the time you came along as a student body president, or was he already set and no longer looking for bright young men?

S: Well, I--

F: Don't be modest.

S: I guess he was always looking for bright young men, but at that time I had no indication from him of any interest in me. And I must say I was not interested in heading this way. And I hadn't put out any feelers to head toward Washington. I was pretty well set to go into law practice.

F: Coming on up to 1960, how did you get into this business of being the Dallas County chairman?

S: I was very much interested just in the national political picture at that time. I'm sure I was somewhat impatient, having been out of it since November of 1958 and putting my nose to the grindstone making money in the law business. I wanted to get involved in the thing, whereas everybody had just been crowding to the front when we were in a pre-convention situation in Texas, when Johnson was the candidate. When Kennedy was named and then Johnson agreed to take the Vice-President, both of these things ran off a lot of people. For one thing, Kennedy was not popular in Texas; and secondly, Johnson--a great many folks felt that he had deserted them. You may remember it at that time. "He has been a traitor" and all of this tommy-rot.

And so I think that's the kind of thing, if you're ever going to have a good fight, I just like to go. It wasn't a unanimous situation that it was

before the Los Angeles convention when everybody you would talk to, it seemed like, would be for us.

So I wrote Mr. Rayburn and told him I would like to serve in any way I could. I was very enthusiastic about Kennedy's speech when he accepted the nomination. I remember that very well. I was very enthusiastic about Johnson's being willing to go ahead and be the vice-presidential candidate; I think it was politically pretty obvious that this was really the way we were going to win the election. So I guess Mr. Rayburn tried to find a place for me and I do not know to what extent Johnson played a part in this. Decided I was well-known, reliable, and I'd be the director there, and that's about it.

F: Sarah Hughes and Carl Phinney were also associated with you?

S: Yes, I was the director and they were the cochairmen.

F: How did you divide your duties?

S: I did the full time and I wasn't paid. I mean I made it a full-time basis, and I sort of ran the headquarters and helped raise the money; Phinney helped raise money. And we didn't have any real division; I suppose I was more on top of it daily than they were, but I don't mean to deprecate their activities. They were out front all the time.

F: You and Sarah Hughes, to a certain extent, would have the same set of political contacts, would you not? Would Phinney run a more conservative group on through it?

S: Yes, I think the thinking on it was that Sarah would handle an appeal to the liberal side and Carl would appeal to the conservative side and that while I was oriented more toward the liberal side, I was to bridge it. And that was sort of what went into it at the time.

F: Mr. Johnson and Mr. Kennedy came to Ft. Worth and then over to Dallas during the campaign, right?

S: That's right. September 13.

F: Did you play any role in either getting them there or in taking care of them once they arrived?

S: Played a whole lot of role in looking after the whole tour when they got there.

F: Do you want to describe how it was set up?

S: I can't really tell you, looking back eight years, just how I found that they were coming; but I know the date--

F: It wasn't through your insistence?

S: It was not at that time. I wanted them, but I wanted them later. Like everybody, I wanted them in October. And so I don't really recall who told me that they were coming.

F: September 13 is not a pleasant time in Texas.

S: That's right. It's not. And I don't remember where that word came from. It may have come through Austin, I just frankly don't recall. Anyway they were coming; that was it. So we had--you always have to do when you have that--

F: About how much notice did you have?

S: We had about a week. It seemed very short to us. We had to make arrangements to get a good turnout. And I was working mainly on the Dallas end and coordinating with the folks over in Ft. Worth; Hunter McLean, I think, worked it over there; Don Kennard; Jim Wright had something to do with it.

I remember I raised \$6- or \$7,000. For instance, I got the Kilgore [Junior College] Rangerettes, who were up there. They charge \$800. And I got the Jesuit College band; they were very conscious that they might be charged with being Catholics, so they took off their identification. Then we got three or four bands and got an auditorium arranged, you know, putting all kinds of people-- There was great enthusiasm among the folks to work with the Kennedy-Johnson

ticket; it was a minority but it was enthusiastic. So we didn't have any trouble getting people to just call. We called every list we could get hold of to get people to come down; we held it down in the municipal auditorium. I remember we were very skittish about whether to put them into that auditorium, because it takes about 9- to 10,000 people to fill that auditorium. I didn't really know whether we could do it. And I was amazed at the good reception we got, very happily surprised.

F: And they drove over from Ft. Worth?

S: They drove over.

F: Where did you get in contact with them?

S: Over at the park at Ft. Worth.

F: You went over to Ft. Worth?

S: I went over to Ft. Worth and I think Sarah and I and Carl Phinney all rode with them. Carl rode with Johnson; Sarah and I rode with Kennedy coming over. We got into the cars there at Burnet Park, I believe it is; I remember we were coming very slowly out at Ft. Worth and Johnson called me back--I could hear somebody hollering back down the line--they were these open convertibles. So I jumped out of the car and ran back and he said, "Tell them to get these cars speeded up; we've got to get going." And he was hollering that.

F: Sort of like a funeral procession?

S: Yes. Kind of just moseying along and he started hollering at the policemen, "Let's move, let's move." He was in a hurry. You know how he gets excited and wants to do things.

Then we went from there to Arlington; went through on the main highway, stopped; Kennedy spoke; went to Grand Prairie--spoke at Chance Vought--I mean Temco Vought. Went on in and came up the Main Street of Dallas, beginning down

there across the Trinity River; came up by the courthouse; came up Main Street to Akard and turned right on Akard by the Magnolia Building and the Adolphus Tower and went over to the municipal auditorium. Had a program there and the auditorium was filled. The police chief gave us a crowd estimate of 175,000, which I think was ballooned, but the big and important thing about that was Nixon had been there the day before, and that was what really put the pressure on us. I had forgotten about that.

F: You had too close a comparison there, didn't you?

S: He came the day before and went to the same place. And he came down Main Street, we went up Main Street, but it was the same street. So there were going to be comparisons that early in the campaign in that big a city.

The police chief estimated Nixon's crowd downtown at 100,000; he estimated the Kennedy-Johnson crowd at 175,000. I think both of these figures were exaggerated, but they were about right proportionately.

F: Did you look out on the Nixon parade?

S: I sure did. And I had people over at the auditorium to tell me what kind of crowd they had; and they pretty well filled it too.

F: What's this due to? Just superior workmanship that brought out your larger crowd?

S: I think we worked harder at it; the Nixon people were very cocky even at that time that they were going to run well. Then we had it at noon and that helped. It helped a whole lot, whereas Nixon came in at 4:30, which is a good time but not as good as noon.

And then we sent out, for instance, around down as far as Waco, Hillsboro, and McKinney, and Sherman, and all over North Texas asking people to come in with buses. I don't believe the Republicans had done anything like that.

And there were good advance men. I don't want to leave that out--this fellow whose name was Tom Phinney who was there advancing, and we worked closely with him. Tom was very facile and helped a lot.

F: How did you think the meeting in the auditorium went?

S: I was very enthusiastic about it. There were some bruised feelings out of that meeting, as it turned out later.

F: What were they bruised about?

S: We came in there. I had asked Henry Wade to kind of talk to the crowd if we ran late, which Henry did. I emceed it after I got there. We had with us Ben Ramsey, I believe he was on the stage--I don't remember who all was on the stage. But Kennedy of course was the principal speaker, and Senator Johnson spoke. Ralph Yarborough did not speak. He, I found out later, was quite offended that he had not been asked to speak, and carried that with him for quite awhile. May still.

F: This wasn't purposeful, just--?

S: I think it was probably purposeful, and there really is a very sound purpose and that is Ralph Yarborough does not sell well in Dallas County. And we put Ben Ramsey on, because Ben Ramsey is a model of conservatism type thing, you know, well-established, always carried Dallas County big, name was known; Ben makes a good speech and there he was just coming out feet first for the Kennedy-Johnson ticket.

I did not know it at the time, but I found it out later on in a conversation with Yarborough that he was quite resentful about it.

F: You had a number of top-drawer Dallas people, top-drawer in the sense of having spheres of influence and perhaps forums, that were very-almost virulent against Kennedy. I'm thinking of people like Dr. Criswell, Carr Collins.

S: They sure were.

F: What did you do to counteract their attacks on the Kennedy-Johnson ticket?

S: Well, it was a hard thing to do because those attacks from those quarters were an anti-Catholic attack, which is an emotional attack, and it's hard to counter emotions with anything reasonable, as you know.

F: Both men associate with piety and substance really.

S: That's right. And they overdrew it so much that I thought, I was wrong, I thought that they were no longer effective. They were effective, as it turned out. The reason you could see they were effective was because we lost votes in Democratic boxes; we didn't carry a lot of Democratic--

F: --lost because of religious issues?

S: That was the only thing we could have lost--Pleasant Grove--boxes--we didn't lose the boxes, but let's say Stevenson was not nearly as attractive a candidate as Kennedy, or the Stevenson-Kefauver ticket in 1956 was not nearly as strong as the Kennedy-Johnson ticket, but the Stevenson-Kefauver ticket ran better in many Democratic boxes than the Kennedy-Johnson ticket did. The only reason for that was Catholic. And we were trying to counter that along with the appeal to native Texas pride with Johnson on the ticket, you see, and we did a lot of mailing with the confrontation that had been done down at Houston, you know, where Kennedy answered the preachers. And we played that. We played it two or three times on T.V., but you don't argue people out really of this emotional reaction, as we found out.

And so while I think we countered it, we obviously didn't kill it, as it showed it.

F: This is sort of moving ahead on this objective, but do you think Kennedy pretty well allayed that feeling for at least some time to come?

S: I think it's dead now. I think the fact that he won killed it, I really do. But I was really shocked in 1960 that there was that much there.

F: Beyond playing the record of the Houston confrontation with the Protestant ministers, what else did you do to counter the anti-Kennedy-Johnson feeling?

S: On the Catholic thing, we had some good literature on the Catholic thing, and we did a great deal of mailing of that into Democratic boxes. Then we also just tried to play the Kennedy-Johnson theme, mainly the Kennedy theme that time. You know, we had been sitting around long enough, let's get the country moving--just the standard theme.

We opened up a whole lot--whole lot--I guess nine or ten headquarters throughout the county; we had a great many volunteers manning them. Mailing was the best thing they could do; we sent speakers--we sent a lot of speakers--the speakers really, they don't make the difference unless you can put them on T.V. And I remember I raised \$27,000 in Dallas County, but money was short so whatever we did, we had to raise ourselves.

F: Did you raise it in small amounts or did you have some big contributors?

S: Had some big contributors; it's hard for me to remember right now. \$500 was a big contribution. I didn't have very many of those so when I say a big contribution, I mean from \$100 on to \$500--might have had one or two over that. Yes, I know. I had a bank give me \$1,000--I don't know how much they gave the other side, but--

F: They were just hedging their bets?

S: Sure. Two banks did, two big ones. But at that time any literature you got cost whatever you paid for it. So I think we ran just a normal kind of campaign in the sense that you hit them with everything you've got, but we had a hard time getting a theme to counter this anti-Catholic thing, which was big in our areas. And the conservative thing which they've always run in Dallas, which appeals to the silk stocking areas in Dallas, being a conservative town--because

you couldn't say that Kennedy and Johnson were the conservative ticket in that race.

F: No, not without looking ridiculous. Are you or Judge Hughes or General Phinney Catholic?

S: No. She's Episcopal; he's Methodist, so am I.

F: So you didn't have any leadership situation in that case?

S: That's right.

F: Were you present at the attack on Mr. Johnson and Mrs. Johnson at the Adolphus?

S: I sure was.

F: Do you want to tell about it?

S: I think there are two things that happened. They're not related but they both happened in Dallas. The second thing was the Adolphus Hotel riot. The first thing was the so-called "dead man's ad," which had been run the day before Johnson came. Let me talk about the Adolphus and the reason that's important was because this dead man's ad, very briefly, has a lot of background to it, but this was a huge ad which some irresponsible people, in my judgment, of the Democratic side ran. And it turned out there were over 600 people's names on that ad who were either opposed to Johnson in this race; and a number of them, let's say eight, ten, or twelve had passed away. They [those on the ad] had not had their names checked to see if they consented.

F: Whoever put the ad together just agreed that so-and-so would be willing to put his name in without ever checking him out?

S: What they did--they sent out a bulk mail to several thousand people, saying "We're planning to use your name."

F: I see.

S: Many people threw this thing away, they didn't even look at it. And I raised some hell about it at the time, without effect, and I was told that it had

been cleared upstairs; but I came to find out that was not true.

F: Where was upstairs?

S: With Johnson. Bob Clark did not actually tell me that, but so indicated. Bob defended the ad to me, although I never was sure that he had put it in. I think Betty Forsling--Betty Forsling Harris--maybe put it in. Bob probably knew about it.

F: What was Clark's relationship with this?

S: I never was real clear what Bob's relationship was, except I felt like he knew about it because he defended it to me when I raised so much hell about it. But he never did say. I thought it was a disgraceful thing. The thing wasn't disgraceful; it was just stupid.

F: It's hard to defend.

S: You can't defend it and you just make people livid when you use their names, you know, and then they feel just the other way.

And there was a lot of national publicity which in the event was superseded by what happened at the Adolphus. But the Republicans, to defend themselves by this disgraceful behavior of theirs, they would say "Well, we weren't going to do it until you ran this ad." Well, that was obviously not true because the ad was in the afternoon paper Thursday, and they had planned their demonstration at the Adolphus Friday for all week long. So that was just a cover.

F: Before they ever saw the ad?

S: Before they ever saw the ad. I mean, the Dallas News turned down the ad, because nobody would assure them that the people that consented--The Herald took the ad, and I think have been everlastingly sorry--I don't know. Long ago gone.

F: Yes, and you wish they had turned it down.

S: Oh, it was terrible. I was the campaign director and I was being blamed for it, and that's why it still sticks with me, because everybody thought I had done it. I didn't know it until it came out.

F: Did you get any kickback from the national headquarters or from the candidates?

S: Johnson just raised unshirted hell! I don't remember whether I joined him that morning; I think I joined him in Ft. Worth. He came over from Ft. Worth. I remember getting in the car-- Maybe I got in the car at Arlington with him, and he was just outraged. He just wanted to know how did it happen, and he had some very choice words at the judgment that went into that kind of thing. In fact, that took up most of the conversation on the road to Dallas. Phinney was in the car with us at the time, and it was a very unpleasant ride because I kept saying that I didn't know how the thing got in there. I was astounded. I didn't know until the night before that all this bulk mail had gone out.

"Well, if you're the director, why don't you know? And who's running it?" And I would say, "Well, I was told that you had cleared it." He didn't clear it; he had nothing to do with it. He said, "Why didn't you call me?" And I said, "Well, I just--you know, Bob Clark indicates that it's okay, I figured it's okay--he has known you longer than I have," and so on.

But anyway, he was quite upset, I mean really upset.

As we were coming into Dallas, we got this call on the radio in the car that there was this mob that was--sort of a mob--a great many people with placards and signs forming outside of the--between the Adolphus and the Baker. So they wanted to sneak Johnson around--Mrs. Johnson was riding in another car. They had suggested that we come in a back door somewhere. He said, "No, I'm not going in--I'm going in the regular way."

That was the first decision that was made and it was right.

F: This was going into the Baker?

S: Into the Baker. And we went in there and he got out. Now, these people were clustered around with signs; there wasn't much noise at that time. He just sort of came in. The cavalcade just sort of came in--got out of the cars; he went up to the room.

F: Did you come down Main Street or--?

S: That would have been Commerce. I think--I don't remember whether we came in Commerce or came up Jackson. I think we came up Commerce. I frankly don't remember, but we got out there at the Baker.

F: But you did come up in front of the Baker?

S: Yes. Then he got out and went up to the room. I was quite upset about what was developing, because I could look around--I knew a lot of these people. A lot of people there have been ashamed of themselves ever since--a lot of gals I've known all my life, they were down there. And the Junior League crowd and that kind of thing.

And so I did not go up to the room, but went across the street. These people were hollering; they were in a very vicious mood. I went over to the Adolphus and the lobby was jam-packed. I came back and at some point in there, I missed Johnson, because I remember he and Mrs. Johnson--I did not go across the street with them. I caught up with them over in the lobby [of the Adolphus].

Now there were people who were telling him--I don't remember whether I heard it or not--to not go that way. Bob Clark was one, but he was not alone. Several people were saying, "We want to bring you in the back way to the banquet hall," but I can't say that I heard that advice myself. But at any rate, he made the decision which you know obviously was a smart decision--to go straight across the street, and we got stuck there in that lobby, it seemed like an

eternity. You had 1800 people inside that banquet hall; they did not know what was happening outside. If they had, you'd have had the bloodiest mess because they would have come pouring out there--

F: They would have emptied and come down there.

S: Yes. And I was standing next to Johnson when [Sen. John G.] Tower confronted him and stood and blocked his way for fifteen or twenty minutes, you know, demanding--and the press just grinding away--

F: Do you think Alger organized that?

S: He was key in it, I feel sure.

F: You do think it was definitely organized and had very little spontaneity?

S: It was not spontaneity. You can't organize that kind of thing with that many people, with that many placards--I mean you organize it, they just don't all of a sudden appear.

F: The placards showed signs of having--I mean they were sufficient, they had been pre-prepared.

S: Yes, that's right, and they had some vicious stuff. I mean they'd been given some thought to. Came to find out later they had had a meeting on Tuesday or Wednesday--

F: Do you think they made votes for Mr. Johnson?

S: I do. I think it's hard to know how many, but they made votes.

F: Were you around there when Adlai Stevenson had his problem?

S: I was. I was with him that night.

F: Let's talk about that briefly.

S: That was in October of 1963, I guess that was. Yes, we were with him--gosh, I haven't thought about that for the longest.

We came down there into the small municipal auditorium--it was the small auditorium, seats about 1600 people for U.N. [United Nations] Day; and Joe, I'm just very

murky about it. I remember that whoever the emcee was that night was being shouted at, and he was absolutely shocked. He had no idea. And then when Stevenson got up to talk, at least we thought these--we didn't know how many of these people there were--and they went after him too. Then he got to finish speaking, and then some woman spit on him outside. I was alongside but I never saw that woman.

I saw him later on up at a private dinner up at the Chaparral Club, and you know he carried himself very well. It was clear that he was upset by it.

This gave you some idea of the mood of the community. It was dangerous.

F: With your generally liberal stands, did you ever have any difficulty in Dallas?

S: No, I never have.

F: No splitting of longtime friendships and this sort of thing over politics?

S: I did in 1958 and in 1960 have split in friendships. There was that.

F: They heal?

S: Some have, some haven't.

F: Some have stayed split?

S: Doesn't really make that much difference. You know in Dallas, a liberal in Dallas is a conservative in Washington; in the way the context--the way the word's used--and at that time too, Dallas was just very much on the conservative side. But there are a lot of people that take their politics very personally there. Maybe everywhere, but they sure do there.

F: Let's get back to the election of 1960. Did you have any further contact with either Mr. Johnson or Mr. Kennedy during that campaign?

S: I was with Johnson all that Friday and he went ahead and completed the day.

F: Was he outraged, or did he sense that this was an opportunity, or what was his attitude?

S: He never said. You know there's something about him. He has an instinct about these things, but he doesn't sit around telling everybody that "I saw that." I don't really remember too much about his comments on the thing except he commented two or three times about how the advice he had gotten to come in the back door, he didn't like it, he was glad he had gone in the front door-- that was the only way to go, you know; he said something to the press about it; but he was saying that in--I was riding in the car with him, and he was saying that on several occasions. He did not to me seem to be upset; but you know, he's a man who carries pressure very well and it didn't show.

He talked some more later that day about that ad. He was still outraged by it almost as much as what had happened to him. We had a very good rally that afternoon--

F: That was a mistake on his side?

S: Yes. Had a good rally late that afternoon over in Oak Cliff; and I remember I sat there at dinner with him for a little while that night. I checked out in the middle of it--

F: Where was the dinner?

S: Up in his room at the Adolphus. A few people up there.

F: This was a private dinner?

S: Yes, it was not a planned dinner in any way. Just eating. I remember Marvin [Watson] was there, and Mrs. Johnson and the President--

F: Just talking over things.

S: Yes, kind of coming and going. And then I left. I don't remember--I guess I saw him next sometime during the Christmas holidays. I didn't see Kennedy again.

F: Where do you think the idea of making a U.S. attorney out of you originated?

S: I think it probably originated with Vice-President Johnson, but he did not so tell me. Cliff Carter called me about it. I told Cliff I didn't think I'd be interested in it, because for once getting out of politics, out of the legislature, law practice was getting to be very profitable. And I was enjoying it. But he called me back again, or I called him again to say "well, I'd like to think about it." And he said I would have to talk with Yarborough, of course.

I talked to Jim Akin, Jim Bolling--Dick Bolling's wife now--because she was in Washington and had been working in the 1960 campaign to see what she thought about it. She thought I ought to come up. I talked to Ramsey [Clark] who had just come up to Justice. And he said he would like to be helpful.

F: You had known Ramsey in Dallas?

S: I knew Ramsey in Dallas. So then I came up. And I went to see Yarborough, and Yarborough said "No." And Yarborough said no because of what had happened on the stage in Dallas.

F: Did he tell you so?

S: Yes, he said so.

F: And yet to that time, you and Yarborough probably had seen quite a number of issues, alike?

S: I guess so. I never had really known Yarborough, but I guess really the main thing in my relationship with Yarborough (I hadn't had any contact with him) was fighting the Pool bill in 1957 in the legislature, which really wasn't a personal thing. And I admired Yarborough in the sense that he's a gutsy guy and stayed in there. I never had been social friends or really hadn't ever seen much of him. But I always felt we got along.

And then he said, I believe when I talked to him, that I hadn't supported him. I said, "Well, Senator, you ran in 1952--I was running. In 1954 I didn't

endorse anybody in your race since I was running; and in 1958 I was running, so you and I've been running at the same time." But you know he has a memory.

At some point through the spring there, there must have been in March--

F: Had John Tower been named by then?

S: Yes. Wait a minute--he had not been. Blakley was still in, but the race was going on.

F: And so you really didn't have to do any clearing with Blakley? Yarborough was--?

S: That's right. When I came up, I talked to the Vice-President and to Walter [Jenkins].

F: You came up to talk--?

S: Yes, I did.

F: Did they send for you, or did you come on your own?

S: I just came on my own. I came--I say, on my own, but both Ramsey and Jim Bolling--and I think Cliff probably--

F: Jim who?

S: Jim Bolling--Jim Akin. And I talked to the Vice-President and then talked to Yarborough, Yarborough said no; I told Walter, and he said that was too bad. As it was, my heart hadn't been set on it anyway, so I wasn't really torn up about it.

And I can't really remember what other maneuvering went on.

F: Did you tell Vice-President Johnson that Mr. Yarborough in effect was vetoing you?

S: I told Walter. I think the Vice-President was gone. It seems to me like I saw him one afternoon and Yarborough the next day. And I went back to see him and he was gone or unavailable, and I saw Walter. We had lunch together and I told him.

Then through the spring, you see, there was a lot of maneuvering that went on about those Texas appointments. And as it turned out, they split them. So Yarborough removed his objections to me and Ernest Morgan--I don't know what he had been on that--anyway, the two U.S. attorneys supposedly pro-Johnson, two supposedly pro-Yarborough, the same way with the judges--four judges.

F: From an appointment standpoint, you in effect had two Texas Senators in Vice-President Johnson and Senator Yarborough at this time? I mean two Democratic Senators.

S: That's right.

F: And so they were working the appointment gambit between them?

S: That's right. And of course Yarborough was saying, "I'm the Senator for Texas and he's now the Vice-President; let me run the patronage."

F: In this case, did Tower take any role; did you pay a courtesty call or anything on him or--?

S: No, you see Blakley was in on it then, and he was back home campaigning. I didn't worry about Blakley really. My dad knew Blakley. They were friends when they were kids in Chickasha, Oklahoma. Had known him all that time. So I didn't worry about him. But besides that, he was not here. He was full up back there [in Texas], and I don't think the Vice-President even suggested that I see him.

F: So the appointment was announced?

S: It was announced in June.

F: Did you see Mr. Kennedy at all in the middle of this?

S: No.

F: Did you have any confirmation problems?

S: No. It was automatic from there on.

F: Did Mr. Yarborough more or less endorse you to the Senate committee that was considering your nomination, or did he--?

S: There was no hearing. They just approved. And so all he had to do was blue-slip me, which he did.

F: It was automatic.

S: It was automatic. In other words, he had made a bargain on the judgeships and U.S. attorneys, and he stayed with it.

F: Now then, did you have any contact with either Mr. Johnson or Mr. Kennedy during the next couple of years, say until November of 1963?

S: You know I don't believe--I came up here--

F: More than just casual?

S: All right, in August of 1961, I was up here--this was within a month after I had been sworn in as U.S. attorney. I was confirmed the early part of June and took off the last of July. I came up here for an orientation conference--all four U.S. attorneys from Texas were here. We visited with the Vice-President at that time in his office over in the Executive Office Building for about thirty minutes.

F: This is a term appointment, isn't it?

S: That's right. It's four years or at the pleasure of the President.

And he gave us quite a pep talk about how he really just wanted everybody to be the best possible U.S. attorney. And I remember he was kind of funny because he said, "Now I know the people who can make you or break you, those federal judges, and I want you to hold their hats and I want you to shine their shoes, and I want you to do whatever you've got to do to make them do what they ought to do." Very good advice, and it was quite good. And we did not see Kennedy at that time.

Then we were up here in October--when was the Cuban missile crisis?-- October 1962--at the U.S. Attorney's conference with all the U.S. attorneys. We were over here at the White House for Kennedy to speak to us. And we just shook his hand, no visiting; he made a nice little speech. It was just before the crisis, I think, right after the thing down at Oxford, Mississippi.

Then I'm sure I paid a visit to the Vice-President that time, but I don't recall anything about it. It was always, you know--always just went by.

Vice-President Johnson came to Dallas in the spring of 1963, and we arranged for him to speak to a group. He came down to talk to the Citizens' Council, which is the sort of big business group. I always worried in Dallas about the fact that when people would come in, they'd go to where the power is in Dallas, which is in the business establishment. But the people that are left out of it are the Democrats, the little guys so to speak have been left out--but they're always working. And so I talked with Cliff about this. Cliff, as you know, is very close and very good. And so we engineered a reception at the Adolphus late that afternoon. He spoke at noon; he visited with one of the newspapers and had a great turnout for him. I just got a lot of people from the 1960 campaign list, and my wife did a whole lot of the work on the thing and I raised whatever it was--\$6-, \$700--to finance it. And I know he enjoyed it because he spoke and he spoke and finally Cliff kept telling me to go up there and tell him to quit. And I said, "Well, he's enjoying it." And he said, "I know he's enjoying it, but he has got to stop talking."

That was a very successful visit, not a campaign visit, but they got a lot of publicity. I thought it was a very good thing to do because he has a way of talking to people that they can understand. And he can get it across better than a Kennedy could. And you know, his prestige had risen considerably from the low point in 1960.

Now that, I believe, was the last time until the day before--two days before--the November 22 visit, or three days. I was with him, the Vice-President; he came to Dallas to address the--I guess it was the 7-Up Bottlers, something that Cliff wanted him to do, you know. And I jumped in the car on the way out to--he was going back out to the airport to go to Austin--and I jumped in the car. I was real mad about the way the Kennedy luncheon was being handled, because the main people that were invited were again the silk stocking group. Lot of bitterness around the community at that time. And I wanted some tickets. I was having hell getting tickets. And it was awful hard to find out who was responsible for the tickets, you know. And he gave me quite a lecture about "Look, this is not the thing you worry about in this business. What we've got to try to do is make this party and build it up, and that's the reason these people are coming out here."

I don't remember too much about the details of it, but he did not indicate he felt primary responsibility for this visit. But he said--for instance he told me that Kennedy was coming, and he personally had done a lot to raise money to help finance the visit and so on. And that was at a time when the decision for the visit had already been made.

Now prior to that time there had been one or two advance people in the Dallas--only one I remember, but it seems to me like there was another one, whose names I can't recall. And I had raised the question with them about why come to Dallas? I did not raise that question with Johnson; the decision was already made. There would not have been any point to do it. I never really understood that really.

F: Did you have any part in the planning for the Dallas visit?

S: I did.

F: What was the role there?

S: I think I was looked on as kind of the spokesman for the Democrats in that. And I sat in on some meetings.

F: Why would your Dallas Establishment, Citizens Council, or whatever handle you give it, sort of move to the forefront in this? Were they coming around because they knew where the power lay, or were they just used to being in the forefront of everything that happened in Dallas?

S: I think it's a combination of those things. I think they want to be where the power is and the fact--they always, you know, I'm not trying to say these people are bad people--they're very good people--and they like for Dallas to look good. They take a lot of pride in the community. And when Dallas is going to have something, it's just natural they figure they're going to be the people who're going to do it.

F: They turn out on a non-partisan basis on something like that?

S: That's right. And Bob Cullum was fairly active in that; Luther Holcomb was fairly active in it. What's the P.R. man?--Sam Bloom was involved in the thing.

F: I don't know Bloom.

S: Sam runs an advertising agency there, and he has kind of been active with the Citizens Council group. He's done a little political campaigning, not much, mainly on the Citizens Council civic end of things. And Bob Strauss had a little to do with it. I don't remember quite how much. I remember going out with Bob Straus--I think it was Cullum, I don't remember who else, to look over the Woman's Building in Fair Park, because I wanted it at a place bigger. The Secret Service was upset about security out at the Trade Mart. I didn't know anything about security; I wanted it at a bigger place [than the Trade Mart] where we could get more people in. That was my interest in it. And we didn't

swing that because, I guess mainly, because the Citizens Council wanted it at the Trade Mart, which is the prettiest place in town to have it.

F: Mr. Johnson went on back to Austin, and you did whatever you had to do with the meeting?

S: That's right. I was pretty much involved--

F: What happened to you on November 22?

S: I was one of the people that was at the airport to greet the President.

F: When they came over from Fort Worth?

S: When he came over, right. I met him there at Love Field. Then we rode into town and I got on the so-called "White House bus." I remember Liz was on there--Carpenter--and Dr. Burkely, I think, was on there. I knew Liz. She was the main one I knew. And I got on the bus; mainly I knew I could ride up above the crowd and see what was going on.

I didn't really know what kind of a reception we were going to have then. Of course it turned out it was a very friendly reception. So I was in that bus on Main Street in front of the Records Building, actually in front of the jail just before you make the right turn on Houston, that's where I was when we stopped. I saw a policeman running across down, say a hundred yards ahead of us, with his gun out. I thought really, the thing that occurred to me, was that somebody had thrown a rock from the overpass, which Kennedy had to go under.

We were all very jumpy about the right wing because of the Stevenson visit. This was what was on everybody's mind, so I can't say I saw or heard anything at all. Then we picked up speed. I got out to the Trade Mart; the bus drove up there and the police would not let anybody on that bus in.

F: Jan, your wife, was already out there?

S: She was there. They wouldn't let anybody in, but they'd let me in because they knew me. I was U.S. attorney, so I went in. That's when I first started picking up rumors about what had happened.

F: Until you got to the Trade Mart though, you had no idea--you just knew something was going on? But you didn't know what?

S: Didn't know what. I had no idea of anything of that consequence. I could see that when we were barrelling down that freeway, I could see that convertible 'way up ahead, but it was so far away I couldn't tell. We were out of touch. And in the Trade Mart itself, I started picking up rumors and I started trying to find Secret Service people. I knew them from there in Dallas, but I couldn't find any of them. I don't remember now--the rumors were, you know, a shooting and a killing and so on. And finally I went outside and got a policeman. I knew the policeman pretty well, and the fellow flagged down a car for me to take me back to my office, because I figured that was where I ought to be. And that's where I went.

And then I had quite an afternoon.

F: Let's talk about the afternoon. You were to some extent instrumental in getting hold of Sarah Hughes, right?

S: That's right.

When I first got back there, it must have been a quarter of one, say, or one. It was before the announcement was finally made that he was dead.

F: But you knew definitely by then that he was shot?

S: That's right. It was coming over the car radio I was driving in that he and Connally both had been shot.

So then I called for a couple of people to come over from the Ft. Worth office and I got as many of our people in--I said, "I want you to draw up--"

You know, what I really figured at the time was that this was some sort of right wing--we're going to have to arrest a lot of people. So I had them working on form complaints that we could just fill in blanks and arrest people on and then hold them.

And I started getting calls from all over the country of people wanting to help.

F: What kind of people wanting to help?

S: U. S. attorneys.

F: What did you do, just tell them to sit tight?

S: Yes. Sure did. And then I also was trying to find out whether this was a federal offense. I had people looking in--I said, "That's--

F: It wasn't, but nobody knew it.

S: I had people looking and using the judge's library, asking judge's clerks--these U. S. attorneys all calling--I said, "Find that out for me. Where is it?" I couldn't find one [a federal offense]. In fact, I called Jack Miller at the [Justice] Department, and he said he didn't think it was--

F: Up here [in Washington]?

S: Yes, and I said, "I can't find it anywhere." So we were going to arrest him on treason or assaulting a Secret Service man. There was a period of time there we thought a Secret Service man had been hurt; you know--shot.

In locating Sarah, I had a call--let's see, how did that go? Irving Goldberg called me. Irving had heard from the--

F: Irving's position was what now?

S: He was a private lawyer at that time, and he had known the President and had worked for him back in the early 1940's. And Irving--I'm trying to--just always been a little blurry on this chronology, and I guess it's understandable because the pressure was pretty bad at the time--Irving talked to me about who should

swear him in. And Irving had gotten locked up out at the plane side, with everybody in a room out there--at Mexicana Airways--

F: He had gone out there?

S: He had gone out there. I think first he was in his office. And I don't remember now. I think I told Irving I was going to locate Judge Hughes. I went up to her office; she could not be found and when I was up there, a call came in--A call came in to me downstairs from the plane. I don't know who it was; it was not the Vice-President. "Can you find her?" Irving and I talked about it. I went tearing upstairs to her office. She was not there. When I got up there--

F: You had offices in the same building--the Federal Building?

S: That's right. I was on the third floor, she was on the fourth. And when I got up there, which must not have been forty seconds, the phone was ringing and it was the plane trying to reach her. And I said "I'll try to get her." So then I got her on the other phone, and I gave that agent--whoever it was--to one of the secretaries there, and I reached her at home and asked her to get on out there. And then I told them--

F: You chose her because she was a federal judge, or because of friendship, or--?

S: I just thought it was a lot more fitting that she should do it. There was another federal judge available that day. Joe Estes was.

F: He was not a Johnson man?

S: He was not a Johnson man. He [Vice President Johnson] had been instrumental in her being on the job.

Irving had had a call from the plane about who had the right--who could swear in the President. That's what it was. And he knew a federal judge could. He thought anybody with the power to administer oath could, but he

knew a federal judge could. And he called me to tell me that and we agreed at the time Sarah should do it, if we were asked. And about that time, somewhere in there, the call from the plane to get Sarah. I don't believe we were asked; I don't believe I was asked; I don't believe I was asked to recommend Sarah. I would have, but Irving probably did or the President may have thought of it himself, which is much the more likely.

F: Yes, he's good at pulling names out when he needs them.

S: That's right, and I think that's really what happened. Nobody asked me. At any rate, I located Sarah, asked her if she could get out there; she was at home--I was just lucky as I could be. She said she would, and I told the people on the other line she'd be coming and described the car. They were going to get her a police escort. Well, she went on out there and she said, "What's the President's oath?"

And Irving and I had talked about that, I guess it was. "What is the oath?" And I had people looking for that oath too. And finally, I learned a long time later, they claimed it was found up here. I don't know, but Sarah had made up an oath on the way out.

F: You didn't call Washington personally?

S: No. I don't believe so. I talked to Washington about whether it was a federal offense or not on the assassination, but I don't believe I called about the other [the oath].

F: You weren't in contact with Bobby Kennedy then?

S: Not at that time. Not at any time really. I talked with Katzenbach several times during the--later on.

F: Did you describe the general features of it?

S: Of what was going on?

F: Kind of descriptive.

S: Yes. Just trying to keep him posted and--

F: Did you get out to the plane at all?

S: No.

F: What did you do the rest of the day?

S: I stayed right there and just waited for stuff to happen. You know, Oswald was arrested and there was a long period of time when we didn't know--

F: Listened to radio--watched T.V.?

S: Yes, and then the Bureau--we were in very close touch with the FBI and I sent two men over there, because that's where the action was right then--and they stayed in their headquarters, which they did for a couple of days until they ran them out.

F: And you stayed in Dallas then?

S: And then they'd call me and let me know what was happening at the Bureau.

F: You stayed right on in Dallas?

S: That's right.

F: Did you come up here at all for any of the obsequies?

S: No, my wife came up on Sunday and stayed with Ramsey and Georgia. Stayed over to Tuesday, I guess it was, and then came back. But I was there--I couldn't really leave because we were a pretty good focal point. I had to keep the department advised. There were all kinds of flurries.

F: Just because you still weren't sure what was going on--?

S: That's really right. We were up all night. For instance, there was one time there I'll never forget. The District Attorney's office, Bill Alexander, [asst. D.A.] wanted to file a complaint on Oswald, saying that he did murder him as part of a Communist conspiracy. I tried to get Henry Wade and I couldn't reach

Henry, and Alexander was running it. And Alexander, you know, is oriented this way and I couldn't--I talked to Jim Bowie and Jim couldn't talk him out of it.

F: What was Jim Bowie's position?

S: He was an Assistant D.A. at the time. He and Alexander were the top two guys, and Bowie was a much more reasonable guy. He couldn't talk him out of it; I told Katzenbach that and he just practically lost his poise over the telephone. You know I tried to say, "Look," to Bowie, I don't remember whether I ever got through to Alexander, "you've got to think of the international ramifications in this." You know at that time, my heavens, no one knew who Oswald was, where he came from, what it was; and to file a complaint like that--at any rate they didn't. Oh yes, Curry said they wouldn't.

The FBI man sent a man over to get Curry not to file it that way--he was the Chief--and he said he wouldn't, then he said he would, then he didn't. It was that kind of thing that went on; that sticks in my mind. But there always were rumors cropping up--a thousand of them. And Washington expected me to be on top of the situation for them as well as the FBI had people there too.

F: Did Wade keep his poise pretty well through it?

S: I guess I talked to Henry maybe one time during the evening, and Henry's not a fellow who shows loss of poise. I think Henry lost his poise when he got on T.V. with that rifle on Saturday or Sunday, whenever that was. I think his judgment was bad on that. But Henry seemed to me to be leaving the tactics of the thing to Bill Alexander. And I didn't see Henry--I guess I saw him--our relationships were quite good. I guess I didn't see him until Sunday night. Jack Miller came down on Sunday night, and he and I--

F: Now what was Jack Miller's official capacity?

S: He was head of the Criminal Division in Justice. So they sent Jack down--

F: He came down after Ruby had already murdered Oswald?

S: That's right. That's when they decided to send him. I remember we had just started getting some sleep, and I was taking Jan to the airport when it came over the radio. In fact, I was listening when they were bringing him [Oswald] out. And so I turned her over to someone else to take her to the airport and came down to the office and got everybody in, and we started the watch again, to see what we should do.

Miller came in. He and I went out to the police officer's funeral, and we spent some time at the FBI. We visited with Henry Wade late that Sunday night that he came in, and Henry said he was going for the death penalty at that time on Ruby.

Then on Tuesday Miller and I visited with--I believe we visited with Henry again about the records--investigative records, whether those were going to be made available. And then Miller and I went down to Austin Tuesday afternoon to see Waggoner Carr, who was going to open up this Justice of the Peace inquiry--court of inquiry. And tried to talk him out of that.

F: How did you find Waggoner?

S: Just called him.

F: No. I mean--receptive to talk--?

S: No, he was not receptive; he was not inconcrete obviously because he didn't succeed. But Waggoner seemed to think that that's what he ought to do and that's what the federal government wanted him to do.

F: But he had arrived at this decision on his own?

S: I gather. He didn't say. I rather think somebody put a bug in Waggoner's ear, but I don't know who it was. He sort of intimated that without so saying.

F: What did he do--just let it fritter out?

S: Seemed to, yes. I just quit worrying about it at the time. There was another problem Waggoner had about getting records from Henry Wade. And Henry wasn't particularly going to turn over records--we weren't going to turn over records for a Justice of the Peace court of inquiry. So it just kind of frittered out and of course the Warren Commission, once it came--well that was it. That took care of it.

Waggoner was friendly enough, but he had Stanton Stone in there and one or two other people who really wanted to go this court of inquiry route. Just to show you how people's perspective will really fail you, somebody in that meeting that Miller and I had with him that Tuesday evening said "Well, we won't undertake it until after the FBI has finished. They ought to be through by this weekend." And no one particularly disagreed.

F: Well, this is 1968 and they're not through yet.

S: That's right.

F: Then after that, you sort of settled back down to normal and forgot that phase of it.

S: That's right; you see, I had the Warren Commission in my office. That took an enormous amount of time in the winter and spring of 1964. Because we were sort of their second headquarters.

F: Were you in any particular contact with the new President Johnson at this time? Did he use your office as any kind of a sounding board or inquiry or anything?

S: I don't remember that he did. Cliff and I had a lot of conversations through this, and I always figured, you know, Cliff was finding out things for him, as he was. But I don't remember anything--

F: Cliff had no official capacity at this time, did he?

S: No, not in the government. He was at the Committee and in fact the de facto head of the Committee.

F: What committee?

S: [Democratic] National Committee. He was in Dallas two or three times. I don't remember having any contact with the President. Don't believe I did.

F: Now then, you were prohibited by your office from taking any part in the 1964 campaign?

S: That's right. I made available an assistant U.S. attorney, Tim Timmons, who's very politically oriented; and Tim wanted to work and so I cleared it for him to resign, and I'd bring him back in after the campaign. Then Jan worked in it and I made lists available.

F: For my own reference, where is Tim Timmons?

S: He's in Dallas.

F: As an attorney?

S: He's an assistant U.S. attorney still.

F: Should I talk to him?

S: I think he would be helpful. If you've just got time. I don't think Tim's going to know a lot. He can give you a few--

F: I mean, on the campaign--

S: On the campaign. He was heavily involved in that in 1964. He was at the Austin headquarters.

F: What about Jan?

S: Jan was in it some. I frankly don't remember what. I don't think she was heavy in it.

F: I don't want to take her time unless you think she's--

S: I'll ask her, Joe, but I don't think it's necessary. I remember Tim called me when it broke about Walter, you know, and how everybody was just walking

on the ceiling down in Austin. And I think he might be worth your while--you might see him.

F: You came to the end of a term in 1965, or did you quit to take this other job for--?

S: Quit to take the other job. Ramsey called me about coming up here. We'd been up for the inauguration in January 1965, but we had no thought at all about coming up here. Ramsey called me, and I said I would not be interested in coming. Then he called me back, I think, and said "You really ought to think about it." Well, Jan thought we ought to think about it. You know, when you start thinking about Washington, you think, well maybe you ought to start thinking about it, sure enough. And then I decided in about two days, and we left in about ten to come up and be Assistant Deputy.

And doing that, we notified Yarborough we were quitting and the court appointed a new U.S. Attorney; and as they turned out, they couldn't get together on a Presidential appointment you know, until last year [1968].

F: By then, had you and Senator Yarborough sort of made your peace?

S: I hadn't really seen him much. I had taken him--at the time Mr. Rayburn died, Yarborough hit town and called me from the airport in November 1961, and I went out and got him and took him up to Bonham and spent the day with him. Had him back to the house and had late lunch or early supper, and I would see him or go by when we were in Washington. He took us to lunch once. He never was anything hostile--so I guess you'd say we'd made our peace. We just left it up in the air. Yarborough just kind of figured I was a Johnson man and it would always go on that basis. He seemed to me a little bit--it's hard to judge this over a telephone--when I called him to say I was resigning as U.S. attorney, he said something about I hadn't given him any notice and I said well I--

F: You hadn't had any.

S: No, I hadn't had any. I just decided about an hour ago, and this is all I got.

F: Is this a Presidential appointment?

S: Attorney General's appointment but it's cleared with the President. It had been cleared. Ramsey told me that it was cleared with the President, and so it was cleared in that way, but it did not require confirmation.

F: What did you do as Assistant Deputy Attorney?

S: I worked very closely with Ramsey. That was a good, easy working relationship. We lived close to each other and could ride back and forth to work. I had the ninety-two--ninety-four as it finally developed, U.S. attorneys. I was in supervisory charge of them. We had an executive office for U.S. attorneys which handled the day-to-day details. That was a tremendous administrative job, and I'd make the decisions about salaries; who would get them; when they'd get them. General policy regarding them. The same thing regarding the U.S. marshals. It took a good deal of time. I would also look over settlements. The Deputy Attorney General has to pass on settlements above a certain figure, and I would review those and recommend for Ramsey. I did not have the principal responsibility for judicial appointments, although that is a big responsibility of the Deputy's office. I did some work on those. Ernie Friesen and the deputy did it--the principal part of it. And I worked with the Congress. I was the legislative liaison man for the Department with the Congress. And that was pretty much it. Very interesting job. I enjoyed it.

F: When the President makes an appointment to a federal court, that appointment clears through the Deputy Attorney General.

S: That is right.

F: Now then, it is also cleared with the appropriate bar association and so on-- does the Attorney General's office take on that function or is this handled out of the White House?

S: No, that's all handled by the Attorney General's office.

F: He's responsible for the complete package?

S: That's right and to recommend to the President. Whether Frantz or Jones or Brown should be nominated for a particular post. He's supposed to take care of the Senatorial clearances, the FBI check-up, the American Bar Association clearance, and his own recommendation. Then the deputy's in charge of that-- the Attorney General can get into it or not as much as he wants to, but the Attorney General sends the nomination over with the recommendation. President Johnson always wanted in addition to the formal nomination paper a little resume' about the man. What did the ABA say about him; how did he look; what was some of his biographical data, not just what the skeletal is, but what kind of guy was he? I'd always prepare those memos. Not always, but a good bit of the time.

F: What did you do--get it by calling round?

S: I'd pick it up pretty well, from the Bureau report and the FBI, what the Senators had said.

F: Well, then Sarah Hughes, for instance, was turned down originally by, I think, the ABA, for being too old--

S: That's right.

F: And the objection was overridden? Is this a reasonably frequent occurrence or is this an exception? Ordinarily, if you get these reports in and you have some sort of an adverse listing, why you go with the adverse report.

S: That's right. The ABA has made it stick. And President Johnson has only appointed one fellow who was found not qualified, and that was Morrissey up

in Boston. That was a Kennedy appointment--left over from the Kennedy days. And he didn't clear the Senate. Everybody else has qualified or better by the bar.

F: But the ABA turned down Morrissey?

S: Yes.

F: What did happen? Had Johnson not looked up Morrissey sufficiently?

S: Oh, he knew about it. He knew about it. I think he just felt like it was something he ought to do for the Kennedys.

F: An obligation to the Massachusetts element really?

S: Yes. That's right. The fact of the matter was that John Kennedy wouldn't nominate him in the three years he was President, but Morrissey--I'm very vague on this--but I believe he was a good friend of Joe Kennedy's--But President Johnson went out of his way to accommodate him on that.

F: Who would know about Morrissey?

S: Ramsey would know the most. Katzenbach would know some. He'd know a good deal too.

F: You did that for a little over a year, right?

S: Did that until August or September of 1966.

F: And then you became Assistant Attorney General for--

S: Civic division, but the fact of the matter is that I really continued doing what I had been doing because Katzenbach went to State. Ramsey became acting Attorney General; there was no deputy; there were no assistant deputies. So I continued as assistant deputy, and a kind of deputy at that time. I didn't really get heavily involved in this--

F: Did this interim period during which Ramsey was Acting Attorney General--did this give him any pause, trauma, anything, because he was not made the Attorney General promptly?

S: No, I never heard him say a word about it. I think it affected him as it would affect anybody, in that he would have to move a little more slowly, could not move as firmly, could not institute a Ramsey Clark program as long as he was Acting Attorney General. But I never noticed that it interfered with his power to decide on things, like whether we were going with a settlement, whether we were going with a nomination--and he and I are pretty good friends and I never heard him say "well, the President ought to decide--"

F: There was no vast impatience in here that the President was sabotaging--?

S: No, none at all. It never came through that way.

F: Why do you think the President delayed--just getting around to it?

S: I think the President likes to float these things awhile, and he had the Justice [Tom Clark] on the [Supreme] Court. And while it never had been said, I think everybody who was close to it figured that you weren't going to have them both, and so the Justice left the court--what were the ramifications of making a Texan Attorney General and a second generation where the father was on the court--There are a lot of things, and Ramsey had had a real outstanding record in the Lands Division of Justice and a good record as Deputy. But still in all, he was an unknown quantity, and I think that's just the way the President operates. He likes to see how he does for a few months. I think that was a part of it, and then probably he was taking his time in deciding how all these pieces fell into place. And also he had a lot of other things on his mind, like what he was going to do with the 89th Congress.

F: Did you have any particular either appointment or confirmation battles out of this or was this again a pretty much automatic--?

S: I had a problem because Tower delayed my nomination about six weeks.

F: Why?

S: Never found out why.

F: You ought to ask him some time.

S: I'd like to know. I never went to see him myself, which might have been a mistake. I was not worried about him. I felt it was going. But you know, as we moved through October with the Congress looking like it was going to leave, the President--he may have talked to me a time or two about that--about when are you going to get that nomination [approved by the Senate]--I know he was bugging Ramsey about it.

F: You're getting to be an expert at delayed nominations, aren't you?

S: Yes. I sure am. And Tower didn't just blue-slip me, which is a formality. But one of the reasons I was not disturbed, I wasn't sure whether he could make it stick.

F: Well, in general, where you have a split Senatorial delegation like that, the minority Senator just automatically goes along with it, doesn't he?

S: Pretty well. But when he doesn't, they'll give him time to play. But they don't expect him to play forever.

F: So it's just a case of kind of waiting him out?

S: Right. I wasn't disturbed. I knew the Senate Judiciary Committee--the Democrats on it. I knew Eastland; I didn't think they'd just let me fall through the cracks. And I didn't know why--Tower's story to people was, well he just hadn't gotten to it or it had been misplaced or this and that. It was a delay. It was reported to me that he was thinking that I might go down and campaign for Waggoner Carr. You see, he was involved in a race at that time.

Well, now that you really stop to think about it, that was 'way out because I had all I could say grace over here. But at any rate, it came through. And I went to the Civil Division in November, but kept pretty much what I--

F: In the Attorney General's Department, at the Assistant Attorney General level, is there much jockeying for favor or attention between the several divisions?

S: I wouldn't say much. There is a little, although I never observed it in an unfriendly kind of way.

F: You don't get in each other's way?

S: Not really.

F: Is it sufficiently clear-cut?

S: That's right. Now you get some interplay between Criminal Division and Tax Division, say, as to whether criminal prosecution in organized crime is going through the Tax or going through the Organized Crime part of the Criminal Division, but there's not much of that. There's always a little problem of demands on the Attorney General's and the Deputy's time; and some folks feel like they're not getting as much of it. But I've never seen the evidence of knifing somebody else. But I've heard about it, but not while I was there.

F: Is one division more suited for empire building than another? Or personal reputation building?

S: Oh, yes, personal reputation building. I would say that your Civil Rights Division in those years, in the early 1960's, was highly suited for that. Criminal Division, during [Robert] Kennedy's time, was suited for that, although you had to play second-fiddle for Kennedy there, because he was big on it. Anti-Trust probably always has been--not in a wide public arena, but a pseudonym for reputation-building--Civil Division I would say is not. It's strictly a lawyer's job, non-publicized type thing--fascinating job. Land's Division is not. Tax Division is not. Solicitor General's is a lawyer's lawyer job. He's going to be in the headlines whether he's trying or not.

F: I don't want to tread on dangerous ground, but this has shown up elsewhere and I'd like a statement if you'd care to make it. Did you see any evidence

that Ramsey Clark tried to, in effect, to euchre Katzenbach out of the Attorney General's office?

S: No, I didn't.

F: Relations, as far as you know, were as reasonably harmonious as you get between any two high-powered men?

S: Yes, they were harmonious. Now Ramsey and Nick were not close friends. There was not any hostility. I think, and this is speculation on my part really--I imagine Nick always felt, well here's Ramsey; he's a Texan. And he may be over here to kind of look over my shoulder. He never told me that and Ramsey never told me that, but that's just being a part of the scene--I always feel that Nick might feel that way. I don't think Nick was particularly glad to see me; at least when I came.

F: Because you were Texan or--?

S: I don't know. I think Nick in some ways is part of the Eastern Establishment, which is a very much misused, loosely used term, but he's just--but although he and I--think Nick and I got to be good friends because he liked the Congress. I worked the Congress. I understood the Congress, I think, and he did and so we developed a good deal in common and got to be good friends.

F: You had a good background for that.

S: Yes, I think I was fortunate in that. I didn't see any of that, Joe. Now, I wouldn't have been looking for that where I was, but I did not notice it at all. I think it would be pretty much out of character for Ramsey.

F: In the Attorney General's office, does one particular office handle the Congressional relations or is that pretty well left up to the type of individual?

S: Well, it's supposedly the Assistant Deputy, the two Assistant Deputies, one has that as its responsibility; and that's it. Now, this is very loose. For

instance, Katzenbach liked to work the Congress. He particularly liked to work the Senate. He had worked it when he was there with Bobby Kennedy. So he was a Congressional relations man himself. Ramsey didn't like the Congress much. I mean he liked them, but it was not his cup of tea to go off and work them. So the Deputy's office was normally in charge, and particularly the Assistant Deputy for Congressional Relations, that was kind of reverse. The AG was in it, I was in it. Ramsey did a lot of talking with Senators on appointments, but his focus was not in that direction really. And each of your assistant AG's does more or less, depending. For instance, Burke Marshall was very big when they were talking about the Civil Rights Act. You put him up there; you don't say "well, you've got to have this Assistant Deputy to go up and do that, and Burke, you're in charge of civil rights--you stay home." They all went.

F: What did you talk to them about?

S: We had quite a program up there in 1965, and we had a good deal of success with it--the Bail Reform Act; the Rehabilitation Act--Prisoner Rehabilitation--started this Law Enforcement Assistance Office, which has now developed into a big grant program. I ought to remember more about it. Had the Voting Rights Act; that was big. I can remember fifteen things; that's all that comes to me off the top of my head.

F: What did you do--just buttonhole key Congressman on the right committees?

S: When you're working with the committees, you're really--

F: Primarily just the Judiciary Committees?

S: Yes, in the House and Senate. You need to know them and you need to know their staff. I made that my business. And then you need to know the leadership.

F: How did you happen to come over here?

S: The President asked me to come over here.

F: Had this been impending for some time?

S: No, Ramsey had told me he thought--he had told me a month or two before. I think he said, "Henry Wilson is leaving, and you're probably going to be considered for that." And I told him at the time, "Well, I think we'd better try to figure out somebody else." And we never did. I can't say that I really stopped to think about it very much; I just knew that Henry was leaving and I would be in a position--but I was not striking for it. I had a whole new world to learn about in the Civil Division which I never had gotten to, you know, so we came over here on a Saturday--Ramsey and I--to see the President about the middle of May, I could fix the date, it would probably have been about the 12th or so, something like that, of May 1967. And maybe it was a little later than that. It was the Saturday before the 20th of May, whenever that fell on. And the President asked me, would I like to come over here. And I said No. And then he said "Well, I think you had better find somebody else to come over, or think seriously about coming over yourself."

So then Marvin called me on Sunday night--meantime I had talked it out with Jan. I told Ramsey; you know, I walked back that afternoon and I told him I thought I ought to go. You just don't turn down the President. And I wasn't opposed to coming over here so much as I was, I wanted to find out what I was doing over there [at Justice] and I had this whole division with 200 lawyers--and a vast amount of litigation which is kind of challenging, I never had gotten to touch--so I told Ramsey I thought I ought to do it. He pretty well agreed. I talked with Jan and told her we'd talked about it. So Marvin called on Sunday night and said "What are you going to do?" I said, "I'll come." I said that was it. I was here on a Thursday or Friday.

F: Why do you think the President chose you?

S: I think probably he had had good reports on me from my activities on the Hill, and I think because he felt that he knew me; we'd had a relationship--never close, but extended back over a period of years. There were not as many people that he has felt close to probably. And I think he trusted me and I was loyal.

F: We'll wind up your career today and then we'll come back and talk about specifics, but let's talk very briefly about your appointment to judge.

S: All right.

F: Did you talk this over with the President?

S: How deep do you want to get into this?

F: As deeply as you want to get. I mean I'd like to get all the way.

S: It's okay. I cannot remember, for sure--

F: This is all cleared, you know, and we can put any kind of hold on it you want.

S: All right, then I'd like to let go of this. But it must have been in June [1968] that--well, we can fill in the details. What I'm trying to figure is how I found out first--whether the President told me directly or whether [Larry] Temple told me directly, I don't remember--that I ought to look at the Fifth Circuit--there would be vacancies. The Omnibus Circuit Court Bill--I know Ramsey mentioned it and I asked Temple about it. Temple said yes, the President is interested in you.

F: That's the one that works out of New Orleans?

S: Yes. That's right--covers all the Southern states. And I was not real fired up about it. It was proceeding along and I decided I would like to do that. I didn't talk to Ramsey much. But at any rate, Yarborough would not clear that. He would not clear the Fifth Circuit. I never talked to Yarborough on this, but he told Ramsey that, as so reported to me by Ramsey and by the President.

F: Would the President talk to Yarborough on something like this, or would he pretty well leave it up to Ramsey?

S: No, I think he pretty well left it up to Ramsey, and maybe some others too. I don't think he talked directly. If he did, I didn't know about it. But it became very clear--

F: This because Yarborough has got his own candidate or was he still hurting?

S: I think there was a combination. He and I are friendly enough. Get along fine; he calls down and asks me to do a favor here and there. I'm glad to do it, what the heck? But he did not regard me as his fellow. That was about it; he wouldn't clear that. So then at some point in time, we thought--and Eastland had apparently told Ramsey, that if the President sent a nomination up, he would run over Yarborough any way--didn't care. Just send it. He'd take care of it from there. That was a very difficult thing to do, because it was right in the middle of the Fortas fight. And that has a lot to do with the timing on my own, because the President could not get in a fight with Yarborough about this when we had the Fortas thing up there.

So then the question about the D.C. Circuit--and the President, really; I had heard, I guess, from Temple and Ramsey about the possibilities here, and I had said originally I was pretty sure I wanted to go back to Texas. And the Fifth Circuit was fine, but wasn't much more interested in this, but then the President asked me down there [at the White House] one night--I guess it was the first part of--middle of September, I'd guess, "what about this here [the D. C. appointment]?" And I said, "Well, I don't know, but I'll decide." And he said, "Well, I think you ought to decide pretty quick. We ought to move."

And a few days later, I told him in some conversation that I would like to do it. So pretty soon after the Fortas thing--I don't remember whether

it was before the Fortas thing or right after--right after it, I believe, he sent it up, and they had the hearing. Yarborough was very nice, just as nice as he could be. I called him and Tower--I called them both--the day it was going up. And they both said they'd be for me. And I talked to Eastland and--he and I are very friendly, and he said that he would be for me. He set the hearing on the list and had the hearing--it was all, you know, just lovely, with everybody and then Eastland called me in and told me that unless he could do something, well, [Sen. Strom] Thurmond was going to knife it. And so then I reported that to the President.

So that's not all the convolutions we went through, but a good many, and Eastland was staying in touch with me and with Ramsey, and Eastland told me on the Monday before that "I think we've got to talk to Thurmond if I'm going to get him straightened out," but said, "don't talk to him unless I say you should," and [he] called me later to say Thurmond won't see you. And that's pretty much it. And also the President talked to Dirksen and talked to Mansfield about this. They separately reported that to me. This was 'way before the nomination went up, and it was up there and he talked to them about it.

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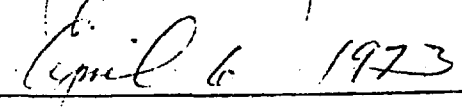
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