

PRAISES LBJ'S CHOICE6 July 68
15051**Warren to Stay
If Fortas Blocked**

WASHINGTON (AP)—Earl Warren says he will stay on as chief justice of the United States if the Senate does not confirm Abe Fortas as his successor.

But, Warren told a news conference yesterday, he expects Fortas to be approved despite the declared opposition of 19 Republican

senators and he believes Fortas will be "a great chief justice."

"I AM OBLIGED to stay on," Warren said. "I suppose that under the oath I am obliged to perform the duties of my office. I neither expect nor hope that would be a fact."

Michigan's Sen. Robert P. Griffin, leader of the Republican opposition bloc, declined to comment on Warren's declaration. There was no immediate reaction from the others, scattered across the country for the long July 4th weekend.

But the Republicans, who claim unnamed supporters among Southern Democrats, say their campaign is based on principle more than personalities.

They have accused President Johnson of "cronyism"

in naming Fortas as chief justice and long-time Texas friend Homer Thornberry as an associate justice. They are mainly opposed, however, to what they call a "lame duck" president making court appointments.

THEY SAID they would press ahead with their campaign even when Democratic Senate Leader Mike Mansfield declared last week that he expected Warren to stay on if he had to and in effect gave his colleagues a choice between Warren and Fortas.

Mansfield's comments were viewed by some of the Republicans as an effort to weaken any Southern Democratic support. The Southerners have been loudly critical of the court under Warren and presumably would find little difference between Warren and Fortas who often have voted together.