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Texts on Retirement of Justice Douglas

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WASHINGTON, Nov. 12—
Following are the texts of the letter of retirement from Justice William O. Douglas to President Ford, the President's letter of reply, and a statement by Chief Justice Warren E. Burger:

Douglas Letter

Dear Mr. President:

It was my hope, when I returned to Washington in September, that I would be able to continue to participate in the work of the Supreme Court.

I have learned, however, after these last two months, that it would be inadvisable for me to attempt to carry on the duties required of a member of the Court. I have been bothered with incessant and demanding pain which depletes my energy to the extent that I have been unable to shoulder my full share of the burden.

Therefore, pursuant to the provisions of Title 28, U.S. Code, Section 371(b), I hereby retire at the close of this day from regular active service as an Associate Justice of the Supreme Court.

During the hours of oral argument last week pain made it necessary for me to leave the bench several times. I have had to leave several times this week also. I shall continue to seek relief from this unabated pain but there is no bright prospect in view.

Chief Justice Burger and my other colleagues on the bench have extended to me every courtesy and generous consideration. I have appreciated their thoughtfulness and I shall miss them sorely, but I know this is the right decision.

Respectfully yours,
WILLIAM O. DOUGLAS

Ford Letter

Dear Mr. Justice Douglas,

I have read your letter of this date with profound personal sympathy for the sad

circumstances under which you deem it inadvisable to attempt to continue participating in the work of the Supreme Court of the United States. I want you to know first of all of my warm admiration for your valiant effort to carry on the duties of your high office, despite your recent illness, with the same courage and independent will that have characterized your long service to your country.

In response to your decision to retire at the close of this day from regular active service as an Associate Justice, may I express on behalf of all our countrymen this nation's great gratitude for your more than 36 years as a member of the Supreme Court. Your distinguished years of service are unequalled in all the history of the Court. Your contributions to the law both as scholar and jurist and your service under President Franklin D. Roosevelt as member and chairman of the Securities and Exchange Commission constitute a lifetime of dedicated public service matched by few Americans.

It is my sincere hope that your health will soon be restored so that you can enjoy your well-deserved retirement and relax among the natural beauties you love and have helped to preserve. Future generations of citizens will continue to benefit from your firm devotion to the fundamental rights of individual freedom and privacy under the Constitution.

GERALD R. FORD

Burger Statement

Justice Douglas's retirement brings to a close a career unique in the annals of this Court. His service spans the tenure of five Chief Justices and sets a record that may never be equaled.

Since January 1975 he has struggled valiantly to overcome the limitations imposed

by illness and his courage and willpower have earned him the admiration of his colleagues on the Court. We devoutly hope that once relieved of the taxing work of the Court, his health will improve and he will again be able to pursue the wide range of interests that have commanded his interest all his life and for the 37 years on the Court. Even if he leaves now physical mountain climbing to others, there are mountains in the world of ideas that many Americans wish to hear Justice Douglas address.

A year ago he expressed his faith in our country and his own basic belief when he said:

"I think the heart of America is sound. I think the conscience of America is bright. I think the future of America is great."

This shows Justice Douglas as a believer in our country and in the values that have made it great.

I know I speak for all Justices when I express our heartfelt wish for improved health and long life to our friend and colleague.