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**AT FUNERAL SERVICES:** President Nixon, left, and dignitaries listening yesterday to a sermon during the funeral of former Justice Hugo L. Black in Washington's National Cathedral. In front row from left are Mr. Nixon, Attorney General John S. and Mrs. Mitchell and Elliot L. Richardson, Secretary of Health, Education and Welfare. In the second row are Chief Justice Warren E.

Burger, second from left, seated next to former Chief Justice Earl E. Warren. Justice William O. Douglas is second from right. In third row, from the left, are Stanley F. Reed, retired Justice, and Justices Harry A. Blackmun, Thurgood Marshall and Byron R. White. In the fourth row are former Justices Abe Fortas, third from left, and Arthur J. Goldberg, seated, next to Mr. Fortas.

## Nixon Attends Funeral in Capital for Justice Black

By FRED P. GRAHAM  
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WASHINGTON, Sept. 28 — President Nixon put in an unexpected appearance this afternoon at the funeral of former Associate Justice Hugo L. Black, and heard a sermon on the unsuitability of "strict constructionists" for the Supreme Court.

Justice Black, an Alabama-born jurist who served 34 years on the Supreme Court and influenced its course as only a handful of the major figures in the court's history have done, was eulogized in a simple funeral ceremony. He was then buried in an unpainted pine coffin under a huge oak tree on one of Arlington National Cemetery's highest hills.

Mr. Nixon sat impassively in the front row at the National Cathedral as the Rev. Dunca Howlett, a Unitarian minister and close friend of the late Justice who died Saturday at the age of 85, said that Justice Black "had little patience" with strict constructionists.

### Attorney General Attends

Mr. Nixon and Attorney General John N. Mitchell, who sat beside him at the cathedral, are said by their staffs to be searching for two strict constructionists to fill the Court vacancies created by the re-

tirements of justices Black and John M. Harlan.

It was learned today that the American Bar Association, which has arranged to check on the qualifications of the potential nominees for the Justice Department, has called officials at least one law school—the University of Michigan at Ann Arbor—and has asked their opinion of Representative Richard H. Poff, Republican of Virginia. Representative Poff's name has been prominently mentioned as a replacement for Justice Black.

The rites for Justice Black were conducted in accordance with his wishes and were simple and impressive.

The approximately 1,000 persons who attended the funeral ranged from the President and Mr. Mitchell and Secretary of Health, Education and Welfare Elliot L. Richardson to young sailors with their girlfriends and shaggy-haired law students.

The coffin was carried into the church by members of the Supreme Court police force, through two ranks made up of the seven remaining Supreme Court members and six former Justices.

Among the latter were the three former justices whose earlier departures gave Mr. Nixon two seats to fill and set the

stage for his current opportunity to lay the foundation of a "Nixon court"—Arthur J. Goldberg, Abe Fortas and former Justice Earl Warren. The others were Tom C. Clark, E. Whittaker and Stanley F. Reed.

The remaining members who were there are chief justice Warren E. Burger and Justices William O. Douglas, William J. Brennan Jr., Potter Stewart, Byron R. White, Thurgood Marshall and Harry A. Blackmun.

Justice Marshall appeared to walk with a slight stiffness, a legacy of an operation that was performed at Bethesda Naval Hospital on July 21. There have been rumors that he might also be suffering from a serious illness, but his office said that the operation was an appendectomy that was performed after he entered the hospital for treatment of ulcers. He appeared healthy today.

### Two Sons Are Lawyers

Justice Black's widow, the former Elizabeth Demeritte, sat across the aisle from Mr. Nixon. Also there were the Justice's three children, Hugu Jr., a Miami lawyer; Sterling F., a lawyer in Albuquerque, and Mrs. Mario Pesaresi of Hackensack, n.j.

In addition to his brief remarks, Mr. Howlett read pas-

sages that were heavily underlined in books from Justice Black's study. They included readings from Aeschylus, Cicero, Virgil, Diogenes, Thomas Jefferson and Thomas Carlisle. There was also a passage from Justice Black's recent concurring opinion in the Pentagon Papers case, in which Mr. Mitchell sought unsuccessfully to prevent publication of the classified documents.

President Nixon and Mr. Mitchell did not change expressions as Mr. Howlett read Justice Black's declaration that "the press was to serve the governed, not the governors. The Government's power to censor the press was abolished so that the press would remain forever free to censure the Government."

The Rev. Francis B. Sayre Jr., dean of the Cathedral, concluded the service with a brief prayer.

A group of women's organizations disclosed today that they have sent letters to Mr. Nixon calling for the nomination of a woman to the Supreme Court. The groups are the National Council of Negro Women, the National Council of Catholic Women, the National Board of the Young Women's Christian Association and the Harvard University Women Law Students' Association.