

WARREN RESIGNING - FORTAS SUCCESSOR?



**CHIEF JUSTICE EARL WARREN AND HIS WIFE**

A long, illustrious career will end when the Californian steps down.

## Californian To Yield Gavel

*Ex-Governor  
Is Now 77*

By The Associated Press and  
United Press International

WASHINGTON —

Earl Warren has resigned as chief justice of the United States, authoritative sources reported today.

The Californian was named to the top Supreme Court post in 1953 by President Eisenhower. At 77, he is known to have long felt it was time to step aside.

President Johnson, who expects to leave office himself when his term ends in January, will name Warren's successor before he leaves.

The appointment is of critical significance. Court appointees commonly serve for decades and the relative strength of the liberal and conservative factions can be reversed by the departure of a single justice, depending on the politics of the President who chooses the man to fill the vacancy.

### CONFLICT

The Warren years on the court have been marked by controversy. From the historic 1965 decision on school segregation to the equally sweeping housing discrimination handed down last Monday, the court's actions have been headline-makers.

Ultraconservatives, while generally outraged at the court in general, have had special dislike for Warren. For years there have been "Impeach Earl Warren" billboards in sections where anti-court sentiment runs strong.

Through it all, the man in the eye of the storm has, to



all appearances, been untappable, retaining the outgoing and unpretentious manner that stood him well in his three terms as governor of

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California before he was named to the bench.

Warren was trained in law at the University of California but never sat as a judge until, at 62, he was picked to be the nation's highest jurist.

He was no stranger to courtrooms, however, having laid the foundation for his political career with seasoning as a racket-busting district attorney of Alameda County in California and attorney general of the state.

#### DEWEY

He was the vice presidential candidate on the 1948 Republican ticket headed by Thomas Dewey. When the GOP lost the election in spite of virtually unanimous forecasts it was headed for victory, Warren explained the upset this way:

"Mr. Truman just got too many votes."

The chief justice makes \$40,000 a year. With his tenure, he retires at full salary.

Foremost among those mentioned as likely to succeed Warren, is justice Abe Fortas, a longtime and close confidant of the President, who appointed him to the court.

If Johnson chooses Fortas, it would mark the first time a Jew has ever headed the high court.

The President already has

made history by naming the first Negro to the court — Thurgood Marshall, who took the oath as associate justice last Oct. 2.

The ultraconservative outcries for Warren's impeachment had died down to some extent in recent years, but critics in Congress and the South still refer to "the Warren Court" when criticizing its action.

#### CONFESSIONS

The most recent set-to between the lawmakers and the justices revolved around the court's limitations on admission of confessions and eyewitness testimony in criminal cases.

The anti-crime bill signed into law by the President Wednesday seeks to override those decisions, in a provision drafted in the Senate.

Another politically unpopular decision of late held that states must adhere to the "one-man, one-vote" ruling in apportioning their legislatures. In the term just ended, the court went a step further by voting to extend the rule to local government units as well.

The court's decisions relating to communism — coming as they did when Sen. Joseph R. McCarthy's investigations still were fresh in the nation's memory — raised the loudest outcries.