

# Fortas Denies Accepting Fee From Wolfson

By BARRY SCHWEID

WASHINGTON (AP) — Justice Abe Fortas received a \$20,000 fee from the family of industrialist Louis E. Wolfson three months after he was seated on the Supreme Court and did not return the money until 11 months later, according to Life magazine.

Fortas confirmed yesterday he was offered and considered a fee but flatly denied he accepted or that he stepped in to help Wolfson, a former client who went to jail last month on a federal securities law conviction.

THE JUSTICE SAID he returned the fee, "tendered" in 1966, "with my thanks." His statement, issued at the court after he had read an advance copy of the Life article, did not say how large the fee was or when he returned it.

Life's account was that the Wolfson Family Foundation, a tax-free charitable organization set up by Wolfson and his brothers, paid Fortas \$20,000 in January, 1966, three months after he was sworn in as an associate justice.

The article, by William Lambert, said Fortas returned the money in December, 1966, three months after the financial tycoon and his longtime business associate, Elkin Gerbert, had been indicted on charges of selling a large block of unregistered stock in a company Wolfson and Gerbert controlled.

LIFE SAID whatever services he may or may not have rendered to the foundation, Justice Fortas' name was being dropped in strategic places by Wolfson and his business associate, Elkin Gerbert, in their effort to stay out of prison.

The Justice Department, meanwhile, said it "is aware of the contents of the article in Life magazine and currently has the matter under consideration."

Fortas' statement, issued two hours after he had driven to the court on an otherwise quiet Sunday, began: "I have not accepted any fee or emolument from Mr. Wolfson or the Wolfson Family Foundation or any related person or group."

FORTAS WENT ON to say he met Wolfson in 1965, before going on the court, after a Wolfson company had retained his old law firm.

The Justice said the foundation offered the fee "in the hope that I would find time and could undertake, consistently with my court obligations, research functions, studies and writings connected with the work of the foundation."

He added: "Concluding that I could not undertake the assignment, I returned the fee with my thanks."

The statement said the foundation is engaged in "significant and commendable work" in the field of harmonious racial and religious relations.

## Ban on Outside Fees To Justices Proposed

WASHINGTON (AP) — Sen. John J. Williams, R-Del., moved today to block future acceptance of outside fees by Supreme Court justices as a result of disclosures about Justice Abe Fortas.

Senate Republican Leader Everett M. Dirksen of Illinois expressed the opinion that Fortas had committed "no impeachable conduct" in first accepting and then returning 11 months later a \$20,000 fee from the family of Louis E. Wolfson, financier jailed last month after a federal securities conviction.

Sen. Edward M. Kennedy, D-Mass., suggested Fortas be invited to explain to the Senate Judiciary Committee the circumstances surrounding the fee incident, first disclosed by Life Magazine.

Moving independently, Williams told a reporter he will introduce legislation to ban the acceptance of outside fees by the justices, whose pay recently was raised to \$60,000 yearly.