

SOME IN G.O.P. ASK FORTAS TO RESIGN

No Democrats in Congress Express Support for Him in Wolfson Fee Dispute
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WASHINGTON, May 5—

Some Congressional Republicans called today for the resignation of Justice Abe Fortas following the disclosure that he had received—and later returned—a \$20,000 fee from the family foundation of Louis E. Wolfson, a convicted securities manipulator.

Similar attacks were made by the same persons nine months ago, when Justice Fortas's nomination to the office of Chief Justice was being debated in the Senate.

However, today there were no statements of support from the Democratic forces that fought for his confirmation last summer. Senator Edward M. Kennedy of Massachusetts suggested that Justice Fortas might consider explaining things to the Senate Judiciary Committee, before which he testified in hearings last year.

"These are extremely important charges that have been leveled," Senator Kennedy told reporters before the Senate session this morning. "They reach to the integrity of the Justice as well as the Court."

He expressed hope that "the enemies of the Court in the past will not use this" to embarrass the entire high bench.

"I hope that if the Justice desires, he can come before the Senate Judiciary Committee

Continued on Page 27, Column 1

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Continued From Page 1, Col. 5

tee" to explain the incident. Senator Kennedy said. He suggested that the committee stand ready to hold hearings to clear up the matter.

The Senate majority leader, Mike Mansfield, who carried much of the brunt of the Fortas confirmation effort last summer declined to comment today.

"It's in the hands of the Justice Department," he said.

Many persons here — including members of the bar and political figures — appeared stunned by the fee disclosure.

The impact was intensified by the publication in recent weeks of rumors that Justice Fortas planned to resign at the end of the Court term. He appeared uncharacteristically ill at ease as he sat silently throughout the Court's session this morning.

Incredulity Voiced

Justice Fortas has been popular with the members of the bar in Washington, but in conversations after today's session several expressed incredulity at what they regarded as his apparent insensitivity about his outside sources of income.

Yesterday he confirmed in a statement Life magazine's report that he had received — and later returned—a fee from the Wolfson Family Foundation. He said that he had planned to advise the foundation on civil rights and religious projects.

Last summer it was disclosed that he had accepted a \$15,000 fee, raised from wealthy businessmen, for teaching a seminar course at a law school here.



The New York Times

Senator Edward M. Kennedy

Today Senator Jack Miller, an Iowa Republican who had opposed him last summer, called for Justice Fortas's resignation.

Senator Strom Thurmond of South Carolina, a Republican, repeated his suggestion of last summer that Justice Fortas should consider "if the faith of the people in the integrity of the Supreme Court would be better served by his resignation."

Representative H. R. Gross, an Iowa Republican, said that Justice Fortas should be impeached if he did not resign. No other official supported this view.

Senator Robert P. Griffin, the Michigan Republican who

spearheaded the anti-Fortas drive last year, issued a short statement expressing his concern over the "appearance of impropriety" and adding that the Life article "raises most serious questions which need to be resolved."

Senator John J. Williams, Republican of Delaware, introduced a bill that would revoke the tax-exempt status of any foundation offering money to public officials during their terms of office or for two years thereafter.

He recalled that last October it was disclosed that Justice William O. Douglas had been receiving \$12,000 a year from the Albert Parvin Foundation, which Senator Williams linked with gambling interests in Las Vegas.

"There is no excuse for the members of the Supreme Court to accept these outside legal fees on the basis of financial need," Senator Williams said, referring to their \$60,000-a-year compensation.

Justice Douglas was absent from the bench today because he was on a speechmaking trip to Brazil. He and his wife, Cathy, left on an 11-day trip to Brazil, paid for by a Brazilian law school.

Today The Evening Star carried a paid advertisement, which appeared last Friday in The Wall Street Journal, consisting of a letter from Wolfson to the public.

It was dated April 25, before the current Fortas controversy surfaced. In it Wolfson protested his innocence and termed himself "a victim of a web of circumstances."