

## Evans and Novak Fortas Pressure Rises

WASHINGTON — Judicial and political pressures for the resignation of Supreme Court Justice Abe Fortas are rising here, reinforced by indications the Justice Department has uncovered a closer relationship between the justice and Lotis Wolfson, now in jail for violating United States securities laws, than generally suspected.

In private conversations at a judicial conference here last week, eminent U.S. judges, including two members of the U.S. Court of Appeals, left no possible doubts about their strong convictions: Fortas must resign or the Supreme Court, long the target of heavy attack by conservatives, will remain under a menacing cloud of suspicion.

Moreover, Chief Justice Earl Warren is known to be deeply concerned that his own imminent retirement coincides with the court's worst internal crisis since he took his chair 16 years ago.

He does not want to leave the court with charges against Fortas hanging over it unresolved.

Briefly, the case against Fortas centers around his January, 1966, acceptance of \$20,000 from the Wolfson Family Foundation (more than one-quarter of the foundation's entire disbursements that year). Fortas was then on the high court.

Fortas returned an equivalent amount of money the following

December, after Wolfson's indictment, with the explanation that he did not have time to perform the foundation work he had agreed to do.



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During that year, we are informed, Fortas received fairly regular telephone calls from Wolfson to his chambers in the Supreme Court.

In addition, Fortas was Wolfson's house guest at the plush Wolfson thoroughbred horse-breeding farm at Harbor View, Fla. — to discuss, so he told Life magazine, work being done by the family foundation.

Evidence that the full extent of the relationship between Fortas and Wolfson goes beyond anything yet revealed is now under lock-and-key in the Justice Department, which has been investigating the case for several months.

But President Nixon has issued strict orders that none of this information is to be leaked

or in any other way to be made public.

In three separate instances last week, during Mr. Nixon's regular session with the Republican congressional leaders, the President strongly warned against allowing the Fortas case to become a partisan matter. At one point, he turned to Rep. Gerald Ford, the House Republican leader, and asked whether he agreed it was "not a matter" for partisanship. Ford agreed.

What worries the administration is that, if the Nixon Justice Department gets into the act, it might result in a party-line battle, moving the Democrats into a defense of Fortas on political, not judicial grounds, embarrassing the court even further and cementing Fortas in his seat.

This explains the careful reactions of Republican leaders. Sen. Everett M. Dirksen, the Senate minority leader, has said he sees no "impeachable offense" in Fortas' dealings with Wolfson.

Sen. Hugh Scott of Pennsylvania, the Republican whip, wants the high court itself to deal with Fortas or, lacking that, a panel of the American Bar Association to conduct an investigation.

But in fact, legal experts here doubt that unless Fortas decides on his own to resign his seat on the court, neither the court itself nor a panel of the ABA is likely to be of much influence on him.

Last fall, during the Senate hearings on Fortas' nomination to be chief justice, top officers in the ABA praised him in glowing terms (over the protest of some rank-and-file members of the bar). To conduct a new investigation now would be a distinct embarrassment.

Thus, in prospect is a period of little overt action but subtly rising pressures on the justice to take the Supreme Court, and the whole U.S. judicial system, off the hook by resigning.

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## Impeachment Probe Asked In Fortas Case

WASHINGTON (AP) — A leading House Republican called today for an investigation of Supreme Court Justice Abe Fortas by the House Judiciary Committee to determine whether impeachment proceedings are warranted.

Rep. Clark MacGregor, R-Minn., a member of the committee, said he acted after conferring this morning with Atty. Gen. John N. Mitchell.

"The attorney general raised no objection," said MacGregor. "He indicated he would cooperate in such an investigation."

THE COURSE suggested by MacGregor is one of several that could lead to impeachment proceedings in Congress. It calls for a preliminary, informal investigation by a Judiciary Committee panel to see whether the facts warrant going ahead with impeachment.

"I can't sit by any longer and see this matter tried in the news media when we have procedures for bringing the facts out into the open," MacGregor said.

Fortas meanwhile was reported in his court chambers this morning working on pending cases.

UNDER MOUNTING pressure to resign, he is believed to be holding a series of top secret strategy meetings with old friends as he nears a decision on his future.

The embattled justice, who watched a former Senate supporter join those calling for him to quit, canceled a scheduled appearance yesterday at a judicial conference in New Hampshire.

This fueled speculation that he was close to a final decision. The likelihood grew when it was understood that Fortas held discussions last night at his Georgetown home with Paul Porter, his former law partner, and Justice William O. Douglas, a close associate.