

Y 4 . J 89/2 : N 65

1042

N 65
J 89/2
444 06

NOMINATION OF WALTER L. NIXON, JR.

GOVERNMENT

Storage

HEARING
BEFORE A
SPECIAL SUBCOMMITTEE
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
NINETIETH CONGRESS
SECOND SESSION
ON
NOMINATION OF WALTER L. NIXON, JR., OF MISSISSIPPI,
TO BE UNITED STATES DISTRICT JUDGE FOR THE
NORTHERN DISTRICT OF MISSISSIPPI

JUNE 5, 1968



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1968

44-2892-102

100-1
100-1
100-1

NOMINATION OF WALTER J. NIXON JR.

NOMINATION OF WALTER J. NIXON JR.

HEARING

COMMITTEE ON THE JUDICIARY

JAMES O. EASTLAND, Mississippi, *Chairman*

- | | |
|-----------------------------------|------------------------------------|
| JOHN L. McCLELLAN, Arkansas | EVERETT MCKINLEY DIRKSEN, Illinois |
| SAM J. ERVIN, Jr., North Carolina | ROMAN L. HRUSKA, Nebraska |
| THOMAS J. DODD, Connecticut | HIRAM L. FONG, Hawaii |
| PHILIP A. HART, Michigan | HUGH SCOTT, Pennsylvania |
| EDWARD V. LONG, Missouri | STROM THURMOND, South Carolina |
| EDWARD M. KENNEDY, Massachusetts | |
| BIRCH BAYH, Indiana | |
| QUENTIN N. BURDICK, North Dakota | |
| JOSEPH D. TYDINGS, Maryland | |
| GEORGE A. SMATHERS, Florida | |

JOHN H. HOLLOMAN III, *Chief Counsel and Staff Director*

SPECIAL SUBCOMMITTEE

QUENTIN N. BURDICK, North Dakota, *Chairman*

- | | |
|-----------------------------|--------------------------------|
| JOHN L. McCLELLAN, Arkansas | STROM THURMOND, South Carolina |
|-----------------------------|--------------------------------|

(II)

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON

23-81

NOMINATION OF WALTER L. NIXON, JR.

WEDNESDAY, JUNE 5, 1968

U.S. SENATE,
SUBCOMMITTEE ON NOMINATIONS OF THE
COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee (composed of Senators Burdick, McClellan, and Thurmond) met, pursuant to notice, at 10:30 a.m., in room 2228, New Senate Office Building, Senator Quentin Burdick (chairman) presiding.

Present: Senator Burdick.

Also present: John H. Holloman III, chief counsel and staff director.

Senator BURDICK. The hearing this morning has been scheduled for the purpose of considering the nomination of Walter L. Nixon, Jr., of Mississippi, to be U.S. district judge, Southern District of Mississippi, vice a new position created under Public Law 89-372 approved March 18, 1966.

Notice of the hearing was published in the Congressional Record, May 29, 1968.

Senator Eastland, by formal notification, approves the nomination.

Senator Stennis, by formal notification, approves the nomination.

We will now hear from the senior Senator from Mississippi.

STATEMENT OF HON. JAMES O. EASTLAND, U.S. SENATOR FROM MISSISSIPPI

Senator EASTLAND. Mr. Chairman, I have known this nominee for many years, about 26 or 27. I knew him when he was a schoolboy. He made the highest grades in his class in law school. He was editor of the Law Review at his law school. He has built up a tremendous law practice. He is 39 years old, and he has built up one of the biggest practices in southeast Mississippi. He is a man of unimpeachable integrity. He is a very able lawyer. He has been in the courtroom. He is a trial lawyer. A great part of his time he has had tremendous experience and I say tremendous, in the courtroom.

This appointment meets the approval of practically all the lawyers and the people of the State because he is highly qualified and would make a very fine and able judge.

I ask permission to place in the record a letter dated June 1, 1968, from the Standing Committee on Federal Judiciary of the American Bar Association, stating that the "overwhelming majority of the committee is of the opinion" that the nominee is "qualified" for the appointment.

By letter and wire of June 4, 1968, the president of the Mississippi State Bar states that the bar recommends approval of the nomination.

And by letter of May 30, 1968, the president of the Jones County Bar Association wholeheartedly endorses the nominee and urges early confirmation.

A number of favorable letters from prominent citizens of Mississippi are on file.

AMERICAN BAR ASSOCIATION,
Chicago, Ill., June 1, 1968.

HON. JAMES O. EASTLAND,
Chairman, U.S. Senate Judiciary Committee, New Senate Office Building, Washington, D.C.

DEAR SENATOR EASTLAND: Thank you for your telegram affording this Committee an opportunity to express an opinion or recommendation pertaining to the nomination of Walter L. Nixon, Jr., Esquire, of Biloxi, Mississippi, for appointment as United States District Judge for the Southern District of Mississippi.

The overwhelming majority of our Committee is of the opinion that Walter L. Nixon, Jr., Esquire, is "Qualified" for this appointment.

With best wishes,

Sincerely yours,

ALBERT E. JENNER, Jr., *Chairman.*

[Telegram]

JACKSON, MISS., June 4, 1968.

Senator JAMES O. EASTLAND,
Chairman, Judiciary Committee, New Senate Office Building, Washington, D.C.:

I am authorized to state that the Mississippi State Bar recommends approval of the nomination of Walter L. Nixon, Jr., as a judge of the U.S. District Court for the Southern District of Mississippi. Letter follows.

N. W. OVERSTREET, Jr.

MISSISSIPPI STATE BAR,
OFFICE OF THE PRESIDENT,
Jackson, Miss., June 4, 1968.

Senator JAMES O. EASTLAND,
Chairman, Judiciary Committee,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR EASTLAND: I understand that a public hearing will be held Wednesday, June 5, 1968, on the nomination of Mr. Walter L. Nixon, Jr. to be a Judge of the U.S. District Court for the Southern District of Mississippi.

I am authorized to state that the Mississippi State Bar approves this nomination of Mr. Nixon.

We recommend that your Judiciary Committee and the U.S. Senate approve this nomination of Mr. Nixon to be a Judge of the U.S. District Court for the Southern District of Mississippi.

Sincerely yours,

N. W. OVERSTREET, Jr.,
President, Mississippi State Bar.

MAY 29, 1968.

N. W. OVERSTREET, Jr.,
President, Mississippi State Bar,
Jackson, Miss.:

Public hearing has been scheduled on nomination of Walter L. Nixon, Jr., of Mississippi, to be U.S. District Judge, Southern District of Mississippi, vice new position created under Public Law 89-372 approved March 18, 1966, for Wednesday, June 5, 1968, at 10:30 a.m., in room 2228 New Senate Office Building. It is requested that any opinion or recommendation the bar desires to make be submitted to the committee on or before that date.

JAMES O. EASTLAND,
Chairman, Senate Judiciary Committee.

JONES COUNTY BAR ASSOCIATION,
Laurel, Miss., May 30, 1968.

Senator JAMES O. EASTLAND,
Chairman, Senate Judiciary Committee,
Washington, D.C.

DEAR SENATOR EASTLAND: Having learned by the news media on yesterday of President Johnson's nomination of the Honorable Walter L. Nixon, Jr., as United States District Judge for the Southern District of Mississippi, and knowing that said nomination will be referred to your committee for recommendation to the Senate, please be advised that we wholeheartedly endorse his nomination and urge his earliest confirmation.

It has been the writer's pleasure to have been associated with Mr. Nixon for a number of years, both professionally and socially, and feel that as a person who has been engaged in the actual trial practice of the Bar of this State for more than eighteen years, is in a position to unconditionally recommend this nominee as one of the most able trial lawyers of the Mississippi Bar and also as a person of unquestioned integrity even recognized as such by his most vehement adversaries.

Hoping that this might be of some assistance to your committee, and volunteering myself for any further information or service toward an early confirmation, I remain,

Very truly yours,

GEORGE D. MAXEY,
President, Jones County Bar Association.

Senator BURDICK. The communications referred to will be printed in the record. Senator Stennis, may we hear from you at this time?

STATEMENT OF HON. JOHN STENNIS, U.S. SENATOR FROM MISSISSIPPI

Senator STENNIS. Mr. Chairman, it is my pleasure, too, to recommend for approval our friend here, Mr. Nixon. I haven't had a chance to know him as intimately as Senator Eastland has but I do know him as a man of fine ability and outstanding activity and as I have said to him privately, when he became a lawyer, he became a lawyer in the real way, to become a lawyer and be a good judge, as that is in the trial courtroom where he has had a great deal of experience. I believe that he will adjust to the bench in viewpoint and apply himself. He knows that I do not expect anything out of him in a personal way but I do have big expectations of him being an outstanding judge. We exchanged a little philosophy, too, if I may repeat that here, to this effect, that in the courtroom, people before the bar of justice, the floor is always level. All men stand at the same stature, the same height. I am glad to recommend him for confirmation.

Senator BURDICK. Thank you.

Mr. Nixon, I have a mimeographed statement of your résumé. Are the contents there correct?

Mr. NIXON. It is correct, Mr. Chairman.

Senator BURDICK. It will be made a part of the record.

(The résumé of Mr. Nixon follows:)

WALTER L. NIXON, JR.

Born: December 16, 1928, Biloxi, Mississippi.

Education: July 18, 1946 to May 24, 1947, Marion Military Institute, Marion, Alabama; 1947 to 1948, Louisiana State University, Baton Rouge, La.; 1948 to 1951, Tulane University College of Law, New Orleans, La., LL.B. degree.

Bar: 1951, Louisiana; 1952, Mississippi.

Military service: 1950, U.S. Air Force, ROTC, Second Lieutenant; February 1953 to February 1955, Active Duty, Captain when discharged; Present, U.S. Air Force Reserve, Member, JAG, Major.

Employment: 1955 to present, Private practice of law, Biloxi, Mississippi.

Marital Status: Married, 2 children.

Office: Nixon Bldg., 1117 W. Howard Ave., Biloxi, Miss., 39530.

Home: 1400 Porter Ave., Biloxi, Miss., 39530.

To be United States District Judge for the Southern District of Mississippi.

Senator BURDICK. Mr. Nixon, anything you would like to say at this time?

STATEMENT OF WALTER L. NIXON, JR., NOMINEE TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF MISSISSIPPI

Mr. NIXON. Mr. Chairman, I would like to state briefly that it is a sincere pleasure and a privilege to appear before this subcommittee under these circumstances and I consider it a signal honor to be presented and sponsored by our two distinguished and respected Senators from the State of Mississippi.

Thank you.

Senator BURDICK. Thank you. Is there anyone in the hearing room that would like to appear for or against the nomination? If not, the hearing will be closed.

(Whereupon, at 10:35 a.m., the hearing was closed.)



Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Faint, illegible text in the middle section of the page.

Faint, illegible text in the lower middle section of the page.

Faint, illegible text in the lower section of the page.

Faint, illegible text in the bottom section of the page.

Faint, illegible text at the very bottom of the page, possibly a footer or concluding paragraph.

