

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 6, 1941

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Present: The CHIEF JUSTICE, MR. JUSTICE ROBERTS, MR. JUSTICE BLACK, MR. JUSTICE REED, MR. JUSTICE FRANKFURTER, MR. JUSTICE DOUGLAS, MR. JUSTICE MURPHY, MR. JUSTICE BYRNES, and MR. JUSTICE JACKSON.

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MR. JUSTICE ROBERTS said:

"Since the adjournment of the last term the retirement of Mr. Chief Justice Hughes has become effective. The President has nominated and the Senate has confirmed Mr. Justice Stone as Chief Justice of the United States. He has presented his commission and has taken the oaths prescribed by law, and it is, therefore, ordered that his commission be recorded and that his oaths be filed."

The CHIEF JUSTICE said:

"Since the adjournment of the Court in June the President has nominated and, with the advice and consent of the Senate, has appointed Senator James Francis Byrnes, of South Carolina, and Attorney General Robert Houghwout Jackson, of New York, to be Associate Justices of this Court in succession, respectively, to Associate Justice James Clark McReynolds, retired, and to Associate Justice Harlan F. Stone, appointed Chief Justice. They have presented their respective commissions and have taken the oaths prescribed by law. It is ordered that their commissions be recorded and that their oaths be filed."

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The CHIEF JUSTICE said:

"With profound sorrow I announce the death last evening of Louis Dembitz Brandeis. For nearly twenty-three years he was in active service as an Associate Justice of

this Court, and from February 13, 1939, when he exercised his right of retirement, until his death, he was a retired Justice of this Court.

"Learned in the law, with wide experience in the practice of his profession, he brought to the service of the Court and of his country rare sagacity and wisdom, prophetic vision, and an influence which derived power from the integrity of his character and his ardent attachment to the highest interests of the Court as the implement of government under a written constitution. His death brings to a close a career of high distinction and a life of tireless devotion to the public good.

"The funeral service will be private. There will be a public memorial service at a time and place to be later announced.

"As a mark of respect to Justice Brandeis' memory the Court will adjourn without transacting further business.

"The papers upon all motions now ready for submission may be filed with the Clerk and will receive the attention of the Court.

"To enable the Court to consider in conference and make appropriate disposition of the great number of petitions for certiorari and other applications which have been filed during the summer, the recess of the Court will be continued until Monday, October 13. The Court will now adjourn."