

APPOINTMENT OF MR. JUSTICE STEWART.

SUPREME COURT OF THE UNITED STATES.

TUESDAY, OCTOBER 14, 1958.

Present: MR. CHIEF JUSTICE WARREN, MR. JUSTICE BLACK, MR. JUSTICE FRANKFURTER, MR. JUSTICE DOUGLAS, MR. JUSTICE CLARK, MR. JUSTICE HARLAN, MR. JUSTICE BRENNAN and MR. JUSTICE WHITTAKER.

THE CHIEF JUSTICE said:

Yesterday the Court with regret noted the retirement of Mr. Justice Burton. Today we welcome his successor.

The President has appointed the Honorable Potter Stewart of Ohio, a judge of the United States Court of Appeals for the Sixth Circuit, to succeed Mr. Justice Burton. Justice Stewart has taken the Constitutional Oath administered by The Chief Justice. He is now present in Court. The Clerk will read his commission. He will then take the Judicial Oath, to be administered by the Clerk, after which the Marshal will escort him to his seat on the bench.

The Clerk then read the commission as follows:

DWIGHT D. EISENHOWER,

PRESIDENT OF THE UNITED STATES OF AMERICA,

To all who shall see these presents, Greeting:

KNOW YE; That reposing special trust and confidence in the Wisdom, Uprightness and Learning of Potter Stewart of Ohio I do appoint him Associate Justice of the

XIV APPOINTMENT OF MR. JUSTICE STEWART.

Supreme Court of the United States and do authorize and empower him to execute and fulfil the duties of that Office according to the Constitution and Laws of the said United States, and to Have and to Hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining, unto Him, the said Potter Stewart, until the end of the next session of the Senate of the United States and no longer; subject to the provisions of Law.

IN TESTIMONY WHEREOF, I have caused these Letters to be made patent and the seal of the Department of Justice to be hereunto affixed.

Done at the City of Washington this fourteenth day of October, in the year of our Lord one thousand nine hundred and fifty-eight and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER.

By the President:

WILLIAM P. ROGERS

Attorney General.

The oath of office was then administered by the Clerk, and MR. JUSTICE STEWART was escorted by the Marshal to his seat on the bench.

The oaths taken by MR. JUSTICE STEWART are in the following words, viz:

I, Potter Stewart, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter.

So help me God.

POTTER STEWART

APPOINTMENT OF MR. JUSTICE STEWART. xv

Subscribed and sworn to before me this fourteenth day of October A. D. 1958.

EARL WARREN,
Chief Justice of the United States.

I, Potter Stewart, do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Associate Justice of the Supreme Court of the United States according to the best of my abilities and understanding, agreeably to the Constitution and laws of the United States.

So help me God.

POTTER STEWART

Subscribed and sworn to before me this fourteenth day of October A. D. 1958.

JAMES R. BROWNING,
Clerk of the Supreme Court of the United States.

