

## APPOINTMENT OF MR. JUSTICE FORTAS.

SUPREME COURT OF THE UNITED STATES.

MONDAY, OCTOBER 4, 1965.

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Present: MR. CHIEF JUSTICE WARREN, MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, MR. JUSTICE CLARK, MR. JUSTICE HARLAN, MR. JUSTICE BRENNAN, MR. JUSTICE STEWART, and MR. JUSTICE WHITE.

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THE CHIEF JUSTICE [after announcing the resignation of Mr. Justice Goldberg, *ante*, p. III] said:

"We are fortunate, however, that his successor was appointed to fill the vacancy before the opening of our 1965 Term. We welcome him today.

"The President, with the advice and consent of the Senate, has appointed the Honorable Abe Fortas of Tennessee an Associate Justice of the Supreme Court. Justice Fortas 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."

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The Clerk then read the commission as follows:

LYNDON B. JOHNSON,

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 Abe Fortas of Tennessee I have nominated, and, by and with the advice and consent of the Senate, do appoint him Associ-

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ate Justice of the Supreme Court of the United States and do authorize and empower him to execute and fulfill 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 Abe Fortas, during his good behavior.

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 eleventh day of August, in the year of our Lord one thousand nine hundred and sixty-five, and of the Independence of the United States of America the one hundred and ninetieth.

[SEAL]

LYNDON B. JOHNSON.

By the President:

NICHOLAS DEB. KATZENBACH,  
*Attorney General.*

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

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

I, Abe Fortas, 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.

ABE FORTAS.

Subscribed and sworn to before me this 4th day of October A. D., 1965.

EARL WARREN,

*Chief Justice of the United States.*

I, Abe Fortas, 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 upon 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.

ABE FORTAS.

Subscribed and sworn to before me this 4th day of October A. D., 1965.

JOHN F. DAVIS,

*Clerk of the Supreme Court of the United States.*

Mr. Attorney General Katzenbach presented the Honorable Thurgood Marshall, of New York, Solicitor General of the United States.

The Chief Justice said:

"Mr. Solicitor General, the Court welcomes you to the performance of the important duty with which you are specially charged, the duty of representing the Government at the Bar of this Court in all cases in which it asserts an interest. Your compensation will be rendered by the Clerk."

