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## Justice Abe Fortas Resigns, Sends Letters to President and Warren

Lyle Denniston

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# Resigns

## Sends Letters To President And Warren

By LYLE DENNISTON  
Star Staff Writer

Justice Abe Fortas today resigned from the Supreme Court.

Accused of taking money from a business tycoon in trouble and returning it 11 months later, Fortas became the first justice in history to quit because of criticism.

His decision came yesterday, and he wrote President Nixon last night to advise him. The court announced it today.

The resignation probably brings an end to congressional attempts to probe into Fortas' relations with Louis E. Wolfson, now in prison for stock manipulations.

The Justice Department, in a week-long investigation, reportedly had turned up evidence that Fortas was to have gotten \$20,000 a year — for life — from the Wolfson Family Foundation.

### Also Sent Letter to Warren

The 58-year-old justice, put on the bench four years ago by his close friend President Lyndon B. Johnson, made his resignation public through the court's press officer, Banning E. Whittington.

"The justice sent his letter of resignation to the White House last night and at the same time sent to the chief justice a letter of explanation about the Wolfson Family Foundation fee, Whittington said. "Both were delivered last night.

The press officer said he did not know if either of Fortas' letters would be made public.

The justice's resignation became effective when he sent it to the White House. That means he will not participate in the final month of the court's current term. Any opinions he had been writing will have to be passed to another justice, and several cases may have to be reconsidered.

The resignation means that President Nixon will soon be naming two men to the high court—one to take Fortas' seat and another to succeed Chief Justice Earl Warren, who is retiring at the end of the term.

Of 100 justices who have served on the highest tribunal since 1789, many have been criticized but none ever yielded to complaints before. Thus, Fortas' departure not only breaks a tradition, but is also likely to be deeply unsettling to the court itself.

### Confidence, Then Seclusion

Fortas was nominated by President Johnson last summer to become the nation's 16th chief justice.

After a prolonged Senate fight, involving Fortas' off-the-court conduct as well as some of his judicial decisions, his nomination was withdrawn at his request.

For the last 11 days, Fortas had appeared to be holding tenaciously to his court post despite a new wave of controversy touched off by the Wolfson fee incident.

The justice seemed confident until 48 hours ago, when he moved into seclusion and began weighing his own future with



JUSTICE ABE FORTAS

## Senators Report Earning \$278,000 in 'Extras'

By ROBERT WALTERS  
Star Staff Writer

Members of the Senate earned more than \$278,000 last year in lecture fees, book royalties, payments for newspaper columns and magazine articles, television appearances and related activities, according to financial reports just filed with the secretary of the Senate.

However, that total represents only a small portion of the outside income of the senators because the more substantial sources of privately earned funds — from business investments, professional fees and similar ventures — are not listed in reports open for public inspection.

The data which is available to the public — limited to a disclosure of honorariums in excess of \$300 — does provide some surprises.

### Articles in Playboy

Among them:  
• The largest single source of speakers' fees for senators last year was the little-known New York City investment firm of Brimberg & Co., which paid six senators a total of \$11,500 for a series of addresses to customers attending luncheon and dinner meetings.

cluding the majority and minority leaders, earned more than \$10,000 in honorariums. The largest total was reported by Sen. Barry M. Goldwater, R-Ariz., who earned \$66,873 during 1968, but was not a member of the Senate at the time.

• A total of 56 senators reported receiving some form of honorarium, ranging from \$5,000 to Minority Leader Everett M. Dirksen of Illinois for a television appearance to \$50 received by Sen. Strom Thurmond, R-S.C., for a speech at George Washington University.

### Disclosure Law

The reports were filed under provisions of a disclosure law passed last year which requires all senators and Senate employees earning more than \$15,000 annually to submit an accounting "with the secretary of the Senate before the 15th day of May in each year."

When the secretary's office closed for business shortly after 5 p.m. yesterday, reports were still missing for 10 members of the Senate. Some were expected to slip their reports under the door. But those who missed the deadline faced only a minor problem because the resolution requiring the reports does not

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The justice seemed confident until 48 hours ago, when he moved into seclusion and began weighing his own future with close friends and counselors.

The exact time that he actually decided to quit could not be learned.

Probably the crucial factor in his decision to resign was the growing pressure from the Justice Department, and its con-

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- Among them:
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  - The most popular magazine for Senate-written articles — and the most generous of all periodicals listed in the reports — was Playboy. Three senators wrote for the magazine, and received a total of \$5,350 for their efforts.
  - At least six senators, in-

cluding the majority and minority leaders, earned more than \$10,000 in honorariums. The largest total was reported by Sen. Barry M. Goldwater, R-Ariz., who earned \$66,873 during 1968, but was not a member of the Senate at the time.

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Those who apparently did not file in time were Sens. Howard H. Baker Jr., R-Tenn.; Peter H. Dominick, R-Colo.; Frank Church, D-Idaho; Marlow W. Cook, R-Ky.; Charles E. Goodell, R-N.Y.; Daniel K. Inouye, D-Hawaii; Warren G. Magnuson, D-Wash.; George McGovern, D-S.D.; Allen J. Ellender, D-La.; and Margaret Chase Smith, R-Maine.

The remaining 90 senators  
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