NEGRO NAMED TO SUPREME COURT: Senate Approval Expected

By JAMES GOODRICH

At 56, towering legal genius Thurgood Marshall, grandson of a slave and a victorious civil rights lawyer, received the unprecedented honor: an appointment as the first Negro to the U.S. Supreme Court.

As successor to Justice Tom C. Clark, who has retired from the highest court in the land, Marshall adds another mark of distinction to his illustrious record. The Baltimore-born Lincoln University (Pa.) graduate was the first of his race appointed to the U.S. Court of Appeals and the first Negro nominated as U.S. Solicitor General, the position held by him at the time of Tuesday’s appointment to the high tribunal.

Even though the Senate must approve the appointment, the news was received with enthusiasm by Negro leaders of the nation.

First NEGRO named a justice of the U.S. Supreme Court, Thurgood Marshall (right) stands beside President Lyndon B. Johnson as the Chief Executive personally announced the selection at the White House. Prior to the historic announcement, Marshall was serving as Solicitor General of the U.S. On the Supreme Court bench, he will replace Justice Tom Clark who has retired.

(Photos by Robert Landau, Los Angeles Times)

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(See COLUMN 11)
Marshall, and Republican Sen. Everett M. Dirksen of Illinois figures the approval can be obtained "without undue difficulty."

In the Senate, only Sen. Strom Thurmond (R., S.C.) has stated an open intention to vote against confirmation.

Approval would place Marshall in his third key position with the federal government. He accepted assignment to U.S. Court of Appeals from the late Presi-
dent John F. Kennedy in 1961 and Solicitor General from President Johnson in 1963 after he had established a distinguished reputation as a civil rights attorney.

His comprehension of law, his uncanny skill in the courtroom, and his ingenuity in interpreting the 14th Amendment to the Constitution were demonstrated as early as 1935 when he won admission for a Negro law student to the University of Maryland, where Marshall had earlier been denied entry because of his race.

Two years after he joined the NAACP legal staff in 1936, his unique talents as an able litigant had earned him the headship of the organization.

It was in 1954 that Marshall scored his most publicized victory in the Brown vs. Board of Education case: a Supreme Court ruling that declared school segregation unconstitutional.

Prior to his appointment to the Supreme Court, Marshall had appeared before the high tribunal 52 times as a lawyer and as Solicitor General.

Marshall's much-praised performance as Solicitor General, or third-ranking officer in the Justice Department, prompted Atty.

Gen. Ramsey Clark to remark: "He has been a distinguished leader of the American bar since finishing at the top of his class at Howard Law School in 1937."

In Marshall, Clark opines, the Supreme Court is going to gain "a wealth of legal experience rarely equaled in the history of the court."

In making the appointment, President Johnson said it was the "right thing to do, the right time to do it, the right man and the right place."

Politics generally is ruled out as a reason why the President made the appointment, but it is possible that many groups will claim a hand in the nomination of Marshall to the nation's top court.

Essentially, Marshall's appointment gives Negroes a 1 to 8 representation on the nine-member Supreme Court where in the total national population the ratio is 1 to 10.

"That," remarked one observer, "is a pretty good percentage."

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