

# NEGRO NAMED TO SUPREME COURT: Senate Approval Expected

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## Senate Approval Expected

By JAMES GOODRICH

At 58, 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.  
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**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.

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 assignments (U.S. Court of Appeals from the late President John F. Kennedy in 1961 and Solicitor General from President Johnson in 1965) 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, a school 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 operation.

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 1933."

In Marshall, Clark opines, the Supreme Court is going to gain "a wealth of legal experience rarely equalled 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. One group which fig-

ures it deserves rightful credit for the nomination is the National Negro Publishers Assn., of which the SENTINEL is a member newspaper.

"We initiated this with President Johnson in March 1965," says NNPA President Frank L. Stanley, "and have urged it at each of our three subsequent White House conferences."

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."

## Senate . . .

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ment, President Johnson's announcement of the selection at the White House met with exuberant approbation in Negro communities across the nation.

Dr. Martin Luther King Jr. hailed the nomination as "a momentous step toward a color-blind society."

In Los Angeles, Municipal Judge Loren Miller, who worked with Marshall on civil rights cases for the NAACP in the 1940's and 1950's, called the President's selection a "very excellent appointment."

Recalling his experiences as an associate to Marshall in litigation against restrictive covenants and school segregation, Miller predicted that his friend would become "one of the great justices of the Supreme Court," following in the impressive tradition set by the likes of his namesake, first Chief Justice John Marshall, and others including Louis Brandeis and Hugo Black.

"Thurgood is eminently qualified for the seat on the Supreme Court bench," said Judge Miller, who confides that he was not surprised by the appointment and that he expects no trouble from the Senate on the nomination.

Commented Miller: "I think we can draw an idea of what to expect from past experiences. On two other occasions, when Marshall was appointed for the Court of Appeals and for Solicitor General, the Senate gave approval each time. I expect the same kind of response to the present appointment."

Generally, experts predict that the Senate will confirm the nomination of