

August 13, 2008

Reference No. 13146

**Processing Note**

Transcript only of this conversation; there is no recording.

DATE: 6/26/68

TIME: 11:10 AM

CALLER: Everett Dirksen

Pages of Transcript: 2 pages

Barbara Cline  
Archivist

THE PRESIDENT (A)  
to Senator Dirksen (B)  
June 26, 1968 11:10a

A I got word from the Attorney General that Albert Jenner got hold of the various bar associations in a conference meeting this morning about 8:00 and they considered the two prospective nominees to the Supreme Court and found both highly acceptable. So I am going to send the names up. Bob Byrd has indicated -- I don't think he likes Fortas -- Mike Manatos has written me a little note about Byrd -- (President then read Manatos note re Byrd reflecting more temperate view on Fortas)

I want you to try to talk to Hruska... I don't want to get into this political thing and any political connotations this election year. I had Russell down here last night and he told me that he would vote for Fortas and would be enthusiastic about Thornberry.

I think a good point you could use with them would be in my letter to the Chief Justice....."in deference to your wishes."

I think this gives you a little leverage. Most of the people would just as soon have Fortas as the Chief Justice that is in there. Now, Eastland indicated that he wouldn't vote for Fortas because of the political situation in his state. He also said there was a big deal about Kuchel -- the Attorney General said he wasn't qualified, but you should know that some of them told Eastland about Kuchel. I imagine Eastland will give us a little trouble.

So, will you get in touch with Hruska and your people and get them in line?

B Well, you remember I mentioned to you last night that in 1960 they filed a minority report against the Hart Resolution. Hruska certainly took a dim view of this kind of resolution, so I think as a good lawyer, he follows what the Bar Associations feel.

A Jenner is a republican, I think -- and he found them highly acceptable. It was a unanimous decision of the bar. So will you get ahold of Hruska and your leaders? I think there will be trouble unless you can help me.

B We meet in Judiciary in the morning, and I'll see some of them today.

A Well, please get Hruska before somebody gets to him. I want to get these things out of the way, and then I'll send up other judgeships that they are interested in.

B Yes sir, I'll be back in touch.