

February 6, 1962

MEMORANDUM FOR THE CONFERENCE

No. 6 - Baker v. Carr

At the appropriate place on page 2 of the circulated dissent, the following will be inserted:

For this Court to direct a district court to enforce a claim to which the Court has over the years consistently found itself required to deny legal enforcement and at the same time to find it necessary to withhold any guidance to lower courts how to enforce this turnabout, new legal claim, manifests an odd -- indeed an esoteric -- conception of judicial propriety.

F.F.

The Chief Justice  
Mr. Justice Black  
Mr. Justice Douglas  
✓ Mr. Justice Clark  
Mr. Justice Harlan  
Mr. Justice Brennan  
Mr. Justice Whittaker  
Mr. Justice Stewart