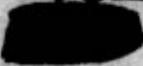


PSF ^{Subject File} Frankfurter, Felix

1943 - 1945

Box 151

PSF
Subject File "F"
151
Box 
~~1~~

291

~~Handwritten~~
PSF

7. Transporter folder
3-43
January 9, 1943

Supreme Court of the United States
Washington, D. C.

file
personal

Mr. Root:

It is less than ar-
rogant for me to be
confident that your
address will be a most
heartening message to
'our boys at the front',
no less than an exhilarating
spur to the home front
and fortification of the
spirit to all the millions

the world over who,
in effort and faith, are
united to deliver
man kind from the
reality and the menace
of enslavement.

Keep fit - and
continue to lead.

Ever yours
F. I.

1 ~~Handwritten file folder~~ ^{Handwritten file folder}
PSF ⁵⁻⁴³ February 10, 1943
Supreme Court of the United States
Washington, D. C.

File
personal

Dear Frank:

This letter from the
son of William Koeb
may interest you. He
is, I believe, the cad - he
must be around 35 -
is, and has been, as
dooted to you as his
father was to T.R.

Many thanks for your
charming letter. I find I
hope you have caught up with sleep.
Ever yours
[Signature]

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St. Albans Daily Messenger

Oldest Evening Daily in Vermont

ST. ALBANS, VT.

February 8, 1943

Mr. Justice Felix Frankfurter
United States Supreme Court
Washington, D. C.

PERSONAL AND REASONABLY CONFIDENTIAL

Dear Professor Frankfurter:

Please do not reply to this as you did to my suggestion, made about a year before it was finally somehow adopted, that Charles E. Wilson, formerly president of the General Electric Company, had truly liberal ideas and would make a valuable contribution to the war effort if placed in a position of importance. Let us just take judicial knowledge of the fact that Supreme Court justices do not become involved in politics.

But just between my favorite professor and his former pupil, who is now publishing the above newspaper and also the BURLINGTON DAILY NEWS, small and unimportant evening newspapers, in the remote back country of northern Vermont, I would like to make another suggestion-probably of no importance because I am far from the scene where vital things take place.

Up here, and I expect it is the same around the country, folks are getting awfully tired and rather sore over all the bickering and quarrelling that goes on in WPB. They know that boys will be boys but they figure a real good boss of WPB would keep a lot of these disputes from developing, would smooth them over before they really get started. Would, in short, be a real leader.

I also notice Congress is getting ready to make a fuss over this too. Some Senators are proposing a reorganization plan for running the war effort which to an outsider like me sounds sort of sensible. Now these Senators state that in their plan they are leaving the selection of the men to the President without any check such as requiring approval by the Senate.

Why not kill a bunch of birds at one toss? The President could friendly up Congress pretty nicely by taking on the Senators' plan as far it was good and these disputes could be brought to an end in a hurry by the selection of Wilson to head the set up.

You all have probably had a good chance by now to see what Wilson can do as a producer. Of course he has had more experience at turning raw material into things that can be used to defeat the enemy than anyone you have in WPB and, unlike Knudsen, Wilson is also a great administrator and executive.

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ST. ALBANS, VT.
PUBLISHED DAILY
EXCEPT SUNDAYS
AND HOLIDAYS

St. Albans Daily Messenger

Oldest Evening Daily in Vermont

ST. ALBANS, VT.

Mr. Justice Frankfurter -2- February 8, 1943

But one ability he has which you need right now above all those talents. He is the greatest smoother over of angry men and raging tides of anyone you ever saw. And, what is important, he never departs one inch from the forward path of accomplishment while he is dispelling disputes.

In conclusion, please be assured that I always remember gratefully your many kindnesses to me at the LAW SCHOOL and your happy relationship with my Father. I wish you well.

Most sincerely,



William Loeb
Publisher

WL:mm

~~Frankfurter~~ 7. Frankfurter folder
Supreme Court of the United States. 3-73

Memorandum. PSF
-----, 194

Grace, there may
afford the President
a few laughs.

vt.

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Alabama Contact of the Eastern States

SPS

file

X

February 14, 1943.

Hon. Howard W. Smith,
House Office Building,
Washington, D. C.

Delighted to note your gracious disclaimer (as Chairman of the new House Committee of the 19th (Whole) of any intention of "inquiring into the President's orders or into the affairs of the Army and Navy."

That's a swell resolution, Congressman, and furthermore - if I may make so bold as to say so - a very prudent one.

For the people of this country are seriously intent upon winning this war, and if in the course of the bacchanalian rough-house celebration now in full swing on Capitol Hill (and in which you seem to have been assigned the merry role of God the Omnipotent) the revelry should get out of bounds, with the result that our fighting boys or their sacred mission should suffer some harm - well, Smitty, knowing the temper of our people as I think I do, I reckon it would be just too bad for you.

In such a case I doubt whether even the poll-tax law could save your Omnipotence from prompt and permanent retirement from your present post of public amusement to resume drab routine of private enterprise.

Augustus L. Richards
420 Lexington Avenue
New York City.

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SPS

X

February 11, 1948.

Hon. Clare B. Luce,
House Office Building,
Washington, D. C.

Shocked beyond words to see your loyalty to Connecticut so quickly disappear under seductive federal influence Washington. As thirty-year resident of nutmeg state I urge you immediately retract your recommendation to vest post-war control of air in U.S.A. You should realize that no country on earth so well qualified and entitled to control post-war air as grand old state of Conn. Therefore please leave no stone unturned, no mud unthrown, to secure Conn. supremacy in air immediately upon signature peace treaty.

Augustus L. Richards
420 Lexington Ave.
New York City.

P. S. - If unable to get full air monopoly you might consider compromise limitation to hot air, or as last resort, baloney.

ALR.

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SPS

February 13, 1943.

Hon. Clare Hoffman,
House Office Building,
Washington, D. C.

Re Walter Winchell

Congressional Record, February 10, page 808, quotes
you as complaining:

"When a lieutenant commander in the navy states
that Hitler is winning only in Congress, I say it
is time that the navy take action."

You alarm me, Hoffman. Where else do you claim
Hitler is winning? Are these dam censors holding back
bad news from us again?

Augustus L. Richards
420 Lexington Avenue
New York City

~~Butler~~ 7. Frankfurt ³⁻⁴³ folder
[2-23-43] 1511 30 (head)

Supreme Court of the United States ^{Tuesday}
Washington, D. C.

PSF

file
Personal
filed 4/25/43

Dear Paul:

I have to thank you
for three things:

- 1st For recalling us to
the Beatitudes;
- 2nd For reading them so
beautifully.
- 3rd For applying them
so effectively.

It was a great joy
to hear you read and see you
so mobilized and so gay
on Sunday. Ever yours
W. H. R.

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Supreme Court of the United States
Washington, D. C.

The President

Kindness of
Grace

file

*Supreme Court 7. Frankfurter folder
PSF 3-43*

Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

February 26, 1943

Dear Grace:

You will know best whether these two samples of
Gus Richards' Almanac will tend to lower or raise the
President's temperature. But in any event, give him my
best wishes.

Yours very sincerely,

[Signature]

Miss Grace Tully

525

X

February 16, 1943.

Joseph E. Davies,
Treasurer, George Washington Committee,
Mayflower Hotel,
Washington, D. C.

Have your letter of thirteenth inviting me to be present at complimentary dinner Mayflower Hotel February 22 to raise funds for Democratic Party. Am not a member of the Democratic party or any other party, but an independent in politics. Doubtless you got my name from list of contributors to national campaign of 1940 when I nearly went broke raising contribution I made to help elect President Roosevelt. Looking back now and thinking what might have happened to this country and the world if he had been defeated, I am still patting myself on the back that I had sense enough to support him. And the way things look at present, if he runs again in 1944 he can have my last shirt if he needs it.

But right now, before I make any contribution to this here dinner, I would like to know whether any of the following Democrats have been invited and have accepted their invitations: James A. Farley, Burton K. Wheeler, Martin Dies, Harry F. Byrd, Bennett Champ Clark, D. Worth Clark, R. E. Cox, John E. Rankin, Millard R. Tydings, Theodore G. Bilbo, Ellison D. Smith, Kenneth McKellar, W. Lee O'Daniel, Francis T. Maloney, Sam Hobbs, Joe Starnes, William B. Barry, W. E. Disney, or Howard W. Smith.

If none of these men will be present among the Democrats contributing to the special service you refer to, namely that "of telling the American people the facts about their government and its administration," please advise me and I shall be glad to respond. Otherwise, regret to say I am dated that night to sit up with a sick friend.

Augustus L. Richards
420 Lexington Avenue
New York City.

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HOSPITAL FOR THE CRIMINAL INMATE

Manassas, New York

**Call 1215,
February 22, 1945.**

**Capt. Joseph H. Patterson,
Walter Sweeney Barrs,
220 East 42nd Street,
New York City.**

Dear Capt:

As a special privilege accorded me by the warden on the occasion of my 41st birthday I am permitted to write you this letter.

Although I am insolently referred to by the base nick-namings in charge here as Shambur One Hundred and Ten, my real name is George Washington. (For further particulars about me see current World Almanac, p. 244.) I have been in temporary confinement here since 147 years ago last Friday, when I was arrested and imprisoned in this place on the charge of having assassinated George III. 'Tis true I did it - I cannot tell a lie - but, cross my heart, it was the day following the Battle of Lexington. Heretofore two knaves were produced by the prosecution who falsely swore it was the day before, which of course made it technically out of order. One might suppose that my services to the country during the Revolution, and for the terms as President, would have atoned for this youthful indiscretion, but there were enemies who hounded me - in fact are still at it - and here I am.

However, I am humbly awaiting the arrival of my colleagues with a writ of Habeas Corpus to release me from this bondage on the ground that the statute of limitations has run on my case.

And now for the special reason I have for addressing you at this time. It is to thank you for making my existence here more tolerable. I regret to say that there is a conspiracy on foot in this place to repress me as gray. As a matter of fact I am the one and only resident of Manassas who is perfectly sound mind - 100% O. K. believe me, Cap. Abee-

2PS
Capt. Joseph M. Patterson

2.

lately everybody else here - especially the management, from the warden down, is as crazy as Dick's husband. Naturally, to a man of my character, culture, mentality and antecedents it is most exasperating to have such people around and have to listen to their loopy chatter. For many years I had hoped to find relief from this annoyance in the form of - shall I say - literary companionship - that is, from the company of ~~such~~ books, magazines or newspapers from the outside world which I might utilize to withdraw myself from these grotesque surroundings into an atmosphere of sanity, dignity and quiet repose congenial to my temperament. But alas! Years, decades, centuries in fact, went by with that hope unrealized. They brought me literature enough, God knows - but what stuff! Not a book, not a periodical, not a newspaper of all they sent in but what was as crazy as the maddest of them. I stamped upon them in my rage, and stuffed them back in their faces through the bars of my cell. Then finally, God be praised, there came to me one happy day a copy of the Sunday News. It was during the dog-days of last summer - on August 2, to be exact. I can never forget the joy that paper brought me. I opened it casually and found myself confronting your wonderful editorial page. The title of your editorial that day was "A Fourth Term for Caesar?" The purpose of it was to draw a deadly parallel between the Roman Emperor, Julius Caesar, and this whippersnapper Roosevelt, who it seems has been usurping my position in the White House for nearly ten years - and right in the town named for me, too! What do you think of that? Your purpose was clearly to draw the aforesaid parallel and then to suggest that the only practicable way to get rid of this Roosevelt was the way the Roman patriots got rid of Caesar. (As a matter of fact, Cap, I happen to know that Brutus bungled that job badly. Caesar is still alive - lives right here in this institution, on my corridor in fact, only four cells away from me. See how Brutus fumbled. But just you wait, Cap. For years my fingers have been itching to get at that traitor's throat. Be patient. I'll get him yet.)

Well, Cap, I can and must tell you that reading that editorial was for me like the beginning of a beautiful friendship. There was something in it that made a mighty appeal to me. Here at long last it seemed, was a man who thought my thoughts, who spoke my language, a man I could understand and who understood me. Here was a brother, so to speak, in my own profession. It took me back 147 years - to my activities on the subject of George III's assassination! What a "fascinating word" * * * to roll around the tongue! Assassination of Tyrants!

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Capt. Joseph H. Patterson

5.

Yes, indeed, Buddy, I got you. And if I ever escape from this damn place, you can count on me!

And so that red-letter day of August 2 opened a new life for me. At last I had found a newspaper as sane as myself. Every day since then I have looked forward to the arrival of my Daily News or my Sunday News as I do to the arrival of my breakfast. We have become inseparable.

I am also particularly moved to write you today because of the brilliant editorial which appeared in your yesterday's edition (Feb. 21), entitled "MORE ABOUT 'GLOBALISM'". Here again you are talking right down my alley - advocating assassination, this time the assassination of the four Freedoms. Cap, I'm with you heart and soul. No doubt our mad warden and his cock-eyed turnkeys would call your ideas insane, just as they call me insane. To hell with them. We know common sense when we see it, Cap - you and I - do we not?

And now just to show you how perfect is my understanding and appreciation of the matchless wisdom exuding from your every pore in this classic editorial, I will complete this letter with a copy of an analytical memorandum I made of parts of said classic, with my comments - each specially autographed in your honor. (Promise me, Cap, not to show this to the crazy crew in charge of me here. They wouldn't understand it, and might clap me back again into that damn padded cell.)

SUBJECT: PATTERSON'S REBELLION
(alias May's Rebellion II)

ANALYSIS & Dissection of Capt. Patterson on "Fear"

THEMIS

Fear is "one of the great driving forces that prod the human race ahead." The elimination or mitigation of the causes of fear would be a crime against civilization.

2PS
Capt. Joseph H. Patterson

4.

ARGUMENT

(1) "It is fear that makes soldiers dig foxholes and duck into them when the bombs drop."

[I get you, Cap. No fear, no foxholes. And what the hell kind of a world would this be without foxholes! Therefore: Heil Hitler! Up with Schrecklichkeit. Down the Foxholes! Kalleluushi! Sgt G. Washington, Cell 1315.]

(2) "It is fear of being cold that impels people to build houses."

[Now there's a great thought. Calling all architects! What this country needs, architecturally, is the return of the glacial ice-cap. Of course we will get it eventually, but why wait? If eventually, why not now? I beg of you, ladies and gentlemen, in the interests of architecture let's all move at once to the North Pole - where Cold is Cold, and Fear is Fear, and Architecture is Architecture, and life begins at 40 below (in an igloo). Glory be! Sgt G. Washington, Cell 1315.]

(3) "It is fear of venereal disease that keeps many men from taking idiotic chances along the princess path."

[Atta boy, Cap! You sure know your onions on this one. And to think of that fool guy Farran trying to destroy those ~~girls~~ ^{girls}! Trouble is there are too many of these Primroses running around who haven't got venereal diseases. Pass a law requiring all of them to be infected, and so certificated. Then the boys will all go straight. Fear will do its work, and the battle against the social evil will be won. Cap, you have made a great contribution to human welfare and deserve a medal from the American Medical Society. God bless you! Sgt G. Washington, Cell 1315.]

(4) "It is fear of getting killed or maimed that makes one be careful when crossing the city streets."

[Another bulls-eye, Cap! And just as I've always said,

J.P.S

Capt. Joseph H. Patterson

5.

It is those damn traffic laws and traffic cops that cause nine-tenths of the accidents to pedestrians. They remove the fear necessary for public safety. They make people careless. Yes, indeed, if you want to reduce street accidents to a minimum, throw away your traffic signs, turn off your signal lights, send those cops about their business, and your trouble is over. Cap, you're a wonder. Heaven preserve you! Ed G. Washington, Cell 1315.

(6) "It is the fear of want and privation which keeps most people working everywhere * * * fear of losing one's job * * * that keeps some people from staying drunk most of the time."

[God's gospel truth, Cap. Couldn't have said it better myself. There's just one thing left this country needs to put it on its feet today, and that is more want and privation among our laboring classes - more fear among them to make them industrious. Also to keep them sober. Nothing like fear to keep a man sober. That's one reason why the labor unions and these cursed unemployment insurance schemes are a menace to society. They drive out of a man the fear of starvation and thus promote inebriety among the masses. The saints attend you! Ed G. Washington, Cell 1315.]

(6) "What is the worst fear to which any woman could be subjected * * * the fear of having her son shot and killed on some foreign field in a war which he did nothing to start."

[How clever of you, Cap! I suppose there is not a fear in the list which you held more serviceable and valuable to yourself than this one. Think what you might accomplish by prying on it before three million readers. Perhaps the prompt termination of the war by a peace without victory, thus saving you oodles of money? Perhaps the rescue of the Nazis from the vengeance of Russia? Perhaps the ouster from power of Roosevelt without resort to the remedy suggested by your editorial of August 27 (thus relieving me, by the way, of a painful duty when I get out of here). Cap, I do believe you have a set of brains almost the equal of my own. May your tribe increase! Ed G. Washington, Cell 1315.]

(7) "Freedom of expression. This term means freedom to say, print and broadcast what you please, within the laws of

2P3

Capt. Joseph H. Patterson

6.

libel, obscenity, and inciting to riot or rebellion.

[Hope you're right, Cap. In the old days when I was at large, an incitement to crime, particularly a serious felony like murder or assassination, was also considered outside the bounds of "free speech." Apparently they have since changed the law on this point. If so, congratulations. Likewise Seelah! Sgt G. Washington, Cell 1813. And P. G. How about passing a law in aid of free speech to the effect that no man shall be permitted to address a million people in print unless he has ten million dollars. Sounds swell to me. Think it over. G. W.]

(8) "The Roosevelt Administration * * * cannot bear the slightest breath of adverse criticism and takes reprisals against any who utter it."

[Do you know, Cap, I hate to admit it, but if what you say there is true, I can't help wondering if there isn't just a wee chance - forgive me, but I almost hope there is - that the time may come when you will join me here at Lannedeva. Isn't it possible that in some way those refulgent editorials you have been writing (especially the one of August 8) may come to the attention of this vindictive Roosevelt Administration? And if that should happen, and what you say is true, well, Cap, maybe it won't be so long now. I'll be waiting for you. Meantime good hunting! Sgt G. Washington, Cell 1813.]

(9) "The big boss sends an Iron Cross to John O'Donnell."

[I have no idea, Cap, what the award of this medal may mean, but feel sure that if the gent is a pal of yours, he deserved the honor.]

And now, in concluding, good friend, may I express the hope that you are sleeping well o' nights in these troublous times - better, in fact, than I do. Sometimes after reading your stuff, I wonder. You see I have quite a snifty little fortune tucked away under my mattress - nothing compared to yours, but a tidy bit for an oldtimer like me - and, every time I read one of your editorials I get to

218 PSF Frankfurter
Capt. Joseph M. Patterson

7.

Thinking about that fortune of mine. As you so often intimate - you and Goebbels - what is going to happen to us men of means if these greedy Russians overrun Germany and, perhaps, the entire continent during the war? Or after the peace, if they are allowed to land their planes here - lousy with germs of one kind or another?

But hark! I hear footsteps, and must close. 'Tis that accursed Bonapist Arnold they assigned me as my keeper. Furthermore, Padlock calls! Amen!

Your humble and obed't servant,

G. Washington

A. L. Richards
Rensselaer, N. Y.

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MEMBER OF THE ASSOCIATED PRESS

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MORE ABOUT "GLOBALONEY"

Representative Clare Boothe Luce (R-Conn.) in her maiden House speech a few days ago gave the nation a new and fascinating word—"globaloney"—to roll around its tongue. The dart was aimed specifically at Vice President Wallace's windy generalizations about postwar "freedom of the air"; but in a larger sense its target was the "global thinking" urged on us by the hotter advocates of the Four Freedoms for all the world in our generation.



Representative Clare Boothe Luce (R-Conn.)

Let's have a straight look at these Four Freedoms, one by one.

Freedom From Fear.—Matter of fact, fear is one of the great driving forces that prod the human race ahead, and it is most doubtful that we would have quit the Cro-Magnon caves, or even the primordial slime, without it.

It is fear that makes soldiers dig foxholes and slit trenches and duck into them when the bullets whine and the bombs drop. It is fear of being cold that impels people to build houses and furnaces . . . fear of losing one's job and thereby one's standard of living that keeps some people from staying drunk most of the time . . . fear of venereal disease that keeps many men from taking idiotic chances along the primrose path . . . fear of getting killed or maimed that makes one be careful when crossing city streets. If we didn't have those fears, most of us would have suffered one or more of these personal disasters long since.

Here's an ironic thought. What is the worst fear to which any woman could be subjected? We nominate, without expecting a challenge, the fear of having her son shot and killed on some foreign field in a war which he did nothing to start. That is the fear to which more and more American mothers are being subjected today, on the promise that all mothers in some future paradise on earth will be free of such fear.

Freedom of Expression.—This term means freedom to say, print and broadcast what you please, within the laws on libel, obscenity and inciting to riot or rebellion.

The Roosevelt Administration professes to be fighting this war to bring freedom of expression to the whole world. Yet in its own country this Administration cannot bear the slightest breath of adverse criticism, and takes reprisals against any who utter it—or tries to take reprisals.

It attacks the Associated Press as a trust (which the A. P. is not) because the A. P.'s majority membership refuses a franchise to Marshall Field III's pro-Administration Chicago newspaper. It seeks an indictment of the Chicago Tribune on an unfounded charge of censorship violation because the Tribune objects to Administration war measures when it considers them objectionable. It moves legally against little anti-Administration publishers in hope of laying a foundation for attacks on big ones via the courts. Its little mouthpieces smear all who disagree with the Administration in any particular, and its big boss sends an Iron Cross to John O'Donnell.

Freedom From Want.—Want is another force which prods the human race ahead. It is the fear of want and privation which keeps most people working, everywhere, and always has done so. It is desire for better and better things that keeps a man at work after he has assured himself and family a bare living. If we put the Hindus and the South Sea Islanders on breadlines supplied from the United States, they will do little if any more work. A world-wide WPA will make many men of many races loafers and keep them so.

Freedom from want doesn't do most of the sons of the rich much good.

Freedom of Religion.—This was tacked on as an afterthought to the Atlantic Charter. The general suspicion was that Messrs. Churchill and Roosevelt, when they wrote this document, omitted freedom of religion out of respect to Stalin, in whose broad domain there was at that time no such thing. Nowadays, however, Stalin seems to have had a change of heart. Civilians can buy candles in Moscow only for religious purposes. Well, Stalin studied for the priesthood in his youth, and he is now past 60, and sometimes men revert to the ideas of their youth in their later years. It is not inconceivable that the Russian Orthodox Church might be reestablished as the state church of Russia; in which case, probably it will enjoy most of the religious freedom in Russia. But in any case, it's none of our business.

Most of this "global thinking," no matter how you slice it, is still globaloney.

~~July 21st~~ 7. Frank Justice file,
Supreme Court of the United States. 3-43

Memorandum.

file PSF, 194

Please, Grace -

What a day.
If only money
were also here
to rejoice!

VT

Handwritten notes on the left side of the envelope, including a date and a name.

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U.S. DEPARTMENT OF JUSTICE
OFFICE OF THE CLERK
WASHINGTON, D. C.

1511 - 30 Street

Supreme Court of the United States
Washington, D. C.

1933 - March 4 - 1943

Dear Frank:

This is a day for
thanksgiving and prayer.
It is also a day for
the affectionate good
wishes from Marvin,
and your devoted friend
Frank

175
Grace, because
two more Gus
Richardson. His
fourth year
seems to be well
filled! TT

297

Washington, D. C. 20540
 Telephone: 475-1234

FPC

~~July 1945~~F. Frankfurter plan
3-4Bfile
personal

X

PSF

March 8, 1945.

Hon. Clare Boothe Luce,
 House Office Building,
 Washington, D. C.

For our forthcoming issue of "What the Well-Dressed
 Guest Will Wear," please advise on latest Washington styles
 in side-arms as follows:

- (1) May the pistol be worn only with tails, or
 is it optional for dinner coats as alternative
 to conventional black-jack?
- (2) Should lady's stiletto be hung outside gown
 as ornamental pendant or carried inside as
 concealed weapon?
- (3) Where invitations are issued R.E.V.P. (Remove
 Side-arms in Vestibule Please), is it good form
 to search guests before admission, and, if so,
 is this function permissible to host or hostess,
 or must it be intrusted to doorman?

A. L. Richards,
 Secretary, Emily Post Association,
 Gas House District Chapter,
 420 Lexington Avenue,
 New York City.

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~~Frankfurt~~ Frankfurt
PSF 1566 - 30 (head)
Supreme Court of the United States
Washington, D. C. 1743

Dear Frank:

"In due course
I shall send you some
pre-janned observations
on astronomy. But in
the meantime you might
like to see these hand-
some pictures of and
about your buddy -
us, not Copley - but Co-
permy! See you
Frank

Supreme Court of the United States.

Memorandum.

875

little
personal

Grace, the suit
was - and the
last paragraph
made me look!

FE

298

8PS

~~Friday Feb~~ Frankfurt folder
PSF

Mr. Roy W. Howard
220 Park Avenue,
New York, N. Y.

March 19, 1945.

Dear Sir:

Why all the fuss about Lambertson? He was a trifle indis-
creet to be sure, but fundamentally he is a typical specimen of the
parasite pests with which the body of Congress is now crawling;

Greedy vermin who for their political pap are busy sucking
the blood out of the war effort.

How did they get into Congress?

Principally because of the support they received from the
powerful Republican press - of which your newspaper chain is a prime
example - peddlers of domestic discord and second-hand Axis propaganda -
mostly imported merchandise, but distributed under the American trade
name of "Beat Roosevelt First."

They fit in perfectly with your general line of commercial
activities, the chief of which at the moment appears to be the hawking
in the streets of your American birthright of freedom (which only our
success in the war can preserve) to exchange it for a mess of political
gravy.

In this connection I call your attention to a letter on the
subject of Lambertson written by a "distinguished Republican" (but not
one of your brand) "from the First District of Kansas" and published
in the Congressional Record of March 15. In it this patriotic
Republican says, among other things:

"During the primary campaign last summer the writer
asked Mr. Lambertson why he had given the Axis more support
and comfort than any other Kansan. His reply was 'I don't
like the English or Russians.' * * * Perhaps you will ask
why Lambertson's perennial return to office. * * * BECAUSE
THE OVERWHELMING REPUBLICAN PRESS WANTS TO * * * BE IN ON
THE GRAVY JOBS WHEN A REPUBLICAN BECOMES PRESIDENT AGAIN."
(Cong. Record, March 15, p. 1264.)

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895

Mr. Roy W. Howard

2.

And, by the way, Howard, if you will publish that man's letter in your chain of papers, putting it in a prominent box on the front page, and with the above-quoted passages in bold-face type and under the headline title of "Why Congressmen Go Wrong," but with no further comment upon it pro or con, or reference to it, I will pay you the same sum of money which I contributed to the Republican National Committee for the Hoover campaign of 1928 - exactly \$1,000. How about it? If offer unacceptable, please advise amount of additional gravy required.

Augustus L. Richards
Rensselaer,
New York.

PSF
Frankfurter

March 22, 1943.

Dear Mr. Justice:

The President asks me to thank you ever so much for letting him see Mr. Denman's letter to you, which I am returning herewith.

My best to you.

Always sincerely,

Grace G. Tully
Private Secretary

Justice Felix Frankfurter,
Supreme Court of the United States,
Washington, D. C.

Enclosure.

... I am ...
... the ...
... for ...
... the ...
... the ...

...
...

Frankfurter
12/7

299

Fully file Frankfurter folder
3-43

THE WHITE HOUSE
WASHINGTON

December 7, 1942

MEMORANDUM FOR

HON. PAUL V. McNUTT

Please read and show to no
one else and then return for my
files.

F. D. R.

Let to the P from Felix Frankfurter, 11/27
enclosing let from Don S. Denman, Crown Zeller
bach Corporation, 719 White Building, Seattle
Washington 11/21/42 (Mrs. Frankfurter's
brother) re his comments in regard to the
manpower problem in the Northwest.

RECEIVED
U.S. DEPARTMENT OF THE ARMY
WASHINGTON, D.C.

CLIP
NOV 27 1942

NOV 27 1942

RECEIVED

THE WHITE HOUSE

FTW

THE WHITE HOUSE
WASHINGTON

December 7, 1942

MEMORANDUM FOR

HON. PAUL V. McNUTT

Please read, and show to no
one else and then return for my
files.

F. D. R.

Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

November 27, 1942

Dear Mr. President:

The enclosed letter is from Don Denman, Marion's brother. While it won't tell you anything you did not know before, it speaks from first hand experience with the manpower problem in the Northwest ever since Don returned from the last War. Don puts what he knows with clarity, free from too common narrow biases.

Faithfully yours,

The President

LETTER
ONE SIDE ONLY FROM REAR END FOR MAIL
STUCK IN LEFT SIDE SPACE FOR NO
NO. 1001 A. 1001
REAR SIDE FOR

DAVIDSON A. 1015
WASHINGTON
THE WHITE HOUSE

Frankforter folder
PSF 156-201/Heath
Supreme Court of the United States
Washington, D. C.

April 9, 1943

JL

Dear Russell:

Your "hold-the-line" order will become not the least memorable of your war acts, and your statement in its support not the least historic of your state papers.

Affectionately yours
JL

30 |

Supreme Court of the United States
Washington, D. C.

The President

Kiddens &
Grass

(937)

~~Frankfurter~~ Frankfurter
THE WHITE HOUSE
WASHINGTON

PSF

April 10, 1943

MEMORANDUM FOR

HON. FELIX FRANKFURTER

Please read the enclosed and return for my files. I wish that Harold Laski would confine himself to things he knows about. On the things he writes about in this article, it is perfectly clear that he knows not whereof he speaks — and that is bad for Harold and his reputation. He is capable but should stick to his guns.

F. D. R.

Enclosure

Newspaper clipping of article written by Frederick Kuh, London Bureau of The Chicago Sun, entitled "State Department Stand Alarms Britons, Says Laski - Laborite's Open Letter to F.D.R. Will Assail Hull Policy on Vichy, Italy, Spain".

7. Frankfurter folder
Monday

Supreme Court of the United States
Washington, D. C.

file
personal

Dear Frank:

I had already seen
and been saddened by,
what the N. Y. Times printed
last Saturday of Harold Kohler's
"Open Letter." You know how
tenacious my friendships are,
and what deep affection I
have for Harold. But I try
not to mix up head and
heart in public questions,
with the result that, for
some time, I have not
been able to see eye to
eye with Harold on various

phases of the war, its
conduct and that is
beyond.

But the Atlantic
is hardly suited for
exchanges of letters dealing
with ^{serious} divergences
of ^{view} views - with the result
that Harold has known
from my silence my
disagreements. But the
other day, when Gil
Winant talked to me
about Harold's worries
in detail, I sent home

specific messages by E.C. Davis, his
special messenger, now so much
good. I wish I had been here
to talk things over quickly and
as they fit.

It goes bad in general. Least
and less it does so all for the right
things. But his opinion the board to the
Warrent City is service for him that
for me. Ever yours
G.W.

State Department Stand Alarms Britons; Says Laski

Laborite's Open Letter to F.D.R. Will Assail Hull Policy on Vichy, Italy, Spain

By Frederick Kuh.
London, Bureau of The Chicago Sun.

London, April 8.—Prof. Harold Laski, member of the Labor party's executive committee, will publish in next Friday's issue of the liberal weekly *New Statesman* and *Nation* an open letter to President Roosevelt containing a scathing attack on the State Department.

The Axis On the Air

What the Enemy Is Saying
By Harold Ettlinger.

WITH the Allied air offensive in high gear, the subject of air raids is uppermost in the minds of propagandists at both ends of the Axis.

Berlin is devoting considerable radio time to giving the civil population new instructions on how to behave during a raid. Tokyo is carrying on discussions of the air-raid problem with an apparent desire to get us to tell what routes our planes might take when raids on Japanese cities are renewed.

The German radio announced on Monday that in view of the new Allied offensive a program on the subject of dealing with air raids, entitled, "It Concerns Us All," would be broadcast regularly. Other features of the home radio are being streamlined, meanwhile, in order to get as much of them as possible on the air despite frequent interruptions by air-raid alarms.

TOKYO'S anxiety over the route our future raids on Japan will take was reflected in a recent commentary. "American leaders are every day more inclined to favor the strategy of bombarding Japan proper to paralyze her war effort," the speaker said. "But how will they carry out this plan, from what base?"

He then took up the study of the various possibilities in an apparent effort to satisfy himself that it couldn't be done. The bombings, he said, "naturally" could not be carried out from bases in the South Pacific, "where the Japanese air force has superiority in the air."

"Perhaps it will be from the Aleutians," he speculated, "or from aircraft carriers. In the case of the first the distance makes a great concentration of destructive power impossible. In the case of aircraft carriers they cannot use the big bombers. It is more probable that we would use air bases in China. But Japan maintains an absolute superiority in the air."

He then tacitly suggested that perhaps the bombings should be carried out at all, "but we must realize that experts are considering the uselessness of bombardments as a means to achieve a definite victory in this war. The Axis and anti-Axis nations of Europe have exchanged air raids of an intensity and concentration impossible to duplicate in East Asia, and nevertheless none of them has yet lost."

THE Axis on the air a year ago: "Japan has attained complete superiority in the air." (The Breslau radio.)

a personal acquaintance of President Roosevelt and a close friend of many of his advisers. The keynote of the letter will be: "It matters enormously that we win the war but how we win it matters enormously, too. That will settle what we win for."

It will continue: "We are alarmed by the patronage extended by your State Department to a man like Peyrouton [Governor General of Algeria] and by the War Department to men like Otto Hapsburg. We are alarmed when your ambassador in Madrid offers ardent

A view of U.S. policies in Europe that parallels Laski's is expressed today by Sun Columnist Samuel Grafton. See page 10.

support to the evil regime of Franco. We are alarmed when the radio stations of America ask that nothing be said in criticism of the King of Italy, who made Mussolini possible, or of the Crown Prince or [Marshal Pietro] Badoglio or [Count Dino] Grandi.

Alarmed by Hungary Role. "We are alarmed when, though Hungary continues to play jockey to Hitler, his agency is permitted to go on working in America in the person of Tibor Eckhardt.

"We seem to see the outlines of a new 'legitimacy' in Europe, its patronage American, its instruments the old regimes, its collaborators men who would gladly have worked for Hitler if it had served their turn."

Laski's letter will acknowledge Secretary of State Hull's "best possible intentions" but will attack the diplomacy of such State Department officials as Adolph Berle, Ray Atherton and James C. Dunn and Mr. Roosevelt's representative in Africa, Robert Murphy.

"All of them are indices to an attitude which may easily result in old Metternich being the one man whose ideas have a permanent place at a peace conference," his letter will continue. "We refuse to believe that the pinchbeck Metternichs of Washington have the right to speak to Europe, still less to lay their plans for its reorganization in your name."

List of Signs of Reaction.

Laski's letter then will turn to American domestic affairs, listing signs of reaction notwithstanding the President's influence.

"It is vital to destroy Hitlerism," he will say, "but it is not less vital to prevent the war from being the means whereby the National Association of Manufacturers becomes the pseudonym for the federal government of the United States.

Laski will admit that many of his criticisms are also valid for Britain too and says that Prime Minister Churchill's "ardor for battle excludes any close attention to the purpose for which the battle is being waged." He urges that Mr. Roosevelt insist that Mr. Churchill give attention to these broader problems. "Without assistance Churchill may easily lead us to victory in the wrong war and leave the next generation to pay the price of his oversight," Laski concludes.



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dusk, Allied squ
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planes were lost.

Flying Fortress
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dromes. At Boca
hurled explosives b
100 parked planes a
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wrecked or damage
fighters were shot

Another Fortres
found 80 large em
persed on the Milo
with high-level pre
destroyed at least 30
pilots' reports.
Liberators attacks
of Palermo, Sicily, at

Where It Is

Amusements Page 14, 15
Bridge Deck Page 13

Bolivian Cabinet

This fi

He then tacitly suggested that perhaps the bombing should not be carried out at all, saying: "We must realize that experts are considering the uselessness of bombardments as a means to achieve a definite victory in this war. The Axis and anti-Axis nations of Europe have exchanged air raids of an intensity and concentration impossible to duplicate in East Asia, and nevertheless none of them has yet lost."

THE Axis on the air a year ago: "Japan has attained complete superiority in the air." (The Breslau radio.)

Where It Is

Announcements Page 14, 15
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 Bulletin Board Page 17
 Chess and Hoards Page 21, 22
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 Death Notices Page 20
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 Women's Page Page 12

The Weather

WEATHER FACTS.

Sunrise, 6:33 a.m. today. Sunset, 7:33 p.m. Moonset, 12:36 p.m. today. Relative humidity at 7:30 p.m. yesterday, 43; at 1:00 p.m., 33; at 7:30 p.m., 51.

Weather conditions for 24 hours ended at 7:30 a.m. yesterday.
 Highest temperature, 43; lowest, 21. Mean temperature, 39; normal, 43. Temperature a year ago today, 43. Highest, 59; lowest, 27; mean, 38. Total precipitation for 24-hour period, 0; total one year ago today, .21.

FORECAST.

ILLINOIS: Showers and scattered thunderstorms today and tonight; warmer today, continued mild tonight; fresh to strong winds.

INDIANA: Showers and scattered thunderstorms today and tonight; warmer today, continued mild tonight; fresh to strong winds this afternoon.

LOWER MICHIGAN: Occasional rain and scattered thunderstorms today and tonight; warmer today and tonight; fresh winds.

WISCONSIN: Occasional rain and scattered thunderstorms today and in extreme north section tonight; warmer today, continued mild tonight; strong winds.

WEATHER ELSEWHERE.

TEMPERATURE STATIONS.

STATIONS	March 24 today	March 23 yesterday	March 22 yesterday
Atlanta	74	47	47
Birmingham	70	42	42
Chicago	46	42	42
Columbus	46	42	42
Des Moines	50	40	40
Detroit	40	40	40
Fort Worth	40	40	40
Kansas City	40	40	40
Los Angeles	78	48	48
Memphis	56	36	36
Minneapolis	43	46	46
Miami	82	83	83
Mobile	82	83	83
Minneapolis-St. Paul	21	24	24
New Orleans	82	83	83
New York	34	38	38
Philadelphia	39	33	33
St. Louis	40	33	33
Washington	42	33	33

... means whereby the National Association of Manufacturers becomes the pseudonym for the federal government of the United States.

Laski will admit that many of his criticisms are also valid for Britain too and says that Prime Minister Churchill's "ardor for battle excludes any close attention to the purpose for which the battle is being waged." He urges that Mr. Roosevelt insist that Mr. Churchill give attention to these broader problems. "Without assistance Churchill may easily lead us to victory in the wrong war and leave the next generation to pay the price of his oversight," Laski concludes.

Bolivian Cabinet To Declare War

La Paz, Bolivia, April 6.—(UP)—The Bolivian cabinet approved tonight a decree declaring a state of war with the Axis countries effective at noon tomorrow.

The cabinet met in extraordinary session this afternoon to implement yesterday's resolution of the Bolivian national defense council recommending that the government declare war on the Axis nations.

Bolivia broke off relations with Germany, Italy and Japan in January, 1942, and today's action was designed primarily as a gesture coinciding with Vice-President Wallace's visit. It also will permit stricter government control of the activities of Axis nationals.

Earlier today it had been announced that Wallace had signed a tri-partite agreement among the United States, Bolivia and the Bolivian Development Corp. intended to foster agricultural production and cattle breeding here. The accord calls for the expenditure of \$150,000 a year, which will be contributed equally by the two countries and the Bolivian Development Corp.

It also was announced that President Enrique Penaranda will leave May 1 for an official visit to the United States.

Wallace was presented with a pair of gold and silver bookends, valued at \$2,500, this morning by La Paz businessmen. He said that he was unable to accept as a personal gift so valuable a present but accepted the offering in the name of the Smithsonian Institution of Washington. There they will be used to complement a valuable collection of Bolivian books.

British Fascist Gets Life Term

London, April 6.—(UP)—William Frederick Craven, 25, member of the British Union of Fascists and the British National Party, was sentenced today to prison for life. Craven was charged with intent to assist the enemy. He was accused of posting a letter to the German legation in Dublin announcing his willingness to assist the enemy.

Only 13 Planes Left

From before dusk, Allied squadrons, more than 1,000 sorties, planes were lost.

Flying Fortresses Africa, in a swift their big Naples re two heavy attacks dromes. At Boca hurled explosives in 100 parked planes a 70 of the craft y wrecked or damaged fighters were shot

Another Fortres found 80 large enemy planes on the MiG with high-level pre destroyed at least 30 pilots reports.

Liberators attacks of Palermo, Sicily, at ing fires on the whi that led at least 50 also. Other reports 5 Mitchell bombers also joined the att and bombed appr planes at the Bor

Store Hours

Marsh

"Time to set
 SCOTTS LAWN
 says Homer

Clean, weed free Sc
 the perfect blend of
 to give you a lawn li
 lawn will set off you
 outdoor playroom!

3 lbs.—\$
 10 lbs.—\$6

FOR SHADE
 LAWNS

For hard-to-g
 spots under trees,
 between houses.

1 lb.—\$.7
 3 lbs.—\$2.)

SCOTTS V
 PL

Grow large, delici
 using this approv
 Staley-mone—nev

The Gas
 Also

302

9. Frankfurter ³⁻⁴⁻³ ~~vs~~ - PSF Cp. 13

Supreme Court of the United States.

Memorandum.

PSF 194

Please, Grace,
and David for
R.C.

[5/5/43]

May 5, 1943

Supreme Court of the United States
Washington, D. C.

Dear Faulk:

Here are some notes
for your Copernicus letter,
the joint product of Harlow
Shapley and myself. I hope
that they may serve to save
you time. Several States,
including New York, have
taken official cognizance
of the event, which promises
to be noteworthy.

I am glad that you had
the refreshment of your recent
trip. Washington seems to

5 May 1943

Only recently we celebrated the three hundredth anniversary of Sir Isaac Newton, the two hundredth of Thomas Jefferson, and the one hundredth of William and Henry James. It is right that we memorialize these men and recall their gifts to us.

And so, I am happy to learn that scores of our learned societies, hundreds of our schools and colleges, are this year celebrating the four hundredth anniversary of the appearance of that epoch-making book which established the true place of the earth in the solar system. By thus freeing men's minds from the false egocentric view of the world, this discovery released the great ventures of modern science. To celebrate the author of this great book, Nicholas Copernicus, one of the founders of free thought, may seem at first not to be in keeping with the hard situation that confronts us and necessarily absorbs most of our thoughts and energies. But the pursuit of truth and of high ideals is the source that inspires our vast efforts to restore and extend freedom to all the peoples of the earth. Devotion to ideals and freedom for ideas have made us resist the brutal aggression of tyrants.

It is, therefore, highly appropriate that, in the midst of our dedication to the war and the sacrifices which it demands, we pause a moment to draw refreshment of mind and spirit by recalling that four centuries ago we were emancipated from one of our many bondages. To discover these restraining bonds, to loosen them, and to free the body and mind and liberate the spirit of man from such bondage, we must oppose with our stant the de-civilizing tendencies that too frequently scourge mankind.

We must oppose these vicious trends so that men with the genius of insight like that of Copernicus, assured freedom of thought and action, can freely develop their benign powers for breaking the shackles that cramp the forward progress of men. And we must oppose these vicious trends so that the ordinary man may come into the inheritance of a free and fuller life made possible by such men of genius.

For not only must great men and great nations be allowed to attain freedom. Liberty must be made progressively available to small states, to communities, and to the individual himself, if humanity is to march forward into light and life. The creation and operation of armies and navies require enormous organization and vast numbers that only a large state can provide. They require, as we all realize, tremendous financial resources. ^{It must always be remembered!} But the creation and sweep of great liberalizing ideas may be the work of a single isolated ^{individual as it was in the case of Copernicus.} Polish churchman.

By these reverent ceremonies, therefore, the people of America honor not only a great pioneer of our civilization. They recognize thereby the undying contributions that have come from the small nations of the world. I join with gratitude in these ceremonies. Copernicus serves to remind us that small nations have given for the common advantage of all people many of the great enduring concepts which have enriched the life of man. This opportunity of living with the growing and unrestrained knowledge about man and his place in the universe places on us all so imperious a responsibility that we should pledge ourselves, in the name of those venerated great men of ideas, to strive to maintain that opportunity forever.

157 - Felix Frankfurter folder
3-43

THE WHITE HOUSE

WASHINGTON

February 15, 1943

MEMORANDUM FOR

F. F.

I have gone over the enclosed very carefully but I do not think I had better do it because I have declined accepting honorary chairmanships of practically all organizations and I think I will have to stick to the rule.

I would, of course, be glad to write them a letter which can be read at the celebration if they would like to have one!

x 117 1043 I remember old Copernicus very well, although he was a little older than I was at college where he was a member of the Fly Club -- because he discovered flies! *x 117 395*

F. D. R.

Enclosure

Let to Justice Frankfurter 2/2/43 KRMX signed "marion" written on letterhead of

Harvard College Observatory, Cambridge, Mass re re dinner to be given by the Kosciuszko Foundation on May 24 - nat celebration of 400th anniv of the dying Nicholas Copernicus' look on his

De Revolutionibus Orbium Coelestium.

PPA
May 22, 1943.

Dear Felix:

I am grateful to Dr. Shapley
for that very fine edition of Dr. Mizwa's
brochure on Copernicus, which he has been
good enough to sign to me.

As ever,

(Sgd) FRANKLIN D. ROOSEVELT

Honorable Felix Frankfurter, xPP2140
The Supreme Court, x41-A
Washington, D. C.

THE WHITE HOUSE
WASHINGTON

May 12, 1943

MEMORANDUM FOR

BILL HASSETT:

Will you be good enough
to prepare a letter to Dr. Shapley?

F.D.R.

Supreme Court of the United States.

Memorandum.

....., 194

Dear Grace

I thought that
the President may
want to see in -
formation. Yes
II

Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

THE WHITE HOUSE
FEB 6 8 50 AM '43
RECEIVED

February 5, 1943

Dear Mr. President:

You possibly know, and certainly know about, Professor Harlow Shapley, the Harvard astronomer, and I suppose as distinguished a one as this country has. The enclosed letter from him speaks for itself.

Would you like to indicate in a word what I should say to him?

Faithfully yours,

Felix Frankfurter

The President

THE COPERNICAN QUADRICENTENNIAL
NATIONAL COMMITTEE

DR. HARLOW SHAPLEY, *National Chairman*
Harvard College Observatory
Cambridge, Mass.



STEPHEN P. MIZWA, *National Secretary*
149 East 67th Street
New York, N. Y.

May 7, 1943

*ack 5/13/43
mw*

Justice Felix Frankfurter
Supreme Court
Washington, D. C.

My dear Justice Frankfurter;

In the absence of Dr. Shapley, who is now in Mexico attending a science meeting, his secretary informed me of your last letter addressed to Dr. Shapley, raising the question as to whom the President's letter is to be addressed. The letter, I assume, is to contain the President's message for the Copernican Quadricentennial meeting scheduled to take place in Carnegie Hall May 24th next. As Dr. Shapley will preside at the meeting, I think it will be most appropriate to address the letter to him.

Cordially yours,

Stephen P. Mizwa
National Secretary

THE COPERNICAN QUADRICENTENNIAL NATIONAL COMMITTEE

DR. HARLOW SHAPLEY, *National Chairman*
DR. STEPHEN P. MIZWA, *National Secretary*

MEMBERS OF THE NATIONAL COMMITTEE

(Names of institutions officially represented are in *italics*)

- | | | |
|---|--|--|
| <p>DR. CHARLES G. ABBOT, <i>Secretary</i>
<i>Smithsonian Institution</i></p> <p>DR. WALTER S. ADAMS
<i>Mount Wilson Observatory</i></p> <p>DR. GEORGE R. AGASSIZ</p> <p>DR. ROBERT G. AITKEN, <i>Director Emeritus</i>
<i>Lick Observatory</i></p> <p>DR. HENRY BUTLER ALLEN, <i>Director</i>
<i>The Franklin Institute of the State of Pennsylvania</i></p> <p>DR. DINEMORE ALTER, <i>Director</i>
<i>Griffith Observatory</i></p> <p>DR. JAMES R. ANGELL</p> <p>PRESIDENT WALLACE M. ATWOOD,
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<i>The Institute for Advanced Study</i></p> <p>PROFESSOR GEORGE A. BAITSELL,
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<i>National Secretary of</i>
<i>The Society of the Sigma Xi,</i>
<i>Editor of American Scientist</i></p> <p>MR. WILLIAM H. BARTON, JR., <i>Curator</i>
<i>The Hayden Planetarium</i></p> <p>PRESIDENT JAMES P. BAXTER, SRD,
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<i>Ohio State University</i></p> <p>PROFESSOR GEORGE D. BIRKHOFF,
<i>Harvard University</i></p> <p>CHANCELLOR C. S. BOUCHER,
<i>The University of Nebraska</i></p> <p>PRESIDENT ISALAH BOWMAN,
<i>Johns Hopkins University</i></p> <p>CHANCELLOR JOHN G. BOWMAN,
<i>University of Pittsburgh</i></p> <p>PROFESSOR P. W. BRIDGMAN,
<i>Harvard University,</i>
<i>President of the American Physical Society</i></p> <p>DR. LYMAN JAMES BRIGGS, <i>Director</i>
<i>The National Bureau of Standards</i></p> <p>PROFESSOR L. BRILLOUIN,
<i>Brown University</i></p> <p>DR. VANNEVAR BUSH, <i>President</i>
<i>Carnegie Institution of Washington</i></p> <p>PRESIDENT NICHOLAS MURRAY BUTLER,
<i>Columbia University</i></p> <p>CHANCELLOR SAMUEL C. CAPEN,
<i>The University of Buffalo</i></p> <p>PROFESSOR A. J. CARLSON,
<i>University of Chicago</i></p> <p>PRESIDENT LEONARD CARMICHAEL,
<i>Tufts College</i></p> <p>CHANCELLOR O. C. CARMICHAEL,
<i>Vanderbilt University</i></p> | <p>PRESIDENT EVERETT CASE,
<i>Colgate University</i></p> <p>DR. J. MCKEEN CATTELL, <i>Editor</i>
<i>The Science Press</i></p> <p>CHANCELLOR HARRY WOODBURN CHASE,
<i>New York University</i></p> <p>PRESIDENT ROBERT C. CLOTHIER,
<i>Rutgers University</i></p> <p>PRESIDENT WAT TYLER CLUVERIUS,
<i>Worcester Polytechnic Institute</i>
<i>Rear Admiral U. S. Navy, Ret.</i></p> <p>PRESIDENT WALTER C. COFFEY,
<i>University of Minnesota</i></p> <p>PRESIDENT KARL T. COMPTON,
<i>Massachusetts Institute of Technology</i></p> <p>DEAN ADA LOUISE COMSTOCK,
<i>Radcliffe College</i></p> <p>PRESIDENT JAMES B. CONANT,
<i>Harvard University</i></p> <p>DR. EDWIN G. CONKLIN, <i>President</i>
<i>American Philosophical Society</i></p> <p>PRESIDENT W. H. COWLEY,
<i>Hamilton College</i></p> <p>PRESIDENT DONALD J. COWLING,
<i>Carleton College</i></p> <p>DR. REGINALD A. DALY</p> <p>PRESIDENT HARVEY N. DAVIS,
<i>Stevens Institute of Technology</i></p> <p>PRESIDENT HERBERT DAVIS,
<i>Smith College</i></p> <p>PRESIDENT EDMUND E. DAY,
<i>Cornell University</i></p> <p>PROFESSOR JOHN DEWEY,
<i>Columbia University</i></p> <p>PRESIDENT ROBERT E. DOHERTY,
<i>Carnegie Institute of Technology</i></p> <p>PROFESSOR W. F. DURAND,
<i>Stanford University</i></p> <p>PRESIDENT CLARENCE A. DYRESTRA,
<i>University of Wisconsin</i></p> <p>PROFESSOR ALBERT EINSTEIN,
<i>The Institute for Advanced Study</i></p> <p>PROFESSOR C. A. ELVEHJEM,
<i>University of Wisconsin</i></p> <p>PROFESSOR ENRICO FERMI,
<i>Columbia University</i></p> <p>DR. G. CLYDE FISHER, <i>Honorary Curator</i>
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<i>The Rockefeller Institute for Medical Research</i></p> <p>DR. RAYMOND B. FORDICK, <i>President</i>
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RCA Laboratories,
Radio Corporation of America

June 21, 1903

Supreme Court of the United States
Washington, D. C.

PSF

Frankfurter

Dear Pa:

By the time the
President must be fed
up even with potential
and precursors - and so
he may well don't
want to see his folds.
And the Lord and he
and you know the
last thing that Marion
and I want was
it would be a feather.

weight to his classes
these days. But if
Marion and I would
give him a few mo-
ments of relaxation,
before we go. —
will at his com-
mand. We plan
to leave for Hell-
hole on Tuesday,
I expect well, to 29th.
But please — as
"Country visit" will

With love and affection
our hearts, as best we
can
Dorothy

Your faithful
Helen M. Jacobs

Supreme Court of the United States
Washington, D. C.



General
E. M. Watson,
The White House,
Washington.

R.B.F.

Frankfurter folder

*file
personal 3-43*

THE WHITE HOUSE
WASHINGTON

June 24, 1943.

MEMORANDUM FOR THE PRESIDENT:

Dear Mr. President:

I tried to decipher the attached letter from Justice Frankfurter. I gather that he and Mrs. Frankfurter would like to see you sometime between now and next Tuesday, June 29th, when they depart for their summer vacation. However, they do not want to be received as a matter of a courtesy visit, as they do not wish to impose on your time.

E.M.W.
E. M. W.

The President asked me to telephone and ask Mr. Justice and Mrs. Frankfurter to come in to Tea on Sunday, June 27th, at 5 o'clock.

C. G. T.

303

file personal *Frankfurter folder*
BF July 6, 1943
Supreme Court of the United States
Washington, D. C.

Dear Rand,

how that you've done
it you must let me say
how profoundly wise was
your refusal to let the
death sentence for Stephan
be carried out. I speak
not only as an old pro-
secutor but as one who
studied the Stephan re-
cord. And I have no
use for feeble senti-
mentalities toward grave
criminal conduct even
in peace-time let alone
while we're at war. But

You have acted as the
strong lead of a strong
nation - conscious of
your strength and of
ours, and confident
of our security. And so
you differentiated be-
tween evil deeds that
do require the ultimate
penalty and those that
do not.

I congratulate ^{you on} Collette and
rejoice over your
wife's courage.

Marian and I had
a joyous hour with you.
Ever yours
F. J.

J. Frankfurter
Supreme Court of the United States.

Memorandum.

[7-1-43]

PSF, 194

Dear Gene -

Please pass this
on - and keep
my cordial regards
for yourself, as well
as my family.

J.F.

To: from

Supreme Court of the United States
Washington, D. C.

Frankfurter folder

3-43

September 15

9-11-1943

file
Personal

Dear Zack:

I have a deep regret
about your message to
Congress - regret that you
did not speak it to the
people over the air. For
it is one of the most Edu-
cational state papers
you ever wrote. Your
message put the pan-
orama of world-encompassing
events in enlightening

perspective, and thereby
gave adequate basis
for understanding the
tasks that have con-
founded the country and
the effectiveness with
which the Government
has met them. The
message was an
frank Low exciting
a quiet narrative of
great events and efforts
can be made to be

Very truly yours,
W.S.

[9-28-43] Frankfurter folder 3-48

Supreme Court of the United States.

Memorandum.

PSF
file
personal

From: "General" Fein

To: Dr. Watson

For: The C. in. C.

Subject: Old fashioned
and Kindred Matters

101
306
The President
The President
The President

Supreme Court of the United States
Washington, D. C.

September 28, 1943

My dear C-in-C:

Allow me to say that your letter of even date is doubly gratifying, to wit:-

1. That you should compare my case to that of General Napoleon Bonaparte again proves how deeply rooted you are in legal tradition. Even in your military administration in time of war you rely on precedent.

2. More heartening still, is your correction of General Cramer's designation of my status. For you to assure me that I am transferred to the "Inactive Preserve", which gives me a status "somewhat akin to the process of pickling in alcohol", affords me justifiable grounds for assuming that I can rely on you for my good spirits in the future.

Respectfully and gratefully yours,

W. V. French

The President

Supreme Court of the United States.

Memorandum.

....., 194

Dear Case -

Please —

With my best
Regards.

W.T.

307

(file 11-2-43)

Manuscript file 3-43

PSF 1511-30 Post

Wednesday

Supreme Court of the United States
Washington, D. C.

[10-20-43]

file

Dear Friend

In reply to a note of sympathy on the flight of Denmark, comes this letter from the charming Danish wife of Francis Hackett.

The Brewster Committee - this time it was a unanimous decision - on the Grand jurors you were in yesterday.

A very good time was had by me - Early on tea!

Affectionately yours
TT

July File

BY TELEPHONE:
NEWTOWN, 529

BY ROAD:
TAUNTON LANE,
NEWTOWN, CONN.

BETHEL, CONNECTICUT
October 16, 1943

Dear Felix,

You write that the Danish resistance should make me feel proud, and it does, and yet it seems to me the so absolutely obvious thing to do now, when it can be useful, that pride does not come in. But I am happy that ~~The~~ Danes were adamant also about refusing to save their own skins by throwing their Jewish fellow-citizens to the wolves. Hitler had hoped to force the King to form a Government by persecuting the Jews, but I know that they wouldn't themselves want him to do that. I've just learned that well over five thousand Danes with Jewish blood have reached Sweden, owing to the brilliant carrying-out of plans which the Danish "Underground" of course had ready.

All the news coming to me by way of my work confirms the faith I've had all along that the Danes would act even if no help was, or could be, expected. The work of sabotaging the vital Jutland traffic lines, etc., goes on undiminished.

I don't know if I should say it, but how it would cheer them in their loneliness if F.D.R. were to say even one little word to show that at least he personally were aware of Denmark's attempt to be useful actively. I can honestly say that nowhere in the world is he so admired, almost adored, as in Denmark. When we lived there we were always being asked about him; and his big view was praised. If he made a speech, there it was on the front page of all the newspapers with large headlines. I remember one editorial which said, "More than any one else the President of the United States speaks for the conscience of the world". The man who wrote that, ~~was~~ the best informed journalist I know on world affairs, is now in concentration camp, along with many of our most useful citizens.

Well, forgive so much talk, but my days and nights are brimming over with it all - and I know your sympathy for the oppressed everywhere. The size of a country matters not to you!

Much love to you and Marion,

*your
signe*

Frankfurter folder 3-43

Supreme Court of the United States.

Memorandum.

PSF

-----, 194

Please - with
my thanks, Grace

—

309
Memorandum
Supreme Court of the United States

~~Friday 10/29/43~~

file
Personal

Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

October 29, 1943

Dear Mr. President:

All who truly care for the maintenance of our democracy should be grateful for your letter to the Speaker setting forth "the true facts concerning the deferment of Government employees". The present campaign of poison, which pictures the Federal Government as a haven for "draft dodgers" and "slackers" is part and parcel of a long campaign picturing the Government as a haven for peace-time slackers or worse. We badly need in this country a tradition of public service powerful enough to enlist its best brains. To get men of brains and character is sufficiently difficult in view of the greater worldly attractions that private enterprise offers. To add to this handicap the systematic attempt to surround work for the Government with discredit instead of with esteem, is one of the subtlest and one of the surest forms of undermining the possibilities of effectuating our democratic purposes. It is because your letter serves as a counter-offensive against this menacing attitude against public service that I deem it one of the most important state papers to have come from you recently.

Faithfully yours,

Felix Frankfurter

The President

Supreme Court of the United States.

Memorandum.

ASF

Frankfurter

-----, 194

3 Nov '43

Please, Grace &
my best thanks.

DF

Memorandum

Rebublic Consol of the United States

305

Supreme Court of the United States

Washington, D. C.

file
personal. Frankfurter folder
1511-20
15-15
100.37
43

Dear Tree-grower:

Of course Moscow
was a "triumph". But I'd
bet a pre-war cook's hat
the real diplomatic tri-
umph was very skillful
grafting here so that there
could be fruit in Moscow.

Good luck and serene
confidence for all that
is to come.

Ever yours,
Frankfurter

1571-30 Trust
Sunday
Supreme Court of the United States
Washington, D. C.

[12-25-43]

Dear Reed:

And what a Christmas
remembrance! For I have
the taste of a bibliophile
even if without the means
of gratifying it, and the
drive of a historian tho
without his equipment.
To have your inaugural
address in such beautiful
livery is pure joy - and
to have them at your
hands, with your warm
inscription, is an enduring

Treasure.

I've re-read them -
and won for the second
time. What a panorama
of history they unfold -
the life, the hopes and
ambitions and triumphs,
dangers vanquished and
ideals pursued and
achievements yet to
encourage, of the American
people for more than a
decade: the unshakable
ful decade, perhaps,

in the history of our country.
Akin, a heart across the
valence - as he fits the
of his who has the guidance of the
that train that now, here than
is the best we hope or see.

My respect appreciation

Wash DC, 1908, Miss Mary Dyer

Supreme Court of the United States
Washington, D. C.

Re President

*Kindness
Yours*

~~Incl. to~~ Frankfurter folder
3-43

PSF

file
personal

COPY

SUPREME COURT OF THE UNITED STATES
WASHINGTON, D. C.

1511 30th Street
Sunday

Dear Frank:

And what a Christmas remembrance! For I have the taste of a bibliophile even if without the means of gratifying it, and the drive of a historian tho without his equipment. To have your Inaugural Address in such beautiful livery, is pure joy - and to have them at your hands, with your warm inscription, is an enduring treasure.

I've re-read them - and not for the second time. What a panorama of history they unfold - the life, the hopes and anxieties and triumph, dangers vaulted and ideals pursued and achievements yet to encompass, of the American people for more than a decade - the most fateful decade perhaps in the history of our country. And this, almost austere little volume - as befits the expression of him who has the guidance of the Nation that now, more than ever, is the last best hope on Earth.

My deepest appreciation.

Devotedly yours,

/s/ Felix Frankfurter

~~300~~ [1943]

Supreme Court of the United States.

Memorandum.

ASF, 193

Frankfurter

Please, bring
Raufer.
JH

160

Supreme Court of the United States
Washington, D. C.

The President

*Kindness
of Miss La Harve*

file
personal

Thursday

Supreme Court of the United States
Washington, D. C.

Dear Zane -

Your Jefferson speech
was a beautiful literary
contribution - a real gem.

And your apt charac-
terization of the three
great ones will be
in all school books
one hundred years from
now.

Ever yours
W. H. S.

311

~~File~~ PSF ^{transported from} 1511-30 ³⁻⁴ Hunt

Supreme Court of the United States
Washington, D. C.

Jan 7/44

File personal

Dear Rand:

Marion has been down with a mild case of the flu and she tells me it affords a rather pleasant, even if debilitating opportunity of the liberation from chores. I hope yours is a similar experience - and, indeed, that you are prolonging

1944

your "house arrest" to
gain some free time
and freedom from
bores beyond the expec-
tations of the flies! How-
how - I hope deeply
that you are your
complete self again.

Forgive the enclosed
scrawl - your waste-
basket is capacious.

Affectionately yours
V.P.

~~Justice Felix~~

BF Frankfurter folder
3-44

Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

January 7, 1944

Dear Mr. President:

After hearing it twice and reading it the next day, I have reflected much on your admirable Christmas address. Naturally enough, your announcement of Eisenhower's appointment furnished the headlines. But I suspect that the most important single sentence was your statement that "I do not think any insoluble differences will arise among Russia, Great Britain and the United States."

And it is over that statement that I have especially pondered these last two weeks. That the translation into action of the policy you thus announced is indispensable for a peaceful and a decent world as far as one can see ahead, there surely can be no doubt. But our appropriate relations with the other two leading nations of the contemporary world and the problems they present to you, have stirred in my mind a comparison with the problems that confronted Washington in relation to the two leading nations of his time - Great Britain and France. In Washington's time opinion was unduly divided between the partisans of England and France. Now appear^{dangerous} signs of such partisanship among too many of our people as between Great Britain and Russia, instead of a determined effort to translate into action the policy which was symbolized at Teheran and which you expressed in your Christmas address. Such a policy is indispensable for our day fundamentally for the same reason for which Franklin urged cooperative action - if we don't hang together, we'll hang separately. And like every idea that displaces familiar habits of thought, it must be stated over and over again and made to reach the mind by every variety of avenue through which access to

100-444444-1000
J. G. McHugh

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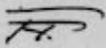
the mind is gained.

This policy of education is of course merely a continuation of your old "quarantine" speech. And just as you have insisted that the war front and the home front are parts of the same front, so our people must be made to see by unceasing reiteration that the foreign policy which you are espousing is indispensable to desirable domestic policies. In other words, unless we have the policies and arrangements that assure a decent and peaceful world, we cannot possibly have the necessary conditions for a forward-looking national life.

Inter-dependence and independence are thus two sides of our shield. And that is peculiarly true for this country. There are famous words of Burke very relevant to the role of the United States in the world of today, "We are on a conspicuous stage, and the world marks our demeanor." We are ^{of hope and example} a power in the world as the most successful democracy. As never before we are a power in the world, because for weal or woe we can bring more weight to bear than any other nation. Great power must be used for great purposes. And that is why the purposes we pursue at home give significance and meaning to the purposes we represent abroad. Conversely the purposes we represent abroad derive significance from the purposes we pursue at home.

These are generalities, I know, but they have been much on my mind, and therefore you will forgive me for putting them on paper.

Faithfully yours,



The President

[3-11-44] 1511-30 Three

Supreme Court of the United States
Washington, D. C.

Wednesday

PSF

Dear Paul: Frankfurter

And now comes his
letter from C. S. You will
note his wish, in his last
sentence - I shall be glad
to serve as a post-office,
but I sent him Harlan's
and my copy of the Order
of Service.

Is it true that your
Secretariat is out to
lynch me for having
stayed so long! But

I assumed - and still do -
that the Commander-in-
Chief of a global war
knows how to get rid
of an old retired major.

It was very generous
of you to indulge me
in such a long, jagged,
old-fashioned and it -
and delectable war.
As a good reporter -
Herbert Gold said that
nature meant me to
be a journalist and
peradvice took me into

war - and I had reported I would
"Mafia" shall very occasionally in
my pleasure. The return office -
forwardly your messages to her. I
had a grand time - memorably so.
Frankly I can't find a major
reason to wave away your views.
Ever sincerely yours

Copy

~~July 1944~~
March 9, 1944

Dear Felix:

Thank you for the order of service in the White House. I am glad you were there and if I had ears to hear I should wish that I had been too.

Your interest in the origin of the prayers I share. Many of them, of course, are translations from the Latin, but in the first Book of Common Prayer in the reign of Edward VI there were comparatively few prayers. The earliest form of the Prayer for the King's Majesty is found in two little books from the press of Berthelet, who was the King's Printer at the end of the reign of Henry VIII and the beginning of Edward VI. I will have the prayer for Edward VI copied for you to compare with the prayer for the President and all others in authority. You will see how many phrases have been retained - and how beautiful they are - "Docest from thy throne beholde on the dwellers upon earth: with mooste lowly hertes we besache the, vouchsafe with favourable regard to behold * * * and so replenysse hym with the grace of thy holy spirite, that he alway incline to thy wil and walke in thy way * * * indue him plentifully with heavenly geftes. Grant him in health and welth long to live."

This morning I was talking with a man of God and I gave him the order of service and asked him to annotate it by giving the sources so far as he could, so that I might send it to you. If you can find another copy or two for me I should like them very much.

Ever yours

(signed) C. C. B.

F. D. I.

file
personal

BF Felix Frankfurter folder
3-44

March 17, 1944.

Dear Felix-

Here are three copies of the Order of the Service on March fourth. I am delighted that C. C. E. wants them.

That was a grand "back-hair afternoon" we had but we are both in the doghouse! Tully and Fa will never relent (until they get a good drink) with us.

As ever yours,

Honorable Felix Frankfurter,
Supreme Court of the United States,
Washington, D. C.

(Enclosures)

~~Felix Frankfurter~~
PSF

Supreme Court of the United States
Washington, D. C.

A.T.E.
What do you
think?

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

June 21, 1944

Dear Grace:

This morning the enclosed came from Signe Toksvig (Mrs. Francis Hackett) with the following explanation:

"I am enclosing an account I have written of a story the President told us the night you brought us to dinner at the White House, in the Spring of '39. I was deeply moved by it and wrote it into my diary the next day. The American Mercury seems to want to publish it, but I do not wish to do anything in that direction unless you think it would be all right. Everyone to whom I've ever told that story - even Roosevelt haters - finds it irresistible, and somehow representative of the man. I very much want it to be published. But I yield entirely to whatever your judgment may be."

Can you help me to advise Mrs. Hackett?

With cordial regards,

Yours very sincerely
Felix Frankfurter

Miss Grace Tully

JUSTICE

by

Signe Toksvig

Along with the cocktails the big man who was our host at a little dinner in his own house handed out a lot of easy persiflage. He brought it to the dinner table too - plain white linen cloth and plain white china - until one began to wonder if he could be serious. After all, he'd had the kind of life that he might have given us a real verbal sample of without being boring; he had travelled a lot, worked in the Navy, been in politics, knew men from top to bottom.

From poker jokes he ~~marked~~^{moved} up to twitting the lawyer guest about possibly having to take part in courts-martial; and he took a few good bites out of the kind of officials that sometimes are in charge of such trials, said how stupid they could be, how legally just and inhumanly unjust. Justice seemed to be a subject very close to his heart.

Then a sudden recollection sobered him. The mask of jokiness dropped, and you saw his real face, earnest and sensitive.

"I'll tell you a story about that," he said, "but I'll spare you the details of how I got hold of the facts. Some of them I got first hand, others I had to ferret out. But anyhow, this is the story:

"There was a young boy, not very bright, probably the child of 'poor white', who joined the Navy. He was assigned

to a ship where there was a large bully of a quartermaster. He was well known as a regular sadist. This man's eyes simply gleamed when he saw the new soft little fellow.

"Where you from?"

"Georgia."

"He got a cuff on the head. 'Georgia, sir!'"

"Georgia, sir!"

"I'll see to your education myself. Now you're going to be my slave."

"And the quartermaster explained in hair-raising detail what it meant to be his slave. Then he began to bully and torment and terrorize the lad in every way. The boy couldn't do anything to please him; he was kept up, overworked, beaten and beaten some more. The quartermaster's favorite remark was: 'I really don't know why I let you live! Why should a blank-blank creature like you be allowed to live? If I got rid of you I'd be doing the world a service.'

"One morning he said to the boy: 'Now I've made up my mind. Today's the end. There's absolutely no sense in letting you live. You report to me in the engine room at ten o'clock, and I'll put an end to your miserable, useless, blank-blank life. In plain words: I'll kill you.'

"The boy believed him. He had every reason to, still he started for the engine room at the time he had been told to.

"On the way down, he passed a small-arms chest. It was open. It shouldn't have been, of course. Strictly against the regulations. But it was, and the boy took out a revolver

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and slipped it under his jacket.

"In the engine room the quartermaster was standing, a huge towering hairy monster. He rolled up his sleeves -"

Here our host rolled up his own.

"-and then he advanced on the boy, saying: 'Now, now, I'll make an end of you.'

"The boy shot and killed him.

"For this he was condemned to death."

Our host sagged a little in his chair and the lines in his face deepened. Then he told us how through his connections he tried to get the authorities to see the case as it was, self-defence of a tortured youngster, strained beyond the breaking point.

But he only succeeded in getting the sentence commuted to life imprisonment. That haunted him, he couldn't forget it. During fifteen successive years he tried to get each new Secretary of the Navy to pardon the boy.

"One of them was my close friend, and they all knew I had really gone into the case, but I got only stereotyped, conventional answers from them. They said they could see no reason for reversing the decision of the court, etc."

"And then I became President. On the third day after I'd taken the oath, I pardoned that boy."

Franklin D. Roosevelt, who had been assistant secretary of the Navy when the boy was condemned to death, and who had looked into the case while the Secretary was in South America,

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-4-

looked radiantly at his quiet guests. He had told the story with simple intensity and without the least straining for effect. The joy with which he glowed at the end was because he had been able to be an instrument of real justice and of help to the helpless.

One guest looked down at the plain white china and saw that it wasn't plain.

It bore the arms of the United States.

Anecdotes (P.S.K.) folder 3-44

THE WHITE HOUSE
WASHINGTON

June 29, 1944.

FILE MEMO:

I read Mr. Early's memorandum to Justice Frankfurter and he was very impressed with it but he said it was too "highbrow" and he hoped when he got on the Supreme Court (meaning S.T.E.) he would not use any \$65.00 words but would just say "can it" to the writer. The Justice said he would tell Mrs. Hackett just that.

GGT

THE WHITE HOUSE
WASHINGTON

June 28, 1944

MEMORANDUM FOR MISS TULLY:

I think you might tell Felix that Mrs. Hackett will have to use her own judgment -- that we cannot give permission for the publication of anything the President says or does at the dinner table or when he is in the living quarters of the White House. There he is "off-the-record" and his guests ordinarily do not record what he says or does.

This story is most unusual in that it directly quotes the President telling a story in the privacy of his home. Should the story ever be published, I think it should clearly state that it was told in the Spring of 1939 -- in the White House and not, as the first sentence of the manuscript says, "in his own house."

I think it is very probable, also, that if this story is published, particularly in war time when several million boys have lately been taken from their homes for service in the Navy, that part about the "bully" quartermaster would be wrongly interpreted by many fathers and mothers at home who would not understand. Furthermore, insofar as I know, the court martial system in the Navy today is about the same as when the boy from Georgia was sentenced to death. That also might give rise to a trouble-making controversy about justice to men in the Armed Forces -- the Navy in particular.

S. T. E.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

Supreme Court of the United States
Washington, D. C.

PSF

Frankfurter file 3-44
New Milford, Conn.

July 10, 1944

Dear Frank:

After my recent talk with you it occurred to me that, if by chance it should not be possible for you to see Professor Niels Bohr, you might like to have on paper the direction of his thoughts, in so far as there could be put on paper. Here is the memorandum which he wrote exclusively for this use by me. Indeed, as I told you, he has not spoken to a soul about these aspects of the matter to anyone except me on this side of the ocean - not even to the Danish Minister, whose guest he is. The memorandum is in his able but quaint English, and of course couched in the most abstract language for security reasons. Not even I have made a

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Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

copy of the memorandum.

Since leaving Washington I have learned that Professor Boh's stay here has been extended. He will be in Washington through Saturday, July 15.

But I hope that you won't have to stew in that Hell's Hole. Holmes used to speak of the "peculiar" heat of Washington. It sure is "peculiar".

From all that one can gather from the press, the visit of Lord & MacClemoreau came off well. And what grand news from the front!

Take care of yourself! Warmest and affectionate regards
Ever yours
F.F.

July 3rd 1944.

MEMORANDUM.

The project of releasing, to an unprecedented scale, the energy bound in matter is based on the remarkable development of physical science in our century which has given us the first real insight in the interior structure of the atom.

This development has taught us that each atom consists of a cluster of electrified corpuscles, the so-called electrons, held together by the attraction from a nucleus which, although it contains practically the whole mass of the atom, has a size extremely small compared with the extension of the electron cluster.

By contributions of physicists from nearly every part of the world, the problems of the electron configuration within the atom were in the course of relatively few years most successfully explored and led above all to a clarification of the relationship between the elements as regards their ordinary physical and chemical properties.

In fact all properties of matter like hardness of materials, electric conductivity and chemical affinities, which through the ages have been exploited for technical developments to an ever increasing extent, are determined only by the electronic configuration and are practically independent of the intrinsic structure of the nucleus.

This simplicity has its root in the circumstance that by exposure of materials to ordinary physical or chemical agencies, any change in the atomic constitution is confined to distortion or disrapture of the electron cluster while the atomic nuclei are left entirely unchanged.

The stability of the nuclei under such conditions is in fact the basis for the doctrine of the immutability of the elements which for so long has been a fundament for physics and chemistry. A whole new epoc of science was therefore initiated by the discovery that it is possible by special agencies, like the high speed particles emitted by Radium, to produce disintegrations of the atomic nuclei themselves and thereby to transform one element into another.

The closer study of the new phenomena revealed characteristic features which differ most markedly from the properties of matter hitherto known, and above all it was found that nuclear transmutions may be accompanied by an energy release per atom millions of

times larger than the energy exchanged in the most violent chemical reactions.

Although at that stage no ways were yet open of releasing for practical purposes the enormous energy stored in the nuclei of atoms, an immediate clue was obtained to the origin of the so far quite unknown energy sources present in the interior of the stars, and in particular it became possible to explain how our sun has been able through billions of years to emit the powerful radiation upon which all organic life on the earth is dependant.

The rapid exploration of this novel field of research in which international co-operation has again been most fruitful led within the last decenniums to a number of important discoveries regarding the intrinsic properties of atomic nuclei and especially revealed the existence of a non-electrified nuclear constituent, the so-called neutron, which when set free is a particularly active reagens in producing nuclear transmutations.

The actual impetus to the present project was the discovery made in the last year before the war, that the nuclei of the heaviest elements like Uranium by neutron bombardment, in the so-called fission process, may split in fragments ejected with enormous energies, and that this process is accompanied by the release of further neutrons which may themselves effect the splitting of other heavy nuclei.

This discovery indicated for the first time the possibility, through propagation, of nuclear disintegrations from atom to atom, to obtain a new kind of combustion of matter with immense energy yield. In fact a complete nuclear combustion of heavy materials would release an energy 100.000.000 times larger than obtainable by the same amount of chemical explosives.

This prospect not only at once attracted the most wide-spread interest among physicists, but of its appeal to the imagination of larger circles I have vivid recollections from my stay in U.S.A. in the spring of 1939 where, as guest of the Institute of Advanced Studies in Princeton, I had the pleasure to participate together with American colleagues in investigations on the mechanism of the fission process.

Such investigations revealed that among the substances present in natural ores, only a certain modification of Uranium fulfils the conditions for nuclear combustion. Since this active substance always occurs mixed with a more abundant, inactive Uranium modification, it was therefore realized that in order to produce devastating explosives, it would be necessary to subject the available materials to a treatment of an extremely refined and elaborate character.

The recognition that the accomplishment of the project would thus require an immense technical effort, which might even prove impracticable, was at that time, not least in view of the imminent threat of military aggression, considered as a great comfort since it would surely prevent any nation from staging a surprise attack with such super weapons.

Any progress on nuclear problems achieved before the war was, of course, common knowledge to physicists all over the world, but after the outbreak of hostilities no further information has been made public, and efforts to exploit nuclear energy sources have been kept as military secrets.

During my stay in Denmark under the German occupation nothing was therefore known to me about the great enterprise in America and England. It was, however, possible, due to connections originating from regular visits of German physicists to the Institute for Theoretical Physics in Copenhagen in the years between the wars, rather closely to follow the work on such lines which from the very beginning of the war was organized by the German Government.

Although thorough preparations were made by a most energetic scientific effort, disposing of expert knowledge and considerable material resources, it appeared from all information available to us, that at any rate in the initial for Germany so favourable stages of the war it was never by the Government deemed worth while to attempt the immense and hazardous technical enterprise which an accomplishment of the project would require.

Immediately after my escape to Sweden in October 1943, I came on an invitation of the British Government to England where I was taken into confidence about the great progress achieved in America and went shortly afterwards together with a number of British colleagues to U.S.A. to take part in the work. In order, however, to conceal my connection with any such enterprise, post-war planning of international scientific co-operation was given as the object of my journey.

Already in Denmark I had been in secret connection with the British Intelligence Service, and more recently I have had the opportunity with American and British Intelligence Officers to discuss the latest information, pointing to a feverish German activity on nuclear problems. In this connection it must above all be realized that if any knowledge of the progress of the work in America should have reached Germany, it may have caused the Government to reconsider the possibilities and will not least have presented the physicists and technical experts with an extreme challenge.

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Definite information of preparations elsewhere is hardly available, but an interest within the Soviet Union for the project may perhaps be indicated by a letter which I have received from a prominent Russian physicist with whom I had formed a personal friendship during his many years stay in England and whom I visited in Moscow a few years before the war, to take part in scientific conferences.

This letter contained an official invitation to come to Moscow to join in scientific work with Russian colleagues who, as I was told, in the initial stages of the war were fully occupied with technical problems of immediate importance for the defense of their country, but now had the opportunity to devote themselves to scientific research of more general character. No reference was made to any special subject, but from pre-war work of Russian physicists it is natural to assume that nuclear problems will be in the center of interest.

The letter, originally sent to Sweden in October 1943, was on my recent visit to London handed to me by the Counsellor of the Soviet Embassy who in a most encouraging manner stressed the promises for the future understanding between nations entailed in scientific collaboration. Although, of course, the project was not mentioned in this conversation I got nevertheless the impression that the Soviet Officials were very interested in the effort in America about the success of which some rumours may have reached the Soviet Union.

Even if every physicist was prepared that some day the prospects created by modern researches would materialize, it was a revelation to me to learn about the courage and foresight with which the great American and British enterprise had been undertaken and about the advanced stage the work had already reached.

What until a few years ago might have been considered a fantastic dream is at the moment being realized in great laboratories erected for secrecy in some of the most solitary regions of the States. There a group of physicists larger than ever before assembled for a single purpose, and working hand in hand with a whole army of engineers and technicians are producing new materials capable of enormous energy release and developing ingenious devices for their most effective use.

To everyone who is given the opportunity for himself to see the refined laboratory equipment and the huge production machinery

Ever since the possibilities of releasing atomic energy on a vast scale came in sight, much thought has naturally been given to the question of control, but the further the exploration of the scientific problems concerned is proceeding, the clearer it becomes that no kind of customary measures will suffice for this purpose and that, especially the terrifying prospect of a future competition between nations about a weapon of such formidable character can only be avoided through a universal agreement in true confidence.

In this connection it is above all significant that the enterprise, immense as it is, has still proved far smaller than might have been anticipated and that the progress of the work has continually revealed new possibilities for facilitating the production of the active materials and of intensifying their effects.

The prevention of a competition prepared in secrecy will therefore demand such concessions regarding exchange of information and openness about industrial efforts including military preparations as would hardly be conceivable unless at the same time all partners were assured of a compensating guarantee of common security against dangers of unprecedented acuteness.

The establishment of effective control measures will of course involve intricate technical and administrative problems, but the main point of the argument is that the accomplishment of the project would not only seem to necessitate but should also, due to the urgency of mutual confidence, facilitate a new approach to the problem of international relationship.

The present moment where almost all nations are entangled in a deadly struggle for freedom and humanity might at first sight seem most unsuited for any committing arrangement concerning the project. Not only have the aggressive powers still great military strength, although their original plans of world domination have been frustrated and it seems certain that they must ultimately surrender, but even when this happens, the nations united against aggression may face grave causes of disagreement due to conflicting attitudes towards social and economic problems.

By a closer consideration, however, it would appear that the potentialities of the project as a means of inspiring confidence just under these circumstances acquire most actual importance. Moreover the momentary situation would in various respects seem to afford quite unique possibilities which might be forfeited by a postponement awaiting the further development of the war situation and the final completion of the new weapon.

Although there can hardly be any doubt that the American and British enterprise is at a more advanced stage than any similar

undertaking elsewhere, one must be prepared that a competition in the near future may become a serious reality. In fact, as already indicated, it seems likely that preparations, possibly urged on by rumours about the progress in America, are being speeded up in Germany and may even be under way in the Soviet Union.

Further it must be realized that the final defeat of Germany will not only release immense resources for a full scale effort within the Soviet Union, but will presumably also place all scientific knowledge and technical experience collected in Germany at the disposal for such an effort.

In view of these eventualities the present situation would seem to offer a most favourable opportunity for an early initiative from the side which by good fortune has achieved a lead in the efforts of mastering mighty forces of nature hitherto beyond human reach.

Without impeding the importance of the project for immediate military objectives, an initiative, aiming at forestalling a fateful competition about the formidable weapon, should serve to uproot any cause of distrust between the powers on whose harmonious collaboration the fate of coming generations will depend.

Indeed, it would appear that only when the question is taken up among the United Nations of what concessions the various powers are prepared to make as their contribution to an adequate control arrangement, it will be possible for anyone of the partners to assure themselves of the sincerity of the intentions of the others.

Of course, the responsible statesmen alone can have the insight in the actual political possibilities. It would, however, seem most fortunate that the expectations for a future harmonious international co-operation which have found unanimous expression from all sides within the United Nations, so remarkably correspond to the unique opportunities which, unknown to the public, have been created by the advancement of science.

Many reasons, indeed, would seem to justify the conviction that an approach with the object of establishing common security from ominous menaces without excluding any nation from participating in the promising industrial development which the accomplishment of the project entails will be welcomed, and be responded with a loyal co-operation on the enforcement of the necessary far reaching control measures.

Just in such respects helpful support may perhaps be afforded by the world wide scientific collaboration which for years has embodied such bright promises for common human striving. On this background personal connections between scientists of different nations might even offer means of establishing preliminary and non-committal contact.

It needs hardly be added that any such remark or suggestion implies no underrating of the difficulty and delicacy of the steps to be taken by the statesmen in order to obtain an arrangement satisfactory to all concerned, but aim only at pointing to some aspects of the situation which may facilitate endeavours to turn the project to lasting advantage for the common cause.

Should such endeavours be successful, the project will surely have brought about a turning point in history and this wonderful adventure will stand as a symbol of the benefit to mankind which science can offer when handled in a truly human spirit.

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file
Bismarck

Supreme Court of the United States
Washington, D. C.

Frankfurter for an
Hewitt H. Ford, Clerk

July 17/44

BF

Dear Frank:

Probably no letter you
ever wrote, unless I am
greatly mistaken, pulled
you up more by the roots
than your letter to Han-
delman. No letter, in any
event, ever spoke more
eloquently - with the
eloquence of unadorned
sincerity. When, in the
fulness of time, you
will return to your
congenial home on the
Hudson, you will do

so, because of this, Haun-
gan letter, with that
ultimate satisfaction
of duty fulfilled in
complete disregard of
personal preference.

With every good wish,
Affectionately,
Zinn

~~Supreme Court~~
Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

file
preserved
Frankfurter fedu 3-44
1511-30 (Sheet)
September 27
1944
PSF

Dear Zack:

Here is a letter from my
Soviet friend.

From many long talks with him
I gather that there are three solid
reasons for believing that knowledge
of the pursuit of our project can
hardly be kept from Russia:

- (1) they have very eminent scientists,
particularly Peter Kapitzka, en-
tirely familiar through past
experience with these problems;
- (2) some leakage, even if not of
results and methods, must in-
evitably have trickled to Russia;
- (3) Germans have been similarly
busy, and knowledge of their
endeavors will soon be open
to the Russians. Therefore, to

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Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
JUSTICE FELIX FRANKFURTER

open the subject with Russia, without
of course making essential dis-
closures before effective safe-
guards and sanctions have been
secured and assured, would not
be giving them anything they
do not already - or soon will -
substantially have.

In a word, the argument is
that appropriate candor would
risk very little. Withholding, on
the other hand, might have grave con-
sequences. There may be answers
to these considerations. I venture
to believe, having thought a good
deal about it that in any event,
~~they~~ these questions are very serious.
My very best wishes for success-
ful days in the future are immediately ahead.
Affectionately yours
FF

Frankfurter papers 3-84
Supreme Court of the United States.

Memorandum.

~~_____~~

W.C. Sullivan
JCS

BF

3 Oct '44

Please, Dear Grace -
and I hope you
had a pleasant
and not wholly
hot summer with
very cordially
FT

October 2, 1944

Supreme Court of the United States
Washington, D. C.

Dear Faulk:

Since even you agree that your ^{transcript} was a political speech, I can't tell you what I think of it. I'm not even sure that I can ask you to tell Fella how deeply I share your resentment on his behalf.

But not even my most judicial mood is able to suppress my feelings

of affectionate regards
and good wishes —
and Marion says she
ain't got us no personal
letter. Ever yours
ET.

~~July 20~~ 29. 4/13

1. Supreme Court of the United States.

Memorandum.

PSF Frankfurt, 194

hurry, you will
find this a very
interesting item -
that is, if you
ain't heard it
before!

contained an article by Herbert F. Schwarz, '04, Lt. Comdr. Harry L. Hilton, who was retired from the Civil Engineer Corps, U. S. Navy, on August 1, 1940, having attained the statutory retirement age, has been recalled to active duty at the Naval Operating Base, San Diego, Cal.

On November 5 Franklin D. Roosevelt, LL.D. (Hon.) '29, was elected President of the United States for a third successive term.

1905

"John Hull, a Builder of the Bay Colony" is the title of a book written by Hermann F. Clarke and published by the Southworth-Anthoensen Press, Portland, in a \$10 limited edition. From a note by the publisher: "John Hull was born in England and emigrated to the Massachusetts Bay Colony with his parents when he was a boy eleven years of age. The family landed at the Towne of Boston, November 7, 1635. . . Hull was the initiator of the art of the silversmith in the New England colonies and throughout his life referred to himself as a 'goldsmith.' He was an active participant, however, in the commercial and political life of the Colony during the last thirty years of its existence and his death came only a few months before the Colonial Charter was vacated. He was one of the most active and successful merchants of his day, and when it became necessary for the Colony to create its own coinage John Hull was appointed mint-master. Always vitally interested in the well-being of the Colony he constantly held some public office, and during the trying days of King Phillip's War, acting as Treasurer of the Colony, he personally guaranteed its credit. The author, a student of the history of the Massachusetts Bay Colony and a recognized connoisseur of the craft of the colonial silversmiths, has written 'John Coney, Silversmith' and, in collaboration with Rev. Henry Wilder Foote ['97, A.M. '00, S.T.B. '02], 'Jeremiah Dummer, Colonial Craftsman and Merchant.'"

1906

A new book by Arthur N. Holcombe, Ph.D. '09, Professor of Government at Harvard, has been published by the Harvard University Press under the title "The Middle Classes in American Politics." It is described as "a study of the characteristics of the American way in politics and the means of preserving them, and a discussion of the economic bases of national politics and the part played by the middle classes in the formation of the Constitution."

Clairborne Pell, son of Herbert C. Pell, American minister to Portugal, left by Clipper on October 24 to join his father as a secretary in the American Legation in Lisbon. The son has recently been a student at Princeton University.

1907

Hermann Hagedorn is the author of "The Bugle that Woke America—The Saga of Theodore Roosevelt's last Battle for his Country," published in October.

Jerome Tanenbaum has changed his home address from 146 to 145 Central Park West, New York City.

C. Oliver Wellington has been elected president of the American Institute of Accountants, the national body of certified public accountants. He has been senior partner in the firm of Scovell, Wellington & Co., New York City, since the death in 1926 of Clinton H. Scovell, '03.

Orme Wilson, formerly counselor of the U. S. Embassy in Brussels, Belgium, left Brussels on July 18, 1940, when the Embassy was withdrawn from that city, and returned to the United States after a journey through Belgium, Germany, Switzerland, France, Spain, and Portugal. He is now on duty in the Department of State in Washington.

1908

Herbert F. Miller, Jr., is a consulting foundry engineer. His address: Box 5741, Cleveland, Ohio.

George R. Minot, M.D. '12, S.D. (Hon.) '28, Professor of Medicine at the Harvard Medical School, took part in the 6th annual symposium of the Duke University School of Medicine and Duke University, held from October 31 to November 2. Dr. Minot discussed "Some Aspects of Iron Deficiency Anemia and Pernicious Anemia."

Bert M. Nussbaum, vice-president of the advertising agency of Lambert & Feasley, New York, has been appointed by Sir Evelyn Wrench of London, head of the Overseas League, to direct the American fund-raising campaign for the Tobacco Fund of the League. The money raised is used to supply the men in the British war services with cigarettes and smoking tobacco.

Dwight N. Robinson, A.M. '09, Ph.D. '11, head of the Department of Latin and Greek at Ohio Wesleyan University, addressed the Ohio Poetry Society at Columbus on October 18, the occasion being the annual celebration of Ohio Poetry Day. His subject: "Canullus, Singer of Sirmio."

John Hall Wheelock was married at Franktown, Nev., August 25, 1940, to Phyllis de Kay Bury, daughter of Mrs. Charles de Kay.

Edward Wigglesworth, A.M. '09, Ph.D. '17, of Topsfield has been elected president of the Essex Agricultural Society, which sponsors the annual Topsfield Fair.

1909

Roger Adams, A.M. '10, Ph.D. '12, Professor of Organic Chemistry at the University of Illinois and formerly president of the American Chemical Society, contributed to the August 9 number of *Science* an article entitled "Marihuana." In his introductory sentence he says that the term "marihuana" is commonly used to represent any part of the hemp plant or extract therefrom which induces somatic and psychic changes in man.

Rev. Norman B. Nash, Rector of St. Paul's School, Concord, has been elected vice-president of the New Hampshire Association of Private Schools.

William G. Roelker, A.M. '39, of East Greenwich, R. I., has been appointed librarian of the

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~~Postage~~

BF Frankfurt from 2-48

December 22, 1948

Dear Felix:

My warmest thanks for that great letter.

It means more to me than I can express in words.

Bring good wish to you and Marion.

As ever yours,

"7. D. R."

Benjamin Felix Frankfurter,
Associate Justice of the Supreme Court
of the United States,
Washington, D. C.

Supreme Court of the United States
Washington, D. C.

The President

*Kindness of
Grace.*

Supreme Court of the United States.
Memorandum.

-----, 194

Dear Grace -

Please -
and thank you!
H.

3018 Sumberton Ave.
— (Nov. 14, 1944)
Tuesday, 11:30 night

Supreme Court of the United States
Washington, D. C.

Frank R. [unclear]
P

Dear Frank:

Precisely a week ago -
Election Day 1944 midnight -
we drank your Health in fizz
water, as Halsted used to call
it, worthy of the occasion. For
of course, the happy outcome
of the Great Referendum, gave
Marion and me status on
your own personal account.

But as day by day the elec-
tion gains the perspective of
history, the scale of its sig-
nificance becomes clearer and
greater. By their extraordinary

discriminating judgments, the
American people in the various
states vindicated on the whole
as never before, I believe, in
our life-time faith in the
democratic faith that self-
sacrifice and Lincoln and you
symbolize. And the American
people averted a mean threat
to the forward march of the
world.

Marion and I send you
our affectionate good wishes.

Love yours
Rui K. Anderson

Supreme Court of the United States

Memorandum

PSF Frankfurter, 194

Re: Race [1945?]

The President
will, I am sure
approve of this new
organization -
and may be glad to
take some interest
to see about it.
Yours
fr

WAACS, WAVES, AND . . .

And the WAITS. This is a new War Auxiliary initiated by an occasional member of our congregation. The honorable position of Chaplain has been offered to me—to cover only my odd moments, I trust—and so I here-with publish information about the Corps. If by reason of age, health or any circumstance you are unable to undertake regular War Work, you are eligible to become a member of the WAITS. These letters stand for Willing American Individual Tedious Service.

Willing American—because obviously every true American is now willing. Individual—because members of the Corps are not under external orders, but faithfully carry on according to their own consciences. Tedious Service—because all work done alone for the duration becomes tedious; and it must be borne in mind that, as the colored man put it: "Looks as if this duration is longer than the War".

The Work of the Corps is mainly self-chosen, but must include these duties:—Keep Well, and try not to use the precious time of doctors and nurses. Keep Cheerful, and, even if you do not feel very well, avoid letting your feelings fall as a dead weight on others. Keep Watch—serving your Country on the Home Front.

The Uniform is a Smile. This is not as scanty as it sounds. It is not one of those scandalously thin, meagre, worn smiles. It is a broad Smile, full with humor, with ability to laugh at oneself and with understanding large enough to spread cheer to others. The Slogan is "They also serve who only stand and WAIT".

It is expected that the first big rush for membership will be from women over sixty; but special consideration will be given to men as WAITERS, and to prospective Mothers as JUNIOR WAITS. So do not feel useless any longer. JOIN THE WAITS—without Government Expense. I shall be pleased to forward applications or suggestions to the self-appointed Commander of the Corps.

VIVIAN T. POMEROY.

104

300

file
personal

~~1511~~ ^{Franklin}
SF FF

1511 THIRTIETH STREET

[1945?]

Dear Mr. President,

I was very moved
by your note, and touched
that you and Mrs. Roosevelt
should think of me at this

Time with such loving kindness
and understanding. My gratitude
to you both.

Ever affectionately

Maxine Frankfurter

Thursday

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~~copy file~~
file personal [1945?] FF.
15th 30th St.

PSF Frankfurter

Dear Mr. President,

I want to
thank you again for
the week-end. ST
is always a great

and particularly please
to see you, at
Saturday's party, and
altogether a very
congenial one.

Affectionately yours,

Phyllis Finlayson

~~Handwritten~~ F. Frankfurter
BF

4-45

PIE

FELIX FRANKFURTER
~~CAMBRIDGE MASS~~
3018 Dumbarton Avenue

March 17, 1945

Dear Mr. President:

As you well know, there is a peculiar quality to the Washington grapevine and so it works its way even through the marble walls of the Supreme Court. If it be true, as the rumor goes, that there is a deadlock about a new Solicitor General, or at least that different people are pulling in different directions, you may care to know what follows.

In the first place, no new man could take hold of the major functions of a Solicitor General at this Term. There are only three weeks of argument left and I assume that the preparation for the argument in all the cases to come must be well underway and to no small degree completed.

Secondly, the great, even if undramatic, importance of the Solicitor General's functions could not possibly be better served than Charlie Fahy serves them. And certainly never before has that office required greater powers of wise judgment and skillful advocacy than will be required in the next few years. Not only vast interests of money, running into the billions, but all the other great issues that the war and its aftermath will bring into the courts, are at stake.

Thirdly, only on the assumption that there is to be a change and that the matter is entirely open, I should like you to know that I have a good hunch that, while Dean Acheson is not likely to remain in the Government many more months, he probably could be persuaded to stay on as Solicitor General. He has been under considerable pressure to go back to his firm because both Ned Burling and George Rublee are past seventy-five

RECEIVED
FELIX FRANKFURTER
MAY 19 1955

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4-45

FELIX FRANKFURTER
~~CAMBRIDGE MASS~~

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and the demand for Dean to take over the chief burden is, I need hardly say, considerable. And so I would not be at all surprised if, one of these days, he felt it his duty to respond to that call. On the other hand, he is so predominantly a lawyer that the Solicitor General's office would make a great appeal to him. He has the respect and confidence of the Court, he is an admirable advocate and he would bring altogether distinguished equipment to the post. He would favorably compare with some of the great figures who have held that office in the past.

Dean and Francis are warm friends and Francis, I know, has great admiration for him. But you know how humorlessly sensitive Francis is about his sovereignty, and it will do nothin' good to nobody for Francis to feel that I was butting into his prerogatives. But I thought you ought to know what I have written.

Faithfully yours,

W. F.

The President

P.S. Of course no one - neither Dean nor anyone else - knows about this letter.

CONFIDENTIAL

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THE WHITE HOUSE
WASHINGTON

PRIVATE

March 20, 1945.

MEMORANDUM FOR

THE ATTORNEY GENERAL

I understand that there are only a few weeks left for arguments before this term of the Supreme Court and that the briefs, etc., and arguments have all been parceled out to members of the Solicitor General's staff.

I hear a rumor that Dean Acheson feels he ought to go back sometime soon to his firm, as Ned Burling and George Rublee are past seventy-five years old.

What would you think of Dean for Solicitor General? He would have the definite liking of the Court.

F.D.R.

(copy of this memo filed - 7. Middle folder, 2-45)

PAID 50¢

WASHINGTON
THE WHITE HOUSE

Supreme Court folder
4-45

March 20, 1945.

Dear Felix-

I have today sent a memorandum to Francis, copy of which I enclose, and I wholly left you out. I still think you have a good idea.

As ever yours,

Honorable Felix Frankfurter,
3018 Dumbarton Avenue,
Washington, D. C.

(Enclosure)