

*Law School of Harvard University,  
Cambridge, Mass.*

January 9, 1935

Dear Stone:

I have just read your dissent in the Dimick case and I have to check consciously the enthusiasm which it has aroused in me lest, if I were to say what I felt, I should offend too much your feeling of modesty. It will without question find its place among the most notable opinions that have come from the Court in recent years. The difference between the majority and the minority shows, as these differences so often imply, a fundamental difference of philosophy toward the law. You prove with eloquence and power that when law is a mean and narrow thing it has been made so by its interpreters. Your opinion shows admirably that procedural provisions embodied in the Constitution express a process of history and do not merely register ephemeral temporal limitations. I congratulate you heartily, if I may, on your superb blend of scholarship and statesmanlike application "of a great instrument of government."

Very sincerely yours,

Felix Frankfurter

Hon. Harlan F. Stone

*Really, ready –  
Roberts ought not to have been with  
the obscure artists.*