

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

February 19, 1935

Dear Stone:

May I say “them’s my sentiments” to your separate opinion? I wish that you had spoken for the Court in the Perry case. But since that was not to be, we are all your debtors that this time you did not forgo your views but expressed them.

As for the diatribe of McReynolds, J., I suppose that the poor fellow doesn’t know that his kind of stuff does more to undermine public respect for the Constitution and for the Court than all the soap-box oratory of the demagogues. If he would recall history he would know that the constitution had been “dead” for one hundred years. Story, as you are the last person to be reminded, delivered several funeral orations upon it after Taney’s accession.

Well, I am glad these cases are out of the way for the country was extraordinarily jittery about them. Incidentally I cannot help wondering what the communiques, on the two successive weeks about not rendering decisions, were intended to accomplish. I hope they will not serve to establish themselves as precedents to plague your Court.

With warm regards,

Always yours,

F.F.

Hon. Harlan F. Stone