

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

14 January 1936.

Honorable Harlan F. Stone,  
1929 24th Street, N.W.,  
Washington, D. C.

Dear Mr. Justice:

I have taken the liberty of sending you under separate cover a copy of my book on Spendthrift Trusts which has just made its appearance. I am afraid that this is not quite as exciting a topic as processing taxes but I have found it interesting at any rate. In view of your interest in the general field of Trusts, I thought you might care to have a copy of the book. I hope you won't find too many flaws in it if you have occasion to use it.

As for processing taxes and such more important matters, I find myself both desolate and speechless. It seems to me that this nation cannot continue with powers so narrowly circumscribed as the majority now says they are. I would much rather have developed those powers within the framework of the present Constitution than take the risk of amendments enlarging those powers along any one of several possible lines. Fortunately, time heals many wounds. We are all greatly indebted to your dissenting opinion, and the knowledge that such dissents very often represent the doctrine of the court before long is somewhat comforting.

The logic of the rice tax case is rather hard to follow, though I don't particularly object to the result. I have recently found time to read the Colgate case with care. It seems even more dangerous in its potentialities than the Butler case.

Very truly yours,

Erwin N. Griswold