

## Happy Birthday, FF (1952)

*John Q. Barrett\**

Copyright © 2012 by John Q. Barrett.  
All rights reserved.

On this date in 1882, Felix Frankfurter was born in Vienna, Austria. Twelve years later, he and his family emigrated to New York City. Young Felix soon learned English. He excelled in school, read voraciously, hung out at Cooper Union, graduated from City College, graduated from Harvard Law School, became a lawyer, served as a federal prosecutor and in government offices in Washington, joined the Harvard Law School faculty, taught thousands, became a leading American legal academic, wrote widely for law specialists and for the general public, helped found the American Civil Liberties Union, advised and assisted numerous political candidates and public officials....

In June 1935, U.S. Treasury Department official Robert H. Jackson met Professor Frankfurter for the first time.<sup>1</sup> They were participating in a White House meeting about national tax policy. Frankfurter, an active presidential advisor, also was President Franklin D. Roosevelt's houseguest.

That Frankfurter-Jackson acquaintance developed, through continuing contacts and work together, into a deep friendship. In January 1939, Jackson and others aggressively, successfully urged President Roosevelt to nominate Frankfurter to succeed Justice Benjamin Cardozo—who in 1919 had officiated at Frankfurter's marriage to Marion Denman<sup>2</sup>—on the Supreme Court of the United States.

---

\* Professor of Law, St. John's University School of Law, New York City, and Elizabeth S. Lenna Fellow, Robert H. Jackson Center, Jamestown, New York ([www.roberthjackson.org](http://www.roberthjackson.org)). I emailed an earlier version of this essay to my Jackson List on November 15, 2012. I thank Brad Snyder for reminding me on that day that it was Justice Frankfurter's 130<sup>th</sup> birthday.

For an archive of selected Jackson List posts, many of which have document images attached, visit [www.stjohns.edu/academics/graduate/law/faculty/profiles/Barrett/JacksonList.sju](http://www.stjohns.edu/academics/graduate/law/faculty/profiles/Barrett/JacksonList.sju).

To subscribe to the Jackson List, which does not display recipient identities or distribute their email addresses, send "subscribe" to [barrettj@stjohns.edu](mailto:barrettj@stjohns.edu).

<sup>1</sup> See ROBERT H. JACKSON, THAT MAN: AN INSIDER'S PORTRAIT OF FRANKLIN D. ROOSEVELT 128 (John Q. Barrett, ed., 2003).

<sup>2</sup> See LIVA BAKER, FELIX FRANKFURTER 89 (1969) (identifying the wedding date as Saturday, December 20, 1919); MICHAEL E. PARRISH, FELIX FRANKFURTER & HIS TIMES: THE REFORM YEARS 123 (1982); GERALD GUNTHER, LEARNED HAND: THE MAN & THE JUDGE 359 n.\* (1994). Cardozo, who in 1919 was an Associate Judge of the New York Court of Appeals and thus authorized to

In summer 1941, FDR nominated Attorney General Jackson to the Supreme Court. He was confirmed, joining Frankfurter on the bench for the entirety of Jackson's judicial career.

\* \* \*

In late September 1952, Justice Jackson's daughter was married in a family ceremony at St. John's Episcopal Church in McLean, Virginia.<sup>3</sup> That afternoon, Bob and Irene Jackson hosted 400 guests at a reception nearby, at their Hickory Hill home. Jackson's colleagues, the Justices of the Supreme Court, gave the couple an engraved silver tray as a wedding present.

Some weeks later, apparently on or just after Justice Frankfurter's birthday, Jackson's daughter penned a thank you letter:

My dear Mr. Justice Frankfurter—

At a time like this I wish I were so blessed with the literary talents of a Supreme Court Justice that I could say the same thing in eight different ways (!?) but, being only an ordinary human being I can only say to you what I am also saying to your colleagues, which is thank you so very much for your magnificent gift to Bowdoin and me.

It was such a really generous and thoughtful idea to pool your resources and give us a gift which is not only far beyond what we would ever buy for ourselves, but, because of the very sweet expression engraved on the back, a real collector's item. We shall always honor and treasure our "Supreme Court" tray and we do thank you all from the bottom of our hearts.

---

perform marriages in New York State, conducted the ceremony in the New York City judicial chambers of United States District Judge Learned Hand, another Frankfurter friend. *See id.*

In addition to Justice Cardozo and Judge Hand, the wedding witnesses reportedly included Frankfurter's friend Harold Laski (perhaps serving as Felix's legally-required witness; it appears that Hand served as Marion's witness), who in 1919 was a fellow Harvard University faculty member. *Cf.* Letter from Harold J. Laski to Justice Oliver Wendell Holmes, Dec. 22, 1919 ("Felix is married"), in 1 HOLMES-LASKI LETTERS: THE CORRESPONDENCE OF MR. JUSTICE HOLMES & HAROLD J. LASKI 1916-1935 at 227, 228 (Mark DeWolfe Howe, ed., 1953).

<sup>3</sup> *See Weddings: Mary Jackson Loftus—G. Bowdoin Craighill, Jr.*, WASH. POST, Sept. 29, 1952, at 18.

---

*HAPPY BIRTHDAY, FF (1952)*

---

We send our very best wishes to you and Mrs. Frankfurter and our sincere hope that this will be a happy, healthy and successful year for the Supreme Court.

Sincerely yours,

Mary Jackson Craighill

P.S. Happy Birthday to you and congratulations on having survived 70 years worth of life's little obstacles (and big, too!) Daddy tells me there are at least 70 colors in your new sweater! MJC<sup>4</sup>

---

<sup>4</sup> Letter from Mary Jackson Craighill to Justice Felix Frankfurter, n.d. (approx. Nov. 15, 1952), *in* Felix Frankfurter Papers, Library of Congress, Manuscript Division, Washington, D.C., Box 42, Folder "General Correspondence 'C' misc. Cr."

For a 1941 black-and-white photograph of Justice Frankfurter wearing what obviously was another colorful sweater, see the following, copied from the back of the dust jacket on JOSEPH P. LASH, *FROM THE DIARIES OF FELIX FRANKFURTER* (1975).



*Justice Felix Frankfurter (in a striped sweater) arriving in 1941 to lecture at a student leadership institute organized by Joseph P. Lash (with a pile of books). Talking with Justice Frankfurter is William A. Neilson, President-Emeritus of Smith College, who directed the institute, and Mrs. Roosevelt, who together with the president gave the institute the use of their Campobello house.*