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## Letters to the Editor

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*v. Lydick*<sup>14</sup> is equally unambiguous. The courts in these cases simply denied the power of the testator to so hamper the judiciary.

It is inescapable that the decision in the *Hirshorn* case results in requiring less positive language that the testator intended to grant discretionary powers to his executor than precedents previously have required. It is noteworthy that nowhere in the *Hirshorn* will were the duties of the executor likened to those of an *umpire*, *arbitrator*, or a *judge*. Nowhere in the will is there indication that determinations of the executor are to be *final*, *discretionary*, or *binding*.

The law of Colorado as represented by the *Hirshorn* case makes it advisable to reexamine existing wills for words which might be construed to grant the executor broader powers than intended. In drafting wills in the future where the intention is to create no powers of this nature, it would seem advisable to avoid such language as: "I direct my executor to determine" or "to such persons as my executor has determined." This can be done by merely defining the objects of the testamentary disposition as: "to all employees who have been with the firm for not less than one year immediately prior to my death." While the duty to make the preliminary decision will thus devolve upon the same person, the finality of the determination will be materially affected.

## LETTERS TO THE EDITOR

### B.S. IN PSYCHOLOGY

In reply to the article in the July, 1950, *Dicta*, by Robert B. Parks, I should like to state that it must be apparent that if the losing of functional utility is verbalized into normal activity channels, the socio-economic level will result in a tendency to maladjustment. The net positive value of the environment inter-related with the socio-legal aspects of adjustmental pattern of the mores focalized on the social response considering sociability levels and status need, will invariably result in the functional criteria "B". Deviate behavior, however, considered together with chronicity behavior dynamics and considering also net positive value of the environment in terms of maturation is obvious. Affect-liaison without ego support must, of necessity, result in disfunctioning super-ego (or lack of it). Distorted acquisition is held by some authorities to result in an affect-distortion ratio in the societal group criterion "S". All of these factors (or the lack of them) considering the interpersonal security of faulty developmental relationships in terms of frustration factors properly determinant in a series of well-known studies will always result in a tendency toward the ratio "BS".

Non-psychological Law-oriented reader,  
FRANCIS L. SHALLENBERGER.

<sup>14</sup> *Supra* note 8.

## FOR A RETURN TO FUNDAMENTALS!

July "Dicta" with its "Symposium on Juvenile Delinquency" is provocative to people who are old-fashioned enough to believe that marriage and domestic relations impose an honorable and decent social responsibility upon the individual concerned. In his contribution, Judge Gilliam judicially observes that "no satisfactory substitute has ever been found to take the place of a good home," . . .

Other contributors are . . . , Robert B. Parks, Psychology Instructor, University of Denver, whose thesis attempts to resolve human delinquency by mathematical equations . . . All of them including Judge Gilliam, carefully avoid criticism or discussion of basic causes, such as our "Welfare State" or "Bootleg Prostitution."

\* \* \* It should be self-evident that so long as we tolerate paternalistic legislation and permit children to be raised as the wards of professional welfare workers and "do-gooders," parental responsibility will decrease . . . Social legislation is regimentation enforced by a police state. American women were not built that way. . . .

To curb human appetites, "The Great Experiment" was designed to eradicate nature's fermentation of sugar into alcohol by legislation. Heedless of its failure we are now and have been for many futile years attempting to curb basic human reproductive instincts by outlawing the exercise of normal natural processes. Result: the sexual pervert. Are we blind that we cannot see that the same wave of crime, racketeering, blackmail and extortion which forced the repeal of prohibition is now present in its most virulent form in the business of "Bootleg Prostitution"? It is as futile to legislate against the instinct of reproduction as it would be to pass laws against the pangs of hunger. Having outlawed the prostitute, the sex offender, as we call him, lies in wait in every street and alley. Our wives and children are his prey. \* \* \*

Hollywood isn't helping the situation any either. \* \* \* A rundown of fifty of the Sunday film offerings in Denver discloses 19 "Westerns and Adventures," 9 "Features of the Eternal Triangle" and/or "Broken Homes," 7 "Musicales" featuring "Cheese Cake" and scanties, 5 "Canned Burlesque" shows, 4 "Comedies," 1 "Mystery" show, 2 "Authentic Crime" pictures and last but not least, 3 legitimate "Dramas".

For sex education, Curtis Street on Monday offers a movie depicting "Women Without Men and Beasts Without Mates"; another advertises "Uncaged," as a "phenomenal inside picture that exposed for the first time the doped raging emotions that beset the orient," and last but not least, a more refined version entitled "Shadow on the Wall" with the comment that "Some women will stop at nothing!" All this education is offered from 12:00 noon until midnight to all-comers, men, women and children. These pictures are as pornographic as the censor will allow. They set an example for every moron in the community to put into practice what he sees so graphically displayed. Let's stop it!

Our forefathers regarded licensed prostitution as an institution affording the only means by which sex orgies could be confined, controlled and policed. The hardy pioneers of Fairplay regarded the profession as an honorable one and bestowed the name "Silver Heels" upon the most beautiful peak in the Mosquito Range. With Central City revivals now in the spotlight, perhaps this is a good time to give the matter reasonable thought and see if a return to the licensed and controlled area of the mining camps would not only vindicate the wisdom of our forebears but be the means of controlling the plague of sex offenders upon modern respectable society.

Any symposium that ignores these social elements is useless. It simply becomes a recital and catalogue of crimes and offenses without suggesting any means that society can take for its own self preservation. \* \* \*

GEORGE K. THOMAS.