



Allan K. Grim

Born: October 15, 1904, in Kutztown, Pennsylvania  
Died: December 7, 1965, in Philadelphia, Pennsylvania

**Federal Judicial Service:**

Judge, U.S. District Court for the Eastern District of Pennsylvania

Received a recess appointment from Harry S. Truman on October 21, 1949, to a new seat authorized by 63 Stat. 493; nominated to the same position by Harry S. Truman on January 5, 1950.

Confirmed by the Senate on April 4, 1950, and received commission on April 7, 1950. Assumed senior status due to certified disability on November 1, 1961.

Service terminated on December 7, 1965, due to death.

**Education:**

Swarthmore College, A.B., 1924

Harvard Law School, LL.B., 1929

**Professional Career:**

Private Practice, Reading, Pennsylvania: 1929-1949

Chairman, Berks County (Pennsylvania) Democratic Party Committee: 1940-1944

**Other Nominations/Recess Appointments:**

Nominated to U.S. District Court for the Eastern District of Pennsylvania, October 15, 1949; no Senate vote.

\*

\*

\*

## Judicial Biography

\*In 1950, President Harry S. Truman appointed Allan K. Grim, who was born in 1904 in Kutztown, Berks County. He was a graduate of Swarthmore College and Harvard Law School. Upon being confirmed to the bench, he wrote President Truman, “It has always seemed to me that a district court judgeship is about the finest position to which a lawyer can aspire. Naturally, my feeling of gratitude is very great. I hope that I shall fill the position so well that I will be a credit to you and the Democratic Party.”

By the 1950’s, television was augmenting, if not superseding, radio as the medium for entertainment. At this time, the Government filed an antitrust action in the Eastern District in which it contended that the contract between the National Football League and its teams restricting television broadcasting of certain games was an illegal restraint of trade in violation of § 1 of the Sherman Act. Defendants raised the argument that football was not interstate commerce so as to subject it to the antitrust laws.

Judge Grim decided that even if defendants were correct about the game of football, restrictions on television broadcasting constituted interstate commerce. Quoting a Supreme Court precedent, he wrote, “If it is interstate commerce that feels the pinch, it does not matter how local the operation which applies the squeeze.” He further explained that all contracts in restraint of trade are not illegal, only those that unreasonably restrain trade. In the end, Judge Grim, with one exception, threw out all limitations imposed by the National Football League on the televising of games. He left in place only the prohibition against the televising of out-of-territory games into the territory of a team that was playing a game at home at that same time. He explained that that narrow exception protected weaker teams against the simultaneous broadcasting of games of superior teams.

The rights of prisoners were also beginning to be litigated in the federal courts in the 1960’s. One early case involved Richard J. Mayberry, who had been convicted in the Philadelphia Court of Common Pleas of armed robbery of a dry cleaning establishment and sentenced to state prison. In order to aid him with his appeals, Mayberry bought a copy of the Rules of the Supreme and Superior Courts of Pennsylvania. After the prison authorities confiscated these materials as contraband, he brought a civil rights action in this Court. Judge Grim ruled in Mayberry’s favor. The judge wrote that reasonable access to the court is guaranteed by the due process clause of the Fourteenth Amendment and that the right at least included reasonable access to the Rules of Procedure. As events turned out, Mayberry would have extensive need of the Rules and other law-related tomes.

In the ensuing years, Mayberry became a notorious figure in the courts of the Commonwealth. He was convicted of prison breach and holding hostages in a state penal institution in Western Pennsylvania. At his trial in the Common Pleas Court of Allegheny

---

\* The following material is excerpted from JUDGE HARVEY BARTLE, III, MORTALS WITH TREMENDOUS RESPONSIBILITIES, A HISTORY OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA, 3-12 (Saint Joseph’s University Press, 2011). Reproduced with the permission of the author, Judge Harvey Bartle, III, and the publisher, Saint Joseph’s University Press.

County, while representing himself, he continually insulted the judge and at times had to be gagged and removed from the courtroom because of his disruptive behavior. The judge sentenced him to eleven years to twenty-two years for criminal contempt, in addition to his lengthy sentences on the underlying charges. His case ended up in the United States Supreme Court, which vacated his contempt sentence and remanded for further proceedings.

In another instance, he was convicted of perjury in the Court of Common Pleas of Philadelphia County. At that trial, again representing himself, he acted in a contumacious and insulting manner, which included hurling a book at Judge Leo Weinrott. His five-year sentence for contempt was upheld by the Pennsylvania Supreme Court. In addition to his activity in the state criminal courts, he litigated in the federal courts the issue of his state prison conditions.

Judge Grim was the first resident from Berks County appointed to serve as a judge of the U.S. District Court for the Eastern District of Pennsylvania. He was recommended by United States Senators Francis J. Myers, a Democrat and Edward Martin, a Republican.

When he took his seat on the bench, he joined six other judges, for a total of seven members at that time on the Eastern District bench.

Judge Grim was born in Maxatawny Township, Kutztown, on October 15, 1904, the second child of five children of Dr. James S. Grim, the head of the science department for more than 45 years at Kutztown University, and Nettie Kuhn Grim, a graduate of Wilson College and a native of Chambersburg, Pennsylvania.

He attended and graduated from Keystone Normal School in 1921 at the age of 16, and went on to study at Swarthmore College where he played on the lacrosse team and was a member of the Delta Upsilon Fraternity. After graduating from college, he taught for two years at the Douglas and Weiser Junior High School, now known as Northwestern Junior High School in Reading.

He practiced in Reading, Berks County, being admitted to the Berks County Bar in September 1929.

He joined the Reading firm of Stevens & Lee.

As a young partner at Stevens & Lee, he became active in Democratic party politics in Reading and served as solicitor to a number of local municipalities. He became Chairman of the Berks County Democratic party in 1940, a position which gave him the opportunity to become a delegate to Franklin Delano Roosevelt's presidential nominating convention that same year in Chicago.

He attended the presidential nominating convention again as a delegate in 1944 and at that time met FDR's vice presidential nominee, Harry S. Truman. After the death of President Roosevelt, he was a delegate to the 1948 convention that nominated Truman for the presidency. Truman later remembered Grim, and appointed him to one of the two new vacancies created by

congressional legislation of 1949 expanding the Eastern District of Pennsylvania bench from five members to seven members.

Judge Grim assumed senior status due to a certified medical disability on November 1, 1961. He died at the age of 61 on December 7, 1965 while walking in downtown Philadelphia. He was married to Ruth S. Ackerman, a school teacher and daughter of the superintendent of schools of Bangor, Northampton County. She passed away in 2009. They had five children: Dr. James S. Grim, Allan K. Grim, Jr., Esq., Robert P. Grim, Esq., George L. Grim and Dr. Virginia Susan Grim.