

JUSTICE HARLAN - THE GREAT COMMONER

A Tribute by Victor Murdock.

Justice Harlan was almost the last of an early type in public place in our day. Possibly there are yet many like him in private life, but there are few, if any, in station high enough to be known of men.

Harlan thought in fundamentals, spoke in fundamentals, dealt in simple definition.

Harlan's type stood, upright and stern, at Bunker Hill, fighting for a principle, dying for it. An issue which might have embodied to many a statesman today a commercial problem as to the high cost of living in its relation to the price of tea, was, to the Harlan type, outside Boston that day, a matter of liberty or death.

Harlan's type was also in the White House when Jackson, over the opposition of a cabinet and congress idolatrons to the power of money, applied the simple rule of right and wrong to the United States bank and wiped it out of existence.

Harlan's type in its richest, highest development was in Lincoln when he refuted the theory of generations which had believed in compromise by the altogether simple assertion that the nation could not exist half slave and half free.

Repeatedly through the years, while the supreme court piled refinement upon refinement, weighed simple words in apothecary scales and preceded by the aid of much of the mortar of abster diets in between the jagged surfaces, Harlan hung to fundamentals, and ordinary meanings into ordinary words and drew big, black, straight lines in between right and wrong.

This was his act when the supreme court refined the vitality out of the old railroad rate law. Harlan dissented simply, forcibly, briefly.

This also was his act when the supreme court, in a decision, let down the bars in the land laws whereby combination of holdings was made possible for the monopolists in natural resources in the



JOHN M. HARLAN
Justice of the Supreme Court

Pacific west. Harlan took the simple view and again dissented.

This also was Harlan's act, one of the last of his life, when he wrote his famous opinion, in the trust cases—Standard Oil and Tobacco. The majority opinion, that of all the judges save Harlan, remains difficult, involved and crowded with logical refinements which six months after the decree, and despite a nation's scrutiny, have left the business world perplexed, and the business world's counsel at bar timorously vague and uncertain. But Harlan said that the words in the Sherman law meant what they said, and not what the emphasis of the judiciary upon this word or that attempted to make them mean.

It would be interesting to know what the other justices of the high tribunal thought of Harlan. That is impossible of course, except for those in the intimate supreme circle, but the chances are that his associates looked upon him as a man of extraordinarily vigorous political convictions, and to that extent unable to deal in judicial refinements, and therefore not really fitted for the judiciary.

Harlan had, back of his judicial nonsense," he said, "there are lots of clean plays being written today, but the thing is that you have to pay for them. I never have played, and never will appear in a problem play. My own belief is that what the public wants is comedy, good clean comedy, with lots of good wholesome mirth provoking fun." It is in the natural course of events, then that the comedian should be

presenting again this season his great hit, "His Absent Boy." Probably no piece yet produced contains so many really funny situations, or so much to rouse the laughter of an audience. Sydney Rosenfeld—experienced maker of comedies as he is,—has excelled himself in this play which goes with laughter all the time, and yet contains neither risqué situations, nor vulgar dialogue.

career, experience on the stump. He had stood on the dry goods box at the huskings, he had met people face to face, and he knew them for human beings moved by the great national aspiration for the perfection of liberty. It remained always impossible for him to look upon the people in terms of mere population, a numerical, impersonal mass, incidental, as automatic producers and consumers, to Property.

The man's mentality had a curiously accurate reflection in his physical makeup. His form, tall, topped with a high head on a long neck, called instantly to mind the traditional statesman-orator of the period before the war, the orator who had eloquence, argument, wit, logic and bubbling red blood, who gloriied in meeting all comers.

Justice Harlan, more than other justices, was a familiar figure around Washington. He walked much, and shopped a deal. Even as a very old man he liked to stop and sip fleeting pleasure from the glittering show windows.

And he craved company. In my mind I shall always recall him as I saw him at a banquet. The entertainment included a negro song by a good basso. The song was an ancient one, with a stirring swing to it, and its burden was to the effect that while ham-bone was sweet, and chicken very, very fine, the one great viand in the world in the opinion of the singer was watermelon hanging on the vine.

The singer was recalled again and again, and he who led in the applause, in fact inspired it, was the old, straight, tall man with the long neck and the high brow, who sat well up in front, glowing in glee over some memory of his own youth—the old man whose death Saturday made most of the American citizens feel that they had lost one who understood them, one who held high place and remained a friend.

RECEIPTS AND DISBURSEMENTS OF THE RECENT ROGUE RIVER FAIR

Statement of receipts and disbursements of the Rogue River Valley fair, held in Medford, October 4, 5, 6, and 7, 1911.

RECEIPTS.	
Received from sale of stock.....	\$2,100.00
Received from entrance fees to races.....	205.00
Concession and carnival receipts.....	330.93
Receipts from association's share of labor day races.....	53.10
Grandstand and gate receipts.....	2,683.25
Received in donations.....	287.00
Balance in bank from 4th of July account.....	1.41
20 per cent of the state premium money as entrance fees.....	240.00
	\$5,900.71
DISBURSEMENTS.	
Races account—purses, etc.....	\$1,700.65
Expense keeping up race track.....	100.00
Expense account, clerk hire, salary, etc.....	600.10
Advertising, bill posting, etc.....	288.93
Attraction account including balloon and band.....	516.50
Building account, new buildings, stalls, etc.....	868.83
Assumed indebtedness from 4th of July account.....	829.41
Insurance in buildings.....	45.00
Automobile license refunded to drivers.....	45.00
Incidental expense.....	274.70
Balance in Medford National bank.....	240.00
Balance in Farmers & Fruitgrowers' bank.....	362.42
Cash on hand.....	3.15
	\$5,900.71
Total balance on hand.....	\$ 605.57

MENU

HOTEL MEDFORD

Sunday, October 22, 1911.

\$1.00 Per Cover 5 to 8:30 P. M.

Celery	Hors d'Ouvres	Olives
Potage l'Andalouse	Salted almonds	Consomme en Tasse
Potatoes Duchesse	Filet of Turbet	Normande
Broiled Spring Chicken on Toast	Cucumbers	
Claret Punch		
Roast Spring Lamb, Mint Sauce		
Candied Sweet Potatoes		
Imported Peas		
Heart of Lettuce with Egg		
Vanilla Ice Cream	Assorted Cakes	
Swiss Cheese	Demi Tasse	
	Special Music	

STOP AT The Art Store

27 North Grape, FOR THE GOODS AND BEST PRICES.

EXCURSION

Pacific & Eastern Will Run an Excursion to BUTTE FALLS

SUNDAY

OCTOBER 22, 1911

Leaving Medford at 8 a. m. Returning reaches Medford 4:50 p.m.

The Medford National Bank

CAPITAL STOCK - \$100,000.00
SURPLUS and PROFITS \$35,000.00

UNITED STATES POSTAL SAVINGS DEPOSITORY
SAFE DEPOSIT BOXES FOR RENT.

W. E. GORN, President.
J. A. FERRY, Vice Pres. JOHN S. OSTY, Cashier.
F. E. MERRICK, Vice Pres. W. E. JACKSON, Asst. Cashier.

"HIS ABSENT BOY" WILL BE IN MEDFORD SOON

An actress prominent in the western states was reported not long ago to have delivered herself of the dictum that there are no good clean virile plays being written by the dramatists of the day. The saying was shown to Harry Carson Clarke, and he denied it at once. "It's all

nonsense," he said, "there are lots of clean plays being written today, but the thing is that you have to pay for them. I never have played, and never will appear in a problem play. My own belief is that what the public wants is comedy, good clean comedy, with lots of good wholesome mirth provoking fun." It is in the natural course of events, then that the comedian should be

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Artistic Dental Work

Is pleasing to the eye. A beautiful picture perfectly painted commands praise for the artist who made it. A beautiful piece of statuary brings forth words of praise for the sculptor whose nimble fingers were capable of producing such a beautiful work of art from a piece of common clay. What is more unsightly than ill fitting crowns or ragged unpolished fillings in beautiful teeth which, had they been attended by a dentist who had some artistic as well as mechanical ability would show more the work of an artist than of a blacksmith or boiler-maker. One of the first things a dentist should think of when beginning a piece of work is "How natural can I make this work look and give the best service and comfort to the wearer? If dental work is done in an artistic manner and looks natural it will invariably be found serviceable and comfortable. Any dentist should be proud to hear said of his work, "The dentist who did that work understood his business, that is the work of an artist."

Are you in need of dental work? If you are you will do well to call on me for an examination of your mouth and get my estimate on your work. This costs you nothing and you are under no obligation to have me do your work. But if I do it, you may be sure that it will be done in a thoroughly artistic manner, will give good service and will be done at a very nominal cost. My office contains every modern appliance known to dental science.

LADY ATTENDANT

22 Karat Gold Crowns	\$5.00	Gold Fillings	\$1.50 AND UP
Porcelain Crowns	5.00	Full Set of Teeth on Rubber Plate	7.50
Bridge Work (per tooth)	5.00	Best Set of Teeth on Rubber Plate	10.00
Silver Fillings	1.00 AND UP.	Painless Extraction50
		ALL OTHER WORK IN PROPORTION	

DR. BARBER, The Dentist

207-208 Farmers and Fruitgrowers Bank Bldg, corner West Main and Grape Streets, Medford, Oregon

OFFICE HOURS: 8 a. m. to 8 p. m.—Sundays, 9 a. m. to 1 p. m.

Pacific Phone Main 653; Home Phone 287-L