

## GREAT STATES THE CREATURES OF GREAT MEN.

BY EDGAR R. HARLAN.

Great states are largely the mere creatures of great men. Although nature did her portion of the building of our commonwealth and had removed most of her waste materials before the coming of white men, and although she put into our physical foundations most all essential minerals; into our soils and atmosphere enough desirable elements from which to make a state, there yet remained the handiwork of men for its completion.

Still it was not the mere assembling here of men and women, not the coming merely of those in ample numbers to occupy the lands, produce and then consume its fruits, or multiply and replenish the earth. There yet was to have been gathered beneath the Iowa skies those who might divine the needs, the possibilities of institutions; those who through almost matchless courage, tireless labor and prophetic vision so wrought out the social fabric as to almost vie in finished social form with the natural Iowa masterpiece of the Creator. They who in our earliest statehood welded the southern with the northern streams of thought into one Iowa impulse indeed were master builders. They who thereafter brought and built in the finest materials from the realms of Holland, Great Britain, France, Germany, Denmark, Sweden and Norway, by so strengthening our social structure also were master craftsmen. They who led almost as one man these various step-sons with the native of our State through the shambles of the south, and they who neither wrote our laws and constitutions, amalgamated our various stocks, nor led our hosts to battle, but placed the tracery of culture upon our social walls, also were masters, were leaders in their day.

The life of none of our statesmen, nor soldiers, nor civic leaders but should be noted by this State. No lesson nor example of which we are and those after us shall be the beneficiaries should be forgotten.

It is to note these lives, these lessons; to symbolize in bronze and marble, and thus in language read of all men for all time, upon the classic and imperishable walls of this memorial hall the workers in this institution are commanded by our State to bend all effort.

One life and character that welled forth beyond the confines of the individual, that became discernibly a public benefaction, has been well and most beautifully delineated by other speakers here, and it is both a duty, and delight for me, in place of a member of our Board of Trustees, on behalf of the State to accept and to install this sculptured semblance in the name and to the honor of Richard C. Barrett.

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OPINIONS OF HON. SMITH McPHERSON, DISTRICT  
JUDGE, IN THE CASE OF THE UNITED STATES  
vs. DAVID S. MORRISON.

By A. J. SMALL.

[From the vast accumulation of materials of the late Hon. John F. Lacey of Oskaloosa, first a lawyer, but also a soldier, and a congressman, was selected almost at random a manuscript illustrative of the type of litigation in which Major Lacey reveled. The manuscript consists of two opinions in a case decided by Hon. Smith McPherson, Judge of the United States District Court, for the Southern District of Iowa, one a holding upon a demurrer and the other upon the trial of facts wherein the jury was waived.—EDITOR.]

OPINION.

November 22, 1900, on an ex parte application, the court granted leave to the United States attorney to file an information against the defendant, accusing him of a violation of the laws prohibiting the giving of aid to the bringing of aliens to this country under contract. The information filed is in two counts. The first count, in substance charges that defendant, a resident of Grinnell, Iowa, did in June, 1900, aid in bringing from Prague, Austria, one Adolph Zuza, a cutter of ladies kid gloves, who was then a native, resident, and citizen of Prague, Austria, and then a subject of the emperor of Austria. Zuza was not a singer, lecturer, minister of the Gospel, actor, artist, professor of a college, and not a member of defendant's family or his secretary. He was a cutter of ladies' kid gloves,

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