

GEORGE H. HARLAN

It was the 10th of May, 1960, and Superior Court Judge N. Charles Brusatori opened his courtroom with a heavy heart. For 27 years he had practiced law with a man for whom he had the highest regard, and who, he had learned, had passed away only two days before. Attorney Brian R. McCarthy moved to adjourn the court in memory of George H. Harlan, and his motion was most warmly accepted by the bench. The Judge's tribute was highlighted by this most eloquent description, so befitting of the individual to whom it appertained: "I dislike the use of the personal pronoun; however, you know how close I was to Mr. Harlan. It has been said that one should hitch one's wagon to a star. I feel that it was my good fortune to have hitched my wagon to the brightest star in the constellation when, some thirty years ago, I was invited to share space in Mr. Harlan's office."

This was how the lawyers of Marin County felt about this man, a man who had done so much for Marin without ever asking if there was to be compensation or where it might come from.

George Harlan was born in San Francisco on June 3, 1877. At the age of three he went to reside with his grandparents in Sausalito, attending Miss Ralph's Private School there. In 1890 he went on to San Rafael High School, graduating in 1894, and then went to the University of California at Berkeley. Illness prevented him from graduating with his class in 1898, but he received his bachelor of arts degree in 1899. Further formal education came from the Hastings College of the Law in San Francisco, and he was a graduate with the class of 1902. Admitted to the State Bar on motion in the same year, he was employed by the San Francisco law firm of Robert H. Countryman where he "got his feet wet" in the legal profession. He left the Countryman office in 1904, hanging up his shingle in San Rafael and taking his starvation penance, which was the usual lot of young lawyers. The first few years saw no great number of clients beating a path to his door, and those whom he usually represented had troubles, but no money. He installed a second-hand couch in his office to while away the hours napping, and much of his

idle time he spent studying municipal corporation law in preparation for the future. If clients would not come to him, he would crusade for causes, and pick up the legal business in the course of this activity.

In 1910 he ran for, and secured, a seat in the 1911 legislature. This was fine training, and in the legislature he became intimately acquainted with those political leaders who would dominate California government for the next quarter of a century. Armed with these friendships and this new education, he returned to his San Rafael practice and took the first bold step. In Marin County at that time each town had its own water company, a motley array of spring and creek-tapping entities which experienced water shortages in the summertime. (Something had to be done and nobody was doing it.) George Harlan interested the townships and the water companies in an overall water district, and returned to the legislature with appropriately prepared bills to permit the formation of his first municipal corporation, the Marin Municipal Water District. The objective of the company was to unite all the small water companies in the County into one, and tap Lagunitas Creek, Marin's most prolific stream, at a natural site on the north slope of Mt. Tamalpais. This vast undertaking resulted in a successful bond election, and the commencement of the Alpine Dam in late 1915. And George Harlan was now the retained attorney of the Marin Municipal Water District, a position he was to hold for the next 25 years.

Judge Brusatori liked to tell of how George Harlan, while coming up the ladder in the legal field, always helped the distressed, counseled the young lawyers, and put integrity and helping others above the question of compensation. (Of course everybody had to eat, but Harlan took on many a legal battle for the challenge, took many a stand because he could not endure an underdog being licked; if he was paid for his troubles, fine, if not, he got a world of experience in the process.) He soon attracted virtually every Portuguese dairyman in Marin County as a client, and the variety of cases which he handled for them was beyond imagination. These gentlemen paid well for his services, asking only for fair treatment. (He settled their estates, incorporated their dairies, handled their personal injury suits, made out their income tax forms, searched their titles and was their staunch business advisor. With his keen sense of humor, he kept

them happy, and charged them the most reasonable rates.

George Harlan was the attorney for many banks and school districts in the County, almost too many to mention. Miner H. Ballou had founded the Bank of Fairfax and had selected Mr. Harlan as attorney, but he distrusted him. So, unknown to Mr. Harlan, Mr. Ballou hired an attorney to watch him. This went on for three years, the "observer" getting \$50 per month for his vigilance. One day the observer came to Mr. Ballou and said, "Miner, you're wasting your money. Mr. Harlan is about as honest and conscientious a man as you can get, and I don't enjoy spying on him." And so the observer was released from his duties.

Of all the banks for which Harlan was the retained attorney, he enjoyed most the Bank of San Rafael and First National Bank in San Rafael. Other small banks in the County for which he was attorney lived from day to day in constant peril that the Mercantile Trust Company or the Bank of America would offer the stockholders such a price for their shares that it could not be refused. Bank management expected each morning to awaken and find out that their bank was no longer independent but a branch of some large conglomerate.

William P. Murray, President of the Bank of San Rafael, said, "George, how can we protect ourselves against an involuntary sale?" George Harlan then set up an intricate voting trust for the bank, wherein the shareholder held stock and received dividends, but where the stock was in trust and was voted by the trustees alone. Eventually, after Mr. Harlan's death, the trust was dissolved and the bank sold to Crocker-Anglo, but this was done only after management was ready for such a move.

In the field of education, George H. Harlan was a pillar. He was attorney for the Tamalpais Union High School District and was closely associated with Ernest E. Wood, the dynamic Tamalpais principal. It was Wood who dreamed up the idea of a junior college for Marin, and Harlan who advised him on the purchase of the Butler estate in Kentfield for its location. Tamalpais High bought the property and re-conveyed it to the college as soon as Harlan set up the machinery for the new college district. Again the ever-present bond election, which carried the first time, was put

to use; in 1926 the new college opened its doors with a freshman class of about ninety and a sophomore class of one! George Harlan was not only the college district attorney but was also elected President of the Board and served for thirteen years until 1938. Harlan Center on the college campus is named in his honor.

Attorney for many private corporations, he went to a meeting in 1923 in Santa Rosa held by parties interested in building a bridge across the Golden Gate. He was vitally interested in such an enterprise. The proposals for financing a bridge, advocated by the prospective bridge engineer, Joseph B. Strauss, were unpalatable to the bridge's proponents. Strauss suggested that the bridge would be such an advantage to Redwood Empire ranchers that they should mortgage their properties to provide for its financing. Municipal corporation lawyer George Harlan stepped in, and explained that a bridge district, formed in a manner similar to the water district, would be able to finance such an undertaking through the sale of municipal bonds. This met with approval, and Harlan spent the next five years getting state and federal legislation enacted to enable the building of a bridge. The fact that the abutments of the bridge towered on two U.S. Military Reservations made the task exceedingly difficult. To Congressman Richard J. Welch of San Francisco he was much indebted for congressional assistance in securing the rights of way over U.S. government property.

George Harlan toiled for five years without compensation, from 1923 through 1928, to form the bridge district. Said Judge Brusatori, "Our lawyer, from our little cow county, defended suits brought by opposition to the district, through the courts including the highest court in the land, winning victory after victory against some very formidable opposition. And he did it without ever getting a dime for it, oh yes, I think they did reimburse him for his train ticket to Washington when he appeared in the Supreme Court." When the last case, Crawford vs. Golden Gate Bridge and Highway District, was decided in the district's favor by the court, (Chief Justice Charles Evans Hughes presiding), the last obstacle in the way of building the bridge was removed. Then came the appeal to the voters for favorable regard for the bond issue. Harlan and the bridge's consulting engineer, Dean Charles F. Derleth, Jr., stumped the district to sway the voters and the bonds passed in 1929. But it was almost too late; the stock market crash had

come, and the newly issued bonds to build a bridge to nowhere went begging on the market. But finally the "Giant in the West", proponent of progress A.P. Giannini of the Bank of America could not stand idly by; the bank bought the whole issue, 95 cents on the dollar.

Favorable contracts were let to the principal construction firms of the day in suspension bridge building: Barrett & Hilp for cement work, McClintock-Marshall for steel, John F. Roebling Sons for the bridge cable, and, in 1930, work was underway. Seven years of toil ensued and on May 24, 1937, the bridge was opened for traffic. Mr. Harlan remained district attorney for a couple of more years, but his object completed, he wrote his famous letter of resignation to the district stating, "I am tired, it is the time of year when the rhododendrons are blooming in the redwoods, and the trout are rising to the fly—gentlemen, I am going fishing!"

Although felled by a paralytic stroke while in his mid-sixties which lessened his mobility and hampered his planned retirement activities, George Harlan always looked back with pride and considerable satisfaction at the achievements which he had attained over the years, and for his significant part in the development of Marin.