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his thoroughness, his good sportsmanship and fairness at all times and high moral standards. He was married at Haddonfield, N.J., Jan. 15, 1880, to Mary Haines, daughter of John Haines Lippincott, a farmer, of Woodstown, N.J., and had two daughters: Pauline Seull, who married William Caspar Horn, Jr., and Margaret Liddon Pennock. He died in Philadelphia, Pa., June 6, 1941.

MARSHALL, John Augustine, judge, was born near Warrenton, Va., Sept. 5, 1854, son of John and Rebecca Boyd (Smith) Marshall, grandson of James Markham and Hester (Morris) Marshall and great-grandson of Thomas (a colonel in the Revolutionary war) and Mary Randolph (Keith) Marshall. John Marshall (q.v.), first chief justice of the United States, was his great uncle. His paternal grandmother was a daughter of Robert Morris (q.v.), financier of the Revolution, and a niece of William White (q.v.), first P.E. bishop of Pennsylvania; his maternal grandfather, Col.



Augustine Charles Smith, was an officer in the War of 1812. John A. Marshall received his preparatory education at the Shenandoah academy, Winchester, Va., and was graduated LL.B. at the University of Virginia in 1874. Four years later he moved to Salt Lake City, Utah, where he was a partner in the law firm of Hall & Marshall. Later he became a member of the firm of Bennett, Marshall & Bradley. He was probate judge of Salt Lake county in 1888 and a member of the Utah territorial legislature in 1892. When Utah was admitted to the Union in 1896, Marshall was appointed the first federal judge of the state by President Cleveland and held office until 1915. During his incumbency he heard many of the cases famous in the state's early history, including important suits involving mining, irrigation and land rights and smelter smoke damage to farm crops. Among the leading cases decided by him were: *Silver King Consolidated Mining Co. v. Silver King Mining Co.* (204 Fed. 166; 122 C.C.A.

402), in which he held that one co-tenant may work the whole mine, but must account to his co-tenant for profits; *Conkling Mining Co. v. Silver King Coalition Mining Co.* (230 Fed. 561), in which a patent for a full claim was held to convey the entire 1500 feet, though the original corners were 135.5 feet short of that length, and *E. A. Wall v. United States Mining Co.* (232 Fed. 613) which considered the effect of a faulting fissure, all of which are frequently cited in mining law. On leaving the bench, Dec. 31, 1915, he became a member of the law firm of Howat, Marshall, MacMillan & Nebeker, with which he was associated until he retired from active practice in 1924. During these years he participated in many outstanding mining cases involving valuable properties and large sums of money and which established mining law precedents. He was counsel for the plaintiff in the case of *Utah Consolidated Mining Co. v. Utah Apex Mining Co.* (285 Fed. 249; 261 U.S. 617), last of the famous apex cases tried in Utah. In this case the court upheld his contention that while a locator can follow the vein beyond the vertical side line planes of the location, the continuity of the lode or vein apexing on another's claim was broken before it reached the controversial ore so that the locator was not entitled to that ore. He was a member of Pi Kappa Alpha and the Alta Club of Salt Lake City. In 1939 the Utah state bar presented a portrait of him to the U.S. district court. He was a man of remarkably strong character, profound learning and absolute integrity. His chief hobby was the study of sciences, particularly mathematics, astronomy, geology and physics, and for recreation he enjoyed travel. He was married in Salt Lake City, Oct. 1, 1888, to Jessie, daughter of Moses Kirkpatrick, a lawyer, of that city and they had two daughters: Cary Jaquelin, who married Alva Lee, and Mary Marshall, who married Howard Fitch. He died in Salt Lake City, Utah, Apr. 4, 1941.

ROWSE, Samuel Worcester, painter and illustrator, was born in Bath, Maine, Jan. 29, 1822, son of Edward and Mercy (Blake) Rowse. His father was a native of Devonshire, England. When he was a small boy his parents moved to Augusta, Maine, where after an elementary education he was apprenticed to a local engraver. His first art work was done in the engraving of bank notes. He left Augusta to learn lithography in the shop of Tappan & Bradford, of Boston, his earliest identified work there being a portrait of Richard Fletcher, a supreme court justice. He also did the illustrations for the 1856 edition of "This, That and the Other" by Louise Chandler Moulton (q.v.). Rowse had a remarkable familiarity with the works of Shakespeare and in his youth wished to go on the stage. His ambition was finally realized when he was given an opportunity to appear in "Richard III" but this ended in a disappointing failure and he directed his efforts again to drawing, winning recognition with his accurate and delicate crayon portraits. Among his better known works are portraits of James Russell Lowell, Nathaniel Hawthorne, Ralph Waldo Emerson, Henry W. Longfellow, Francis Cabot Lowell and Arthur Hugh Clough. Through James Russell Lowell Rowse made a wide circle of friends in Boston and Cambridge and, though shy and reserved, his serious and original speech made him interesting both to men and women. Lowell once remarked of him that though silent he always said the best thing of the evening. On Mar. 3, 1858, Longfellow noted in his journal that Rowse, of his own volition, had started the pre-

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vious day to draw his head in crayon and that he let him "work away." For many years he was a close friend and professional associate of Eastman Johnson (q.v.), who gained fame with a series of excellent genre pictures. In 1880 he moved to New York city and later made his home in Morristown, N.J., where he died unmarried May 24, 1901.

GALLAGHER, H[ugh] Clifford, manufacturer, was born at Sackville, New Brunswick, Canada, Aug. 25, 1855, the son of Hugh and Alice (Truman) Gallagher. He attended Mt. Alison academy at Sackville and after his father's death lived for a few years with an older sister at St. John's, New Brunswick. At the age of sixteen he entered the employ of the Smith Organ Co., Boston, Mass., remaining with that concern for five years. During this period he became skilled in the use of tools, which later became a hobby. In 1877 he went to work as bookkeeper and general handy man for Josiah Webb & Co., chocolate manufacturers, at Dorchester, Mass., and continued there until the firm was acquired in 1881 by Walter Baker & Co., a competing firm, of which he became bookkeeper. The first chocolate manufactured in North America was produced at Dorchester Lower Mills, on the Neponset river, in 1765 by John Harmon, an Irish immigrant, under the financial sponsorship of James Baker, a physician. In 1780 the original plant came into Dr. Baker's possession and the industry was started which became the world-famous Walter Baker & Co., Ltd. Upon the death of James Baker his son Edmund succeeded him in the business and the latter was in turn succeeded by his son, Walter, in 1824, in which year it took the name of Walter Baker & Co. After Walter Baker's death in 1852, his partner, Sidney Williams, had charge for two years until he died. Then Henry Lillie Pierce (q.v.), a relative of Walter Baker, took over the management of the business as lessee, later becoming sole owner. During the forty-two years he had control of the enterprise he developed it from a small, local concern into the leading industry of its kind in this country. In 1895 it was incorporated. Working in close association with Pierce, Gallagher was advanced from bookkeeper to superintendent of the plant. In 1901 he succeeded to the presidency of the company and held that office until 1928, when he retired and became chairman of the board. During his presidency he constantly improved methods of production, introduced new products, developed new markets, doubled the capacity of the plant and increased the number of employes from 400 to nearly 1000. From the beginning the company has used only the finest of the raw products and has taken the utmost care in their preparation and manufacture. Its best known product is Baker's "Breakfast Cocoa," which has received flattering endorsements from physicians, scientists and dieticians and won the highest awards at many international expositions. The pastel painting of "La Belle Chocolatière," by Jean Etienne Liotard, the original of which was hung in the Dresden museum, was used in reproduction and formally adopted as Baker's trademark in 1883. In 1927 Walter Baker & Co., Ltd., became a division of the General Foods Corp., and the next year Gallagher retired from active business life. In addition to his manufacturing interests he was one of the founders and served as president from 1905 to 1928 of the Milton (Mass.) Savings Bank and was principal owner of the Milton Building Associates until he sold the controlling interest to the Masonic lodge. Very ac-

tive in civic affairs, he was one of those who were instrumental in securing Hutchinson field (land in front of the house of Thomas Hutchinson (q.v.), colonial governor) for the town of Milton and in securing the Milton town landing and in laying out and beautifying it. He was a member of the Milton school committee; a trustee of the Wadsworth Fund, a hospital fund in Milton; trustee and member of the executive committee of Boston university, and a trustee of Smith college. His memberships included the Macedonian lodge of Masons (Milton), of which he was treasurer for twenty-five years; the Exchange and Milton clubs, the Massachusetts Club and the Driving Club of Readville, Mass. He took an active part in Republican politics, serving as treasurer of the state committee and in 1912 as a delegate to the Republican national convention. He was a trustee of the First Methodist Church of Dorchester Lower Mills and treasurer of its Sunday school for



many years. Gallagher's favorite sport in early life was bicycling. In later years he found recreation in fishing at his summer camp at Belgrade Lakes, Maine. He was also interested in poultry raising and farming and was a lover of trees. He was a man of inflexible integrity with a great capacity for work. A keen judge of human nature, he was a considerate and kindly employer and his workers were devoted to him. He was married at Dorchester, Sept. 22, 1880, to Edith Warren, daughter of George Everett, a merchant, of that place, and they had two daughters: Ruth Everett, who married Frederick Chase, and Edith Charters Gallagher. His death occurred at Milton, Mass., May 3, 1931.

OSBORN, Henry Leslie, zoologist, was born in Newark, N.J., July 5, 1857, son of Moses Morris and Susan Amelia (Hedenberg) Osborn. His father was a business man in Newark until 1871 when he retired to a small farm at Madison, N.J. Henry L. Osborn attended the preparatory depart-