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- LOUIS MARSHALL
- ELIPHALET PEARSON

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hind the Lines: The World of Drew Pearson (1968). See also Charles Fisher, *The Columnists* (1944), and Jack Anderson with James Boyd, *Confessions of a Muckraker* (1979). An obituary is in the *New York Times*, 2 Sept. 1969.

ANN T. KEENE

✓ **PEARSON, Eliphalet** (11 June 1752–12 Sept. 1826), educator, was born in Newbury, Massachusetts, the son of David Pearson, a farmer and miller, and Sarah Danforth. Young Eliphalet around 1763 entered Dummer Academy, where he met his lifelong friend, Samuel Phillips, Jr. Distinguishing himself academically at Harvard, Pearson graduated in 1773 and earned a master's degree in 1776. His commencement disputation against the legality of the slave trade was published by request of the audience.

While Pearson pursued theological studies for two years, he became acquainted with former Harvard president Edward Holyoke's widow and her daughter, whom he later married. In April 1775, hearing of the Lexington battle, Pearson escorted these two women to the safer Andover, where he settled at the encouragement of Phillips. He engaged in pulpit supply and taught grammar school from 1775 to 1778 while continuing his studies in science and theology. Although Pearson was licensed to preach, he never gained a pastorate (reportedly because of poor eyesight). Phillips enlisted Pearson's aid in manufacturing gunpowder for the revolutionary army. Conducting numerous experiments in his schoolroom, Pearson concocted a formula that enabled Phillips's powder mill to supply the Revolution.

As Phillips and Pearson discussed innovative concepts of schooling, the idea for Phillips Academy emerged. They wrote the constitution of the academy, a landmark document in American educational history. The school would be governed democratically by a lay majority of trustees and had as its "first and principal object . . . the promotion of true [orthodox Christian] Piety and Virtue" (Woods, p. 229). Launched in April 1778, the school was endowed by Phillips's father and uncle. Pearson was unanimously appointed as the first principal, teaching fifty-one boys in a converted carpenter's shop on Andover Hill. The academy gained a respectable reputation during the eight years Pearson directed its affairs with rigor. One student remembered, "He was a remarkably thorough and exact scholar . . . but his taste was so perfect that no defect, even the smallest, in composition, would escape his observation."

Pearson continued as a trustee for forty-eight years, from the academy's inception until his death. From 1802 to 1821, following the death of Phillips, he served also as board president. In 1780 Pearson married Priscilla Holyoke, who died in 1782 giving birth to their daughter. Pearson married Sarah Bromfield in 1785, and they had four children.

Pearson's reputation as a scholar reached Cambridge—during his eight years as principal, 76 of the 89 boys going to college enrolled at Harvard. In 1786 he became Harvard's Hancock Professor of Hebrew

and Oriental Languages (also teaching English grammar and composition), having mastered Latin, Greek, French, Hebrew, Syriac, and Coptic. While at Harvard, he published a Hebrew grammar and left unpublished various manuscripts, including a series of lectures on language.

In 1800 Pearson was elected as a fellow of the Harvard Corporation, the governing board of the college. He was the last professor to serve in that body. As the senior faculty member, he was appointed acting president at Joseph Willard's death in 1804. Since its founding, Harvard had embraced an orthodox Christianity and had trained the majority of Congregational ministers of New England. A new spirit of liberal Christianity emerged, particularly in Boston pulpits, culminating with the appointment of Unitarian Henry Ware as Hollis Professor of Divinity in 1805. Ware's appointment wrested control of the college from the Calvinists, a theological watershed. Some historians of Harvard assert that Pearson's presidential aspirations fueled his resolute opposition to Ware's appointment. Another interpretation consistent with the tenor of Pearson's life supports a motivation grounded in his religious convictions. Following Samuel Webber's election as president on 3 March 1806, Pearson resigned from Harvard, lamenting that "there remained no reasonable hope to promote the reformation of the society he [had] wished."

Learning of Pearson's resignation, Phillips Academy trustees offered him a rent-free residence in Andover for one year. Within weeks of his arrival, Pearson pursued the founding of a theological school to uphold orthodox Christianity. Through his indefatigable zeal and diplomacy, two separate ventures were united into one, forming in 1808 the Andover Theological Seminary, the first permanent American theological institution established independently of a denomination or college. Although it shared the same trustees with Phillips Academy, the new seminary had its own buildings, funding, and faculty. Pearson reluctantly became a professor and was ordained to take the post. He resigned after one year, acknowledging that he had little affinity for teaching pastoral students exclusively, since he had never been a minister. Pearson retained his association with the seminary and academy as trustee president. The seminary upheld orthodox Christianity for a century and graduated many notable clergy and missionaries. In 1908, when the seminary relocated in Cambridge to affiliate with Harvard Divinity School and Phillips Academy acquired its buildings, Bartlett Chapel became Pearson Hall, fittingly dedicated to recitation.

Active in many societies, Pearson was president of the Society for Promoting Christian Knowledge, a missionary agency; a founding member of the American Educational Society; and a fellow of the American Academy of Arts and Sciences. An accomplished musician, preacher, businessman, farmer, and mechanic, Pearson was adept "especially in the department of criticism." Students nicknamed him "elephant" because of his "big name, big frame, big voice, and bee-

ting brow" (Oliver Wendell Holmes, *The Poetical Works*, vol. 2 [1895], p. 250).

In 1820 Pearson moved to Harvard, Worcester County, where he spent his remaining years in farming and religious activities. He died while visiting his daughter in Greenland, New Hampshire. Two principal commitments marked Pearson's life, a penchant for precision in scholarship and a devotion to orthodox Christianity. A former Harvard student of his reflected:

I have ever considered his instructions as constituting at least one half the value of my collegiate education. He was indeed remarkably strict in demanding of the students a diligent and faithful attention to their prescribed course of study . . . [yet] no other officer in the College had equal influence in promoting improvement in literature, and the higher interest of morality and piety. (Woods, pp. 51–52)

- Pearson's papers from 1803 to 1806, public lectures, and sermons are in the Harvard University Archives. Excerpts from the "Journal of Disorders," a record of student infractions kept by Pearson at Harvard, are included in William Bentinck-Smith, ed., *The Harvard Book: Selections from Three Centuries* (1982). Pearson's defense of his opposition to Ware's appointment, prepared for publication following the event, was never published but is available in Conrad Wright, ed., "The Election of Henry Ware: Two Contemporary Accounts," *Harvard Library Bulletin* 17 (1969): 245–77. Leonard Woods, a seminary colleague of Pearson, completed a draft of a *History of the Andover Theological Seminary*, which was published posthumously thirty years later in 1885. The work includes 195 pages of historical narrative; 235 pages of official documents, including the constitutions for Phillips Academy and Andover Theological Seminary; and 189 pages of letters, including a handful written by Pearson between 1806 and 1808 primarily relating to the diplomacy involved in convincing parties of the two seminary projects to merge into one. Brief biographies of Pearson appear in William B. Sprague, *Annals of the American Pulpit*, vol. 2 (1866, repr. 1969); Scott H. Paradise, *Men of the Old School: Some Andover Biographies* (1956); and Claude M. Fuess, *An Old New England School* (1917), which is the most comprehensive. Pearson's former academy student Josiah Quincy also treats Ware's appointment in *The History of Harvard University* (1860), although he is not sympathetic with Pearson's position.

KLAUS D. ISSLER

PEARSON, Leonard (17 Aug. 1868–20 Sept. 1909), veterinary educator, bacteriologist, and sanitarian, was born in Evansville, Indiana, the son of Leonard Pearson, an assistant superintendent of the Evansville and Crawfordsville Railroad, and Lucy Small Jones. He studied veterinary medicine at Cornell University with renowned veterinarian James Law and received a bachelor of science in agriculture degree in 1888. He published his first scientific paper while a student, and during the summer of 1887 he worked with Law and Daniel E. Salmon to eradicate a serious outbreak of contagious bovine pleuropneumonia in and around Chicago. In 1890 he earned the doctor of veterinary medicine degree from the University of Pennsylvania.

In anticipation of an academic career, he then spent a year studying in Germany at veterinary schools in Berlin and Dresden. In all likelihood, while in Berlin he worked in bacteriologist Robert Koch's laboratory.

Returning to Philadelphia in 1891, Pearson was appointed lecturer in the theory and practice of veterinary medicine in the Department of Veterinary Medicine at the University of Pennsylvania and then, in 1893, to professor. In 1897 he was named dean and held that post until 1909, when overwork and failing health made him relinquish it. During his deanship the veterinary school thrived even though many other North American veterinary schools closed because of economic stagnation and the overproduction of graduates in the United States and Canada. Pearson's greatest achievement as dean was to persuade the Commonwealth of Pennsylvania to appropriate nearly \$400,000 to buy 55,000 square feet of land in Philadelphia and to erect on it new buildings and equip them for the veterinary school. These new facilities, combined with changes in the curriculum (increasing the number of courses and devoting more classes to nonequine and bovine species and increasing the scientific content of the curriculum) and the raising of admission standards to require matriculation, made the quality of instruction at Pennsylvania second only to that at Cornell among veterinary schools in North America. Besides raising public funds for the veterinary school, Pearson was also successful in obtaining large donations from private benefactors, most notably the J. Bertram Lipincott family.

While an undergraduate at Cornell, Pearson became interested in bovine tuberculosis and then devoted the rest of his life to its detection and prevention. He first studied the use of tuberculin (a liquid produced by the tubercle bacillus) as a diagnostic tool and then tried to develop a vaccine for use against tuberculosis in cattle. He failed with the latter—as have all of his successors—in the quest for an effective vaccine, although his optimism about its imminent discovery never flagged, sometimes even reaching the daily newspapers. He also applied the research of other scientists in the diagnosis of foot-and-mouth disease, bacterial dysentery in cattle, and forage poisoning (caused by an agent consumed with grass or hay) in horses. As a scientist Pearson was a master of the literature of his subject; he devised and carried out thorough and painstaking experiments and observed clinical signs presented by diseased animals and made correct diagnoses quickly and accurately. However, he was not a great scientist in the sense of making a fundamental discovery or changing the direction of research in human or animal medicine.

After establishing himself as an educator and scientist, Pearson began an active career as a sanitarian. In 1896 he was named Pennsylvania's first state veterinarian. Reappointed for two additional four-year terms, he held the post until his death. In 1896 he also became the secretary and executive officer of the Pennsylvania Live Stock Sanitary Board, and in 1905 he joined the Pennsylvania Department of Health as an

mighty nation-state the United States became. Yet consolidation of national power was not his conscious design. Marshall did not seek to enlarge federal powers by construction but to enable the general government to operate effectively, with supreme authority within its assigned sphere. His constitutional jurisprudence was essentially defensive in character, not looking to build up a powerful federal state but to protect and defend the general government against persistent antifederal forces that imperiled the "more perfect Union" formed by the Constitution of 1787.

• Marshall's surviving correspondence is scattered among many collections, the largest of which is at the College of William and Mary. *The Papers of John Marshall*, ed. Herbert A. Johnson et al. (8 vols., 1974–1995), is a comprehensive annotated edition of correspondence, legal papers, and miscellaneous papers. Still useful printed collections of correspondence include Charles C. Smith, ed., "Letters of Chief Justice Marshall," *Proceedings of the Massachusetts Historical Society*, 2d ser., 14 (1900): 320–60, and Charles Warren, "The Story—Marshall Correspondence (1819–1831)," *William and Mary Quarterly*, 2d ser., 21 (1944): 1–26. Marshall's autobiographical letter to Joseph Story, written in 1827, has been separately published in *An Autobiographical Sketch by John Marshall*, ed. John Stokes Adams (1937). An invaluable guide to Marshall documents is Irwin S. Rhodes, *The Papers of John Marshall: A Descriptive Calendar* (2 vols., 1969). Marshall's Supreme Court opinions were originally published in William Cranch, *Reports of Cases Argued and Adjudged in the Supreme Court of the United States (1801–15)* (9 vols., 1804–1817); Henry Wheaton, *Reports of Cases Argued and Adjudged in the Supreme Court (1816–27)* (2 vols., 1816–1827); and Richard Peters, Jr., *Reports of Cases Argued and Adjudged in the Supreme Court of the United States, from 1828–1843, Inclusive* (17 vols., 1828–1843), which were later incorporated into the ongoing official *United States Reports*. Among numerous anthologies of his principal opinions, the most comprehensive is Joseph P. Cotton, Jr., ed., *The Constitutional Decisions of John Marshall* (2 vols., 1906). Albert J. Beveridge, *The Life of John Marshall* (4 vols., 1916–1919), is woefully dated but remains the classic life and times. A more recent full-length biography is Jean Edward Smith, *John Marshall: Definer of a Nation* (1996). The best short biography is Francis N. Stites, *John Marshall: Defender of the Constitution* (1981). See also Philip B. Kurland, ed., *James Bradley Thayer, Oliver Wendell Holmes, and Felix Frankfurter on John Marshall* (1967). For a portrait of Marshall's mind see Joseph Story, "A Discourse upon the Life, Character, and Services of the Honorable John Marshall," in *John Marshall: Life, Character, and Judicial Services*, vol. 3, ed. John F. Dillon (3 vols., 1903). The most thorough study of Marshall's thought is Robert Kenneth Faulkner, *The Jurisprudence of John Marshall* (1968). See also Charles F. Hobson, *The Great Chief Justice: John Marshall and the Rule of Law* (1996).

CHARLES F. HOBSON

✓ **MARSHALL, Louis** (7 Oct. 1773–Apr. 1866), physician and college president, was born Lewis Marshall on the family estate, "Oak Hill," in Fauquier County, Virginia, the son of Colonel Thomas Marshall, a military leader and surveyor, and Mary Randolph Keith. Louis, the eleventh of fifteen children, was a brother of Chief Justice John Marshall. In 1785 the family moved to the "Buckpond" estate, in Woodford Coun-

ty, Kentucky. During 1793–1794 Marshall studied medicine in Philadelphia and then departed for medical and literary studies in Edinburgh (1794–1795) and medical and surgical training in Paris (1795–1798). Meanwhile, he changed his name to the French, "Louis."

A curious account of Marshall's Paris days has been carried by most biographers. The story depicts Marshall being taken up with the French Revolution, participating in the storming of the Bastille, being arrested, languishing in prison for some time, being condemned to death, and then gaining release through the efforts of his brothers, John and James, American envoys to Paris. Although John Marshall was in Paris from 1797 to 1798, Leonard Baker notes that "in all of the John Marshall correspondence while he was in Paris, there is no reference to any brother, and it is difficult to accept that he could see his brother Louis after a separation lasting years and rescue him from prison without mentioning it in a letter" (*John Marshall: A Life in Law* [1974], p. 293). Nothing confirms this "Paris" account, although Marshall may have encountered the law as the consequence of his duels ("He was a dead-shot and an accomplished swordsman, and possessed wonderful coolness and nerve in a fight" [Ruffner, p. 93]). Since Louis Marshall "would never suffer any one to refer to his career in Paris" (Paxton, p. 69), the truth may never be known about what actually happened.

Back in Kentucky, Marshall practiced medicine and "attained the name of the most learned and successful physician in the State" (Paxton, p. 69). In 1800 he married Agatha Smith, receiving the Buckpond estate as a wedding gift. The Marshalls had five boys and one girl. Marshall continued the practice of medicine through at least the late 1810s. At some point, however, he put aside his medical instruments in favor of setting up Buckpond Academy, offering a classical education for Kentucky's favored sons. William Paxton, whose stepmother was Marshall's niece, notes that "he was a fine linguist, and well read in science, history, philosophy. . . . He was a strict disciplinarian—severe and dogmatic in his style" (p. 69).

In 1830 Marshall became the fourth president of Washington College (now Washington and Lee University) in Lexington, Virginia. There at one time enrollment had reached sixty-five students, but for the previous three years fewer than twenty had attended. Opposing the existing traditional format, Marshall implemented a permissive disciplinary routine and a self-paced tutorial system similar to his own Edinburgh experience—a striking contrast to his rigorous disciplinary procedures while teaching at Buckpond. This four-year educational experiment failed for various reasons, not the least of which was a continuing battle with Henry Ruffner. Ruffner had been acting president of Washington College, was the sole faculty member when Marshall arrived, and was displaced as the professor of languages by Marshall. As a result of their conflicting personalities and philosophies, in the words of Ruffner's son, "War, of course, was inevita-

ble" (Ruffner, p. 2). The following year, attendance increased to thirty-nine, but in 1832 another drastic downturn precipitated the board's inquiry into making curriculum changes. Soon even the trustees did not support Marshall, and at one point they held back his paycheck. Defeated and discouraged, Marshall left Virginia at the end of the school year in 1834, without a word of explanation, to return to his Kentucky scholars at Buckpond. Ruffner then resumed the duties of president.

Marshall, the first non-clergy president of Washington, had conducted himself there as a faithful Presbyterian and firm believer in Christianity even though he had been a religious skeptic during his early years. He gave the Sunday morning lecture, normally reserved for a ministerial member of the faculty, usually to expound his favorite topic, biblical prophecy. His studies led him to fix the date for when the world would come to an end, which turned out to be the year of his own demise. Marshall was active in the American Bible Society, the American Colonization Society (anti-slavery), and the temperance movement.

A few years after leaving Washington College, Marshall became Morrison Professor of Languages at another Presbyterian school, Transylvania University in Lexington, Kentucky, where he served as acting president from 1838 to 1840. Little is known of his tenure there. Apparently he remained a faculty member until his wife died in 1844. Subsequently he traveled extensively among his relations, tutoring their children during each stay. At about the age of ninety, Marshall confided in a former student, "My son Tom said to me not long ago, 'Father, you argue as well as you ever did'" (Buchanan, p. 60). He died at Buckpond.

Although Marshall was not a typical scholar—he left no writings—his natural talents were reported by a contemporary, Hugh A. Garland, to "surpass those of his illustrious brother, the Chief Justice" (Buchanan, p. 7). A good number of Marshall's students, including Robert Breckenridge, George B. Crittenden, General Basil Duke, and Colonel Alex McClung, became prominent leaders of public life. He was an innovator and committed to individualized instruction, yet, as Paxton sums up his reputation, "he was more feared, than respected—more admired than loved" (p. 71).

• Marshall's papers are in the Southern Historical Collection, University of North Carolina at Chapel Hill. The most thoroughly researched treatment of Marshall's life is William Buchanan, "Louis Marshall, M.D., His Administration as President of Washington College" (master's thesis, Washington and Lee Univ., 1941), which purports to "incorporate everything about him that can be brought to light." The earliest available biographical sketch of Marshall, *The Marshall Family* (1885), is by a relative, William M. Paxton, who first met "Uncle Louis" in 1835. (Paxton is the original source of the Paris story.) The most extensive account of Marshall's Washington College experience, focusing solely on his first two years, is in *The Washington and Lee Historical Papers*, no. 6, *The History of Washington College, 1830-1845* (1904), by William H. Ruffner, son of Marshall's chief rival (this particular account is freely excerpted from personal papers left by

Ruffner, Sr., and thus does not provide complete objectivity). The work includes an eight-page biographical sketch of Marshall, his wife, and their children.

KLAUS D. ISSLER

MARSHALL, Louis (14 Dec. 1856–11 Sept. 1929), lawyer and Jewish communal leader, was born in Syracuse, New York, the son of Jacob Marshall and Zilli Strauss, poor German-Jewish immigrants. His father, at first a porter and peddler, ended up in the hide and leather business. A graduate of Syracuse High School, Marshall read law for two years in a local law office. In 1876 he left to attend Columbia University Law School in New York City, where he completed the two-year curriculum in one year. Admitted to the bar on 1 January 1878, he joined the Syracuse law firm headed by William C. Ruger, later chief judge of New York State. In 1894 he returned to New York City at the invitation of his classmate Samuel Untermyer to create the law firm of Guggenheimer, Untermyer and Marshall. He continued as a partner in the firm for the rest of his life.

In 1895 Marshall married Florence Lowenstein, with whom he had four children before her death in 1916. His eldest son, James, was a lawyer and civic leader in New York City and a leader in Jewish communal affairs. His second son, George, was an economist and conservationist. His youngest son, Robert, was prominent in the U.S. Forest Service and Office of Indian Affairs. His daughter, Ruth, was married to Jacob Billikopf, a leader in Jewish social work and community organizations.

Although Marshall was active as a business and corporate lawyer, it was his expertise and activity in constitutional law that brought him national renown. Arguing more cases before the U.S. Supreme Court than any contemporary, Marshall was a firm and passionate defender of civil rights. Many of his cases were argued without remuneration, as matters of public interest. Among these were *Pierce v. Society of Sisters* (1925), in which an antiparochial school law in Oregon was ruled unconstitutional; *Nixon v. Herndon* (1927), in which a state statute excluding black voters from political primaries was adjudged unconstitutional; and *Luria v. United States* (1913), in which the Court ruled that naturalized citizens enjoy the same rights as native-born Americans. He also argued cases involving attempts to prevent Asians from owning land along the Pacific Coast, residential segregation of racial and religious groups, wildlife conservation, alien immigration, and workmen's compensation. One of his defeats was in the Leo Frank case in 1915. Frank, a Jewish businessman in Atlanta, Georgia, had been unjustly convicted in 1913 of murdering an employee. Marshall argued that the state court had been intimidated by a prejudiced mob, but the Supreme Court, with Justices Oliver Wendell Holmes (1841–1935) and Charles Evans Hughes dissenting, ruled against him. Ultimately, however, the Court adopted the dissenting opinion.