

Standard Form For Members of the Legislature

Name of Representative Price, Eliphalet Senator _____

Represented Clayton, Jayette, Minnehaha and
Allamakee Counties, Iowa

1. Birthday and place 31 Jan 1811 Jersey City, New Jersey

2. Marriage (s) date place

Mary Lowe Cottle 6 Nov 1839 Clayton County, Iowa

3. Significant events for example:

A. Business He was the enumerator in the 1850 U.S. Census of Clayton, Jayette,
Minnehaha and Allamakee Counties; admitted to the bar in Clayton County

B. Civic responsibilities Mason

C. Profession Farmer; lawyer; miller; notary; artist; scholar;
Judge of the County Court

4. Church membership _____

5. Sessions served 3rd General Assembly, 1850

6. Public Offices

A. Local First clerk of the Board of Clayton County Commissioners; school fund
commissioner; Judge of Probate; Judge of the Clayton circuit 1855-1857; Justice
of the Peace

B. State In 1852 he was appointed by President Fillmore as Receiver of the Land Office at
Des Moines

C. National _____

7. Death 10 Dec 1880 Colorado Springs, Colorado; buried Evergreen Cemetery, Colorado Springs, Colorado

8. Children Reatha E.; Volnah V. (died 1864); Avada J.; Irvarianus G.; Ellyrial A.;
Mary Ellen; Eliphalet J.; Alpin W.

9. Names of parents Eliphalet

10. Education He received the rudiments of an education of a common education from his father.

11. Degrees

12. Other applicable information Whig, later Republican

- In 1831 he appeared in Philadelphia and became editor of the local paper called "The Market Exchange". He soon was writing witty articles. But he soon grew tired of this work and moved to Washington, D.C. He visited the U.S. Senate and House and formed acquaintances with men like Clay, Webster, Calhoun, Adams, etc.

- He left Washington in 1832 wanting to see the west traveling until he arrived in New Orleans where cholera was present. There he got on a steamer to go to the head river of Palena, Illinois. However, fields were green on the other side and he traveled to Dubuque, Iowa in July 1832.

- In fall 1834 he explored the Jersey River Valley and decided to live in the area permanently. He had a contract to build a grist mill and later moved to the town of Detterloch, Iowa and later to Millville where he bought interest in a mill. He bought a tract of land near Millville and built a cabin. It soon became a fine farm. There he married and raised his family. His wife died in 1865 and he had not remarried.

- During the Civil War he organized companies, encouraged his sons to enter the war, wrote speeches, very able in oratory, public speaking and writing.

- At age 18 his father took him to New York and bound him out as an apprentice to a painter. He soon organized the apprentices in New York into a strong society with a constitution and by-laws. The society raised money to purchase a library of fine works. This was the foundation of classical and historical knowledge which made him famous.

- He wrote "Sketches of Northwest Iowa" in 1872 which later became "The Grand of Iowa."

Sources Log For Legislation Entries

Applicability

Source	Non Applicable	Applicable	Information obtained
-			<u>Obituary - The Postville Review, Postville, Iowa</u> <u>Lat. Dec. 25, 1880, p. 2</u>
-			<u>Obituary - Colorado Springs Daily Gazette, Colorado Springs, Colorado</u> <u>Lat. Dec. 11, 1880, p. 4 col. 2</u>
-			<u>ancestry.com (accessed 14 Jan 2011)</u>
-			<u>Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa</u> <u>by Hildes, 1916, p 875-878</u>
-			<u>The Courts and Legal Profession of Iowa, 1907, Vol. 1, p 562-563</u>
-			<u>Annals of Iowa, Vol. 5, 1907-1908, p 32-42</u>

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—Hon. Eliphalet Price, formerly of Clayton Co., but more recently of Colorado Springs, died at the latter place on the 11th inst. Judge Murdock, in the last issue of the *McGregor News* pays a merited tribute to his memory. He was a man of rare qualities of head and heart, and thousands of Iowa friends, among them the writer, mourn his death,

—We are pleased to see that our two churches that have pastors hold Union services alternately in the Methodist and Congregational churches. It were better for the cause of religion, if the churches of other places would do likewise. The continual warfare between the different Sects of Orthodoxy-Christians, does more to promote Skepticism, than all other causes combined. The services for to-morrow evening are to be held in the Methodist church.

—A. B. C. blocks and books, at Burdick's.

—We have received a series of articles on amber cane culture and manufacture, from one of the best informed men in this section, the first of which will be given in our next issue. We also have samples of both sugar and refined sirup, from the Faribault refinery, as well as syrup in the first stages of refinement, which any one interested is at liberty to examine. We would like to see sufficient interest manifested to establish a refinery here.

—The finest stock of photograph albums in the city, just right for presents may be found at Burdick's.

—The snow, "the beautiful snow." Appropos to the announcement that "The beautiful snow and other poems" had just been issued from the press. a considerable quantity of it fell in Postville last Friday and on Saturday and Sunday the cutters and sleighs were called into requisition. Everybody was sleigh-riding, young men and maidens, middle aged men, and their wives, old men and matrons, and every one that owned or was able to hire a conveyance was out. But Edit-

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Obituary—Judge Eliphalet Price

Yesterday morning the citizens of Colorado Springs were grieved to learn of the sudden death of Judge Eliphalet Price who has long been a familiar figure on our streets. The Mountaineer, which was published yesterday, contains the following notice of the deceased "It becomes our sad duty to chronicle the death of Judge Eliphalet Price, in this city, this morning. The judge arose this morning with his usual health, but in a short time complained of pain in his breast. Liniment was rubbed on his breast and back, which seemed to relieve him. This attack was shortly followed by another, both being so slight that no danger was apprehended. At six o'clock, not feeling well, he did not sit down to breakfast with his family, but took a cup of coffee in the sitting room. Suddenly some one of the family noticed his hard breathing, and on going to his side, it was found that he was dying and was entirely gone before medical assistance could be called. He had been suffering for years with the asthma, and the physicians ascribe his death to heart disease brought on by the other trouble.

Judge Price was born on the first of January, 1811, in Jersey City, New Jersey, and was therefore 67 years, 11 months, and 9 days old. At an early age his parents removed to Dutchess county, New York. From thence he went to Iowa in 1834. Having suffered a good deal from asthma in Iowa he came to Colorado Springs in 1872. He has taken a prominent part in every enterprise of public importance in this city since that time, and was one of the most respected citizens of our town. Over the nom de plume of "Mucilage" Judge Price has become widely known as a humorous writer, and his famous "Pike's Peak rat story" has been read and commented on all over the world where newspapers are read. He was the best friend that the Mountaineer has ever had and to day we have lost a true and valued friend. He is dead. If he ever had any faults they will never recur to our memory. We can see now only his good qualities which are many. We shed the silent tear over his remains and ask that they may rest in peace.

Those who knew Judge Price will echo heartily what has been said by the Mountaineer. He was a man of rugged character and a natural pioneer. He had a keen appreciation of humor and wielded a ready pen. He will be greatly missed by those who knowing him had learned his many good qualities.

It was at first decided to hold the funeral services on Sunday but a change has been made in the arrangements and the funeral services will take place at the residence of the deceased at 11 o'clock this morning. The Masonic order will take charge of the ceremonies. The friends of the deceased are invited to be present.

articles which a holiday trade doing business for many years experience in the as will best suit holiday presents ters are covered goods, such as sciennes print at ends and collars, silk spreads, T that was shown u and breakfast cap entirely new and erist They have fancy toilet goo perfumeries all c Christmas and N

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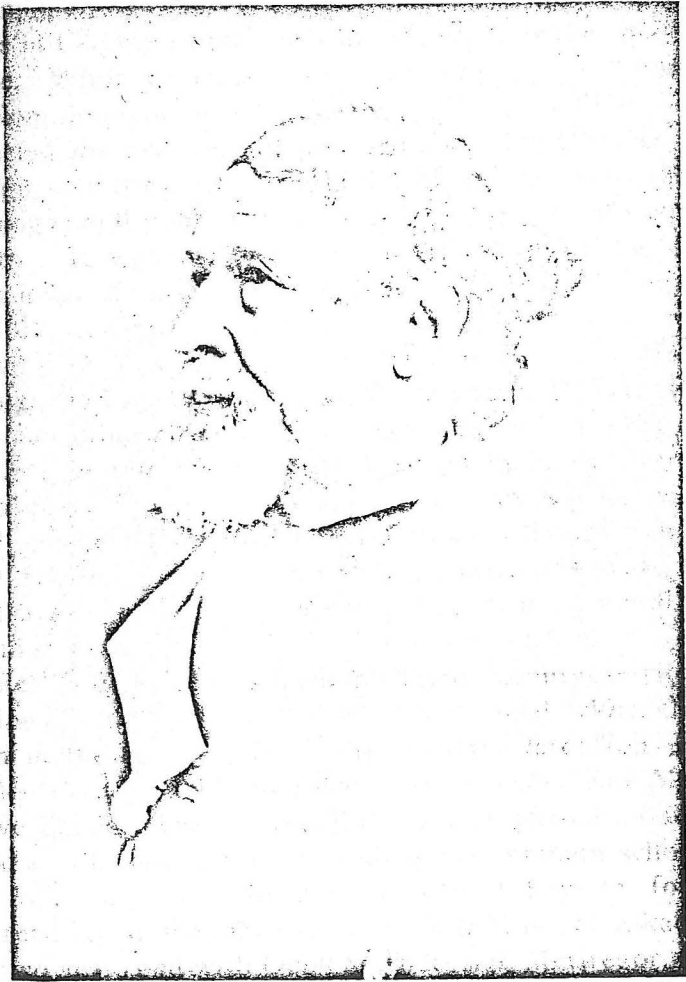
HON. CHESTER C. COLE, HISTORIAN
HON. E. C. EBERSOLE, EDITOR

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E Price

ney for the United States, pro tem, and James Churchman was appointed district attorney pro tem.

In 1868 the general assembly passed an act creating circuit courts. At the same time the office of county judge was abolished, and the business of that office was transferred in part to the circuit court. B. T. Hunt of Elkader, was the first circuit judge, his term beginning January 1, 1869, and continuing four years: Judge Hunt was succeeded by Chas. T. Granger, of Waukon.

The members of the present bar of Clayton county are: J. E. Corlett, V. T. Price, Preston & Fletcher, D. D. Murphy, Everall & Shulte, M. Fitzpatrick, A. R. Cole, Newberry Bros., M. X. Geske, Thomas Updegraff, Robert Quigley, A. Chapin, W. C. McNeil, E. R. Otis, A. H. Borman, Chas. E. Scholz, J. O. Crosby, F. S. Burling, S. T. Richards.

BIOGRAPHICAL.

Elphalet Price was born in Jersey City in the state of New Jersey on the 31st day of January, 1811, and died at Colorado Springs, Colorado, on December 10, 1880. His father, Elphalet Price, was a Presbyterian clergyman and instructor in the city of Jersey City, New Jersey. Our subject spent his boyhood in the cities of New Jersey and New York. He was educated in the common schools of his native place and under the instructions of his father until he attained the age of eighteen years, when his father took him to New York City and bound him for seven years as an apprentice to learn the trade of a painter. He read law and was admitted to the bar in the district court of Clayton county, Iowa, and at once entered upon the practice of his profession. He was elected county judge in 1855, and at the expiration of his term he found his health so impaired by asthma as to render him unable to attend to the business of his clients. He then gave such time as his health would permit to literature and writing for the newspapers, journals and

magazines. Most of his articles were written over his name or his Nom de plume of "Black Springs," "Glen Fruen," "Alpine Grove,"—those being the names of the farms in Clayton county on which he lived at the time he wrote. While a resident of Colorado Springs, Colorado, his Nom de plume was "Mucilage." Many of his articles attracted the attention of professors and literary men of foreign countries, who translated his articles into their languages and published them in their papers with comments. He was one of the charter members of the Masonic lodge, Prairie La Porte, No. 147, organized August 13, 1859, at Guttenberg, Iowa, and on his death he was buried with Masonic honors by his brethren at Colorado Springs, and many prominent Masons from Denver, Pueblo and other cities were in attendance. And while he will long be remembered for his fine interesting conversational powers and high literary attainments, yet he was a kind, courteous and social friend to all, whether rich or poor, and his sympathies were always aroused at any sign of distress or sorrow, and he was sure to be found "a friend in need."

Realto E. Price was born in Clayton county, territory of Iowa, August 1, 1840, being the second white child born in the county. His father was the late Hon. Eliphalet Price and his mother's maiden name was Mary Lowe Cottle. The subject of this sketch passed his boyhood in Clayton county, attending the common schools, and later the Upper Iowa University at Fayette, Iowa. He read law in the office of Murdock & Hunt, at Elkader, for two years and with Odell & Updegraff, McGregor, one year. The first-named firm was composed of Judge Samuel Murdock and Judge B. T. Hunt, and the latter firm of Elijah Odell and Hon. Thos. Updegraff. He was admitted to the bar at the January term, 1863, of the district court of Clayton county, Judge Elias H. Williams presiding. The examination was conducted by Judge Samuel

INDEXED.

THE ANNALS OF IOWA.

A HISTORICAL QUARTERLY.

VOLUME EIGHT—THIRD SERIES.

EDITED BY

CHARLES ALDRICH, A. M.

**Curator and Secretary of the Historical Department of Iowa; Corresponding
Member of the State Historical Society of Wisconsin; Corresponding
Member of the Minnesota Historical Society; Corresponding
Member of the Washington State Historical Society; and
One of the Founders of the American
Ornithologists' Union.**

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DES MOINES,
1907-8

P. S.

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ELIPHALET PRICE.*

BY THE LATE HON. SAMUEL MURDOCK.

We met in early life upon the border, where the civilized and savage commingled to pursue a common road, and for more than a third of a century he was my neighbor and my friend, and what I have here to say over his past life is but a tribute I owe to his distinguished worth.

Neither in the history of our own country, nor in that of any other civilized nation of the globe, has there ever been another half century of human affairs in which there has been so much progress and development, in all the avocations of human life, as the one that now closes the career of our lamented friend.

He saw the country from the great lakes to the Pacific ocean a wilderness and peopled alone by the hunter, and the savage, and he saw the same territory rapidly converted into states and peopled by a race of men who have converted it into blooming farms and fertile gardens; and established over all a government and a civilization based upon the principles of exact justice and self-government, the greatest and perhaps the grandest the world ever saw.

In nearly all of this development of empire, of human progress, settlement, and western civilization, with all their attendant excitements, turmoils and passions, our old friend was an ever constant, prominent and untiring worker, and to write the history of such a man, to do justice to his name and memory, and to carry him through all the varied scenes and

* Up to the time of his removal to Colorado there was no more commanding personality in the northeast quarter of this State than Hon. Elphalet Price. Upon the occasion of his death Judge Murdock, of Elkader, wrote this interesting sketch of his life, which was published in a local newspaper. It is deemed most fitting to reproduce the sketch in these pages as a part of the history of that section of the State.—EDITOR OF THE ANNALS.

Vicissitude and misfortune, however, overtook his old master, and he absolved young Price from his indenture and this threw him upon the world to make his own way through life.

About the beginning of the year 1831 he arrived in the city of Philadelphia and became the local editor of a paper called *The Market Exchange*, and in this capacity he soon brought himself into notice by his witty and spicy articles, many of which are more witty and mirthful than those of Ward or Nasby. But he soon tired of this work, and looking about for wider fields for his talent, in the fall of that year he repaired to Washington City.

General Jackson was at that time President of the United States, and the Senate and House were then represented by such men as Clay, Webster, Calhoun, Adams and others, who have now, like himself, passed away, but whose deeds will live forever. He remained here through two sessions of Congress, heard all these great and distinguished men from time to time discuss great national questions, and formed an intimate acquaintance with many of them that ended only with their lives.

He left Washington some time in 1832, with the design of seeing the far west and exploring the valley of the Mississippi; traveled on foot to Pittsburg, and after recruiting his wearied limbs, embarked on a steamer for Cincinnati. After remaining in this city for a short time he took passage on a steamer for New Orleans, and when he arrived in the latter city he found a large number of its inhabitants stricken down with the cholera.

Here for the first time since he left New York he found himself among strangers and without a cent in his pocket, with a dangerous and fatal disease raging around him. He repaired to the wharf in hopes to find some craft that would take him beyond the limits of that fatal scourge. At the wharf he found a steamer with her clerk on shore checking goods that were being shipped upon her, and upon inquiry the clerk informed him that they were loading for the lead mines of Galena, and requested him to take his place at the

plank and check for him a few minutes while he procured a little medicine from a neighboring drug store.

This he gladly did, and very soon the captain of the boat came along and discovered that his clerk was absent and a new man in his place, when he immediately followed his clerk to the drug store, only to find that he too had just died of the fearful disease.

Returning in a few moments to his boat he immediately engaged the services of our lamented friend as his clerk for the trip. Never was a service more gladly accepted or more faithfully performed, and in due time we find our young friend in Galena, looking about for some vocation that would give him a living.

But to him in his youthful days "fields always looked greener when they were far away," and he turned his steps towards Iowa, arriving in Dubuque some time in the fall of 1832.

It will be remembered that on the 21st of September, 1832, the Sac and Fox Indians had ceded to the United States a strip of land about fifty miles wide, extending from Missouri to the mouth of the Little Iowa. This treaty was to take effect on the first day of June, 1833, but as soon as the terms of it were known hundreds of men rushed across the great river, took up claims and began prospecting in the lead mines of Dubuque.

The Indians protested against this inroad, and Gen. Zack. Taylor, who was then commanding at Fort Crawford, and who was afterwards elected President of the United States, was ordered to proceed to the purchase and drive out the settlers. This order he executed to the letter and our old friend with others was compelled to leave the Territory.

Like all the others, he hung upon the border, and on the expiration of the time he returned to Dubuque and was among the first white men who made a legal settlement within the limits of what is now the great State of Iowa.

In the fall of 1834 he, in company with a party of hunters, explored the valley of the Turkey, and being enraptured with its romantic scenery, its rich and fertile prairies and its

rippling stream, he determined to make the valley his future and permanent home.

Returning to Dubuque to fulfill a contract he had entered into with Father Mazzuchelli to build for him a Catholic church, he again, in the fall of 1835, returned to the valley of the Turkey, and in company with C. S. Edson, a person well-known to the old settlers of Clayton, spent the first winter near the town now called Osterdock.

In the winter of 1836 a Mr. Finly erected a sawmill on the Little Turkey, near the present town of Millville. He shortly afterwards sold out his mill and his claim to Robert Hetfield and Mr. Price. In the erection of this pioneer sawmill, Joseph Quigley, still living in Highland, was the millwright, and Luther Patch, still living and now residing in Elkader, was the sawyer.

After a time Price sold out his interest in the mill, selected for himself a beautiful and fertile tract of land on the north side of the Turkey, about five miles from Millville, and on this he built his cabin. In a few years he converted this wild land into one of the finest farms of the county.

It was in this cabin that he became known to every settler and wayfarer in the land. Whether his stock of provisions was great or small, good or bad, he would divide his last loaf and meat with the stranger. It was this unbounded liberality on his part that gave him in after years such a hold upon the hearts of all the old settlers of his county. Many a time has the author of this article, with wearied thoughts and tired limbs, struck his clearing and his cabin only to find that generous welcome which ripened into a lifelong friendship, terminated only by his death. In 1839 he married Miss Mary D. Cottle, a lady of culture, education and refinement, and his equal in liberality and hospitality.

Here upon his farm they raised a family of eight children, five of whom are still living. Two of these, R. E. and T. G. Price, now reside in Elkader, another son is now the postmaster at Colorado Springs, Colo., and still another resides in San Jose, California. One of his sons fell at the battle of Tupello, and another son, a Major of the Eighth

Iowa Cavalry, was wounded at the battle of Fort Donelson and afterwards died of his wounds.

His amiable wife died in 1865 and he never married again, but with his youngest daughter, who still lives in Colorado, he kept the younger portion of his household together to the last.

During his long residence of thirty-eight years in our county he always took an active and prominent part in State and county politics, and in the management and organization of parties he had no peer in the State of Iowa.

In early times he was an ardent Whig, but upon the repeal of the Missouri compromise he threw his whole soul and action into the Republican party, and was among the very first, with voice and pen, to arouse the people against the strides and encroachments of the slaveholder. When the Rebellion broke out he took an active part in the organization of military companies, encouraged his sons to draw the sword, and from the beginning to the end of the great war his voice and pen were never idle in the cause of the Union.

No one in the State in a civil capacity did more, no one could do more than he did in the cause of the Union, and his speeches and writings at the time were models of learning, ability and oratory.

When he was well and himself he was a natural born orator, and this gift, added to his tall and graceful form, gave him at all times the full command of his audience. At one moment he could convulse that audience into boisterous laughter, and in the next arouse them into expressions of the most frenzied passion, and in a moment more they were again in the region of the clouds, where fancy was unrestrained, and where they had the option of basking in the sunshine unharmed by the whirlwind's roar, or with the thunderbolt leaping down to earth again, laughing at one of his sallies of wit, or lighting perhaps, in the mire and filth of accumulated dirt, only to curse themselves for having spent an hour listening to such a consummate juggler.

A lifelong complaint caused him to renounce public speaking, and he resorted to his pen, and if we only take into consideration his subjects, his themes, his racy, chaste and mu-

struggles of the last half century of western life, in which he was connected, would require volumes, instead of a newspaper article.

The history of Iowa and the development of civilization in this great valley can never be correctly written without his name being in the front rank of those who contributed the service of a long life to the establishment of everything that has proved beneficial to existing races and their posterity; and I must leave it to the pen of him who may come after me, and who in future years may seek to write of the rise, progress and development of American civilization to do more, and content myself and your readers with a few of the leading, prominent features and acts of his eventful life.

He was born in Jersey City, in the State of New Jersey, on the 31st day of January, 1811, and as he grew up he received from his father the rudiments of a common education, and when about 18 years of age his father took him to New York City and bound him as an apprentice to learn the trade of a painter.

This old relic of feudal times, called master and servant, still forms one of the chapters of the law of "domestic relations," and although it has nearly vanished from western civilization, it still clings with force to the institutions of the older states, and at the time we speak of it was in its full force and vigor in the State and city of New York, and was often made the pretense for the very worst acts of tyranny and oppression by the master over the apprentice.

Here, however, was a field for the genius of our friend and he soon accomplished a thorough organization of all the apprentices of the city into a strong society, with a constitution and by-laws that taught the most tyrannical master that they had rights which he was bound to respect.

This society soon raised a sum of money with which they purchased a fine library of all the leading works of that day and it was here that our old friend laid the foundation of that classical and historical knowledge which made him famous in after years as a writer and a scholar of no ordinary capacity.

sical style, together with his remarkable ingenuity of spinning all his facts and fancies into a common thread, he had no equal in the civilized world.

In literature he was a prince in the art of humbugging, and was more a master of this art than any juggler or showman who has appeared before the public for the last three hundred years.

He could stand upon the Rocky mountains, fifteen thousand feet above the level of the sea, and with his pencil and paper humbug a world; and, when he saw his infernal rat story published for truth in all the leading journals of America, illustrated in Police Gazettes, translated into foreign languages, and hawked about by the newsboys on the streets of London, Paris, St. Petersburg and Berlin, he sat down and laughed himself sick over the ease with which he could gull and tempt the cupidity of mankind.

It will be remembered that the story related how the rats had attacked, killed and eaten up the infant child of Sergeant O'Keef, belonging to the signal station on the summit of Pike's Peak, and when it was published and illustrated in pictures many a tender mother, and many an innocent child throughout the reading world shed sympathetic tears over the horrible miseries of that little child as the infernal rats were tearing the quivering flesh from its bones. Scientists, too, in every part of the world, took up the subject and discussed the question whether rodents in such numbers could possibly exist in such an altitude above the sea, and the question has not yet been settled, for but few persons know to this day that the whole story is without the first shadow of truth.

He next tried himself on the subject of the "Connecting Link," and knowing the interest I had taken on the subject of "Prehistoric Man," he held out to me the most tempting bait, intimating to a mutual friend that I would be the first man in America to bite; but as that friend knows full well, I smelt the rat before I had finished the story.

He began his *Sketches of Northern Iowa* in an early day and continued them down to his departure to Colorado in 1872. These sketches were published by the Historical Society of Iowa in a periodical called *The Annals of Iowa*, and will be

read and reread by the lovers of history and romance while the English language is spoken upon this continent.

He was for many years the vice-president of this society, and through his knowledge of this great valley, his general acquaintance with the early settlers, his intimacy with all the Indian tribes of the northwest, together with his experience in public life, he was enabled to collect and preserve for that society a vast fund of information and historical facts that without him would have been lost forever. He was also the author of the thrilling and interesting story called *The Indian Runner*, a story that twenty-five years ago went the rounds of the American press and was translated into foreign languages and published in all the leading journals of Europe.

In 1845 he wrote and published the thrilling and melancholy story of *The Mysterious Grave*, founded upon no fact whatever, and because the statement that these words: "Erin, an exile, bequeathes thee his blessing," were found in the grave, the story was copied into Irish papers and many a poor Irish mother wept over it as perhaps the grave of a lost and wandering son.

But perhaps his most successful story, one that called forth the greatest and most numerous encomiums, and one that was read at every camp-fire in the army, and in every cottage wherever the English language was spoken, is *The Drummer Boy*. It was first published in *The Chicago Daily Tribune*, and for tenderness of expression, for ingenuity of theme, for elegance of style and diction, for converting the ideal into reality, for chaining the reader's attention and calling from him emotions of sympathy and patriotism, for the ease of deception and for its perfect and consummate delusion, it is his masterpiece. No one doubted but that the story was true and the poor little "Drummer Boy," like Charlie Ross, was found in every village and hamlet in the land.

No story of modern times ever had a wider circulation, or was ever read with deeper or more sympathetic interest, and like *Pilgrim's Progress*, *The Vicar of Wakefield* and *The Deserted Village*, it will be read around the hearthstone of domestic tranquility, when its anonymous author is forgotten.

Saxe, the poet, traced out the author, complimented him highly and converted the story into one of his finest poems.

During his long and active life in our midst he was a constant contributor to the columns of the *Miners' Express*, *Dubuque Tribune*, *Dubuque Herald*, *Lansing Mirror*, and other papers of Iowa, and in all of these articles can be seen the same racy, chaste and elegant style of composition and thought that place him above any other writer of his day.

He took an active part in the organization of Clayton county, and held the first justice court within its limits. He was the first clerk of the Board of Clayton County Commissioners, was elected the first School Fund Commissioner and served one term as a Judge of Probate.

In 1850 he took the United States census of the counties of Clayton, Fayette, Winneshiek and Allamakee.

In 1850 he was elected from the counties of Clayton, Fayette, Winneshiek and Allamakee to the State legislature, and it was at this session that he brought himself into notice as one of the most skillful and sagacious politicians of the State. He took an active part in this Legislature, in the organization of the school system of the State, and to his actions and suggestions are we to-day indebted for some of our best laws relating to schools.

For many successive terms he was elected Governor of the Lobby, and that body received from him an annual message, that for keen wit and withering sarcasm has never been excelled.

In 1852 he was appointed by President Fillmore as Receiver of the Land Office at Des Moines, and held the office during that administration.

In 1855 he was elected Judge of the County Court of Clayton county, and held the office for two years. During his term in this office he resurveyed the roads of the county, established guide-posts and mile-posts along them; remodeled the county records and gave names to the streams and townships.

When his term expired he had the satisfaction of seeing his county's records and her finances established on a safe and permanent basis, to become a foundation for those who followed him for all time. He left every official position that

he ever occupied with clean hands and with a reputation for honesty, capability and fairness.

In the fall of 1864 he followed the brave General Hatch through all his military raids in Mississippi, and was an eyewitness of all the battles and skirmishes this general had with the rebel general, Forrest.

He was for many years the President of the Old Settlers and Pioneers' Association of the county, organized the first meeting and delivered before it one of the finest and most eloquent speeches of his lifetime.

Long before any railroad had reached any part of the great west, he called the people of the county together at a mass meeting in Guttenberg to discuss the propriety of giving aid to a railroad from the Atlantic to the Pacific, and in his opening speech before that meeting he declared with the most prophetic vision that he would live to see Clayton county checkered with railroads and this he accomplished with some years to spare.

Shortly after this meeting he made another speech to a few of the old settlers at Littleport, in which he said, "There are men in this audience, as well as myself, who will live to see a railroad passing up the Volga," and after the road up this stream was completed he wrote to the author of this article from Colorado, saying in reference to it, "My dream is fulfilled, my prophecy has come to pass, and my mission will soon be ended, but Clayton county, hail!"

One can hardly realize that that giant form that towered among us so long, that mingled in all our conventions, railroad meetings, county seat courts, balls, parties and routs, is gone forever, and that his voice and pen, which once stirred the thoughts and hearts of thousands, are now silent forever.

For fine, interesting conversational powers he had no equal in the State of Iowa, and it was at all times a rich treat to spend a few hours in his company. Never vulgar, always temperate, his language flowed with the same easy, elegant and poetical style of his compositions.

He could tell and embellish a good anecdote, sing a good song, convulse a crowd with merriment and laughter over any subject, and when one had left his company and pondered a

moment over the interview, the wonder was why his absurdities were not discovered while you were still in his presence.

Kind, courteous and social to all, whether rich or poor, his sympathies were aroused to the highest pitch at distress and sorrow, and he was at your service, while his money flowed like water. The priest and the layman, the tramp and the trader, the lawyer and the farmer, the rich and the poor, all found a home and a resting-place at his house and a seat at his table.

Ill health at last forced him to take refuge in the Rocky mountains, and in the year 1872 he sold his homestead, took the younger members of the family and departed for Colorado, leaving behind him the scenes of his early triumphs, exploits, association and hardships, upon which his eyes were never to rest again.

In Colorado he began the same career which characterized him in his early days in Clayton county, and with the vigor of his youth he visited the camps of her miners, ascended her highest mountains, looked down upon her wide-spread plains and with his voice and pen contributed to her greatness and her resources.

But old age and disease were fast destroying his stalwart frame, and when the fatal hour had come his death was like the blowing out of a candle.

Such are some of the leading acts and events of his long and useful life, and if I have not done him justice let an indulgent public attribute the fault to a want of ability on my part to do more, and may the ashes of my old and valued friend rest in peace.

WOLVES.—Prairie wolves are very plenty this winter, and seem to be in first rate condition. Mr. Wells, of this town, trapped a big one a short time ago, which measured five feet three inches from the tip of his tail to the end of his nose. They may occasionally exceed that size, but we believe this one is voted a "right smart" wolf.—*Hamilton Freeman*.—*St. Charles City Intelligencer*, February 28, 1861.

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Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa

Belonging to the First and Second
Generations, with Anecdotes and
Incidents Illustrative of the Times

By

EDWARD H. STILES

For many years a member of the Iowa Bar; member of its House of Representatives, 1863-1864; member of its Senate, 1865-1866; Reporter of its Supreme Court, 1867-1875; author of Complete Digest of its Decisions from the earliest Territorial period to the 56th Iowa Reports.

"In old age alone we are masters of a treasure of which we cannot be eprived, the only treasure we can call our own. The pleasures of memory and the retrospect of the varied images which in an active life have floated before the mind, compensate, and more than compensate, for the alternate pleasures and cares of active life."—SIR ARCHIBALD ALLISON.

"Personal anecdotes, when characteristic, greatly enliven the pages of a biography."—SAMUEL SMILES.

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By reason of his talents as a lawyer, coupled with his pleasing manners, he rapidly grew in public favor. In 1850 he was elected Prosecuting Attorney, but refused a re-election that was tendered him. In 1854 he was elected as a Free Soil candidate to the Legislature and to the Speakership of that body, and was again elected its Speaker at the extra session of 1855. In the visit of the Pioneer Law Makers' Association, at the reunion of 1896, to the House of Representatives, Judge Noble, in the course of his remarks to that body, referred to the character of legislation when he was Speaker of the House at the time above referred to, from which I am constrained to make the following excerpt because it is highly typical of the man:

The motto then was such as Lord Mansfield gave a young man who was seeking for light and knowledge in regard to his duty, in another country, when appointed Judge. He said to Judge Mansfield "I am inexperienced, I don't know as I know the law sufficiently to be a Judge, but I have got to act, I have got to perform my duty." Lord Mansfield replied, "Young man, the law is nothing but the logical deductions of the human mind as applied to the business and the social relations of men. Now when you know what the law is, follow it, but when you don't know what the rule of law is, do what is right, and you will hit the law nine times out of ten." We acted on that principle.

In this position he made friends throughout the State, and from that time forward stood in the front ranks of its principal men. In 1856 he was chosen one of the Republican electors of the State at large, but declined the nomination. During the same year he was strongly urged to accept the Republican nomination for Congress, and would have been triumphantly elected had he accepted, but he declined and threw his influence in favor of Timothy Davis, who was elected. During the Civil War he was a strong supporter of the Union and adhered to the Republican party, but at the close of that struggle he became dissatisfied with some of its measures, and expressed his dissatisfaction in so decided a manner that it brought him into disfavor with some of the leaders of the party. As a result, he was nominated by the Democrats against William B. Allison for Congress and made an able campaign, but was defeated by the overwhelming Republican majority that prevailed. In 1868 he was the Democratic nominee for Supreme Judge. In 1874 he was elected Judge of the District Court, and re-elected in 1878. In 1879 he was again the Democratic candidate for Supreme Judge, but was again defeated by the uniformly prevailing adverse party majority.

Eliphalet Price and Realto E. Price.

Eliphalet Price was a familiar name to Iowa people of fifty years ago. He was one of the strongly marked individuals of the early period. His accomplishments were varied, his life strikingly eventful. He was not only one of the first lawyers of Clayton County, but one of the most voluminous magazine, newspaper and miscellaneous writers of his time. The early *Annals* and the press fairly teemed with his productions. His life has been so remarkably well sketched by Judge

Samuel Murdock* that it would be in vain for me to endeavor any improvement upon it, and I shall only venture to give a brief outline of his career. Of that relating to the legal profession, I can give but little, nor have I been able to find but little. In the sketches of Clayton County lawyers, with which Judge Murdock was kind enough to furnish me, Price is noted as the first lawyer that came to Clayton County after Murdock and Noble came. In speaking of Noble, he says:

Previous to Noble's arrival this bar followed the Judge from court to court, and some of the lawyers had a considerable practice in our county. After his arrival, he, Eliphalet Price and the writer of this, for several years constituted the bar of this county; and until the arrival of the Honorable E. H. Williams, O. H. Stephens, E. Odell, J. O. Crosby, J. T. Stoneman, Judge Baugh, Honorable B. T. Hunt, A. J. Jourdan and others.

He was born in Jersey City, New Jersey, in 1811, acquired the rudiments of a common school education, and when eighteen years of age, was taken by his father to New York, and bound as an apprentice to learn the trade of a printer. Here after a time, he organized a strong society or club of apprentices, with constitution and by-laws, the object and effect of which were to teach tyrannical masters that apprentices had rights which they were bound to respect. At the end of two or three years he was released from his indenture, and in 1831 went to Philadelphia, and became the editor of the Market Exchange. His witty and spicy articles, which Judge Murdock says were more mirth provoking than those of Ward or Nasby, soon brought him into notice. In a comparatively short time, however, he went to Washington and wrote for papers there. General Jackson was President, and such men as Clay, Webster, Calhoun and Adams were at the Capitol. He remained through two sessions of Congress, heard these distinguished men from time to time discuss great national questions, and formed an acquaintance with some of them that ended only with their lives. In 1832 he left Washington for the far West; traveled on foot to Pittsburg, embarking on a steamer there for Cincinnati. Thence he went to New Orleans, where he found the cholera epidemic in full force. He was without money, among strangers, with a fatal disease raging around him. He looked for something to do, went to a steamer lying at the wharf which was being loaded for Galena. The clerk, feeling sick, requested him to take his place and check the goods delivered while he went to the drug store for some medicine. The Captain appeared, and was told of the situation; he followed the clerk to the drug store and found that he had just expired with the fatal disease. As a result, young Price was employed to fill his place and he went on the boat to Dubuque, and began prospecting in the lead mines of that locality. In 1836 he went to Clayton County, where he and Robert Hetfield purchased a saw mill that had been erected on the little Turkey River. He soon sold his interest to Hetfield, and secured a tract of land on the north side of the Turkey River, on which he built a cabin and

* Third Series of Annals of Iowa, Vol. 8, page 32.

converted the land into a farm. Here he became known to every settler and wayfarer that came to that part of the country. He was generous to a fault, and would divide his last dollar with a stranger. He became widely known for his open-handed hospitality. The maiden name of his wife was Mary D. Cottle, a lady of culture and a hospitality equal to his own. Their marriage took place in 1839, and upon this farm they reared a family of eight children. One of his sons fell at the Battle of Tupello, another died from wounds received in the Battle of Fort Donalson, another went to Colorado Springs and became Postmaster there, another to San Jose, California, and another, who will be hereafter mentioned, became a lawyer in Clayton County.

Elphalet Price resided in Clayton County thirty-eight years, until failing health obliged him to seek a more favorable climate in Colorado, where he died some years ago. He was originally a Whig, and afterward an ardent and active Republican. He was violently opposed to the extension of slavery, and his voice and pen were constantly used against it. Upon the breaking out of the Civil War he exerted all his forces in support of the government, encouraged enlistments, and even his own sons to enter the army in defense of the Union. Judge Murdock says he was a natural born orator, and capable of exerting great power over his audiences—at one moment convulsing them with laughter, and in the next exalting them to the highest state of feeling. That he was a man of fine fancy and vivid imagination, is clearly shown by his writings, some of which are enumerated in the sketch of Judge Murdock before alluded to. His sketch was prepared by Judge Murdock for the Pioneer Settlers' Association of Clayton County; it was afterward published in a local newspaper from which it was happily incorporated by Charles Aldrich into the *Annals of Iowa*.

In addition, he was a prince of literature. In 1815 he wrote and published the thrilling and melancholy story of the Mysterious Grave, founded upon no fact whatever; but because the statement that the words "Erin, an exile bequeaths thee his blessing," were found in the grave, the story was copied into Irish papers, and many a poor Irish mother wept over it as perhaps the grave of a lost and wandering son. But his most successful story, that called forth the greatest and most enthusiastic enthusiasm and was read at every campfire in the army, and in every cottage where the English language was spoken, was *The Drummer Boy*. It was first reprinted in the *Chicago Tribune*, and for tenderness of expression, for ingenuity of theme, for elegance of style and diction, for converting the ideal into reality, for claiming the reader's attention and calling from him emotions of sympathy and patriotism, for the ease of deception and for its perfect and consummate delusion, it is his masterpiece. No one doubted but that the story was true, and the poor little "Drummer Boy," like Charlie Ross, was found in every house and hamlet in the land. No story of modern times had a wider circulation. John V. Saxe, the poet, traced out the author, complimented him highly, and converted the story into one of his finest poems.

He was a constant contributor to the newspapers of the day, and all of his articles were characterized by a racy, chaste, and elegant style of thought and composition. He took an active part in the organization of Clayton County, and was

the first Justice of the Peace within its limits. He was the first Clerk of its County Commissioners, and its first School Fund Commissioner, and was for a time, Judge of its Probate Court. In 1850 he was elected from the Counties of Clayton, Fayette, Winneshiek and Allamakee to the State Legislature, in which he took an active and leading part, especially in the organization of the public school system of the State. In 1852 he was appointed by President Fillmore, Receiver of the Land Office at Des Moines, and held the office during that administration. In 1855 he was elected Judge of the County Court of Clayton County. During his term of office he caused the roads of the County to be resurveyed, established guide and mile posts along them; remodeled the County records and gave names to the streams and townships. He was for many years the President of the Old Settlers' Association of the County, organized the first meeting and delivered before it a most eloquent address. He was among the first to organize movements in aid of railroad construction. He had a tall and graceful form and was altogether commanding in appearance. I am gratified in being a humble factor in perpetuating his memory.

Realto E. Price was the eldest son of Eliphalet Price. He was a native of Clayton County, where he was born in 1840. He was well educated in the common schools and later, at the Upper Iowa University, at Fayette. He read law for two years with Murdock & Hunt, and for nearly a year in the office of Odell & Updegraff, and was admitted to the bar in 1863. He formed a partnership with B. T. Hunt at Elkader, which continued for a number of years and until Mr. Hunt was elected Circuit Judge. He then formed a partnership with Marvin Cook under the firm name of Price & Cook, which continued for several years. He had a fine standing at the bar, eschewed politics, and built up a successful practice. His brother, who is mentioned in the preceding sketch of his father, as having died from the effects of wounds received in battle, was a Major in the Eighth Iowa Cavalry and was specially mentioned for gallantry by the Commanding Officer.*

Elias H. Williams, Elijah Odell, James O. Crosby.

Elias H. Williams, I did not become acquainted with until after he became one of the judges of the Supreme Court of the State. We met at one of its sessions at Dubuque, and soon established a friendly acquaintance, as we were both reared in Connecticut and had many things in common with that State. He had been the Judge of the District Court of the Tenth Judicial District for a number of years, from 1858 until 1866, and in 1870 was appointed by Governor Merrill, Judge of the Supreme Court to fill a vacancy. He was a fine District Judge and would probably have proved an able Supreme Judge had he remained on the bench, for he was not only a finished scholar, but an able lawyer and jurist. He stood very

* Stuart's Iowa Colonels and Regiments, page 644.



You searched for **Eliphalet Price** in **Iowa**

Iowa Census, 1838-70

Name: **Eliphalet Price**
State: **IA**
County: **Clayton County**
Township: **Wisconsin Territory**
Year: **1838**
Database: **IA 1838 Territorial Census Index**

Source Information:

Jordan Dodd and Liahona Research, comp.. *Iowa Census, 1838-70* [database on-line]. Provo, UT, USA: Ancestry.com Operations Inc, 1999.
Original data: Compiled and digitized by Mr. Jackson and AIS from microfilmed schedules of the U.S. Federal Decennial Census, territorial/state censuses, and/or census substitutes.

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Last name

Elphalet

Price

Keyword(s)

You can now use quotation marks to search for exact phrases.
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Source Information:

Ancestry.com. *Iowa Marriages to 1850* [database on-line]. Provo, UT, USA: The Generations Network, Inc., 1997.Original data: Dodd, Jordan R, et. al.. *Early American Marriages: Iowa to 1850*. Bountiful, UT, USA: Precision Indexing Publishers, 19xx.

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Owner: pdevoti156

Elphalet PRICE

Birth **Abt 1811** in [New Jersey USA](#)

Death

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Media Gallery

No photos, stories, audio or video have been added yet.

Timeline [\(View details\)](#)

1811 [Birth](#) [3 source citations](#)
Abt [New Jersey USA](#)

1839 [Marriage to Mary Lowe COTTLE](#)
Abt
Age: 28

1850 [Property](#)
[Jefferson, Clayton, IA](#)
Age: 39
Real estate Value: \$1,000

1850 [Occupation](#)
[Jefferson, Clayton, IA](#)
Age: 39
Farmer

1850 [Residence](#)
[Jefferson, Clayton, IA](#)
Age: 39
39 yrs old living with wife Mary Lowe Cottle & 6 children

1850 [Name](#) [1 source citation](#)
Age: 39
Correct spelling Elipholet

1850 [Residence](#) [1 source citation](#)
Age: 39
[Jefferson, Clayton, Iowa](#)

1860 [Property](#)
[Guttenberg, Jefferson, IA](#)
Age: 49
Real estate Value: \$4,000 Personal property Value: \$1,000

1860 [Occupation](#)
[Guttenberg, Clayton, IA](#)
Age: 49
Farmer

1860 [Residence](#)
[Guttenberg, Jefferson, IA](#)
Age: 49
49 yrs old living with wife Mary Lowe Cottle & 8 children

1870 [Property](#) [1 source citation](#)
Age: 59
[Guttenberg, Clayton, IA](#)
Real estate Value:\$300 Personal property Value: \$5,000

1870 [Occupation](#) [1 source citation](#)
Age: 59
[Guttenberg, Clayton, IA](#)
Lawyer

1870 [Residence](#) [1 source citation](#)
Age: 59
[Guttenberg, Clayton, IA](#)
59 yrs old living in home with 3 children

1870 [Residence](#) [1 source citation](#)

Family Members

Parents

No Father

No Mother

[Show siblings](#)

Spouse & Children

[Mary Lowe COTTLE](#)
1816 – 1870

[Realto E PRICE](#)
1840 – 1935

[Volmah V PRICE](#)
1842 – 1864

[Avalo J PRICE](#)
1843 –

[Trevarious G PRICE](#)
1847 –

[Ellyria A. PRICE](#)
1849 –

[Mary Ellen PRICE](#)
1850 – 1914

[Elipholet J PRICE](#)
1853 –

[Alpine W. PRICE](#)
1861 --

[Family group sheet](#)

Source Information [view details](#)

1850 United States Federal Census

1 citation provides evidence for **Name, Birth, Residence**

1870 Federal census

2 citations provide evidence for **Residence, Custom Event, Occupation**

1870 United States Federal Census

1 citation provides evidence for **Residence, Birth, Name**

Ancestors & Descendants of Sylvanus & Abigail Sherman Cottle

2 citations provide evidence for **Name, Birth**

Ancestry Family Trees

This citation provides evidence for Eliphalet PRICE

Unsources Citations

Age: 59 [Guttenberg, Clayton, Iowa USA](#)

1880 [Medical](#)
 Age: 69 [Colorado Springs, El Paso, CO](#)
 Age: 69 [Neuralgia](#)

1880 [Occupation](#)
 Age: 69 [Colorado Springs, El Paso, CO](#)
 Age: 69 [Lawyer](#)

1880 [Residence](#)
 Age: 69 [Colorado Springs, El Paso, CO](#)
 Age: 69 69 yrs old widowed living with daughter & son in his home

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1 citation provides evidence for **Custom Event**

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