

**Eli K. (Eli Kirk) Price papers, 1820-1853**  
**1820-1853**  
**Mss.B.P926**

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## Summary Information

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<b>Repository</b>	American Philosophical Society
<b>Creator</b>	Price, Eli K., (Eli Kirk), 1797-1884
<b>Title</b>	Eli K. (Eli Kirk) Price papers, 1820-1853
<b>Date [inclusive]</b>	1820-1853
<b>Call number</b>	Mss.B.P926
<b>Extent</b>	0.25 Linear feet 35 items
<b>Extent</b>	35 items.
<b>Location</b>	LH-MV-C-16
<b>Language</b>	English
<b>Container</b>	1
<b>Abstract</b>	These papers concern business and legal affairs, and include Price's writings on the law of real and personal property, and private wrongs. Also includes a letter to Daniel Webster.

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## Background note

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Eli Kirk Price (1797–1884, APS 1854) was a lawyer. Price was particularly well-known for his expertise in real estate law. He played a leading role in many civic and learned organizations and commissions in Philadelphia, including the group that established Fairmount Park. He served as Vice President of the American Philosophical Society from 1877 to 1884.

Price was born in 1797 in East Bradford, Chester County, Pennsylvania, one of eleven children of Rachel and Philip Price, members of the Society of Friends. Young Eli received a classical education at Westtown School, a private Quaker school near his home. In 1814 he was apprenticed to the shopkeeper John W. Townshend of West Chester, and a year later he entered the well-known shipping-house of Thomas P. Cope (1768-1854, APS 1843) in Philadelphia. Price then spent a year with J. C. Jones, Oakford & Co. to further his mercantile training. Presumably due to poor prospects in a profession that was increasingly depressed, Price decided to study the law. He became a student of the Philadelphia lawyer and politician John Sergeant (1779-1852, APS 1813) and in 1822 was admitted to the bar.

Price's mercantile training turned out to be an asset for his legal work since it facilitated a better understanding of shipping and commercial law, an area in which he initially specialized. Eventually he turned his attention to real estate law. It was in this field that he distinguished himself as a particularly skilled expert.

Price maintained a private practice but his legal services were also frequently solicited on behalf of public causes. In 1843 Price was selected a member of a revenue commission charged with revising the property tax assessments in Pennsylvania. The result of the revaluation was a significant increase in the state's tax revenue. In 1851 Price wrote an essay in which he argued against a proposal to lift the tax exempt status of churches, colleges, asylums and other charitable institutions. Two years later, Pennsylvania Governor William Bigler (1814-1880) requested that Price draft an act that was "designed to promote the alienability of real property and vest in the courts the jurisdiction to determine the propriety of the disposition of a title in a case provided for in the statute." The so-called Price Act was signed into law in April 1853.

Price was the author of several additional acts, most notably the Act of May 4th, 1855, which, among other points relating to the rights and duties of husbands and wives, and parents and children, enabled the wife to become a *femme sole* trader, to own her own earnings, and to dispose of her property. In addition, in 1854 he was a sponsor of the consolidation bill that combined the governments in the County of Philadelphia into one entity.

In 1853 Price, who was an active supporter of municipal reform, was nominated by like-minded citizens for the State Senate. Despite his lack of confidence in the integrity of the "elective franchise," which he deemed "almost valueless," he accepted the nomination. He was elected later that year. As a state senator he opposed the Prohibitory Liquor Bill on the grounds that the proposed prohibition of the "manufacture and sale of alcohol and ardent spirits" violated the rights and liberties of the people. Not surprisingly, this action earned him much criticism from members of the temperance movement. His supporters, on the other hand, applauded what they saw as an unwavering loyalty to his convictions and to the Constitution.

Price published numerous essays on a broad range of legal topics, but his interests extended beyond the study and practice of law. In 1852 he published a biographical memoir of his parents Rachel and Philip Price; ten years later he wrote a memorial of his daughter Rebecca for her child. In 1872 he completed a history of Philadelphia that had been solicited by the Historical Society of Pennsylvania. That same year he also published a critical essay about the relatively new theory of evolution. While Price eventually accepted the abstract idea of evolution, he questioned to what extent it could be considered operative.

Price was involved in many civic and learned organizations and projects. He was elected to the American Philosophical Society in 1854 and served as its Vice President from 1877 to 1884. In the 1870s he was chairman of the committee in charge of executing the trust of François André Michaux (1770-1855, APS 1809), a French botanist and fellow member of the American Philosophical Society. Price shared with Michaux a particular interest in trees; in fact, Price was an ardent advocate of the protection of American forests. He was also one of the original members of the city's Park Commission, founded in 1867. As its chairman he was responsible for acquiring for the city the land tracts that later comprised Fairmount Park.

In 1872, Price helped coordinate efforts to celebrate the Centennial in Philadelphia. One outcome of his involvement was the decision to refurbish Independence Hall in time for the festivities. In 1879 he received the Silver Medal of the Numismatic and Antiquarian Society, of which he was the president. He also served on the Board of the University of Pennsylvania and as President of the Pennsylvania Colonization Society. In addition, he was President of the University Hospital and the Preston Retreat, a maternity hospital in Philadelphia.

Price was married to Anna Embree. They had three children, including John Sergeant, who was named after his father's mentor.

## Scope & content

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This collection consists of twenty-three items relating to Eli Kirk Price. They are dated between 1820 and 1853, with the bulk dating to the 1820s.

The collection sheds light on some of Price's professional activities as well as the causes he supported. Several items detail with Price's work as a lawyer. Of interest is a transcript of a court case dealing with a dispute over land in West Chester. Two "negro servants," who had each been bequeathed five acres of land by their master, testified at the trial (1820). Included in the collection is also Price's legal argument in the case Delaware Insurance v. Archer and Others (n.d.), as well as essays concerning private wrongs, personal property, and real property. Other material that discusses law suits includes the letter from Rawle (1841) and the letter from Wharton to Hollingsworth (1853).

Included in the collection are three petitions recommending Price for the appointment of solicitor of the Northern Liberty Bank. Two are signed by a number of prominent citizens, including John Child, Joseph Ely, Thomas Martin, Abraham L. Pennock, James Sellers and Samuel B. Morris. There is a letter of recommendation from Thomas P. Cope and Sons, with whom Price received his mercantile education (23 September 1828). Two additional letters recommend Price for the position of solicitor of the Spring Garden District of Penn Township (November 1830). The six letters from Richard Oakford as well as I. C. Jones of Oakford & Company to Archer, Price and Jones concern matters relating to the tea trade, including difficulties in the trade with Canton and efforts to get Congress to reduce the duty on tea (1829).

Also included is material related to Samuel Brown's efforts to get a patent for his "Engine to raise water...by means of the Combustion of gas." There is a letter by Price to Daniel Webster, then Chairman of the Judiciary committee of the House of Representatives, in which Price urges Webster to support Brown's application. Brown's application was approved, as a copy of the act of Congress that granted the patent indicates (1824).

An item that sheds light on Price's philanthropic efforts is the draft for a lecture on the "Impolicy of Slavery," to be delivered before the Association for the Education of Men of Colour (1824).

## Administrative Information

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### Publication Information

American Philosophical Society

## Provenance

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### Acquisition Information

Received and accessioned, 1957 (1957 1529ms).

## Indexing Terms

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### Genre(s)

- Business Records and Accounts
- Essays.
- General Correspondence
- Legal Records
- Manuscript Essays

### Personal Name(s)

- Webster, Daniel, 1782-1852

### Subject(s)

- African American
- Commercial law -- United States.
- Early National Politics
- Education
- International Trade.
- Law

- Personal property.
- Real property.

## Other Descriptive Information

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Eli Price was a prominent Philadelphia lawyer who became a member of the APS in 1854. This small manuscript collection is primarily related to his legal career and financial dealings. Court records and other legal documents comprise much of the collection. There are other types of documents as well, including some correspondence about international trade, business, and politics. The most notable letters include one to Daniel Webster regarding patent applications, a series of letters on lobbying efforts to reduce the tariffs on teas coming from Asia, and an essay by Price on the “impolicy” of slavery that he delivered to the “association formed for the education of men of colour.”



## Collection Inventory

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### Papers

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**Price, Eli K., (Eli Kirk), 1797-1884** Aug., 1820 12-3/4x8

Argument of John Jacobs vs. Is.Green;

West Chester, A.D. 48p.,end. (see E.K. Price. Papers; 1820-1853.) Concerning dispute over land.

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**Price, Eli K., (Eli Kirk), 1797-1884** 1824 10x8

Letter to Dan[ie]l Webster;

[ca.] A.L.S. 4p. (see E.K. Price. Papers; 1820-1853.) Concerning Samuel Brown, his inventions and desire for patenting them.

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**United States. Congress** Feb. 28, 1824 9-3/4x8

An act to authorize the issuing of letters patent to Samuel Brown;

Washington D.S.: H[enry] Clay, Speaker..., Daniel D. Tompkins, vice President..., approved James Monroe. Copy. 1p. (see E.K.Price. Papers; 1820-1853.) ----Copy with variations.

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**Price, Eli K., (Eli Kirk), 1797-1884** [1824] 13-1/4x8

On the impolicy of slavery;

A.D. 21p.and end. (see E.K.Price. Papers; 1820-1853.) Lecture given the Association for the Education of Men of Colour.

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**Carmalt, Jonathan, et. al.** Sept. 23, 1828 10x8

Letter to the President, Directors and Company of the Northern Liberties Bank;

Philadelphia, L.S.: Jona[tha]n Carmalt and 24 others. 2p. (see E.K.Price. Papers; 1820-1853.) Petition recommending E. K. Price as solicitor. 24 signatures.

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**Cope, Thomas P., & Sons** Sept. 23, 1828 10x8

## Papers

Letter to the President, Directors &  
Company of the bank of the Nor[ther]n  
Liberties;

Philadelphia, L. 1p.and add. (see E.K.Price. Papers; 1820-1853.) Recommends E. K. Price as  
solicitor.

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**Mott, James, et. al.**

Sept. 23, 1828

9-3/4x8

Letter to the President, Directors &  
Company of the Bank of the Northern  
Liberties;

Philadelphia, L.S.: James Mott and 20 others. 2p. (see E.K.Price. Papers; 1820-1853.) Petition  
recommending E. K. Price as solicitor. 21 Signatures.

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**Jones, I.C., Oakford & Company**

Jan. 5, 1829

10x8

Letter to Eli K. Price, Washington;

Philadelphia, A.L.S. 1p.and add. (see E.K. Price. Papers; 1820-1853.) Concerning duty on tea.

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**Oakford, Richard**

Jan. 9, 1829

10x8

Letter to I. C. Jones;

New York, L. 1p. Copy. (see E.K.Price. Papers; 1820-1853.) Concerning duty on tea. On same sheet  
as I.C.Jones, Oakford & Co. to E.K.Price; Jan. 10, 1829.

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**Jones, I.C., Oakford & Company**

Jan. 10, 1829

10x8

Letter to Samuel Archer or Eli K[irk] Price,  
Washington;

Philadelphia, L. 2p.,add. (see E.K.Price. Papers; 1820-1853.) Concerning duty on tea. On same sheet  
is letter from R.Oakford to I.C.Jones; Jan.9,1829.

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**Jones, I.C., Oakford & Company**

Jan. 12, 1829

10x8

Letter to Eli K[irk] Price, Washington;

Philadelphia, L. 3p.and add. (see E.K.Price. Papers; 1820-1853.) Concerning duty on tea.

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**Jones, I.C., Oakford & Company**

Jan. 24, 1829

10x8

## Papers

Letter to Eli K[irk] Price, Washington;

Philadelphia, L. 2p.and add. (see E.K.Price.Papers; 1820-1853.) Concerning duty on tea.

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**Jones, I.C., Oakford & Company** Feb. 9, 1829 10x8

Letter to Eli K[irk] Price, Washington;

Philadelphia, L. 1p.and add. (see E.K.Price. Papers; 1820-1853.) Concerning duty on tea.

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**Armitage, Benjamin** July 31, 1829 9-3/4x8

Letter to Eli K. Price, Philadelphia;

New York, A.L.S. 1p.and add.,end. (see E.K.Price. Papers; 1820-1853.) Business.

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**Smith, George Washington, 1800-1876** Dec. 14, 1829 10x7-3/4

Letter to Eli K[irk] Price, Philadelphia;

Kittanning, A.L.S. 1p.and add.,end. (see E.K.Price. Papers; 1820-1853.) Business.

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**Watmough, John Goddard, 1793-1861** Nov. 6, 1830 9-3/4x8

Letter to the Board of commissioners of  
Penn Township;

Philadelphia, A.L.S. 1p.and add.,end. (see E.K. Price. Papers; 1820-1853.) Recommends E.K. Price  
as solicitor.

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**Pennock, Abraham Liddon, 1786-1868,** November 1830 12-1/2x7-3/4  
**et.al.**

Letter to the board of commissioners of  
Spring Garden District [Penn Township];

D.S.: Ab[raha]m L. Pennock and 15 others. 1p.and end. (see E.K. Price. Papers; 1820-1853.)  
Recommends E.K.Price as solicitor. 16 signatures.

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**McClure, William, b.1807 (?).** Sept. 17, 1835 13-1/2x8

Letter to Eli K[irk] Price, Philadelphia;

Harrisburg, A.L.S. 2p.,add.,end. Mutilated. (see E.K.Price. Papers; 1820-1853.) Legal matters.

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**Rawle, Charles C.** Oct. 19, 1841 10x8

## Papers

Letter to Eli K[irk] Price, Philadelphia;

Harrisburg, A.L.S. 1p.and add.,end. (see E.K.Price. Papers; 1820-1853.) Business. Regarding Mr. Duffield's suit against Fisher.

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Receipts

1843

Several receipts for work done, wood purchased, etc, made out to Price.

### Indexing Terms

#### Personal Name(s)

Price, Eli K., (Eli Kirk), 1797-1884

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**Wharton, J. J.**

Feb. 23, 1853

8-1/2x6-3/4

Letter to J. G. Hollingsworth;

A.L.S. 2p. (see E.K. Price. Papers; 1820-1853.) Concerning a case in which Price is the attorney.

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**Price, Eli K., (Eli Kirk), 1797-1884**

undated

13x8

Argument of the Delaware insurance company vs. [Samuel?] Archer and others.

A.D. 18p. Draft. Mutilated. (see E.K.Price. Papers; 1820-1853.)

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**Price, Eli K., (Eli Kirk), 1797-1884**

undated

12-1/2x7-3/4

Concerning private wrongs.

A.D. 12p. (see E.K. Price. Papers; 1820-1853.)

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**Price, Eli K., (Eli Kirk), 1797-1884**

undated

13x8

Concerning real property.

A.D. 11p.and end. (see E.K. Price. Papers; 1820-1853.)

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Concerning personal property

undated

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