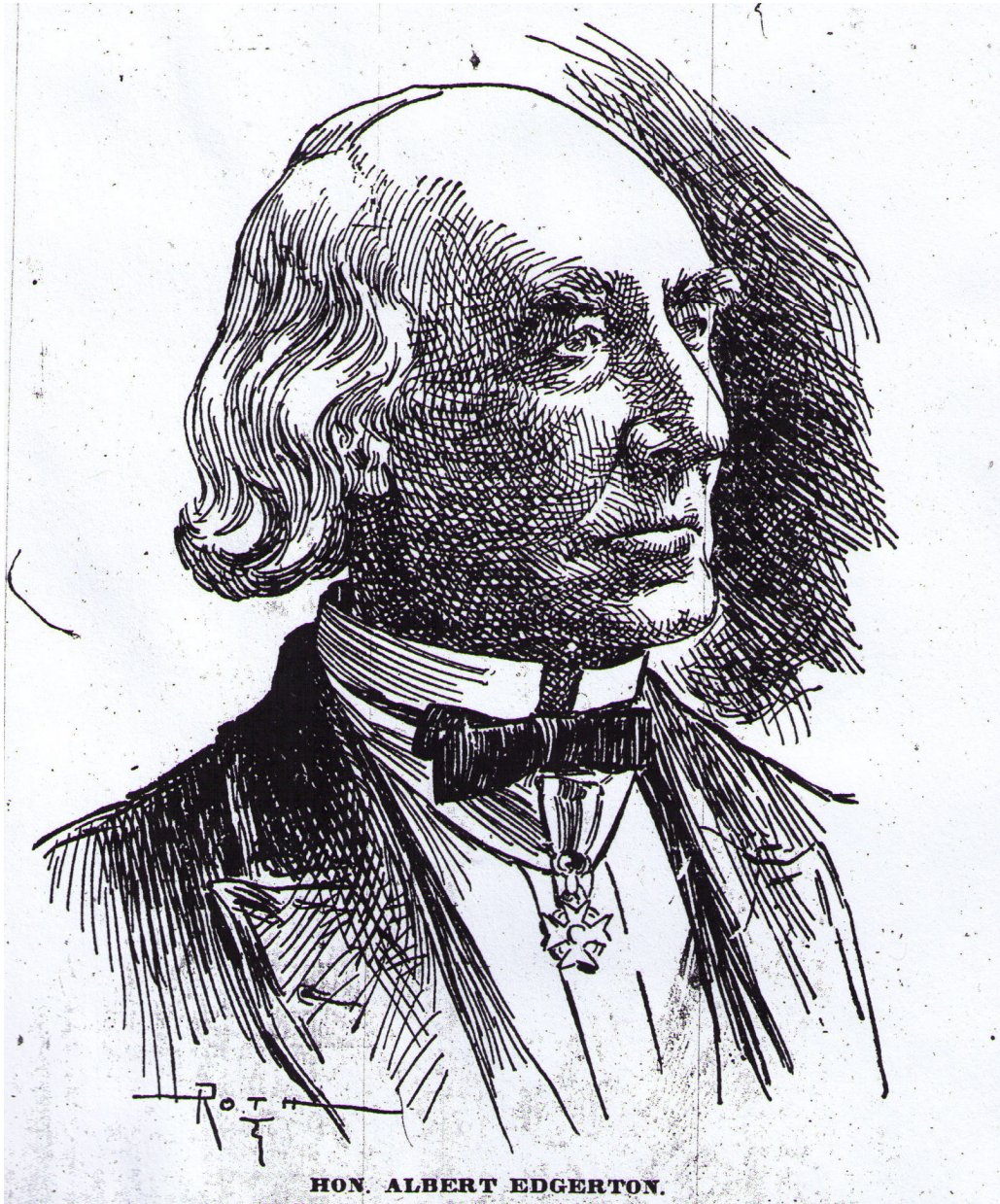


# JUDGE ALBERT EDGERTON

( April 20, 1815 - November 2, 1896 )



HON. ALBERT EDGERTON.

(1896)

On March 2, 1867, the 39th United States Congress enacted the Bankruptcy Act of 1867.<sup>1</sup> It was the third bankruptcy act in the nation's history and a belated reaction to the severe distress resulting from the Panic of 1857. Under this law, the Chief Justice of the Supreme Court was authorized to nominate and recommend a bankruptcy register, who would serve in each congressional district, to the district court judge, who would then appoint that man to the bankruptcy bench.<sup>2</sup> Minnesota had two congressmen at this time. Later that year Chief Justice Chase nominated Albert Edgerton of St. Paul and Henry C. Butler of Rochester bankruptcy registers, and they were duly appointed by District Court Judge Rensselaer Nelson. On June 7, 1878, Congress repealed the Bankruptcy Act of 1867.<sup>3</sup> Nevertheless Judges Edgerton and Butler continued to administer the cases that remained on their dockets, a process that took many years. In 1887, nine years after the repeal of the act they administered, Judges Edgerton and Butler were still listed as officers of the United States.<sup>4</sup>

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<sup>1</sup> Act of March 2, 1867 c. 176, at 518 , 14 Stat. 517.

<sup>2</sup> Section 3 of the Bankruptcy Act of 1867 provided:

*Section 3. And be it further enacted, That it shall be the duty of the judges of the district courts of the United States, within and for the Congressional districts, to appoint in each Congressional district in said districts, upon the nomination and recommendation of the Chief Justice of the Supreme Court of the United States, one or more registers in bankruptcy, to assist the judge of the district court in the performance of his duties under this act.*

<sup>3</sup> Act of June 7, 1878, c. 160, 20 Stat. 99. The Bankruptcy Act of 1867 had been amended many times during its decade of existence. The next Bankruptcy Act was enacted in 1898.

<sup>4</sup> 1 Official Register of the United States, Containing a List of the Officers and Employes of the Civil, Military, and Naval Services on the First Day of July, 1887, at 727 (1887).

MINNESOTA.				
EIGHTH CIRCUIT.				
<i>Circuit Judge.</i>				
David J. Brewer.....	Asia Minor.....	Kansas.....	Eighth judicial circuit.....	\$0, 600 00
<i>District Judge.</i>				
Rensselaer K. Nelson.....	New York.....	Minnesota.....	Saint Paul.....	3, 500 00
<i>District Attorney.</i>				
George N. Baxter.....	Michigan.....	Minnesota.....	Saint Paul.....	*200 00
<i>Assistant District Attorney.</i>				
D. W. Lawler.....	Wisconsin.....	Minnesota.....	Saint Paul.....	Fees.
<i>Marshal.</i>				
William M. Campbell.....	Massachusetts.....	Minnesota.....	Saint Paul.....	*200 00
<i>Clerk Circuit Court.</i>				
Oscar B. Hillis.....	Indiana.....	Minnesota.....	Saint Paul.....	Fees.
<i>Clerk District Court.</i>				
William A. Spencer.....	New York.....	Minnesota.....	Saint Paul.....	Fees.
<i>Registers in Bankruptcy.</i>				
Henry C. Butler.....	New York.....	Minnesota.....	Rochester.....	Fees.
Albert Edgerton.....	do.....	do.....	Saint Paul.....	Fees.

Edgerton had interests far beyond the law, particularly preserving his father's place in history by helping found the Minnesota Chapter of the Sons of the American Revolution. His father Roger Edgerton fought and was captured by the British during the Revolutionary War.

On November 2, 1896, Judge Edgerton died. He was eighty-one years old. The *St. Paul Pioneer Press* carried the story:

**DEATH ENDS  
A LONG LIFE**

—————  
**Hon. Albert Edgerton dies at  
the age of 81.**  
—————

**He has Lived in St. Paul Since 1857 — For Years He  
was Bankruptcy Commissioner — The Only  
Resident of Minnesota a Son of Revolutionary  
Soldier — His Father's Distinguished Career —  
President of the Minnesota Branch of the Society.**

Hon. Albert Edgerton died last night at his home, 240 West Seventh Street, at the age of eighty-one years, six months and thirteen days, surrounded by his children and grandchildren. Mr. Edgerton has been periodically confined to the house since last March, and for the past four weeks he has been forced to take to his bed. He was attended three times a day by Dr. Hutchinson, but grew steadily weaker, although there was no specific ailment. He quietly went to sleep last night and it was some little time before the family realized that it was the sleep that knows no waking.

With the death of Mr. Edgerton there passed away one of the few men of distinction of being sons of Revolutionary soldiers, and the only one that made his home in Minnesota. At the time of his death he was the president of the Minnesota society of the Sons of the American revolution.

Albert Edgerton was born in New York, April 20, 1815. He became a member of the bar and practiced in his native state for ten years, holding also a position in the revenue service at New York city. In 1857 he came to Minnesota, landing at St. Paul on what he intended to be merely a visit. Business detained him here. In 1867 Chief Justice Chase appointed him registrar of bankruptcy for this congressional district, which at that time comprised one-half of the state. The act of creating the office was repealed, and all further business was stopped, but it took years to wind up the affairs of the

old office, although netting but a small revenue to the incumbent.

When in 1889 the movement was started to organize the society of Sons of the American Revolution, Mr. Edgerton was a leader in it and became the presiding officer, holding the position since by repeated re-elections. Of his service to this patriotic body and of his position therein, he has always been justly proud.

#### His Distinguished Ancestry.

Roger Edgerton, the father of Mr. Edgerton, died at Coventry, N. Y., May 24, 1844. His record was an honorable one. He was a private in Capt. Nehemia Waterman's company detached from the Twentieth regiment, Connecticut militia, which served under Col. Galup in Gen Tyler's brigade during 1777. During the entire year 1781 he also served in Col. Webb's regiment of the Connecticut line. At the end of this service he joined the navy and was placed on board a privateer, was captured by a British man-of-war and placed aboard the Jersey, a British prison ship. The horrors of this ship have never been told and it is a wonder to-day how any man escaped alive. At the close of the war he was exchanged with other prisoners and returned home. His maternal grandfather was also a soldier of that period. He was Capt. Cole, a native of Connecticut, who died in 1826.

Mr. Edgerton leaves three children and eight grandchildren. His children are Dr. M. Edgerton of Kansas City, Mrs. Edgerton and E. Edgerton of this city. The last two were at home at the time of his death and word has been sent to his son at Kansas City. No arrangement have been made for the funeral, as some of his daughter's children are ill with scarlet fever, but some steps will be taken to-day.

Mr. Edgerton has been for years a well known and conspicuous figure on the streets of this city. A most studious care of his health and the closest personal habits have enabled him to reach so advanced an age. It was but a few months since he presided at the annual meeting of the society that he helped create and it was then remarked that he was enjoying excellent health. But gradually the life's strength ebbed away, and, as his daughter said last night, he went to sleep as peacefully as a child, without a struggle to indicate that the end had come. Yet it was not entirely unexpected as medical skill had long ago ceased to be of material benefit. His death will be a shock to members of the Society of American Revolution, as it takes away the last local link that bound the present with the eventful past of the nation's struggle for independence.<sup>5</sup>

The *St. Paul Daily Globe* also published his obituary:

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<sup>5</sup> *St. Paul Pioneer Press*, November 3, 1896, at 8.

**PATRIOTS' SON DEAD.**

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**JUDGE ALBERT EDGERTON PASSES  
AWAY AT HIS SEVENTH  
STREET HOME.**

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**HE HAD PASSED FOUR SCORE.**

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**AND HAD LONG BEEN PROMINENT  
IN THE HISTORY OF HIS STATE.**

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**He founded local Chapter  
of Sons of the American Revolution  
Being Its First, and Later, Honorary President.**

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Judge Albert Edgerton, who came to St. Paul forty years ago, died last evening at his residence, 240 West Seventh street. Mr. Edgerton has been confined to his bed for the past month, but he has been failing steadily since last March, and has not been able to go out since that time. Death was caused by old age, Mr. Edgerton being nearly eighty-two years old.

Albert Edgerton was born in Coventry, Chenango county, N. V., April 12, 1815. He was clerk of the house of representatives of his native state from 1842 to 1844. He was admitted to the bar in 1844 and came to St. Paul in 1857. He engaged in the practice of his profession in this city and for years was prominently identified in

legal circles. He was for several years judge of the bankruptcy court and occupied that position up to the time the court was abolished. Since that time he has not been actively engaged in business. He was married at Delhi, Delaware county, N. V., in 1845, and celebrated the fiftieth anniversary of his marriage in March, 1895.

His wife died about a year ago. Mr. Edgerton leaves three children, two sons and a daughter. One of his sons, Dr. Mark Edgerton, lives at Kansas City, Mo. His daughter, Mrs. Augustus Emerson, and Erastus Edgerton, the other son, both reside in this city. Mr. Edgerton was the first president of the Sons of the American Revolution in Minnesota, and after his term of office expired was elected honorary president of the society. Mr. Edgerton took great interest in the organization of the Daughters of the American Revolution, and it was through his efforts that the society was started. The arrangements for the funeral will not be made until his son at Kansas City is heard from.<sup>6</sup>

A few days later the *Globe* published the memorial to Edgerton by the Minnesota Society of the Sons of the American Revolution:

TO BE BURIED TODAY.

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Arrangements Complete for the  
Funeral of Judge Edgerton.

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<sup>6</sup> *St. Paul Daily Globe*, November 3, 1896, at 8. The sketch on the first page of this article is from this issue of the *Globe*.



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Arrangements have been completed for the funeral of the late Judge Edgerton, which will take place from the House of Hope church this afternoon at 2 o'clock. The honorary pall bearers will be S. J. R. McMillan, president of the Sons of the American Revolution; C. P. Noyes, president of the Sons of the Revolution; Rukard Hurd, vice president of the Sons of the Revolution; Hon. George A. Pillsbury, Gen. John B. Sanborn, Alexander Ramsey, Hon. C. K. Davis, Hon. R. R. Nelson, Hon. W. B. Washburn, H. P. Upham and D. R. Noyes, vice president Sons of the American Revolution.

The active pall bearers are H. T. Drake, Douglass Putnam, Joseph Holmes, S. C. Cook, Paris Fletcher and A. A. Doolittle. The ushers at the church will be Charles Stees, W. P. Jewett, W. S. G. Noyes and W. J. Dean. The funeral services will be conducted by Rev. J. P. Egbert, pastor of the House of Hope church.

The members of the Sons of the American Revolution and of the Sons of the Revolution will attend the funeral in a body. The officers and board of managers of both organizations will assemble at Seven Corners at 1:30 p. m. for the purpose of escorting the remains of Judge Edgerton from his late residence to the church. The members of the societies will meet at the church, where seats will be reserved for their accommodation as well as for members of other patriotic organizations, including the Grand Army,

Loyal Legion and others. The invitation to all patriotic societies to attend the funeral is general.

The following memoriam has been issued by the Minnesota Society of the Sons of the American Revolution:

The Minnesota Society of the Sons of the American Revolution announces with the deepest regret the death of its honored first president, Hon. Albert Edgerton. This event occurred at St. Paul at 10 p. m. on Monday, the 2d day of November, 1896.

Judge Edgerton was one of the few surviving sons of a revolutionary soldier, and in his personal appearance and character, a worthy representative of the men of '76.

Prominent in public affairs in his native state during his early and more mature manhood, he came to Minnesota in 1857, where he has since lived, honored and respected by all. He, from its first organization in 1889, took the deepest interest in our society and its patriotic purposes, was ever zealous in its work and was instrumental as well in the organization of the original chapter in Minnesota of the Daughters of the American Revolution.

An earnest patriot, a kindly gentleman and a connecting link between our revolutionary heroes and the present times has goes to his rest.<sup>7</sup>

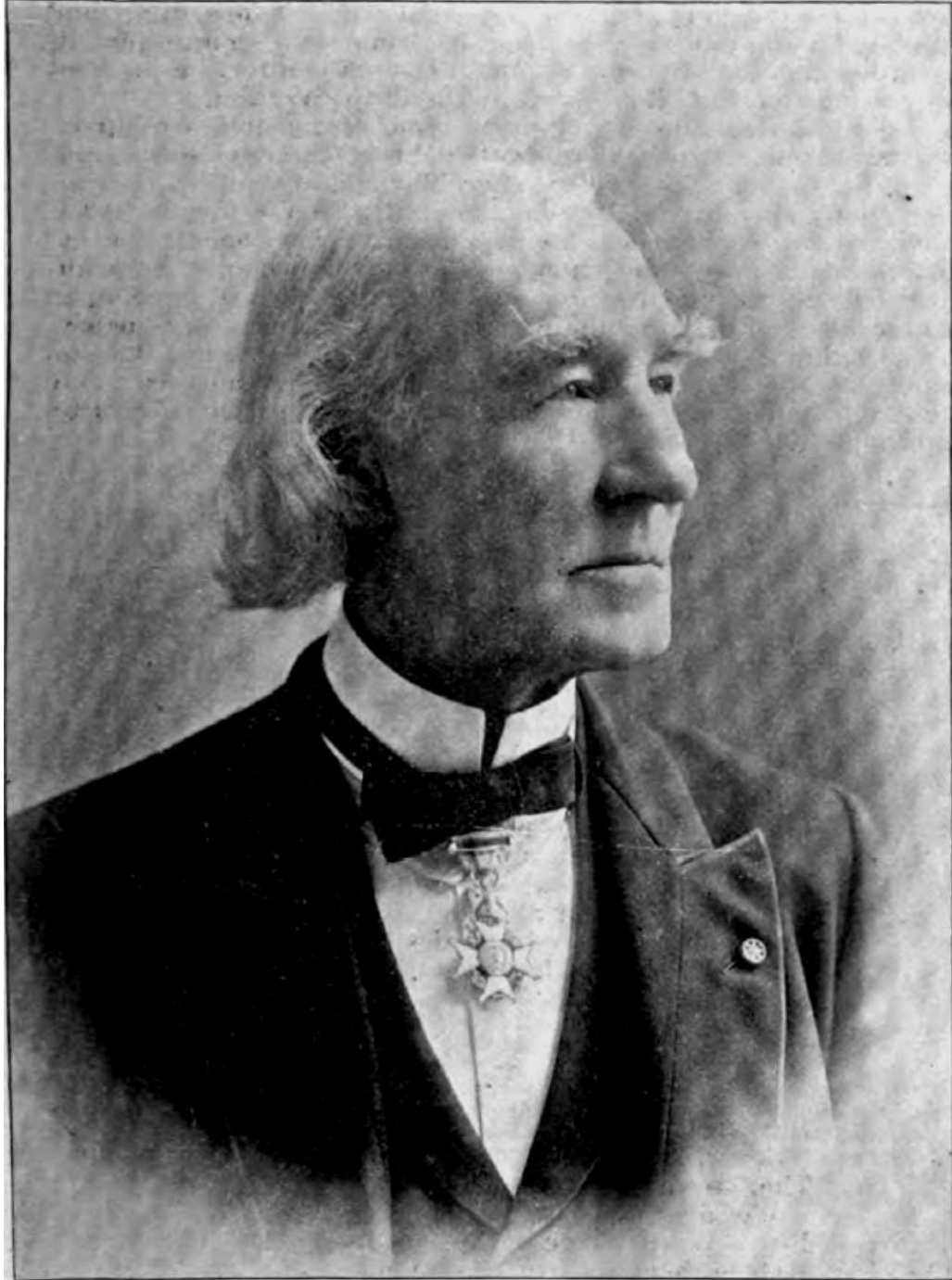
In April of the following year, the national Sons of the American Revolution published Judge Edgerton's obituary and photograph in its publication, *The Spirit of '76*:

The Minnesota Society entered upon its career of usefulness December 26, 1889, under the Presidency of the Hon. Albert Edgerton, one of the most earnest and active of its founders. His father was Roger Edgerton, a soldier of the American Revolution with an honorable record and an interesting history, one of the men who survived the horrors of the British prison-ship Jersey.

Albert Edgerton was born in Coventry, N. Y., April 20, 1815. He became a member of the bar, and practiced law for ten years in his native State, holding also a position in the revenue service at New York City. For several years he was in the State Treasurer's office at Albany, N. Y., published a newspaper in Delaware County, and had a very extensive acquaintance with the public men of his time.

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<sup>7</sup> *St. Paul Daily Globe*, November 6, 1896, at 8.



**HON. ALFRED EDGERTON,**  
**First President of the Minnesota Sons of the American Revolution.**

(Inexcusably his first name is misspelled)

In 1857 he went to St. Paul, Minn., where he afterwards made his home. In 1867 he was appointed by Chief Justice Chase Registrar of Bankruptcy for that Congressional district, comprising one-half of the State. Although the act creating the position was repealed, it took years to wind up the affairs of the old office, and the business was not remunerative, reducing only a small revenue for the incumbent.

When the Minnesota Society, Sons of the American Revolution, was organized, Judge Edgerton was a leader in the movement and was chosen as the first President of the organization. From that time until his death he was greatly interested in its welfare, and notwithstanding the disabilities of old age and failing sight, was very active in securing new members and in every way promoting the interests of the Society. He was re-elected each year until December 26, 1895, when his failing health made it necessary to elect him Honorary President and life member.

Judge Edgerton's personal appearance was very distinguished and the striking resemblance of his profile to that of Washington was frequently remarked.

His health was always good, and when death came it was due rather to a general failure of strength than to any specific disease. Life ebbed gradually away, and on November 2, 1896, he passed peacefully into his last sleep.<sup>8</sup>

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<sup>8</sup> 3 *The Spirit of '76* 503 (April 1897).

## APPENDIX

A portrait of Roger Edgerton from the *St. Paul Daily Globe*,  
February 25, 1894:

### EDGERTON'S FATHER.

#### He Served in the Revolutionary War as a Soldier.

Albert Edgerton, president of the Sons of the American Revolution, of St. Paul, was the son of a soldier in the Revolutionary war. His father's name was Roger Edgerton, and he was born in Connecticut in December, 1761. He enlisted for three years in the Continental army in 1779. At the end of his enlistment he joined the navy, and was placed aboard a privateer. Not long afterward the privateer captured off the New England coast a British merchantman, and while conducting it toward port, a British man-of-war happened along and captured the privateer. All on board were placed on a British prison ship.

Albert Edgerton was born in 1815, and his father, Roger Edgerton, died in 1844, and not on the British prison ship, as erroneously stated in the newspaper reports of the event at the capitol on Washington's birthday.

Roger Edgerton was wounded only once, and that not by bullets. While a detachment of the Continental army, of which he was a member, was crossing a river in skiffs to recapture a fort, an immense sturgeon jumped

into Edgerton's skiff, and in flopping about gave Edgerton an injury which lasted to the end of his life.

Roger Edgerton was married in 1787 to Betsey Cole, daughter of Mathew Cole, of Sharon, Conn. Of this union ten children were born, of whom Albert Edgerton was the youngest, and is the only survivor.<sup>9</sup>



## Related Articles

Biographical sketches of other bankruptcy judges are posted in the "Bankruptcy" category in the Archives of this website.



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<sup>9</sup> *St. Paul Daily Globe*, February 25, 1894, at 2.