

**In Memoriam**

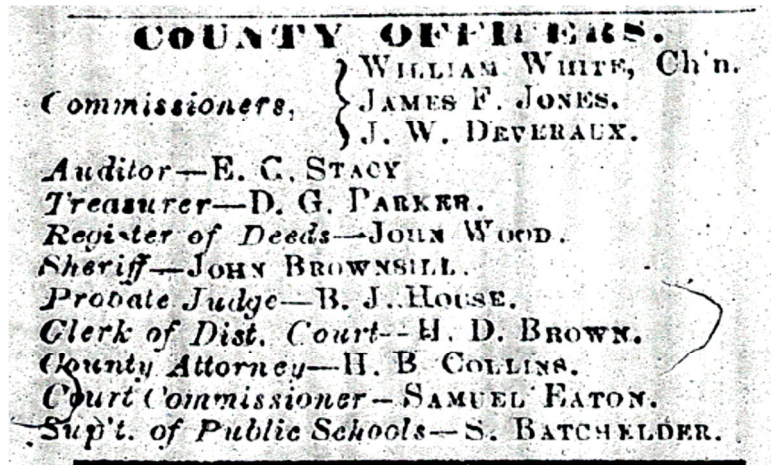
**Judge Edwin Clark Stacy**

**September 5, 1813 • April 29, 1897**

**Freeborn County Bar Association  
Albert Lea, Minnesota  
May 3, 1897**

Edwin Clark Stacy, a native New Yorker, received his legal education in Michigan and was admitted to the bar of that state in 1840. He moved to Pennsylvania and practiced law until 1856 when he moved to Geneva in Freeborn County, Minnesota, and began farming. He was forty-six years old. The boundaries of Freeborn County were established by the Legislative Assembly in 1855<sup>1</sup> and was “declared organized” by the Assembly on March 10, 1857.<sup>2</sup> Governor Gorman appointed Stacy one of three County Commissioners, who in turn appointed him the first Probate Judge.<sup>3</sup> In 1857 he served in the Democratic Caucus of the Constitutional Convention.<sup>4</sup>

After being admitted to the bar in Freeborn County District Court in 1859,<sup>5</sup> he moved to Albert Lea, where he continued to practice law, invest in real estate and hold public office. He was County Auditor, 1861-1865, and Superintendent of County Schools, 1869-70.<sup>6</sup> He was listed on the roster of county officials in newspapers:<sup>7</sup>



<sup>1</sup> 1855 Laws, c. 6, §4, at 23 (February 20, 1855).

<sup>2</sup> 1857 Laws, c. 74, at 277-78 (March 10, 1857).

<sup>3</sup> Edward D. Neill, *History of Freeborn County* 292 (1882). He did not hold this office long, although he kept the title. In October 1857 A. W. White was elected Probate Judge.

<sup>4</sup> Francis H. Smith, *The Debates and Proceedings of the Minnesota Constitutional Convention* xviii (1857).

<sup>5</sup> Edward D. Neill, note 3, at 310.

<sup>6</sup> *Id.* at 269-70, 283.

<sup>7</sup> *Freeborn County Standard*, November 21, 1867, at 3.

In 1876 he ran unsuccessfully for Congress as a Democrat, losing to incumbent Mark H. Dunnell.<sup>8</sup> The next year he formed a partnership with Ashley M. Tyrer, a fellow New Yorker.<sup>9</sup> Finding it difficult to make a living only from lawyering,<sup>10</sup> they formed a business to handle land transactions. They placed the following notices in the *Freeborn County Standard* in 1877:<sup>11</sup>

**Lawyers & Land Agents.**  
 E. C. STACY. A. M. TYRER.  
**STACY & TYRER,**  
 Attorneys at Law, Notaries Public, Real Estate and Collecting Agents.  
**CONVEYANCING**  
 all kinds accurately done. acknowledgments taken oaths administered, &c.  
 Taxes paid, Titles investigated, Lands bought and sold. Particular attention paid to collection.  
 Corner Clark and Newton Sts., Albert Lea

**REAL ESTATE AGENCY.**  
 WE have for sale, lands and farms in every town in this county.  
 TERMS to suit everybody.  
 LOW prices, long time, and a low rate of interest.  
 IF you desire to buy a farm, call on us.  
 IF you have a farm or lands to sell, call on us.  
 OUR facilities for buying and selling lands, examining and perfecting titles, are unequalled, as we have ABSTRACTS, TRANSFERS, and PLATS of every piece of land in this county.  
**Stacy & Tyrer,**  
 Albert Lea, Minn.  
 April 25, 1876.

<sup>8</sup> The results of the election in the First Congressional District on November 7, 1876:

Mark H. Dunnell (Republican).....26,010  
 Edwin C. Stacy (Democrat).....16,065

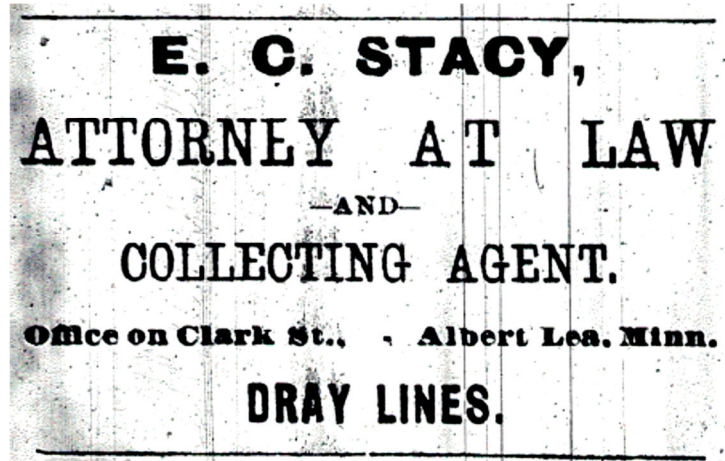
Bruce M. White, et al, *Minnesota Votes* 72 (Minn. Hist. Soc. Press., 1977).

<sup>9</sup> For his bar memorials see “Ashley Macomber Tyrer (1843-1880)” (MLHP, 2016)

<sup>10</sup> See George E. Warner & Charles M. Foote, “The Territorial Courts and Bar of Hennepin County” 14-15 (MLHP, 2013-2016) (published first, 1881) (“[I]t must be remembered that no man of ability could come to Minnesota at an early day and confine himself exclusively to the practice of law. For in territorial days the pressure was so great obtain competent men to fill legislative and other political offices, and for which lawyers were considered most eligible and best fitted, that it was almost impossible for a lawyer, without giving grave offense to his friends and clients, to refuse a nomination. In addition to this is to be considered that legal services were then of small pecuniary value, and the same talent employed in politics or in real estate operations, ordinarily received a much larger remuneration.”). This observation by Warner & Foote was taken from Isaac Atwater’s address to the Department of American History of the Minnesota Historical Society on December 1, 1879. See Isaac Atwater, “Minnesota Courts and Lawyers in the Days of the Territory” 14 (MLHP, 2016) (published first, 1879).

<sup>11</sup> *Freeborn County Standard* (Albert Lea), June 21, 1877, at 1. The ads were in the column for “Lawyers and Land Agents” and separated by the business cards of three other lawyers.

Stacy & Tyrer dissolved on May 18, 1878.<sup>12</sup> Around this time, now in his mid-sixties, he stopped trying cases.<sup>13</sup> But he still placed his business card in the local newspaper:<sup>14</sup>



Despite being shellacked in the congressional contest, he ran for Freeborn County Attorney in 1878, an office that required frequent trial work, but lost by a wide margin to future Supreme Court Justice John A. Lovely.<sup>15</sup>

He continued to practice solo until he formed a partnership with William E. Todd that lasted from July 1882 to mid-August 1883.<sup>16</sup> Though he had given up trial work, he managed to find

<sup>12</sup> *Freeborn County Standard*, May 23, 1878, at 3 (“Dissolution” of partnership dated May 18, 1878)

<sup>13</sup> Henry A. Morgan, “Bench and Bar of Freeborn County” in Franklyn Curtiss-Wedge, ed., *History of Freeborn County* 507 (1911) (“He belonged to the old school of practitioners and continued for years as one of the leading lawyers of this section of the country, but quit the active court work about 1877.”).

<sup>14</sup> *Freeborn County Standard*, August 22, 1878, at 1.

<sup>15</sup> The results of the election on November 5, 1878 were:

John A. Lovely.....	1,491
Edwin C. Stacy.....	781

*Freeborn County Standard*, November 14, 1878, at 3.

<sup>16</sup> The business card of Stacy & Todd was published in the *Freeborn County Standard* from July 2, 1882 to August 16, 1883. On August 23, 1883, the Standard carried the card of Whytock & Todd. At this time John Whytock was Freeborn County Attorney.

a prominent place in the courtroom—on the bench. Beginning in the late 1870s he was City Justice for Albert Lea, an office he held at the time of his death.

The Judge died on April 29, 1897, at age eighty-three. His obituary was printed in the weekly *Freeborn County Standard* on May 5th followed by memorials by the county Bar Association, the Odd Fellows and the Albert Lea City Council:<sup>17</sup>

### Death of Edwin Clark Stacy.

At half past 9 o'clock last Friday evening, April 29, 1897, Judge E. Stacy, after an illness of little more than a week, lapsed into unconsciousness and peacefully passed into the Great Beyond. The blood of revolutionary sires flowed in his veins and the inheritance of their patriotic spirit was his inspiration throughout his long, useful and upright life. He was a typical pioneer and citizen of the early chivalrous school, and justly ranked among the first citizens of the commonwealth. Indeed, he was one of the real fathers of this state as well as of Freeborn county, and in all the various offices and duties entrusted to him he performed his part ably and well. Although a self-made man, his character and attainments were such that had he been an adherent of the dominant political party he would have been called to the highest station in the state, but he was of the minority, and his fidelity to his convictions would not permit him to sacrifice them to the allurements of political honors. Yet he was not unappreciated—

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For a biographical sketch and bar memorial to Todd, see "'William E. Todd (1853-1899)" (MLHP, 2020).

<sup>17</sup> *Freeborn County Standard*, May 5, 1897, at 4.

positions of high trust, and the respect and affection of his fellow men were bestowed upon him and the autumn of his life was rich with the memories of a career of unusual usefulness and honor.

Edwin Clark Stacy was a native of Hamilton, Madison county, New York, and was born Sep. 5, 1813, being thus aged 83 years, 8 months and 13 days at the time of his death. His grandfather, Rufus Stacy, was a revolutionary soldier and participated in the battle Bunker Hill. His father, Nathaniel Stacy, was a chaplain in the United States army in 1812, and was a noted universalist clergyman, being one of the authors of the universalist creed and a writer of distinction in his time. In 1836, deceased went to Ann Arbor, Mich., where he read law and was admitted to the bar in 1840, and after a time in the office of Judge C. A. Stacy, of Tecumseh, Mich., he returned east to Pennsylvania, where he was married to Elizabeth D. Heath, of Erie county. Besides his legal education he had received an academic education and had taught school, winning his own way in life, and after his marriage he practiced law at Columbus and Erie until 1856 when he came with his family to Geneva, in Freeborn county, took a claim at the head of Geneva lake, that then being almost in the wilds of Minnesota, and engaged in farming for several years.

In March 1857, he and S. N. Frisbie and Wm. Andrews were appointed by Gov. Gorman, the territorial governor, as commissioners to organize Freeborn county, and on the third of March they met in the Ruble log house, the site of which is across the street from C. D. Marlett's in the northeastern part of the

city and duly organized the county, filing the various offices by appointment. Mr. Stacy was selected by his associates as probate judge, and he held the office one year. Afterwards he was elected county auditor and served from 1867 to 1869 and during 1870 was superintendent of schools. In 1857 he was elected a delegate in the constitutional convention and served in that body, wisely aiding in framing the organic law of the state. He took the census of the county in 1858 and also in 1860. In the latter year he became a resident of Albert Lea, where he has since lived. He was the democratic nominee for congress in 1876, and practiced law for many years. For the past 20 years or more he has been a city justice, being reelected easily, and has devoted himself quite closely to the duties of the office.

Judge Stacy was a member of the order of odd fellows for 60 years, being noble grand several term, and the oldest odd fellow in Minnesota. A life-long democrat, he has always been a leader in its counsels, always being a member of one or more of its committees, state, congressional and county.

At the opening of the civil war he at once took his stand for the Union, and did more than all others in Freeborn county in promoting the raising of volunteers. His loyalty to his party was only exceeded by that to his country, and to both he was devoted and steadfast to the end.

Besides his faithful wife, two sons, Dor K. and Day F., survive him. A son, Lyn, died at Geneva, and a

daughter, Lizzie, died in Albert Lea not long after the family came here.

The funeral was held Monday afternoon, and was under the auspices of order of odd fellows, the lodge at Alden, New Richland, Lake Mins and Norwood being largely represented and the Alden delegation was accompanied by the brass band of that place.

By proclamation of the mayor stores were closed and business was suspended during the obsequies.

Old settlers, friends of Judge Stacy for thirty or forty years were present from nearly every town in the county, and the attendance altogether was the largest ever known at a funeral in Albert Lea. A prayer was made at the home, and services then followed at the universalist church, Rev. Mr. Richardson's remarks being thoughtful, philosophical and eloquent. A choir participated and added much to the interesting services. The floral tributes were elaborate and beautiful, and all circumstances aided in making the occasion fitting and appropriate.

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### MEMORIAL BY ODD FELLOWS.

*Noble Grand and Brethren:*

Death has again knocked at the portal of our lodge and this time has claimed for its victim our veteran odd fellow brother, E. C. Stacy. The silver card is



loosened, the golden bowl is broken. The warm heart that throbbed for others' woes must now moulder away and join its kindred dust.

For over half a century brother Stacy has been an odd fellow, having joined the order at Waterford, Erie county, Pa., about 53 years ago while living at Columbus, 24 miles away from his lodge. A few years later a lodge was instituted at Columbus, Pa., where brother Stacy then resided. He took his withdrawal card from the lodge at Waterford and joined the Columbus lodge from that time until he came to Minnesota. He was an active member in that lodge, holding many of the official positions and being several times reelected to the highest office in the lodge.

He moved with his family to Geneva, Freeborn county, Minn., in 1856 and to Albert Lea in 1860. He helped to institute Albert Lea lodge No. 61; and in this odd fellows' home for many years we have had his weekly attendance, his bright sunny disposition, his high regard for the right of others, his great love for the order, and his timely counsel made him a favorite with all, and during most of his weekly attendance at the lodge he held positions of trust and honor. It was only when old age crept on and he was unable to climb the stairs to our hall that his weekly visits closed but his zeal and interest in the order never lagged until the summons came to "go up higher." His life work is ended; his spirit is at rest.

Brethren, it is but fitting that we should mourn; but our loss is his eternal gain. Brother, we miss thee.

**Bending sadly o'er thy form,  
Late with love and friendship warm up;  
Brother, in our night of grief.  
What shall give our hearts relief?**

**Shrined within thy mortal clay,  
Such a loving spirit lay.  
That we shrink with half distrust  
Ere we give it back to dust.**

**Charity's unfading light,  
Honor's luster pure and bright.  
Truth's effulgent radiance blest.  
Ever filled that faithful breast.**

**Though in earth we've laid thee low.  
Yet upon thy grave shall grow  
Evergreens and flowers bright.  
Dear brother, miss thee tonight.**

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**Your committee offer the following resolutions and  
recommend that they be adopted by a rising vote**

**Whereas, the Supreme Ruler of the universe has in  
his infinite wisdom removed from our midst our well  
beloved and aged brother, Edwin Curtis Stacy; and**

**Whereas, by such removal this lodge has lost one  
of its most worthy members, his family has lost a  
loving father, a devoted husband, a happy home is  
broken, the church will miss him from his  
accustomed corner, the city has lost a faithful officer,  
and the community a friend, a counselor, a guide;  
therefore,**

***Resolved***, that while we bow in reverend submission to our Heavenly Father's will, we would mingle our grief and tears with the wife and children of our deceased brother, and commend them to Him who doeth all things well. And

***Resolved***, that our hall be draped in mourning for the space of thirty days; that these resolutions be spread upon the records of our lodge, and that copies of the same be given to the city papers for publication, also a copy sent to the home of our deceased brother.

**Signed:**

**A. H. SQUIER,**

**J. Q. ANNIS,**

**CHAS. BROWN,**

**Committee.**

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### **TRIBUTE OF THE BAR.**

Bar association met pursuant to call, at office of W. E. Todd, John A. Lovely presiding as president pro tempore, May 3, 1897, to pay due respect to the memory of the late Judge Stacy. Present: John A. Lovely, D. R. P. Hibb, D. G. Parker, Heman Blackmer, W. E. Todd, Henry A. Morgan, C. S. Edwards, R. S. Clements, R. S. Farnsworth, A. U. Mayland and Edwin A. Church. Members reported necessarily absent: John Anderson, H. G. Latourell, C. N. Ruble, A. H. Bartlett, H. G. Day.

**On motion John A. Lovely was elected president of the association and Henry A. Morgan was elected secretary of the same.**

**Resolutions were presented by the president and after same were read and discussed were unanimously adopted.**

***Resolved,* That the members of The Freeborn County Bar Association learn with profound sorrow that judge Edwin C. Stacy, for many years the president of this association, and the oldest practising lawyer in Freeborn county, has been removed from his earthly sphere of labor by the lethal hand of death, at the age of eighty-three years, after a long and unblemished record as a citizen and successful career as a member of our profession. Judge Stacy possessed superior qualities as an accurate lawyer and able advocate, and during the more active years of his life enjoyed a large and successful practice in the courts of the southern portion of this state. He was a man of kindly nature, professional honor and sterling integrity, and withal, a public spirited citizen, interested in the welfare of the community in which he lived. He prosecuted public interests with unflagging zeal and enthusiasm which has left an imprint on many improvements of our city which will long remember his efforts in its behalf. After a protracted career of well directed labor and usefulness he has passed to a better world, ripe in years, rich in the good opinion of his fellow citizens and his memory will be cherished as one of the best possessions of our city and county.**

***Resolved,*** That we, the members of The Freeborn County Bar Association, express our unfeigned sorrow at the loss of our professional brother and personal friend that we tender to his bereaved wife and family our tender sympathies and condole with them in their sad bereavement.

Also that we close our place of business on the day of the funeral and as a body attend the funeral exercises.

***Resolved,*** That we furnish a copy of these resolutions to each of the Freeborn county papers for publication and furnish an engrossed copy of the same to his bereaved wife and family.

***Resolved.*** That at the next term of the district court of this county, on the opening day thereof, we present a copy of these resolutions and request their entry in full upon the records of the court.

***Resolved,*** That John A. Lovely, W. E. Todd and R. S. Farnsworth be appointed a committee to present these resolutions to the district court for entry upon the records.

***Resolved,*** That these resolutions be spread at length upon the records of this association. Fitting and praiseworthy remarks were made by John A. Lovely, D. G. Parker, D. R. P. Hibbs and W. E. Todd voicing the recollections and sentiments of the older members of the association and by C. S. Edwards for the younger members.

On motion D. G. Parker, D. R. P. Hibbs and Henry A. Morgan were appointed a committee to attend to the publication of the resolutions and to prepare and present the engrossed copy to the bereaved widow and family.

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## CITY COUNCIL RESOLUTIONS.

The following resolutions were adopted by the city council:

Whereas, in the death of the late judge Edwin C. Stacy, who departed this life at the city of Albert Lea, on the 30th [sic] day of April last, at the grand old age of over 83 years, this city recognizes the loss of a most valued and highly esteemed citizen, a most capable and efficient city officer, a man whose life and history has been identified with that of this city, county and state for a great number of years, a man whose zeal for the welfare of this community has always been most marked, and whose life and works he added materially to the progress and advancement of this city and in whose decease Providence has removed from our midst a good and faithful husband a kind and indulgent father, an esteemed most beloved friend and a revered and grand old citizen; be it, therefore

*Resolved*, that the city council of the city of Albert Lea in special session this day assembled, hereby extends to the bereaved and sorrowing family its sincere and heartfelt condolences in this their day of trial, and hereby expresses its great appreciation of the his life, character and attainments of its deceased citizen; and be it further

*Resolved*, that a copy of these resolutions be presented to the family of the deceased together with our sincere sympathy; and be it further

***Resolved*, that these resolutions be spread upon the records of this city as a testimonial of the respect and love we entertain for our departed friend, and that they be published in the official paper of this city.**

**Dated at the city of Albert Lea this 3d day of May, A. D. 1897.**

**A. O. BRUNDIN.  
M. STRAUSS.  
H. WOHLHUTER,  
Committee. <sup>18</sup>**



## **EPILOGUE**

**Judge Stacy was City Justice when he died. At its session on Friday evening, May 14, 1897, the city council voted to have his son, Dor, fill the remainder of his term. The vote was Dor K. Stacy, 3 votes; D. G. Parker, 2; and H. Thurston 2. <sup>19</sup>**

**“City Justice” was another name of “Justice of the Peace.” Laws regarding the office of “City Justice” follow:**

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<sup>18</sup> In its issue on May 12, 1897, the *Standard* carried the following:

**Card of Thanks.**

**I desire to express my sincere and heartfelt thanks to all the friends for the kind and sympathetic assistance rendered in my hour of affliction. Special gratitude is due for the ministrations of the I.O.O.F. lodge.**

**Mrs. E. C. STACY.**

<sup>19</sup> *Freeborn County Standard*, May 19, 1897, at 4 (“His Honor, Dor Stacy”).

**Minnesota Statutes 1894, c. 10, § 1050, at 276,  
and §§1074-1077, at 282.**

**§ 1050. Elective officers—Term of office.**

The elective officers of each city shall be a mayor, treasurer, recorder, one justice of the peace for each ward, who shall be styled city justice, all of whom shall be qualified voters of the city, and two aldermen in each ward, who shall be qualified voters therein; all other officers for said city shall be appointed by the common council, unless otherwise provided. At the first general election for city officers, there shall be elected in each ward two aldermen, one for one year, and one for two years; at every annual election thereafter one alderman shall be elected from each ward, who shall hold his office for two years, and until his successor is elected and qualified. The city justices shall hold their offices for two years, and until their successors are elected and qualified; all other elective officers shall hold their offices for one year and until their successors are elected and qualified.

(1870, c. 31, subc. 2, § 4; G. S. 1878, c. 10, § 129.)

. . . .

**§ 1074. Jurisdiction of justices of the peace.**

The justices of the peace of the city, styled city justices, shall possess all the authority, power and rights of a justice of the peace of the county under the laws of this state, and shall have, in addition thereto, exclusive jurisdiction to hear and try all complaints for violation of any provision or provisions of the city charter, or any ordinance, by-law, rule or regulation made or adopted under or by virtue thereof, and of all cases cognizable before a justice of the peace in which the city is a party, and of all writs, prosecutions and proceedings in the recovery of any fine, forfeiture or penalty under any by-law, ordinance or regulation of the said city or its charter, and in all cases of offences committed against the same. And the said city justices shall have jurisdiction in cases of larceny, and may hear and try the same where the amount claimed to have been stolen does not exceed the sum of twenty-five dollars. In all prosecutions for assaults, batteries and affrays, and for all other offences not indictable, and in all civil suits or proceedings before said city justices, the same forms and proceedings shall be had and used, where not otherwise directed, as are established and required to be had in civil and criminal actions by the laws of this state before a justice of the peace; and appeals from the judgment and decisions of said city justices shall be allowed as now provided by law for appeals from judgments rendered by justices of the peace. In all cases of convictions for assaults, batteries and affrays within said city, and in all cases of convictions under any ordinances of the city for breach of the peace, disorderly conduct, keeping houses of ill-fame, or frequenting the same, and of keeping or maintaining disorderly or ill-governed houses, the said justices shall have power, in addition to the fines or penalties imposed, to compel said offenders to give security for their good behavior, and to keep the peace, for a period not exceeding six months, and in a sum not exceeding five hundred dollars. The said justices shall have the same power and authority in cases of contempt as a justice of the peace under laws now in force. All fines and penalties imposed by the city justices for offences committed within the city limits, for the violation of any ordinance, by-law or regulation of said city, shall belong to and be a part of the finances of said city; for offences against the laws of the state, of the county treasury.

(1870, c. 31, subc. 3, § 13; G. S. 1878, c. 10, § 153.)



**§ 1075. Justices' report to council—Fees.**

The city justices shall, as often as the common council may require, report to the common council all the proceedings instituted before them in which the city is interested, and shall at the same time account for and pay over to the city treasurer all fines and penalties collected or received by them belonging to said city; and said justices shall be entitled to receive from the county such fees in criminal cases as are allowed by statute to justices of the peace for similar services.

(1870, c. 31, subc. 3, § 14; G. S. 1878, c. 10, § 154.)

**§ 1076. Attendance of justices at their offices.**

Said justices shall be in attendance at their offices for the transaction of business at such reasonable hours as the common council may prescribe, and complaints may be made to, and writs and process issued by them at all times, in court or otherwise.

(1870, c. 31, subc. 3, § 15; G. S. 1878, c. 10, § 155.)

**§ 1077. Taxation of costs by justices.**

In all suits brought on behalf of said city for the recovery of any forfeiture, fine or penalty, in all cases arising on complaints for the violation of any ordinance, by-law or regulation of said city, and on complaints for assault, battery or affray, or other misdemeanor, or criminal offence not indictable, committed within said city, the said justices shall be authorized to tax, with the other legal costs, one dollar for each trial, for the benefit of said city; and their residence in said city shall not deprive them of jurisdiction of actions brought in favor of or against said city, when said actions are otherwise within the jurisdiction of a justice of the peace.

(1870, c. 31, subc. 3, § 16; G. S. 1878, c. 10, § 156.)



## APPENDIX

### 1.

Much of what we know of the Judge's family history comes from the following self-portrait in *The United States Biographical Dictionary and Portrait Gallery of Eminent and Self-Made Men. Minnesota Volume* published in 1879:

**EDWIN CLARK STACY, one of the commissioners to organize Freeborn county, and its first judge of**

probate, is a native of Madison county, New York, where he was born, in the town of Hamilton, on the 6th of September, 1815 (sic). His parents were Nathaniel and Susan (Clark) Stacy. His grandfather, Rufus Stacy, a native of Gloucester, Massachusetts, was in the battle of Bunker Hill, and at Cherry Valley when it was ravaged and burnt by the combined forces of the tory, Butler, and the savage, Brant. Nathaniel Stacy, a Universalist minister, was chaplain of a regiment in 1814, stationed at Sacket's Harbor. He wrote the memoirs of his own life, — a work of more than five hundred pages, published in 1850, and in it gives a pretty full account of the rise and progress of Universalism in the State of New York, a movement in which he was very prominent. The volume is written in an easy, familiar style, veined with humor, and is decidedly readable. The author died about ten years ago.

Edwin received an academic education at Hamilton, New York, and Erie, Pennsylvania; the family moving to Warren county, Pennsylvania, when he was fourteen years old. He farmed more or less till of age; teaching winter schools, and securing his education entirely with his own means. In 1836 he came westward to Ann Arbor, Michigan; read law awhile with Miles and Wilson, of that place; finished with a cousin, Consider A. Stacy, at Tecumseh, Lenawee county; was admitted to the bar at Adrian, in 1840; in the autumn of that year returned to Warren county, Pennsylvania; practiced there (at Columbus) and at Erie till 1856, and then came to Minnesota, locating at Geneva, Freeborn county, farming there for four years.

The year Mr. Stacy settled in this state he was appointed by Governor Gorman one of the commissioners to organize Freeborn county, and was made its first judge of probate. He was a member of the constitutional convention. In 1860 Mr. Stacy removed to Albert Lea, the county seat, and when not in some county office, has been engaged in the practice of his profession and the real-estate business. He does a good deal of collecting for commercial, agricultural and other houses, being a prompt and reliable man. Several years ago he served as county auditor three terms, and county superintendent of schools one term.

No man in Freeborn county is better known than Judge Stacy, the title which he has had since judge of probate. He is among the leading men of the older class in the county, and greatly esteemed by all who know him.

He has always affiliated with the democratic party; has been quite active and prominent in county and district politics, and was the candidate of his party for congress in 1876.

He is an Odd-Fellow; holds the office of noble grand in the Albert Lea Lodge, and is a member of the Universalist Society.

Judge Stacy was married on the 22d of February, 1842, to Miss Elizabeth D. Heath, of Erie county, Pennsylvania, and of four children, the fruit of this union, two sons are living. Both are married and reside in Albert Lea. Dorr K. is a member of the city police, and Day F. is a printer and surveyor.<sup>20</sup>

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<sup>20</sup> *The United States Biographical Dictionary and Portrait Gallery of Eminent and Self-Made Men. Minnesota Volume 153-54 (1879).*

## 2.

Three years later a nearly identical profile was published Edward D. Neill, *History of Freeborn County* 399-400 (1882):

Edwin Clark Stacy is a native of Madison county, New York, born in the town of Hamilton, on the 6<sup>th</sup> of September, 1815 (sic). His parents were Nathaniel and Susan (Clark) Stacy. His grandfather, Rufus Stacy, a native of Gloucester, Massachusetts, was in the battle of Bunker Hill, and at Cherry Valley, when it was ravaged and burned by the combined forces of the Tory, Butler, and the savage, Brant. Nathaniel Stacy, a Universalist minister, was Chaplain of a regiment in 1814, and stationed at Sacket's Harbor. He wrote the memoirs of his own life — a work of more than five hundred pages, published in 1850— and in it gives a pretty full account of the rise and progress of Universalism in the State of New York, a movement in which he was very prominent. The volume is written in an easy, familiar style, veined with humor, and is decidedly readable. The author died ten years ago.

Edwin received an academic education at Hamilton, New York, and Erie, Pennsylvania, the family moving to Warren county, Pennsylvania, when he was fourteen years old. He farmed more or less till he was of age; teaching winter schools, and securing his education entirely with his own means. In 1836, he came westward to Ann Arbor, Michigan; read law a while with Miles & Wilson, of that place, and finished with a cousin, Consider A. Stacy, at Tecumseh, Lenawee county. He was admitted to the bar at Adrian, in 1840, and in the autumn of that year

returned to Warren county, Pennsylvania, practicing at Columbus and at Erie till 1856. He then came to Minnesota, and located at Geneva, where he was engaged in farming for four years.

The year Mr. Stacy settled in this State he was appointed by Governor Gorman one of the commissioners to organize Freeborn county, and was made its first Judge of Probate. He was a member of the Constitutional Convention. In 1860, Mr. Stacy removed to Albert Lea, the county seat, and when not in some county office, has been engaged in the practice of his profession and the real estate business. He does a good deal of collecting for commercial, agricultural, and other houses, being a prompt and reliable man. Several years ago he served as County Auditor three terms, and County Superintendent of Schools one term.

No man in Freeborn county is better known than Judge Stacy, the title he has had since Judge of Probate. He is among the leading men of the older class in the county, and greatly esteemed by all who know him. He has always affiliated with the Democratic party; has been quite active and prominent in county and district politics, and was the candidate of his party for Congress in 1876. He is an Odd-Fellow; holds the office of Noble Grand in the Albert Lea Lodge, and is a member of the Universalist Society.

Judge Stacy was married on the 22d of February, 1842, to Miss Elizabeth D. Heath, of Erie county, Pennsylvania, and of four children, the fruit of this union, two sons are living. Both are married, and reside in Albert Lea. Dorr is a member of the city police, and Day F. is a printer and surveyor.

### 3.

In 1911 a second history of Freeborn County was published. The chapter on the county “Bench and Bar,” written by Henry Morgan, has this brief profile of Judge Stacy:<sup>21</sup>

E. C. Stacy was admitted to practice in 1859. He was a member of the constitutional convention and the first auditor of the county. He belonged to the old school of practitioners and continued for years as one of the leading lawyers of this section of the country, but quit the active court work about 1877. He was city justice of the city of Albert Lea continuously for upwards of twenty years and held that position at the time of his death.

The contrast to Edward D. Neill’s 1882 county history is striking— Judge Stacy is almost forgotten.



#### RELATED ARTICLES

“Ashley Macomber Tyrer (1843-1880)” (MLHP, 2016).

“William E. Todd (1853-1899)” (MLHP, 2020).

“The Bench and Bar of Freeborn County” (MLHP, 2008-2014)  
(published first, 1911)

Posted October 1, 2020.

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<sup>21</sup> Biographical sketch in a chapter on the “Bench and Bar” by Henry A. Morgan in Franklyn Curtiss-Wedge, ed., *History of Freeborn County, Minnesota* 507-8 (1911)(MLHP, 2008-2014).