

In Memoriam

William E. Todd

August 14, 1853 ÷ November 11, 1899

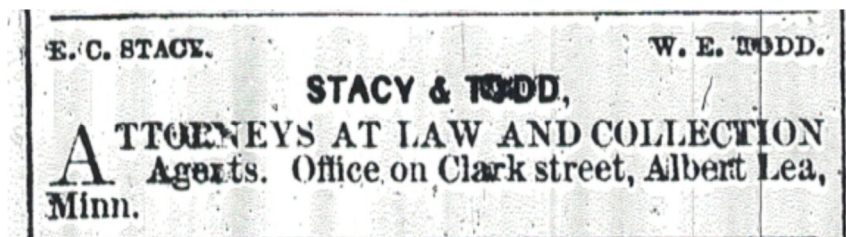


**Freeborn County Bar Association
District Court
Austin, Minnesota**

December 5, 1899

William Elmer Todd, following the well-worn path of many 19th century lawyers, taught school before he studied law. After graduating from the Jefferson Liberal Institute at Jefferson Wisconsin, in 1871 he taught country school for two years, returned to the Institute to teach math and Latin and then a year of teaching at York, Wisconsin. He graduated from the University of Wisconsin in 1877, then served as principal of the high school at Lodi, Wisconsin, for three years. There he married Alice Coapman, a fellow teacher. In 1880 he began clerking in a law office in Columbus, Wisconsin; he was admitted to the Wisconsin bar the next year.¹ He was twenty-eight years old.

The couple moved to Albert Lea, the seat of Freeborn County, Minnesota, in 1881. Todd practiced with Judge Edwin C. Stacy from July 1882 to mid-August 1883. Their business card was published in the weekly *Freeborn County Standard*.²



In late August 1883 he became the partner of Freeborn County Attorney John Whytock.³ In November 1884 Whytock was re-elected County Attorney,⁴ while Todd served as City Attorney in 1885-86. The firm's professional card was published in the *Standard*.⁵

¹ Charles E. Flandrau, ed., *Encyclopedia of Biography of Minnesota* 449-450 (1900).

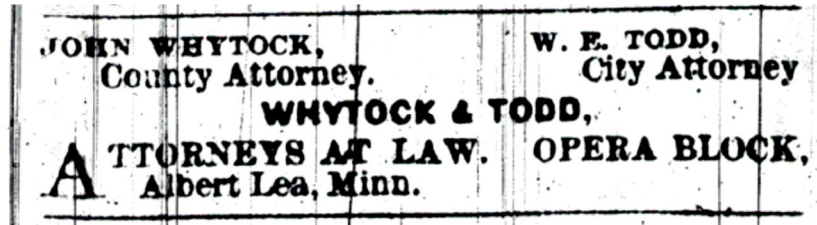
² *Freeborn County Standard*, July 6, 1882, at 1. The business card of "Stacy & Todd" was published for the first time in the weekly *Standard* on July 6, 1882, the last on August 16, 1883. The August 23, 1883, edition carried the card of "Whytock & Todd."

Edwin Clark Stacy (1815-1897) was Probate Judge of Freeborn County for part of 1857. A new Probate Judge was elected in October 1857. Stacy, of course, retained the title. For a biographical sketch, see "Judge Edwin Clark Stacy (1813-1897)" (MLHP, 2020).

³ The first edition of the *Standard* in which the card of Whytock & Todd appeared was August 23, 1883.

⁴ Whytock was elected to the two-year term without opposition. *Freeborn County Standard*, November 12, 1884, at 4.

⁵ *Freeborn County Standard*, September 22, 1886, front page (enlarged). Whytock (1835-1898) served as Judge of the Tenth Judicial District from January 1893 to death on November 23, 1898.



The firm of Whytock & Todd imploded in early August 1886, because Todd's personal ambitions outweighed any obligations or feelings of loyalty he had to his partner. The *Standard* reported the split in its August 4, 1886, issue:

Whytock & Todd have dissolved partnership in the law business, and will each continue in the practice independently of the other. The dissolution is an amicable one, they believing that such a move is for mutual interests but the probable candidacy of each for the county attorneyship may have had something to do with it. Judge Whytock will move into another office, Mr. Todd remaining where he now is.⁶

At this time, it was customary for individuals to announce their candidacy for elective office in a short notice in the local newspaper. On August 25, 1886 the *Standard* printed a column headlined "Announcements" listing the candidates for various county offices including two for county attorney:⁷

FOR COUNTY ATTORNEY.

At the request and upon the advice of citizens of all parts of the county, which they have kindly urged upon me for several months past, I hereby announce myself a republican candidate for the office of county attorney.

W. E. TODD.

⁶ *Freeborn County Standard*, August 4, 1886, at 5. The firm's business card continued to appear in the *Standard* through September.

⁷ *Freeborn County Standard* on August 25, 1886, at 4. On pages 5 and 6 of this issue the *Standard* made special note of Todd's candidacy:

W. E. Todd formally announces his candidacy for the office of county attorney in this paper. He has established a reputation as a capable and talented lawyer and he would strive to make a high record in the position towards which his worthy ambition inclines.

FOR COUNTY ATTORNEY.

I hereby announce my candidacy for the office of County Attorney before the Republican county convention. Should I be so fortunate as to be called by the people to the incumbency of said position, I promise to bring to the discharge of its duties a conscientious fidelity to every public interest.

Dated Albert Lea, Minn. July 26th, 1886.

WILLIAM C. McADAM.

In the next issue of the *Standard*, John Whytock announced his candidacy for a third term but did not mention that he was the incumbent:⁸

FOR COUNTY ATTORNEY

I respectfully announce my candidacy for the office of county attorney. JOHN WHYTOCK.

On September 27, the Republican County Convention was held in the Courthouse in Albert Lea.⁹ Todd received the endorsement, which met with the hearty approval of the *Standard*:¹⁰

A worthier county ticket than the republican was never presented to the people of this county. No better men are to be found in the state for the respective offices than Barness, Fobes, Larson, Gillrup, Blackmer, Todd and Levens. They are honest, capable, and as citizens they

⁸ *Freeborn County Standard*, September 1, 1886, at 4.

⁹ The *Standard* did not carry a report of the convention other than this comment:

W. C. McAdam made a very creditable showing in his candidacy for County Attorney, and he comes out of it with honor. He had 22 votes in the county convention, notwithstanding he had only made a partial canvass, and his course in withdrawing was the climax of his unselfish and manly course. By doing it he won the increased respect and good will of everyone. Judge Whytock had always been his friend and in the early part of his career, his faithful counselor, and he was moved to show his appreciation of it. Judge Whytock made no canvass, and against so active and worthy a competitor as Mr. Todd, he could hardly expect to secure the nomination.

Freeborn County Standard, October 6, 1886, at 5.

¹⁰ *Id.*, at 4.

rank at the top. They have been thoroughly tried, and that they will give us an able and economical administration, and one notable for strict integrity, is admitted by all. Why not, then, stand by them Why take any chances with untried men?

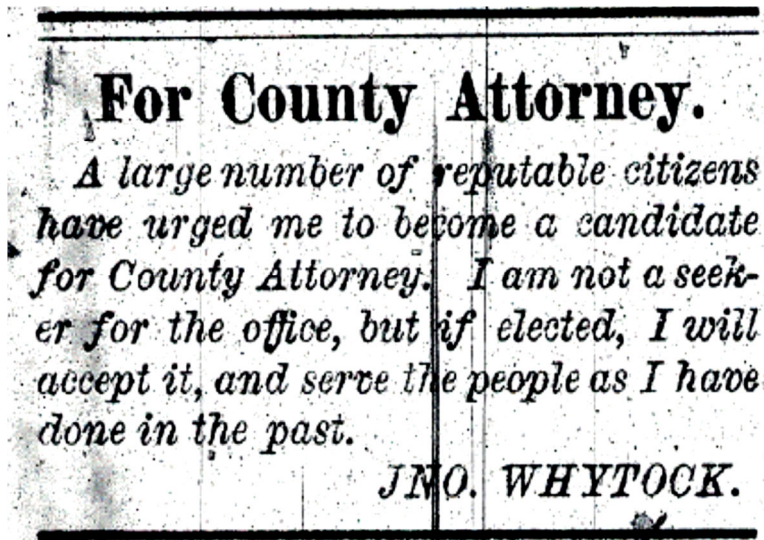
The *Freeborn County Standard* carried the Republican Ticket:¹¹

The Standard.	
H. G. DAY, Editor and Publisher.	
For member of congress, 1st District, JOHN A. LOVELY.	
For District Judge, 10th District, HON. J. Q. FARMER.	
Republican County Ticket.	
For Senator.....	M. HALVORSEN
Representatives }	THOS. DUNNE
County Auditor.....	CHAS. G. JOHNSRUD
Register of Deeds.....	C. O. BARNES
County Treasurer.....	VICTOR GILLEUP
Sheriff.....	F. B. FOBES
Judge of Probate.....	JACOB LARSON
County Attorney.....	HEMAN BLACKMER
Court Commissioner.....	W. E. TODD
Superintendent of Schools.....	W. C. McADAM
Coroner.....	C. W. LEVENS
County Surveyor.....	H. H. WILCOX
	W. A. MORIN

Unexpectedly, three weeks after the Republican Party county convention, Whytock coyly announced that he would serve another term if elected but he was not seeking the office. His italicized announcement was published in the *Standard* on October 20:¹²

¹¹ *Freeborn County Standard* (Albert Lea), October 13, 1886, at 4.

¹² *Freeborn County Standard*, October 20, 1886, at 5. It was also published the next week, as was the following comment about his candidacy: "Judge Whytock seems to be a very live independent candidate for county attorney. The Judge is not much of a politician and that is one thing that the people like him for." *Id.*, October 27, 1886, at 5.



The election on November 2, 1886, was not close:

William E. Todd (Republican).....	1,863
John Anderson (Democrat).....	651
John Whytock (Independent).....	571 ¹³

The *Standard* made the following post-election comment on the race:

Judge Whytock polled 571 votes, and they were simply donated, for he asked for none, and only ventured into what seemed a free-for-all. The impetus of the big work for the republican ticket was too much for the opposition this year. That Mr. Todd who has won such a splendid success will make an able and faithful county attorney no one can doubt.¹⁴

Todd was re-elected in 1888 without opposition.¹⁵ He did not run again. Because the work of county attorney was part-time, he was able to assemble a large clientele during his two terms.

County Attorney Todd reports that he has a large and increasing law business, and that he has to apply himself closely to attend to it.¹⁶

¹³ *Freeborn County Standard*, November 10, 1886, at 1.

¹⁴ *Id.*, at 5.

¹⁵ *Freeborn County Standard*, November 14, 1888, at 1 (“W. E. Todd had no opposition for county attorney, and received 2496 votes.”).

He represented railroad companies operating in the county and numerous other businesses besides maintaining a heavy trial practice. He was a sole practitioner:¹⁷

W. E. TODD, LAWYER. OFFICE OVER RANSOM BROS' store, Albert Lea, Minn.
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In 1897, he formed a partnership with Henry C. Carlson, and their business card was published in the local press:¹⁸

Todd & Carlsen, ATTORNEYS AT LAW. Office Rooms No 6. Opera House block, Albert Lea, Minn.
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In the midst of a bankruptcy trial in federal court in Mankato on November 8, 1899, he suffered a stroke. He died on November 11, 1899. He was forty-six years old. The *Freeborn County Standard* carried the story:

Death of W. E. Todd

He Is Stricken by Paralysis While Engaged in Court and Peacefully Passes into the Great Beyond – Eminent in his Profession and Honored in the State His Death is Grieved by All – A Self-Made Man He Attains His High Ambition in Early Prime – Biography and Last Mortal Tribute to His Deeds and Memory.

While engaged in the trial of the case against the Brundin Bros. at Mankato last Wednesday forenoon, Nov. 9 (sic), in which he was chief attorney, W. E. Todd, without pre-monition was stricken with paralysis of the left side, and gradually sinking without seeming pain, expired Saturday morning November 11.

¹⁶ *Freeborn County Standard*, November 7, 1889, at 2.

¹⁷ *Freeborn County Standard*, February 24, 1892, at 1 (enlarged).

¹⁸ *Albert Lea Enterprise*, November 15, 1899, at 5 (enlarged). This was published four days after Todd died. Carlson's name appears misspelled as Carlsen.

Up to the time of the attack he had expressed himself as being in vigorous physical health and his associates and friends noted his alert, keen and active mental condition, high spirits and self-poise, and he was conducting the case with his usual ardor and skill.¹⁹ The effects of the sudden stroke was at once seen and he was assisted from the courtroom to judge Lochren's private office and afterwards to an adjoining room where he remained until he

¹⁹ In its obituary, the *Albert Lea Enterprise* quoted the account of Todd's collapse in the courtroom from the *Mankato Free Press*, November 8, 1899:

At about 10 o'clock this forenoon, while W. L. Comstock, attorney for Brundin Bros., was cross examining a witness, Mr. Morgan leaned back to speak to Mr. Todd, who occupied the chair just back of him. Mr. Todd attempted to make a reply, but was unable to do so, and seemed to be suffering from some cause. Mr. Morgan stepped to his side and saw that his associate was suffering seriously. Mr. Todd was then assisted into the district attorney's office, across the hall from the court room. Drs. Steele, Holbrook and Warner were summoned, and Judge Lochren declared court adjourned until two o'clock.

The physicians found Mr. Todd suffering from a stroke of apoplexy, and the hemorrhage of the brain had resulted in total paralysis of the left side. The physicians worked over the unfortunate attorney for several hours before consciousness was restored.

Albert Lea Enterprise, November 15, 1899, at 5. This story would not be complete without telling how the case turned out. It was described in that issue of the *Enterprise*:

A Jury Declares Brundin Brothers Not Bankrupt.

The case against Brundin Brothers instituted by Knatvold & Brown, J. G. Godley and Albert Lea National Bank in United States District [Court] to have them adjudged bankrupt, was on trial at Mankato before Judge Lochren and a jury nearly all of last week, and terminated Saturday when it was submitted to the jury, who returned a verdict for the defendants and declared them not bankrupt. It was a hard-fought legal battle and probably fifty witnesses from Albert Lea were on the stand and testified in the case. Messrs. Todd & Carlson, H. A. Morgan and D. R. P. Hibbs were counsel for the plaintiffs and W. L. Comstock of Mankato, and John Anderson of the city, for the defendants. After the findings of the jury the plaintiffs asked for a stay of the proceedings for 30 days and in that time may make a motion for a new trial or let the verdict remain, when they seek legal recourse in the district court of this county to collect their notes. It is the current rumor now that Brundin Brothers will commence an action for damages against the parties who brought the bankruptcy proceedings.

passed away. Local physicians rendered all possible assistance and Dr. Blackmer, his family physician of this city accompanied by Mrs. Todd, the wife, Mrs. Eugene Chrisler, a sister, and C. W. Ransom went at once to Mankato Wednesday afternoon. The following day an operation was performed to relieve the congestion of blood on the brain, but it afforded little relief. Mr. Todd was conscious a brief time Wednesday night and passed a few precious words with his wife and physician, but after that remained oblivious to all surroundings.

Mr. Todd was one of the ablest and best-known attorneys of the state. He was a self-made man and although 46 years of age he had manfully striven and crowned his life with honorable success. He was an eminently enterprising and generous citizen, broad-minded and charitable in his opinions, a wise counselor, a gracious and genial companion and a loving, tender and devoted husband, father and friend.

William Elmer Todd was born at Geneva, Wis., Aug. 14, 1853. His father was a universalist minister, and thus the family lived in several places. In 1855 the family moved to Merrimack, Wis., thence in 1858 to Lodi; thence in 1863 to Mazomanie; thence in 1868 to Columbus. In 1870 Mr. Todd attended the Jefferson liberal institute, and after a time taught Latin and mathematics in that institution. He afterwards taught two years in the public schools of Merrimac, and then attended Wisconsin university four years, graduating in 1877 in the modern and classical course. He was thereafter employed as principal of the public schools in Lodi for several years, and Feb. 22, 1880, was married to Miss Alice Coapman, who was also a teacher in the Lodi schools. He began the study of law in the office of A. G. Cook, in Columbus, who was one of the most eminent members of the Wisconsin bar, and was admitted at Portage in 1881, and in the fall of the same year came to Albert Lea, empty-handed but admirably equipped by natural ability, education and a zealous

ambition to win his way to a higher rank in his profession; to a position of honor and influence in the community and the state, and to the material success which he so amply achieved.

He became a member of the masonic order, a knight templar, and affiliated with the universalist church, and was a member of the united workmen. For many years he was a director and secretary of the school board of Albert Lea independent school district, was a director at the time of his death. His ability and experience as an educator was highly valued and the present success and rank of the school is largely due to him.

He was county attorney for several terms and served as attorney for the city of Albert Lee several years. For six or eight years he has been the attorney of the Chicago, Milwaukee & St. Paul, and of the Minneapolis & St. Louis railways, and was one of the incorporators of the new Albert Lea & Southern railway. He has been identified as attorney in nearly all of the largest cases in the courts of Freeborn county during the past ten years, and his services were in great demand.

He was yet in the prime of manhood, and yet he attained to the most honored and eminent heights of his profession in the state, and was one of the most esteemed and valued citizens of Albert Lea, the community that knew him best.

Besides his wife, one daughter, Leila, survives him. Two other daughters Evelyn and Norma, have died. He accumulated a comfortable fortune and besides had \$7,000 in life insurance, which in the fondest affection he had provided, all of which is left to his wife and daughter. Of his father's family the mother, Mrs. Helen Todd and four brothers, Llewellyn, Willard, Charles and Miles, and two sisters, Mrs. Evelyn Mead and Mrs. Myrtle Chrisler, survive.

The mortal remains were in charge of Western Star masonic lodge at the lodge rooms until Monday forenoon when they were conveyed by the lodge escorted by Apollo commandery K. T., and followed by the lodge of the order of workmen, to the residence where Rev. Margaret Olmsted made a prayer, full of inspiration and promise and reflecting the confident and cheering faith and hope for the deceased, when the cortege was formed, one of the largest ever seen in Albert Lea and, joined by a large representation of the bar association and citizens in carriages, wended its way to the cemetery. . . .

The relatives from abroad who came at once on learning of Mr. Todd's illness were Mrs. Helen Todd, his mother, and Mr. and Mrs. L. H. Mead of Shell Lake, Wis., Charles Todd of Merrimac, Wisconsin, Miles Todd, Thief River Falls, Minn., and Lynn Coapman of Wis. Among the more notable friends from abroad were H. H. Field, general solicitor of the C. M. & St. P. railway, Hon. J. A. Tawney, Judge Jno. A. Lovely, Hon. N. Kingsley, of Austin, and Hon. M. D. Purdy of Minneapolis. Mrs. Todd received a large number of telegrams and letters of condolence and containing expressions of esteem for her husband from many men throughout the country in various walks of life.

. . . .

The Freeborn County Bar Association met Sunday at H. H. Dunn's office pursuant to a call from its president, Judge Lovely, and appointed a committee consisting of Judge Lovely, H. C. Carlson, H. H. Dunn and H. A. Morgan to draft suitable resolutions expressing the regret of the association on the death of Mr. Todd. It was also decided to attend the funeral in a body and a committee to receive visiting attorneys consisting of D. R. P. Hibbs, C. S. Edwards and Jno. Anderson was appointed. The Austin Bar Association also has adopted feeling resolutions.

The following lawyers were present: Hon. J. A. Tawney and P. E. Brown, Winona; H. H. Field, Chicago, W. D. Purdy, Minneapolis, Judge Kingsley, Lafayette French, R.

E. Shepard, S. D. Catherwood, R. E. Dowdell, J. M. Greenman, P. C. Johnson, L. F. Clausen, L. D. Baird, Thos. Riley, Austin; F. E. Putnam, Blue Earth; Byron Hughes, M. Brewster, Wells; P. C. Cornish, Alden, Besides nearly twenty-five Knights Templar and members of the masonic lodge at Austin headed by Maj. F. B. Wood, master of the lodge, were present to do honor to the memory of their deceased brother.²⁰

The Freeborn County Bar Association presented resolutions in tribute to Todd at a session of the District Court on December 5, 1899. The proceedings were reported by the *Albert Lea Tribune*:

IN DISTRICT COURT

MEMORIAL SERVICES

Professional and Personal Friends of the Late
W. E. Todd Speak Eloquently of the
Attorney Whose Death Occurred at
Mankato a Short Time Ago.

District court convened at 11 o'clock this morning, Judge Nathan Kingsley, Austin, presiding.

Judge Kingsley stated that he had received a petition from the members of the bar asking that the term of the court be adjourned until a future date. He ordered an adjournment until Feb. 6, at which time he ordered the grand jury to appear. The petit jury was ordered to appear February 7.

....

²⁰ *Freeborn County Standard* (Albert Lea), November 15, 1899, at 5 (names of relatives and funeral arrangements omitted).

Judge Lovely as president of the Freeborn County Bar Association offered the following resolutions this afternoon:

“The unexpected and untimely death of Brother William Elmer Todd, who was stricken down in the midst of his professional work—in the prime of early manhood—in the flush of a successful career as a lawyer—has impressed its sad lesson upon his associates of the Freeborn County Bar, and in compliance with our usual custom, as well as our sincere inclination, we have in meeting assembled unanimously adopted the following testimonial of our beloved friend’s worth and generous qualities of head and heart; and have resolved:

“That we, the members of Freeborn County Bar, highly appreciate the many estimable qualities of our former associate of the forum, William Elmer Todd, who departed this life at Mankato on the 10th day of November, 1899, while engaged in the trial of the case in the federal court at that place. During eighteen years of his residence at Albert Lea he was actively engaged in the practice of the law at our bar, and illustrated in his relations as a citizen and lawyer a sterling manhood, and unquestioned integrity, a large public spirit as a citizen. He was a genial and loving companion, a loyal friend, a legal counsel of superior learning, a trial lawyer of fact and urbanity as well as an advocate of distinguished ability. He has added lustre to the practice of his profession in the courts of Southern Minnesota, and has left an example for imitation by his brothers of the bar.

“It is further resolved that we ask leave of the Honorable District Court of the County of Freeborn on the opening day of the next general term to enter this testimonial of our appreciation of our friend’s worth at large upon the minutes of the court as a remembrance and memorial of our affectionate regard for the deceased, and as evidence of our sincere regret for his untimely death.

“And is further resolved that we furnish to his widow and daughter, to whom we extend our sincere sympathy in their deep affliction and bereavement, an engrossed copy of this testimonial.”

The court ordered the resolutions entered on the records of the court.²¹

In its edition the next day, the *Tribune* described the memorial session in District Court in greater detail:

ELOQUENT EULOGIES

Judge and Members of the Bar
Speak of W. E. Todd.

MR. EDWARDS' REMARKS

Judge Kingsley, Judge Lovely and Attorneys
Edwards, Morgan and Hibbs Pay
Touching Tribute to the Memory
of the late W. E. Todd.

There was published in the *Tribune* yesterday the resolutions passed by the Freeborn County bar on the death of W. E. Todd, a member of the bar. The resolutions were presented by President Lovely of the county bar. In presenting them, Judge Lovely paid a beautiful tribute to his friend. He spoke eloquently for he spoke from the heart. He referred to Mr. Todd's ability, his ambition, his faithfulness to duty, his geniality and the noble traits of his character.

²¹ *Albert Lea Evening Tribune*, December 5, 1899, at 4.

D. R. P. Hibbs dwelt upon the sudden death of Mr. Todd, and told of the scene in the court room of the federal court in Mankato, when the Albert Lea attorney was stricken. Mr. Hibbs was an intimate friend of Mr. Todd, and his were a friend's words of sorrow when he spoke of the death.

In his tribute to the memory of Mr. Todd, Henry A. Morgan spoke particularly of this steadfastness as a friend, his devotion to his family and his ability as a lawyer. He also took occasion to refer to the bankruptcy law, connecting it with his subject by the fact that Mr. Todd was engaged as counsel in litigation of that character when he became ill.

Major C. S. Edwards, city attorney, was an intimate personal friend of Mr. Todd. He spoke from that standpoint. He said:

“May it please the Court: For the second time within a year we are called upon to pay our last sad tributes of respect and esteem to the memory of a brother suddenly removed from life's activities by the stern command of our Eternal Judge.

“Upon such an occasion as this, Your Honor, when for a brief season, we draw aside from the usual and more active duties of our profession, and, standing by the portals of the great unknown, contemplate, with bated breath, the withdrawal of one who having played well his part, recedes now from life's stage, that those of us who may yet have some part to perform in the same cast, may profit well by the lesson of that life whose memory we today commemorate.

“Those of us who have grown to manhood in this city have a recollection of Mr. Todd that sketches back some seventeen or eighteen years, and during that time we have learned to know him as one of Albert Lea's leading and most progressive citizens, largely

identified with its material advancement and largely connected with our city's present industrial growth and its future prospects; we have learned to know him as a man, so strongly cherishing the ties of home and family, that it was unusually noticeable even in his pleas before a jury in the this court room, how those strong and vigorous sentiments which possessed his generous nature, controlled and moulded his thought and appealed alike to the bench, the jury and the audience.

“As a lawyer, Mr. Todd commanded the esteem and confidence of his associates and the respect of his adversaries; honorable always in his dealings with his professional brethren, and while jealous of the interests of his clients he was always approachable and ever ready to grant those favors which gentlemen of the bar can appreciate. With the zeal of an earnest worker, his clients cause he made his own, and having once taken a cause his client might confidentially rest assured that every remedy which a wise and beneficent code provided would be applied in his behalf.

“One has said that the career of a lawyer might be divided into three parts— the periods of struggle, compensation and success. The life of Mr. Todd fully exemplified these three periods. I frequently heard him tell of his early struggles in this county to win recognition and secure a place at this bar. Through the pleasanter period of compensation, he passed to an easy competence, and unfortunately was stricken at a moment when he was approaching the very zenith of his success, and at a time when he was fully justified in looking forward to the early enjoyment of the fruits of his many years of mental toil and labor, and at an age, as well, when one may be warranted in looking forward to an early

retirement for the calmer and more composed pursuits of intellectual enjoyment.

“Brother Todd has gone. His departure leaves a vacancy in our local bar. The loss of his genial ways, his cordial manner and his pleasing and profitable companionship will be long and deeply felt. Our brother leaves a family well provided for so far as the material things of life are concerned, but, Your Honor, he leaves to them a far richer legacy in the memory of an honored and respected name, and that is the best that may be said of any man.”²²

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Appendix

The year after Todd’s death his family subscribed to the publication of the two volume *Encyclopedia of Biography of Minnesota* edited by Charles E. Flandrau. In consideration for the subscriber fee a lengthy profile of him was included in the first volume.

In 1904 the family also subscribed to *The History of the Bench and Bar of Minnesota* edited by Hiram F. Stevens. The profile of Todd in this set is nearly the same as that in Flandrau’s.

In 1911 a short sketch of Todd was included in a chapter on “The Bench and Bar of Freeborn County” by Henry A. Morgan in the two volume *History of Freeborn County, Minnesota* edited by Franklyn Curtiss-Wedge.

They follow.

²² *Albert Lea Evening Tribune*, December 6, 1899, at 3.

1.

From the first volume of Charles E. Flandrau's two volume *Encyclopedia of Minnesota Biography* published in 1900:

Hon. William Elmer Todd, of Albert Lea, a well known public man of southern Minnesota, was born at Geneva, Kane county, Illinois, August 14, 1853, and died at Mankato, Minnesota, November 11, 1899. His sudden and untimely death was a great shock to his legion of friends, and a great loss to the community and the State. Mr. Todd was in the prime of his manhood and his usefulness, and he was, withal, a man of strong parts and rare accomplishments, a brilliant lawyer, a faithful public official and a knightly gentleman.

His father, Rev. Miles G. Todd, was a Universalist minister, born at Homer, New York, and descended from Scotch-Irish ancestors who were early settlers of New York State. Before her marriage, his mother was Helen M. Parker, and she was also a native of New York State. Reverend and Miss Todd were married in Illinois, in September, 1852. In 1855 they moved to Wisconsin, first locating at Merrimac, and two years later at Lodi. On his removal to Lodi, Mr. Todd began teaching, but later was called to the pastorate of the Universalist church. While in the ministry at Mazomanie, he entered the army as chaplain, and served until the close of the war. After his discharge he returned to Mazomanie, and for the next twenty years was in charge of the Universalist church, successively at Columbus, Oshkosh, Columbus again, and Lodi. He died suddenly of hemorrhage of the brain at Mason City, Iowa, in 1888.

William E. Todd was naturally a student and of scholarly tastes. After attending the high school at Columbus, Wisconsin, he, in 1869, entered the Jefferson Liberal Institute, a Universalist school at Jefferson, Wisconsin, where he remained two years, paying his way through school by outside work. He taught country schools in 1871

and 1872, and in the spring of the latter year entered the Wisconsin State University. The next fall, however, he left the university, returned to the Jefferson Institute, and taught Latin and mathematics in that institution; the following year he taught in the town of York. In the fall of 1871 he again entered the University of Wisconsin, taking a modern classical course, and graduated with honors in 1877. While in college he was noted for his proficiency in Latin and history, and a portion of the time he was assistant instructor in chemistry. A few months after his graduation Mr. Todd assumed the principalship of the public schools at Lodi, Wisconsin, and in connection with his schoolwork began the study of law. February 22, 1880, he married Miss Alice I. Coapman, who was at the time a teacher in the Lodi schools. The following summer he entered the law office of A. J. Cook, Esq., of Columbus, Wisconsin, and continuing his legal studies for a year, was then admitted to the bar at Portage.

In the fall of 1881 Mr. Todd removed to Albert Lea and formed a law partnership with the late Judge E. C. Stacy. His total income the first year was only about four hundred dollars, but his ability and application to business were recognized and appreciated, and his business increased in due time. He continued in partnership with Judge Stacy for about two years, when he became associated with the late Judge John Whytock. This association was dissolved in a comparatively short time, and thereafter Mr. Todd engaged in the practice on his own account, until 1897, when he formed a partnership with Henry O. Carlson, under the firm name of Todd & Carlson.

Mr. Todd early became prominently identified with the interests of Albert Lea. He had not been in the city very long when he became a member of the school board, and was its clerk for fifteen years, retiring in 1897, after positively declining re-election. Though this position was not at all remunerative or distinguished, he regarded it as a place of high responsibility and one of great honor and

trust. He would not have exchanged it for any other position within the bestowal of his fellow citizens, and he did not retire from it until, largely by his efforts and influence, the schools were running under a perfect system, and his increasing personal duties made it imperative upon him to resign the routine work to others.



In 1886, after serving two terms as city attorney of Albert Lea, he was elected county attorney of Freeborn county; he was re-elected in 1888, holding the office for two terms. It is needless to say that his service in both positions was most faithful and of the highest proficiency. He was not an office seeker, or he might have become distinguished in public positions.

For he was an enthusiastic Republican and took an active interest in the affairs of his party, which during his residence in Minnesota was dominant in Freeborn county and the State. He was frequently a delegate to his party's conventions, often took part in political campaigns, was a noted public speaker, and at the time of his death was an executive member of the Republican State Committee. But Mr. Todd's chief ambition was to excel in his chosen profession of the law. As he grew in it, its governing principles fascinated him, and he was a student until the hour of his death.

He literally "died in the harness," being stricken down by apoplexy while in the Federal court room at Mankato, engaged in the trial of a case. Mr. Todd had secured a large clientage and a lucrative practice; was the attorney for numerous business firms and associations, a number of railroad corporations, and had an extensive general practice as well. He was a prominent member of the State Bar Association, and for three successive years this organization sent him as a delegate to annual conventions of the National Bar Association. A brother lawyer thus describes Mr. Todd's professional character:

"His knowledge of the law was reinforced by an almost intuitive understanding of human nature, and these qualifications were the real foundation of his success as a practitioner in the District and Supreme Courts of Minnesota, Wisconsin and South Dakota. His analytic mind rarely failed to discover the flaws in the testimony of a witness or the weakness in the argument of an opposing counsel, and his earnest

manner and persuasive voice impressed the logic of his case upon the hearer with convincing force. The office of county attorney made him acquaintances, and his practice grew rapidly until he not only represented almost every important business interest in Freeborn county, but was often called to far distant points to conduct important cases. He always tried his cases promptly and fairly. Despite his liberal donations to charity and public enterprises, his expenditures in the purchase of a large and valuable law and private library, etc., his accumulations were considerable, and he left a comfortable estate.”

The personal qualities of William Elmer Todd were most striking. He was a man of attractive presence, bright, spirited and debonair. His large warm heart matched his active, intelligent brain. From his boyhood his character was pure and noble. As has been stated, Mr. Todd was married February 22, 1880, to Miss Alice I. Coapman. Mrs. Todd and her daughter, Liela, are living in Albert Lea. Other surviving members of Mr. Todd's family are Iris mother, Mrs. Helen M. Todd; two sisters, Mrs. Eugene C. Chrisler, of Albert Lea, and Mrs. Henry Mead, of Shell Lake, Wisconsin; also four brothers — Charles, Lewellyn and Willard Todd, of Merrimac, Wisconsin, and Miles Todd, Mil, of Thief River Falls. Minnesota.²³

2.

The following is his biographical sketch in the second volume of Hiram Stevens' *History of the Bench and Bar of Minnesota* published in 1904. It is taken almost verbatim from the sketch in Flandrau's *Encyclopedia of Biography of Minnesota* (1900).

William E. Todd, of Albert Lea, Minnesota, was born at Geneva, Kane county, Illinois, August 14, 1853, and died

²³ Charles E. Flandrau, ed., 1 *Encyclopedia of Biography of Minnesota* 449-451 (1900).

at Mankato, Minnesota, November 11, 1899. His father was Rev. Miles G. Todd, who married Helen M. Parker.

William E. Todd was naturally a student and of scholarly tastes. After attending the high school at Columbus, Wisconsin, in 1869, he entered the Jefferson Liberal institute, a Universalist school at Jefferson, Wisconsin, where he remained two years, paying his way through school by outside work. In the fall of 1874 he entered the University of Wisconsin, taking a general course, and graduated with honors. While in college he was noted for his proficiency in Latin and history, and a portion of the time he was assistant instructor in chemistry. A few months after his graduation, Mr. Todd assumed the principalship of the schools at Lodi, Wisconsin, and in connection with his school work, began the study of law.

February 22, 1880, he married Miss Alice I. Coapman, who was at the time a teacher in the schools. The following summer he entered the law office of A. J. Cook, Esq., of Columbus, Wisconsin, and continuing his legal studies for a year was then admitted to the bar at Portage. In the fall of 1881 Mr. Todd removed to Albert Lea, and formed a partnership with the late Judge E. C. Stacy. He continued in partnership Judge Stacy for about two years, when he became associated with the late Judge John Whytock. This association was dissolved in a comparatively short time and thereafter Mr. Todd engaged in the practice on own account, until 1897, when he formed a partnership with C. Carlson under the firm name of Todd & Carlson.

Mr. Todd became prominently identified with the interests of Albert Lea. He had not been in the city very long when he became a member of the school board, and was its clerk for fifteen years, retiring in 1897, positively declining a re-election. Though this position was not remunerative or distinguished, he regarded it as a place of high responsibility and one of great honor and trust.

In 1886, after serving two terms as city attorney of Albert Lea, he was elected county attorney of Freeborn county; he was re-elected in 1888, holding the office for two terms. He was an enthusiastic republican and took an active interest in the affairs of his party. He was frequently a delegate to his party's conventions, often took part in political campaigns, was a noted public speaker, and at the time of his death was an executive member of the republican state committee.

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3.

His biographical sketch in a chapter on the "Bench and Bar" by Henry A. Morgan in Franklyn Curtiss-Wedge, ed., *History of Freeborn County, Minnesota* 510-511 (1911) lists his firms:

W. E. Todd was a graduate of the University of Wisconsin; admitted to the bar in July, 1881, and located in Albert Lea

²⁴ Hiram F. Stevens, ed., 2 *History of the Bench and Bar of Minnesota* 180-182 (1904).

in August of the same year, when he entered into partnership with E. C. Stacy under the firm name of Stacy & Todd. This partnership lasted but a few months, when he engaged in practice as an individual and shortly afterwards entered into partnership John Whytock, under the firm name of Whytock & Todd. This partnership continued but a short time, and after its dissolution Mr. Todd practiced alone until the fall of 1897, when he entered into partnership with H. C. Carlson, under the firm name of Todd & Carlson, which partnership continued until his death in November, 1899.

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RELATED ARTICLES

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