

ASHLEY MACOMBER TYRER

(August 16, 1843 – June 11, 1880)

Ashley M. Tyrer was admitted to the bar of New York in 1868, and promptly “removed” to Albert Lea, the county seat of Freeborn county. He was twenty-five years old. He soon entered into a partnership with Edwin C. Stacy, a fellow New Yorker.¹ Like most lawyers in rural Minnesota at this time, they found it difficult to make a living only from lawyering.² As a consequence they started a business to handle land transactions. They placed the following notices in the *Freeborn County Standard* in the 1870s:³

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

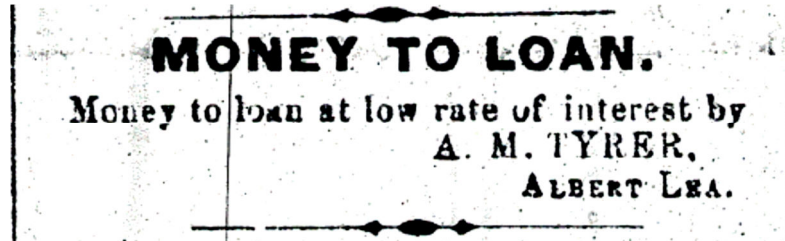
REAL ESTATE AGENCY.
WE have for sale, lands and farms in every town in this county.
TERMS to suit everybody.
LOW prices, long time, and a low rate of interest.
IF you desire to buy a farm, call on us.
IF you have a farm or lands to sell, call on us.
OUR facilities for buying and selling lands, examining 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.

¹ Edwin Clark Stacy (1815-1897), a native New Yorker, moved to Minnesota in 1856 and settled in Albert Lea in 1860. He held several public offices, including probate judge. For his obituary and bar memorial see “Edwin Clark Stacy (1813-1897)” (MLHP, 2020).

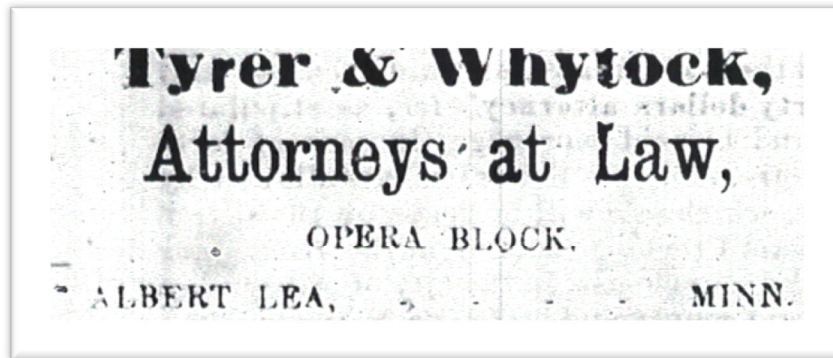
² See George E. Warner & Charles M. Foote, “The Territorial Courts and Bar of Hennepin County” 14-15 (MLHP, 2013-2016) (published first, 1881) (“[I]t must be remembered that no man of ability could come to Minnesota at an early day and confine himself exclusively to the practice of law. For in territorial 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).

³ *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.

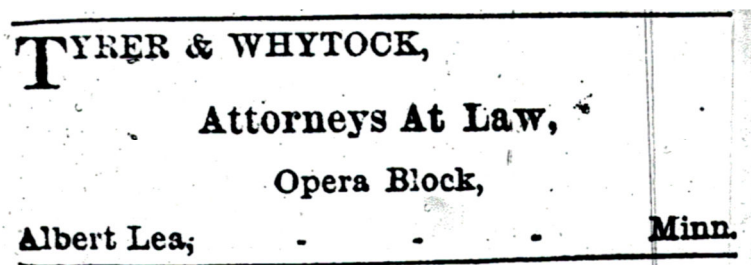
During these years he was attorney for the village (later town) of Albert Lea, and also probate judge for a term. As another indication of how hard it was to make a living solely from the practice of law, he became a money lender, and placed this ad in the local paper:⁴



In 1878 the firm of Stacy & Tyrer dissolved, and shortly thereafter, he started a new firm with John Whytock, a future district court judge.⁵ Their business card appeared in the *Freeborn County Standard* in 1879:⁶



It was redesigned the following year:⁷



⁴ *Albert Lea Enterprise*, October 17, 1878, at 2.

⁵ John Whytock (1835-1898), a Civil War veteran, settled in Albert Lea in 1876, was county attorney for two terms, and judge of the Tenth Judicial District, 1893-1898. He was elected in 1892, and re-elected in November 1898, but died two weeks after that election.

⁶ *Freeborn County Standard*, May 11, 1879, front page (enlarged).

⁷ *Freeborn County Standard*, June 17, 1880, front page (enlarged) (the notice continued to appear for a short while after Tyrer's death on June 11, 1880).

In 1879 he placed this profile in the Minnesota volume of *The United States Biographical Dictionary and Portrait Gallery of Eminent and Self-Made Men*, a book published by subscription.

AMONG the most prominent lawyers of the younger class in southern Minnesota, is Ashley Macomber Tyrer, a native of Erie county, New York.

He was born in the town of Concord, on the 16th of August, 1843, his parents being James and Susan C. (Gates) Tyrer. His great-grandfather came to America as a British soldier; deserted, and not long afterward joined the Continentals, never returning to England. The Gateses were also English, and settled in Vermont at a very early day, his maternal great-grandfather being one of the "Green Mountain Boys," aiding, firelock in hand, to gain our independence. Captain James Tyrer, senior, grandfather of our subject, had command of a company in the war of 1812-15, and was on his way to Buffalo, from the southern part of Erie county, when that city was burnt, about 1813; meeting fugitives from the destroyed village, only one dwelling-house, that of Mrs. St. John, being left standing.

Captain Tyrer was a very tall and powerful man; could lift as much as two men of ordinary strength, and when past eighty years of age, at wrestling, could lay the champion athlete of his neighborhood on his back. James Tyrer, junior, was a Union soldier, till his health failed. He was a farmer, and the son worked very hard most of the time in youth — aiding his father, attending, meanwhile, a graded school in Buffalo, a year or two in all, and a few terms at the Springville Academy, now known as the Griffith Institute.

Our subject read law with Judge Abner Hazeltine, of Jamestown, Chautauqua county; was admitted to practice in 1868, and the same year opened an office in Albert Lea. For nine years he was of the well-known firm of Stacy and Tyrer, and was then alone till the autumn of 1878, when

John Whytock became his partner. No man in Freeborn county has a more extensive practice than Mr. Tyrer. He has a good legal mind; grasps at once all the points in a proposition, and upon investigation, as a rule, finds himself sustained by the authorities. He is a safe counselor and energetic in professional business, a good advocate before a jury, and makes a strong argument upon all points of law involved in a case.

Mr. Tyrer was clerk of the village of Albert Lea most of the time, till it received its city charter; was judge of probate two years; town attorney awhile, and the first attorney under the special enactment, extending the powers of the supervisors, etc.

Mr. Tyrer is a New York or hard-money democrat, not over-zealous in politics, and letting nothing interfere with professional duties. His habits are very studious, and he is a growing man.

His religious connection is with the Presbyterian church, of which he is a trustee. In his professional business, as in the other relations to society, he takes good care not to compromise his christian character, in which he stands high.

Miss Fanny E. Healey, of Westfield, New York, became the wife of Mr. Tyrer on the 8th of October, 1867; and they have had two boys, only one of them, the elder, Arthur James, aged ten years, now living.⁸

Flattering self-portraits such as this were common in books published by subscription in the nineteenth century. But this one is notable for what is omitted—there is not a word about his health. At the time he composed this sketch, he knew he was suffering from tuberculosis or consumption, and it likely was fatal (one wonders whether he came to Minnesota, attracted by its reputation for a

⁸ *The United States Biographical Dictionary and Portrait Gallery of Eminent and Self-Made Men. Minnesota Volume 138-39 (1879).*

healthy and therapeutic climate, to combat this disease.⁹). This self-sketch perhaps had a different purpose, a more personal importance than those of other subscribers — it is how he wished to be remembered. He died on June 11, 1880, at age thirty-seven. The *Freeborn County Standard* carried the story:

DIED.

In this city, of consumption, June 11th,
A. M. Tyrer, aged 37 years.

It becomes our melancholy duty, this week, to record the death of A. M. Tyrer. He died at his home in this city on last Friday night. Although it had been but too apparent, to his friends, that the hopeless struggle he was making against that gaunt and insidious form of disease, consumption, must before long end fatally, it was still hoped that in some way his life might be prolonged for some time. But his career of usefulness, in this life, and midst a people where he long lived in honor, is closed forever.

It may not be inappropriate here, to submit a brief notice of the life and character of one man who has thus suddenly passed away in his early manhood, and who was distinguished in this community, not only for his virtues as a man and a citizen, but for his talents in his chosen profession.

Mr. Tyrer was born in Concord, Erie county, New York, in 1843. He read law with Judge Hazeltine, at Jamestown, Chautauqua county, N.Y., and was admitted to the bar of his native state in 1868. In the same year he removed to Albert Lea, where he began the practice of the law. His constitution, naturally fragile and delicate, was impaired by hard study and unremitting devotion to his profession.

As a lawyer, the subject of this notice possessed an acute,

⁹ Cf. *Minnesota Pioneer*, August 16, 1849, at 2. (“The winters are long and cold, but the temperature is so equable, that they are said to be agreeable...The climate is almost precisely like that of New England. Bilious diseases are rare, and agues have no home here. Our country is proverbially healthy.”).

penetrating, and accurate mind; and in his consideration of a case, his clear and rapidly formed conclusions were generally unerring. His idea of the true lawyer was high, and as he never himself betrayed the interests of a client, or stooped to what is called the "tricks of the profession," he had a manly scorn of those who practice the evil arts by which the noble science of the law is too often perverted or degraded.

It is not deemed exaggeration to say, that if in his case, the strength of body had been equal to that of the mind, he would have easily won a place in the foremost rank of the bar of the state. Perhaps the best test of his ability as a lawyer, is found in the fact that his opinions on legal questions were accepted and acted upon by his friends and clients with an implicit confidence, which was seldom misplaced.

As a citizen the deceased took an active interest in public affairs, and especially in those of this city and county. His legal advice, as it was frequently sought, was freely given in matters affecting the welfare of the public. Liberal and open-handed in affairs of money, he readily responded to the calls of religious, benevolent and charitable objects and associations.

While he was a man of stern and uncompromising disposition towards those whom he thought unworthy, he retained an unwavering friendship for those to whom he became attached. That he had some strong prejudices, is to say that he was not entirely free from some of the faults common to humanity.

The Freeborn County Bar Association held a meeting on Monday afternoon and adopted the following expression in relation to the deceased:

"The Freeborn County Bar Association, assembled at the city of Albert Lea this day to record the sorrow of its members at the loss of one of their number declare:

“That in the death of A. Tyrer, this association has lost one of its most learned and honorable members; and that we wish to testify our regard and esteem for the memory of one who was an ornament to the profession, a faithful and consistent lawyer, and one whose death in the flower of his manhood and in his career of usefulness we greatly deplore.

“That it is the sense of this association, that in the death of our friend and brother, the community in which he lived and to which his life and labor were devoted, has lost a worthy and highly esteemed citizen, whose public and private services are gratefully remembered while his early loss is sincerely mourned.

“That we tender to the family of our deceased associate, in their severe affliction, assurance of our profound sympathy.

“*Resolved*, That a copy of this testimonial be presented to the family of the deceased.

“*Resolved*, That a copy of the foregoing be submitted to the district court of Freeborn county, with the request that the same be spread upon the records of said court.”

E. C. STACY,

President.

D. R. P. HIBBS, Secretary. ¹⁰

¹⁰ *Freeborn County Standard*, June 17, 1880, at 5. Three decades later, this sketch appeared in a county history:

A. M. Tyrer came to Albert Lea from New York in the early seventies and entered into partnership with E. C. Stacy in the name of Stacy & Tyrer, which partnership continued until his death in June, 1880, the firm of Stacy & Tyrer being one of the well known and recognized law firms of southern Minnesota and Tyrer being one of the actual trial lawyers of this section.

Henry F. Morgan, “Bench and Bar of Freeborn County” 10 (MLHP, 2008-2014) (published first in Franklyn Curtis Wedge, ed., *History of Freeborn County, Minnesota* (1911)).

Related Articles

Judge Edwin Clark Stacy (1813-1897) (MLHP, 2020).

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



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