

DAVID FREEMAN, PROBATE DOCUMENTS INCLUDING A WILL DATED APRIL 5, 1826, A WITNESS STATEMENT, AND AN EXHIBITION OF THE WILL.<sup>1</sup> TRANSCRIBED BY DAN MACNEIL

[1]

I David Freeman of Middletown in the County of Middlesex and State of Connecticut do make this my last will and testament in manner following to wit

First. I will order and direct that my just debts

and funeral charges be paid and satisfied.

Second. I give devise and bequeath to my

friend Eli Coe Junior all my estate of every kind of which I may die possessed.<sup>2</sup>

Last I nominate and appoint Eli Coe Jr

Executor of this my last will and

testament hereby revoking all former

wills by me heretofore made

In testimony whereof I have here

unto set my hand and seal this

5<sup>th</sup> day of April 1826

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<sup>1</sup> The records that are not included within this transcription are related to the appointment of Enoch Coe and Alfred Bailey to oversee the execution of Freeman's will and the approval of the will by the court.

<sup>2</sup> *Wex*, Legal Information Institute, Cornell Law School, s.v. "devise" [accessed March 11, 2022, <https://www.law.cornell.edu/wex/devise> ]

Signed sealed and published by the said David Freeman as and for his last will and testament in the presence of us, who now each subscribes this attestation in his presence and in the presence of each other<sup>3</sup>

David Freeman<sup>4</sup>

Isaac I. Hough

Bela Coe

William W. Coe

[2]

Newhaven County Meriden Feby 17<sup>th</sup> 1827

Then personally appeared Isaac I. Hough one of the witnesses to the preceding Will & make solemn oath that he saw David Freeman the Testator sign & seal & heard him publish & declare the same to be his last Will & testament & at the doing thereof he judged him to be of sound disposing mind & memory & that he set his hand as a witness to the same in the presence of the testator & of the other witnesses

Sworn Before me

William Yale Just[ice] of <sup>v</sup>e Peace

Sworn to by Bela Coe

Wm W Coe

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<sup>3</sup>Throughout the 19<sup>th</sup> century, the majority of wills had been composed within a year prior to the death of the individual. David Freeman was no exception to this and died ten months after drawing up his will. In addition to timing, Freeman's will proved to be similar to most other 19<sup>th</sup> century wills by its short length. See Lawrence M. Friedman, "Patterns of Testation in the 19<sup>th</sup> Century: A Study of Essex County (New Jersey) Wills," *The American Journal of Legal History* (Jan., 1964) 8 (1): 37-38 and 40.

[https://www.jstor.org/stable/844161?seq=1#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/844161?seq=1#metadata_info_tab_contents)

<sup>4</sup> Signature in cursive handwriting, not a mark.

At a Court of Probate held in Middletown the 19 Feby 1827. Then this Instrument was exhibited in Court as the last Will & Testament of David Freeman late of Middletown Decd. & at the same time Bela Coe & Wm W. Coe two of the witnesses to the same personally appeared before this Court & made solemn Oath that they saw the Testator sign & seal & heard him publish & declare

[3]

the same to be his last Will & Testament & at the doing thereof they judged him to be of sound disposing mind & memory & that they set to their Hands as Witnesses to the same in presence of the Testator & of the other witness - & thereupon it is Considered to be well proved & by this Court is approved & ordered to be Recorded in the Records of this Court - & Eli Coe Jr. who is therein appointed Ex. personally appeared accepted the trust reposed in him & gave Bond according to Law

W. F. Clerk<sup>5</sup>

### Bibliography

“Connecticut, U.S., Wills and Probate Records, 1609-1999.” Digital image s.v. “David Freeman.” Images 1015-1017. [https://www.ancestry.com/discoveryui-content/view/1959938:9049?tid=&pid=&queryId=ccb201d297fe2a6b237bf7f9d79b8e&\\_phsrc=hkP4958&\\_phstart=succSource](https://www.ancestry.com/discoveryui-content/view/1959938:9049?tid=&pid=&queryId=ccb201d297fe2a6b237bf7f9d79b8e&_phsrc=hkP4958&_phstart=succSource). Accessed March 11, 2022.

Friedman, Lawrence M. “Patterns of Testation in the 19<sup>th</sup> Century: A Study of Essex County (New Jersey) Wills.” *The American Journal of Legal History* (Jan., 1964) 8 (1): 34-53. [https://www.jstor.org/stable/844161?seq=1#metadata\\_info\\_tab\\_contents](https://www.jstor.org/stable/844161?seq=1#metadata_info_tab_contents). Accessed March 11, 2022.

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<sup>5</sup> The signature is very difficult to read. It could be John Fisk, although the signature does not look like it. Fisk was the clerk of Middletown for most of this period. See *History of Middlesex County, Connecticut: With Biographical Sketches of Its Prominent Men*. New York: J. B. Beers & Company, 1884), 158.