

Freeman, Edmund B. ^[1]

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8 Sept. 1795–30 June 1868

Edmund B. Freeman, longtime clerk of the [North Carolina Supreme Court](#) ^[2], was born in Sandwich, Mass. He was the son of the Reverend Jonathan Otis Freeman, a Presbyterian clergyman and educator of note who taught in several North Carolina communities; a nephew of the Right Reverend [George Washington Freeman](#) ^[3], who served as a rector of Christ Church in Raleigh and later as missionary bishop of Arkansas and the Southwest; and the grandson of Brigadier General Nathaniel Freeman of the Massachusetts militia in the Revolutionary War.

In 1805, Freeman moved with his father to North Carolina, where he received his basic education. He studied law and was licensed to practice, but it appears that he never engaged actively in the profession. In October 1829 he and others bought the *Halifax Minerva*, the title of which was changed to the *Roanoke Advocate* with the issue of 4 Mar. 1830. Freeman, for a time in partnership with [John Campbell](#) ^[4] and later alone, published the paper until January 1834, when he sold it and moved to Raleigh. Soon afterward he became a deputy clerk of the North Carolina Supreme Court.

From 1831 until his defeat in 1842, Freeman served as clerk assistant of the House of Commons. On 5 June 1835, he was elected "Principal Secretary," or clerk, of the [Constitutional Convention of 1835](#) ^[5].

On 13 July 1843, after the death of Clerk John L. Henderson, Freeman was named to the vacancy by the justices of the supreme court. The *Raleigh Register* of 18 July noted that "A better appointment could not have been made." Freeman served until his death.

On 5 Dec. 1843, he took his seat on the Board of Commissioners of Raleigh, filling the unexpired term of Middle Ward Commissioner Alexander J. Lawrence, who had resigned. Freeman himself resigned on 30 May 1845; the next year, however, he was a candidate for the same office but was defeated in the city election held on 19 January.

A review of deeds, tax lists, and his will reveals that Freeman owned a moderate amount of property, including real estate in Raleigh and land outside the town. He was also an enslaver, and enslaved as many as sixteen people in 1848, 1849, and 1850. A scrutiny of deeds shows that he was capable of shrewdness and on several occasions realized sizable profits from his transactions. Though he lost a considerable amount during the Civil War, his Raleigh lot and house and its furnishings were valued at about \$4,000 when he died; he also left shares of stocks and other personal property.

Freeman married twice. On 27 Oct. 1822, a marriage bond was given for his marriage to Mary McKinney Stith of Halifax (d. 25 Jan. 1835); they had one daughter, Emily, who married Hampden S. Smith. His second wife, whom he married on 14 Nov. 1837, was Mrs. Elizabeth Ellis Williams Foreman of [Pitt County](#) ^[6] (d. 11 Nov. 1848), widow of William Foreman. They had no children. Freeman was survived by his daughter and several grandchildren.

The supreme court clerk was a member of Christ Episcopal Church in Raleigh, where he served as junior warden. He was also a member of the [Masonic Order](#) ^[7], where he held the office of junior grand warden.

The [Constitution of 1868](#) ^[8], which abolished the distinction between courts of law and courts of equity, was to become effective 1 July 1868. Freeman's death on the last day the courts operated under the old system was a coincidence that caused considerable comment. Chief Justice [Richmond M. Pearson](#) ^[9] said:

"His attachment to the Old Court was so strong that on several occasions he said to the Judges: 'I cannot outlive the Court, or work in any other traces!'

"That the Court should have *died* on the same day with its Clerk, is a co-incidence that is remarkable, and to theorists may form a topic for discussion."

Freeman had died after an illness of only three or four days. The *Daily Sentinel* of 3 July 1868 referred to his efficiency and the high regard with which he had been held. Records of the supreme court, however, show that he was capable of using his office at times to impede matters.

A poem was written in memory of Freeman by [Mary Bayard Clarke](#) ^[10] in which she referred to the unusual circumstances surrounding his death and to his long and faithful service. The poem was recorded in the minute docket of the North Carolina Supreme Court for 1 July 1868.

Funeral services were held at Christ Church, and [Masonic](#) ^[7] rites were conducted at the grave, presumably in Raleigh's City Cemetery. A portrait of Freeman hangs in the office of the clerk of the supreme court, Raleigh.

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Additional Resources:

"Edmund B. Freeman Clerk." *North Carolina Reports: Cases Argued and Determined in the Supreme Court of North Carolina Fall Term, 1918*. Raleigh, N.C.: Mitchell Printing Company. 1919. 803-805. <http://books.google.com/books?id=wzpOAAIAAJ&pg=PA803#v=onepage&q&f=false>^[12] (accessed March 10, 2014).

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