

## "The Friends & Friends of Friends Who Created a Scheme to Free Us"

by Calvin Dark

I've been obsessed with the last will and testament of Simeon McMasters (1767-1840) since I saw it at my Great-Aunt Eva's house as a child. In the thirty years since, I've read, re-searched, and analyzed that will so much that I can recite its two pages from memory,

*"In the name of God, Amen.*

*I, Simeon McMasters of the County of Randolph and State of North Carolina, being at this time of sound mind and memory, but considering the shortness of life and the uncertainty of this mortal state of existence—do now make and ordain this my Last Will and Testament."*

It wasn't until two years ago when I started writing a book about the will that I realized that I hadn't even begun to really understand it. Simeon McMasters' will was like a treasure chest with a false bottom. Just when I thought I knew all it contained, I saw, under a thin veneer, two things that changed its whole meaning: a scheme and Quakers.

There, hiding in plain sight in the last paragraph, Simeon called on his "trustworthy friends" to carry out his controversial last wish. "Trustworthy friends" was somewhat common legal boilerplate in the early 19<sup>th</sup> century to describe a will's executors and administrators. But Simeon wasn't merely

referring to acquaintances and assigns — he meant carefully chosen co-conspirators. But what was this scheme and who were these four trustworthy friends? Those questions made me even more obsessed about who Simeon McMasters was and why he wrote such a will.

Let me start by explaining what Simeon McMasters was *not*. He was not Quaker and there's little evidence that he was any more than nominally Methodist. However, Simeon was a "friend of Friends" because he grew up surrounded by Quakers — from his childhood in Pennsylvania to Delaware then finally settling in Randolph County near the Chatham County line. (The area today known as Staley.) In fact, several of his close relatives were either Quakers or the *cause* of a few Quakers marrying out of unity. Simeon McMasters was also not an abolitionist or took any public stands to end slavery. With the exception of the two slaves mentioned in the will, there's no evidence that he made any efforts to ease the plight of the enslaved or end the institution.

Simeon McMasters *was* one of fourteen children born to immigrants from Northern Ireland. He did marry, though by the time the will was written in 1834, he was a widower whose wife bore him no children. Simeon was a wagon-maker with moderate wealth. (One hundred and fifty acres of land and a wagon shop were among his most valuable assets.) He was a slave owner who, around 1800, acquired a young slave woman named Crecy. By 1815 Simeon fathered a child by Crecy named Aaron



who was born a slave per the doctrine of *partus sequitur ventrem* which dictated that a mixed child's legal status "followed the condition of the mother."

And, yes, Simeon McMasters was my Great-Great-Great Grandfather through his son Aaron McMasters.

As for Simeon's last will and testament, it had only one purpose: to legally emancipate Crecy and Aaron. The will would later be considered by some as compassionate and ahead of its time. Others would call it a scheme contrary to the law and policy of the state of North Carolina. I believe it was both.

But why would a slave owner need a scheme to free his own slaves? Because legally freeing slaves in North Carolina (while the owner was living or through a will after death) was difficult for all and effectively impossible for most. Beginning in the colonial period through the end of the Civil War, North Carolina law required a bond with two securities each worth one thousand dollars for each slave — a prohibitive amount for most slave owners during that period. In Simeon's case, for example, his one hundred and fifty acres of land and his wagon shop were valued at less than seven hundred dollars — which wouldn't have even been enough to cover one of the bonds for just one of his slaves. The law further required a freed slave to leave the state within ninety days and never return. If the freed slave did return, he or she could be sold back into slavery and the former owner would lose the securities. So, even in cases where a slave owner's net worth could fulfill the bond requirement, what slave owner would risk that? These laws and requirements were intended to purge freed slaves from the state so they would not encourage other slaves to legally or illegally attempt to obtain their freedom.

These legal requirements for emancipation were enormous obstacles for slaves, but also for slave owners who wanted to free their slaves and anti-slavery advocates like Quakers. Unlike strict abolitionists who

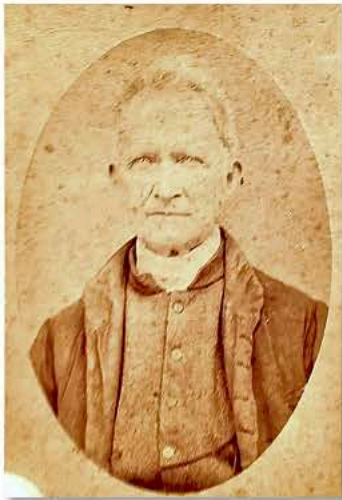
wanted slavery to end immediately, Quakers fell along a spectrum ranging from gradual emancipation to an improvement of the way slavery was practiced. Regardless of where they fell on the spectrum, there was a uniform consensus among Quakers that slavery as it existed was incompatible with God's command to love thy neighbor as thyself — unlike Methodists, Baptists, Presbyterians, Moravians, and other denominations active in central North Carolina at the time who were split on the issue of slavery.

But Quakers knew that they could not fight slavery alone — they would need the support of non-Quakers, many of whom respected Quakers' faith but would never become a Friend because of ignorance and misperceptions about what such a conversion would entail. So, anti-slavery Quakers in the Piedmont created a more ecumenical (and less overtly Quaker) group call the North Carolina Manumission Society (NCMS). The new group's first meeting took place on July 19, 1816, when twenty-three delegates convened at Centre Meeting house about ten miles south of Greensboro, NC. (Centre Meeting was chosen because it was at the halfway point between New Garden and Cane Creek Meetings where many of the delegates came from.) Those twenty-three delegates represented one hundred and forty-seven members in local chapters across central North Carolina.



Aaron McMasters, the author's  
Great-Great Grandfather





Hezekiah S. Clark, a "trustworthy Friend"  
of Simeon McMasters

The goal of the NCMS was to broaden its base of support for gradual emancipation to include diverse denominations and faith communities. The NCMS lobbied religious, private, and government stakeholders to ease the requirements for emancipation to allow those who wanted to free their slaves to be able to do so of their own free will — including *through* wills. The NCMS, which ironically permitted slave owners to be members, published manifestos, sent petitions to the state legislature and raised funds for the voluntary (and involuntary) relocation of freed slaves to free Western states, Liberia, and Haiti. Among its

earliest members were Quakers who would later become well-known for their positions on slavery such as Levi and Vestal Coffin, Benjamin Lundy, Richard Mendenhall, and many others.

But, what does all this have to do with Simeon McMasters' will? As Simeon was nearing death he realized that Aaron and Crecy would be divided among his nieces and nephews (which he did not want) or sold along with the rest of the estate to an unknown buyer who wouldn't likely treat them as well as he had (which he definitely did not want.) However, his net worth was not nearly enough to free them in life nor would his estate be enough to pay the bonds upon his death which was also required by the law.

So, Simeon sought the help of the North Carolina Manumission Society to help figure out a way to evade the law and legally emancipate Aaron and Crecy. Now, it just so happens that in 1834, the year when

Simeon McMasters sought this help, Benjamin Swaim, a New Salem attorney and newspaper editor known as the "Man of Business," was the president of the NCMS. Swaim's nickname came from his immensely popular series of articles and books called The Man of Business; or, Every Man's Lawbook, aimed at helping laymen carry out common tasks — such as deeds, taxes and accounting and, of course, wills and testaments.

The will that Benjamin Swaim created for Simeon was complicated, but it essentially envisioned two possible outcomes. In the best, but most unlikely, scenario, the will would leave his entire estate to Aaron and Crecy who could use it to secure their freedom and start their own independent lives. (Simeon would just have to hope that the courts would make an exception to the prohibition on slaves from owning property and that, by the time he died, the restrictions on emancipation would be less strict or nonexistent.) The second, less desirable option, was that the will would leave Simeon's entire estate — including Aaron and Crecy — to four trustees (referred to in the will as the "trustworthy friends"). The trustees would then use "all necessary means to procure the liberation of Aaron and Crecy" and once they were freed, all of Simeon McMasters' estate would go to them. In this scenario, if the trustees were not able to legally free Aaron and Crecy then they would become their "masters" (for show purposes only) and would allow them to live as free and use the house, shop, and one hundred and fifty acres as if it were theirs. That was how the will scheme was supposed to work.

The Man of Business' next challenge would be to find four "trustworthy friends" to commit to carrying out Simeon McMasters' will scheme. He looked no further than the NCMS delegates and selected two Friends and two friends of Friends: Jesse Kemp (Holly Springs Meeting), Henry Ellison (Methodist friend of Friends), Hezekiah Sanders Clark (Sandy Creek Meeting), and John Miller (unknown denomination, friend of Friends). Once the trustworthy friends joined in agreement, they were to go

about their lives until Simeon McMasters died and they would be called into action.

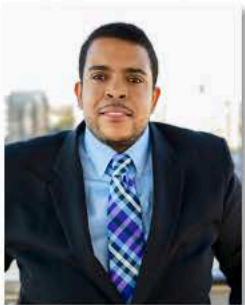
...

Sometime in the month of August of 1840, about six and a half years after the will scheme was hatched, Simeon McMasters died. During those years, so much changed! The North Carolina Manumission Society had disbanded after holding its final meeting in late 1834 at Marlborough Meeting house in Randolph County. Two of the trusty friends, Jesse Kemp and Hezekiah S. Clark, had left North Carolina and settled in Indiana with many fellow Quakers during the great migration. Simeon's White extended family of heirs had become anxious because of the rumor that two slaves would get what should be rightfully theirs. On top of all this, Aaron, who was still a slave, had fathered a child with a White woman.

The cascade of events following the death of Simeon McMasters and the publication of his will would change the lives of Aaron and Crecy, the trusty friends, and even my own. Simeon McMasters' will scheme would also eventually involve several other prominent Friends and friends of Friends such as Joseph and John Newlin, James Moody, Jacob Hobson, and others whose names and roles aren't part of the surviving record.

Did the will scheme work like Simeon McMasters planned?

No. Not at all.



*Calvin Dark is a proud native of Siler City, North Carolina, graduate of the NC School of Science and Math and Duke University and as was a Fulbright Scholar to Morocco. He is the author of the forthcoming memoir, **McMasters' Will: How We Survived A Scheme & Became Virtually Free.** Calvin lives in Washington, DC where he is principal and co-founder of RC Communications and a regular political commentator on US & international news channels.*

