

# Remarkable Career of Judge Wm. M. Shipp

Represented Rutherford County in Legislature in 1856—Afterwards Held High Offices in State—Member of Noted Family.

Miss Kate Shipp.

William Marcus Shipp was named for the two best friends of his father, Bartlett Shipp. These gentlemen were William Julius Alexander, of Charlotte, and Marcus Erwin, of Morganton, both lawyers of great distinction.

Bartlett Shipp, a native of Surry county, was a soldier of the War of 1812. He went to Charlotte to study law under his compatriot, the Hon. Joseph Wilson, the great lawyer and noted solicitor, who came from Stokes county to Charlotte soon after the War of 1812. Mr. Wilson was one of the leading men of his day, and many stories are told of his ability and courage in the prosecution of his duties. Mr. Wilson lived in what is known to later generations as the Yates house standing until recently on the corner of South Tryon and Morehead streets in Charlotte. Bartlett Shipp became a member of the Wilson household as tutor to the children, all daughters, who grew up to be women of great beauty, high character, and superior intelligence. They were Catherine, wife of William Julius Alexander; Roxana, wife of a beloved physician of Charlotte, Dr. Pinckney Caldwell; and Laura, who married first, Marshall Polk, brother of President James K. Polk; and second, Dr. Tate, of Morganton. Mr. Shipp was a devoted admirer of Mr. Wilson and staunch friend of all his family. After securing his law license, Mr. Shipp began practice in the courts of the district, going from place to place with Mr. Wilson and other lawyers, traveling on horseback, hundreds of miles. In 1818 he was married to Susan, daughter of Gen. Peter Forney, of Lincoln county a soldier of the Revolution, and one of the leaders in the manufacture of iron in Lincoln county. General

Forney had a family of twelve children, and most of them established themselves on lands near his holdings. Daniel Forney, the oldest son, built what was then, and still may be, the handsomest home in Lincoln county. It is now the property of Mr. Percival Hall. One of Gen. Forney's daughters married Henry Y. Webb, of Granville county. Mrs. Webb's father gave them a plantation, afterwards bought by Bartlett Shipp, who in turn gave it as a home to his daughter, Mrs. W. P. Bynum.

Henry Y. Webb came to Lincoln about the time the Burton brothers, from the same county, decided to settle there. The three were classmates or at least, college mates of Daniel Forney, at the University of North Carolina. The Burtons, Robert and Alfred, were both lawyers of note, and married Lincoln county ladies also; daughters of John Fulenwider, pioneer in the iron industry. Webb was appointed U. S. District Judge for Alabama and moved there about the time of the exodus of so many Rutherford and Lincoln county people to Alabama in 1834-35. Seven of Peter Forney's children joined the company of emigrants. Many eminent citizens of Alabama are descendants of Forney forebears. Among the sons and daughters of the Forney blood who remained on lands in North Carolina given them by their father, were Monroe Forney, Mrs. Bartlett Shipp, Mrs. William Johnson (mother of General R. D., Governor Joseph, Dr. William and others); and Mrs. C. L. Hunter, wife of Dr. Hunter, historian and scientist. Bartlett Shipp and his wife remained at the home of Gen. Forney for a year or so, and it was there, at Mount Welcome, that their oldest child and only son was born. Shortly thereafter, they moved to a property about a mile from Mount Welcome, where they spent nearly all the years of their married life. A few months before the death of Mr. Shipp, in 1869, Judge Shipp moved his aged parents and his own young children to the town of Lincolnton. Bartlett Shipp was born in 1786, and therefore died at the age of eighty-three; his father Thomas Shipp, lived to be ninety-six; but both were outdone in longevity by the mother of Thomas, Mrs. Nancy Shipp, who died, as learned from the

family Bible, in 1828, aged one hundred and four years. This remarkable old lady was born in 1724, three years before the accession of George II to the English throne. She lived in the reigns of all four of the Georges. In America she survived the French and Indian War, the Revolution and the War of 1812, and had connections or descendants in all of them. We learn from the will of her father, John Cox, of Lunenburg county, Va., that she was the wife of Josiah Shipp, of Surry County, N. C. Her son, Thomas Shipp, was a soldier of the Revolution, and her daughter, Nancy, married Col. John Martin, leader of the patriot forces in the surrounding country. Col. John Martin and Nancy Shipp Martin were the parents of Mary Martin, who married Hampton Bynum.

In the War of 1812, Mrs. Nancy Cox Shipp saw, going off to join their commands, grandsons in the persons of Bartlett and William Shipp, and Samuel and Joseph Martin, and Hampton Bynum, who married her granddaughter, Mary Martin. If the old lady had lived twenty years longer, she would have seen her great granddaughter, Eliza Shipp, the wife of her great grandson, Judge William Preston Bynum.

### William Marcus Shipp.

William Marcus Shipp, the subject of this sketch was born November 9, 1819, and grew up on the plantation of his parents having with him as companions the nephews of his father, William T. and Albert Shipp, sons of John Shipp, who died when Albert was an infant. Their mother was Elizabeth Oglesby, a woman of very strong character and religious zeal. It was from her that her sons received their religious training which resulted in Albert's becoming one of the foremost men in the Methodist church. The three boys were educated in the neighborhood schools, and excellent teachers must have presided over these schools, for the young men of that community were so well prepared for entrance to the University. One of the teachers was Rev. Patrick Sparrow, a Presbyterian divine. William and Albert Shipp, just the same age, entered the University of North Carolina together, and graduated in the class of 1840, tying for first honors. Albert made the valedictory address and William delivered the Latin salutatory.

Dr. Albert Shipp remained at Chapel Hill as tutor and professor for several years, and then entered the ministry of the Methodist church, and became president of Wofford College, Spartanburg, S. C., and later dean of the Theological department of Vanderbilt University.

William Marcus Shipp studied law in Morganton, and was admitted to the bar in 1842. Rutherfordton was then the leading town of Western North Carolina and many men who afterwards became leaders in their professions first hung out their shingles in that town. Among these were the lawyer brothers, General John Gray Bynum and Willie P. Bynum, also Dr. Caloway, who married Miss Annie Johnston. All of these were connections of Mr. Shipp.

Within a few years of the time that Mr. Shipp began to practice law in Rutherfordton, a college friend of his, the Rev. Jarvis Buxton, of Fayetteville, came to the little mountain town, as rector of the Episcopal church. Mr. Shipp was a member of his congregation, as were all of his relatives who settled in Rutherfordton. Mr. Buxton had married Miss Cameron, daughter of Judge John A. Cameron, of the United States Court of Florida. Mrs. Buxton's sister, Miss Catherine Cameron came to visit her, and the result of the visit was the marriage of Mr. Shipp and Miss Cameron, at Fayetteville, in 1851. They bought a home in Rutherfordton, and made delightful friends there. While residing there he was elected as a member of the General Assembly from Rutherford county. However, a greater opportunity seemed to offer in Hendersonville, from the fact that the leading lawyer of that place, Judge John Baxter, had moved to Tennessee. The Shipp's bought his home, and settled in Hendersonville about 1857. When the War Between the States came on, Mr. Shipp recruited the first company to volunteer from Henderson county. He was captain of this company, which later became Company I, 16th Regiment. While serving in the Army of Northern Virginia, Captain Shipp was notified of his election by the state legislature, as Judge of the district of which his old home county, Lincoln, formed a part. The Judges of the Superior court were, until 1868, elected by

the state legislature, and for life. Judge Shipp returned to Henderson, sold his home for Confederate money, and moved his family to the district for which he was elected. The town of Lincolnton was so full of refugees that he could not get a house, so he lived, during the winter of 1863-64, in Gaston county, finally establishing his family in Lincolnton not long before the close of the war. He continued to "ride the circuit," until the amendment to the Constitution, in 1868, made the judges elective by popular vote, and for a term of years. Judge Shipp had been a staunch Whig, and with the new adjuster of the Reconstruction period, he allied himself with the Democratic party. When the next election came off, he was defeated by the Republican candidate, Judge George Logan, of Rutherfordton.

In 1867 Mrs. W. M. Shipp died in Lincolnton, and Judge Shipp broke up his home there, and took his children to the home of his parents in the eastern part of the county.

Judge Shipp established himself in Charlotte for the practice of law, and kept his office there until elected, by the first Democratic victory after the War, to the office of Attorney-General of North Carolina. After the next election, when there was a Republican victory, Judge Shipp returned to Charlotte, and again opened his law office, with Mr. W. H. Bailey as a partner. In 1872 he married Miss Margaret Iredell, daughter of Governor James Iredell. They resided in Charlotte, at the corner of North Tryon and 11th Street. In 1881 Judge Shipp was appointed by Governor Jarvis to fill out the unexpired term of office of Judge of the ninth district, made vacant by the resignation of Judge Schenck. Elected by the people at subsequent general elections, Judge Shipp held this office until his death which occurred June 28, 1890.

He was buried in Elmwood cemetery, in Charlotte.

William M. Shipp filled the high offices to which he was elected or appointed with honor to himself and his country. He was a man of superior intellectual endowments, with a fine appearance and commanding presence. He had all the attributes of a judge—calm, unbiased in his opinions, charitable in his judgments, unwavering in his stand for the right, courageous to the highest degree. On more than one occasion his life was threatened by disgruntled persons, and once desperadoes declared that he should not enter the court house of one of the more distant mountain counties. He was urged to arm himself, but replied that a civil officer must never go armed, and ordered the sheriff to convene the court. As the judge walked towards the court house, a mountaineer of great strength and heroic proportions constituted himself an advanced guard and, walking in front of the judge, loudly ordered everyone out of the way, under promise of dire punishment if his orders were not obeyed. The court went on uninterrupted. The late James C. MacRae told the following story: "While holding court in one of the more remote parts of the state, news was received that a jail delivery was threatened. To prevent the gathering of any mob, Judge Shipp ordered the sheriff to swear in enough deputies to disperse any gathering of men. The orders were not to allow more than two men to be seen conversing together. In a small town of a sparsely settled community, these orders were not so difficult to carry out, and no mob violence was possible. By his common sense the judge saved the county's name as one of the law-abiding districts of the state.

Judge Shipp was a constant student of the law, and a great reader of all kinds of good literature. He was a most constant and studious reader of the Bible, and a firm believer of its inspired teachings. He especially admired and adhered to the King James version, and the lawyers laughingly said he would not even allow a witness to be sworn on any other translation. He was a member of the Episcopal church from his early manhood, and an active participant in the activities of that church in whatever community he lived. In each town where he made his home, he held the office of vestryman. At the time of his death he was a member of the vestry of St. Peter's church, in Charlotte, and his funeral was the last held in the old church.

Judge Shipp was noted for his keenness of wit, and his readiness at repartee. These gifts he inherited from his father, who had, in addition

what his son did not possess: a biting sarcasm. No hurt was ever in his mind or speech. His calmness of disposition, his cool judgment, his breadth of sympathy came from his mother, Susan Forney Shipp, a woman of rare qualities of mind and character, always quiet, dignified, reserved, fair and just in her dealings with everyone.

### Children of Judge Shipp.

The children of Judge Shipp and his first wife, Catherine Cameron Shipp, were two sons and two daughters.

The oldest child was Anna Cameron Shipp, who married Dr. Summer McBee, of Lincolnton. She was left a widow while still a young woman, and thereafter lived chiefly with her sister, Miss Kate C. Shipp. The two taught in several private schools, chiefly at St. Marys, Raleigh, where both had been students. After a number of years in private schools, the sisters determined to launch an enterprise of their own. Preparatory to this work, Miss Shipp entered the Teachers' College of Cambridge University, England, and secured a diploma there, which entitles her to membership in the Association of American University of Women. In her travels in Scotland Miss Shipp visited the ancestral home of the Camerons. She took the name of one of these homes as that of her school. It is Fassifern, a possession of the chief of the Cameron Clan, Lochiel. During a visit to North Carolina a few years ago, Lochiel paid a visit to Fassifern, in Hendersonville, and made a very interesting talk to the students about the original Fassifern in Scotland. Fassifern was opened in Lincolnton in 1907. In 1914 it was moved to Hendersonville, where the opportunities for such a school seemed greater. The school flourished from the start, but in 1923 Mrs. McBee succumbed to ill health and died in Florida. Soon afterwards Miss Shipp sold the school to Rev. Joseph Sevier, of Tennessee, who now operates it. Miss Shipp was principal of Fassifern from 1907 to 1925.

The oldest son of Judge W. M. Shipp was William Ewen Shipp, 1st Lieutenant, U. S. A. who was killed while leading a charge on San Juan Hill, in the Spanish-American war.

A monument to his memory stands on the Government property in front of the old U. S. Mint in Charlotte. This token of respect and affection of the people of Charlotte and vicinity was unveiled by Lieut. Shipp's two little sons, on May 20th 1909. One of these sons, Major Wm. E. Shipp, a graduate of West Point, like his father, is now in the service of the Government as assistant military attache, in Rome, Italy. The younger son, Capt. Fabius Busbee Shipp, was killed in an accident at Fort Huachuca, Arizona, in 1925. Both were officers in the service of their country throughout the World War. Their mother was Miss Margaret Busbee, of Raleigh, N. C. She is now in Rome with Major W. E. Shipp.

Miss Mary Shipp, daughter of Judge W. M. Shipp and his second wife, Miss Iredell, is living in Raleigh, and is employed in the U. S. Revenue Department there.

Judge Shipp's youngest son was Bartlett Shipp, a lawyer of great ability, who died in Hendersonville in 1914. He married Miss Crouse, of Lincolnton, and has a son, Cameron Shipp, an editor in Forest Hills, N. Y.

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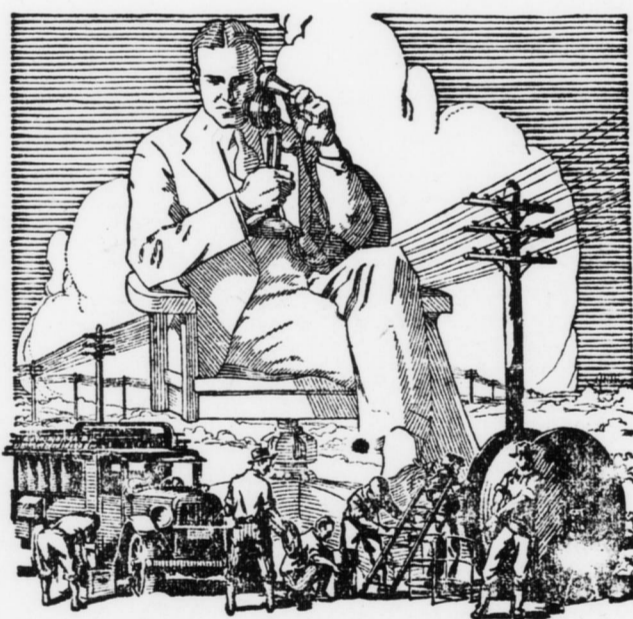
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