

THE MONROE JOURNAL

PUBLISHED TWICE EACH WEEK—TUESDAY AND FRIDAY

VOL. 27. No. 17.

MONROE, N. C., TUESDAY, APRIL 5, 1921.

\$2.00 PER YEAR CASH

STEVE WALKUP, EX-SLAVE, TO SUE THE ROSS ESTATE

"Handy Man" Around the Home of Late Sandy Ridge Spinners, Wants a Larger Legacy

MATTERS OF INTEREST ON TRIAL

"Steve" Walkup, born in slavery, who was "handy man" for the late Misses Maggie and Sallie Ross, will sue their estate for \$1000 or more for services he claims to have rendered the aged spinners during a period of twenty-eight years, it is learned. Under the will, which 100-odd relatives are seeking to break, he gets but \$200. Regardless of the outcome of the case now on trial, his white friends say, Steve's claim will be prosecuted.

For the last twenty years "Steve" has lived in a little cabin just across the road from the Ross home. He cultivated a number of acres of land on shares, and during his spare time he did chores for the Ross women. He cared for the stock, cultivated the garden, looked after the flowers, and cut wood. All of this, he says, he did without charge. During the winter he made fires, and every now and then he would clean up around the place, beautifying the grounds. He estimates that he did between \$25 and \$50 worth of labor a year for over twenty years for which he received no compensation.

"Steve" is said to have belonged to the Walkup family. He is a genuine "white man's negro," being courteous, friendly and honest to the core. He has never been in trouble, and claims to have been devoted to his late mistresses. "Steve" has some strong friends among the prominent white citizens of the Marvin community, all of whom are eager to see him receive a comfortable share of the Ross estate.

Bob Ross Shows Emotion.

On the reading of the will of Miss Maggie Ross in court Friday afternoon, Bob Ross, chief beneficiary of the will, became emotional, and tears were seen to roll down his cheeks. He wiped his eyes with his handkerchief, and then walked out of the courtroom, remaining away until the reading of the will had almost been completed. Bob has been an interested spectator since the trial started, but to all appearances he is indifferent towards the outcome. He was dressed neatly in a corduroy suit.

Cansler and Stack, Et Al

Among the beneficiaries of the Ross will are the Barium Springs orphanage, the Piedmont Industrial school, the Presbyterian hospital and the Presbyterian foreign mission board. Seeking to show that Miss Maggie Ross knew little of these institutions or the scope of their activities, leaving the inference that these bequests were urged by another party, Mr. A. M. Stack, of counsel for the caveators, questioned Esq. G. W. Sutton, the first witness on the stand, as follows:

Q. "Did Miss Mag Ross ever talk to you about the Barium Springs orphanage?"

A. "No."

Q. "Did she ever contribute any money to orphanages that you know of?"

A. "No."

Q. "Did she ever mention the Presbyterian hospital or the Piedmont Industrial school in your presence?"

A. "No."

Q. "Did she ever contribute anything to either?"

A. "Not that I know of."

Q. "Did she ever talk to you about foreign missions?"

A. "No."

Mr. E. T. Cansler, one of the attorneys for the propounders, cross-examined Esq. Sutton, as follows:

Q. "Did you ever know Mr. A. M. Stack to contribute to an orphanage?"

A. "No."

Q. "Did you ever know him to contribute to a hospital?"

A. "No."

Q. "Did you ever know him to contribute to foreign missions?"

A. "No."

"This," Mr. Cansler concluded triumphantly, "shows the court that Esq. Sutton's testimony cannot be trusted as reflecting upon the mental capacity of Miss Mag Ross, as few of us know anything about the charitable nature of even our closest friends."

Dance at Prospect.

At Prospect, April 4.—Mr. Grady Plyler is visiting friends in New York, and Stamford, Conn.

Pvt. Robert Glenn of Camp Bragg spent Sunday with his parents, Mr. and Mrs. George Glenn.

Miss Geneva Greene gave a dance Thursday night in honor of Mr. Thomas McBride who has just returned from West Virginia. Those present were: Mesdames Ernest Brown, Eustus Helms, Robert Yarbrough, Dillon Nesbit, Clyde Plyler, Brady Greene, Oscar Aycoth; Misses Faye Helms, Nancy Yarbrough, Thelma Starnes, Grace, Connie and Rita Plyler. Cake and punch were served. The evening was a pleasant one to those present.

For Alderman in Ward Two.

I hereby announce my candidacy for alderman in ward two, subject to the action of the Democratic primary.

AMOS STACK.

For Alderman Ward Two.

I hereby announce myself a candidate for Alderman from Ward Two, subject to the Democratic primary.

O. H. MOORE.

NO ARMY WORM "MILLERS," SAYS COUNTY AGENT BROOM

Methods Now Prevalent Deposit Eggs Near the End of Twigs, Causing Them to Brown and Fall.

To the Editor of the Journal:—In regard to the millers, or moths, that are seen in such great numbers in the pine fields, will say that they are not the fall army worm miller. We have caught these millers and are positively certain that they are not the army worm kind.

Mr. J. R. Lathan of Buford township says that he remembers seeing twice before in his life millers similar to the ones that we now see in the pine fields, that this miller lays or deposits its eggs at the base of the bows and near the end of the twigs, and that these eggs hatch into small worms which cut under the bark about the base of the bows and cause the bows to brown and fall in large numbers.

"Squire B. F. Parker, of Lanes Creek township says that he remembers seeing them once before in his life.

Mr. J. R. Lathan further says, that he wishes to correct the report that he has army worms in his wheat. Mr. Lathan says that he has no wheat sown and that he has not seen an army worm this year.

As many farmers are greatly concerned about the probable damage that the army worm may do to the wheat and oat crop, we want to say that no fear need be entertained until the millers are seen in large numbers in the fields where these crops are growing. We have seen none as yet, and knowing their history, we are not expecting to see any.—T. J. Broom.

COUNTY COMMENCEMENT CONTESTANTS SELECTED

Best Spellers, Reciters, Declaimers, Debaters, Story Tellers, and Athletes Chosen.

Fifty or more county schools participated in the contest held Saturday at high school group centers to select debaters, reciters, spellers, short story writers, essayists and athletes to take part in the county commencement beginning Friday night and continuing through ten days.

The winners are:

Declaimers—Boyce Brooks, Spruce Pine; Glenn Clark, Wesley Chapel; Liddell Norwood, Waxhaw; Hal Marsh, Marshville; Frederick Tarlton, Olive Branch; Walter Lockhart, Jr., Monroe, and Dwight Starnes, Prospect.

Reciters—Catherine Kyle Redfern, Monroe; Lucile Walkup, Waxhaw; Lucile Shannon, Wesley Chapel; Ollie Baucom, Albans; Myrtle Tyson, College Hill; Flossie Strawn, Hamilton's Cross Roads; and Margie Marsh, Marshville.

Spelling—Virginia Blakeney, Monroe; Eula Orr, Sustar; Clayton Lathan, Prospect; Sarah Clark, Union (Sandy Ridge township); Bessie Baucom, Antioch; Furman Little, Marshville; and Roscoe Morgan, Morgan school.

Story Telling—Hannah Lou Benton, Monroe; Mildred Williams, Wargate; Hazel McCain, Waxhaw; Margaret Squires, Hemby; James Richardson, Prospect; and Mary Ruth Mullis, Unionville.

Debates—Curtis Pries, Wesley Chapel; and Sebron Blair, Marshville. Glee Club—Tyndall, Prospect, Wesley Chapel and Marshville schools.

Short Story—Eleanor Stevens, Monroe; Winfred Davis, Wesley Chapel; Verla Robinson, Prospect; and Verla Crowell, Jerome.

Essay—Roy Long, New Hope; Justin Braswell, Unionville; Virginia Griffin, Marshville; James Davis, Union.

Athletics—Stewart Gamble, Waxhaw; Ernest McManus, Prospect; Roy Helms, Indian Trail; Buren Price, Unionville; Wade Conder, Indian Trail; Frank Hawfield, Wesley Chapel; Roy Simpson, Furr; Everett Temple, Rehobeth; Herbert Lathan, Prospect; Willie Ormand, Furr; Oscar Funderburk, Mt. Pleasant; Oscar Starnes, Prospect; and Ira McCain, Waxhaw.

Final contests will be held at the following places: Debate—Marshville, Friday evening, April 9; Short Story—Marshville, Friday, April 9; Recitation—Waxhaw, April 9; Debate—Union (Lanes Creek), April 12; Glee Club—Monroe, April 13; Story telling—Monroe, April 13; and Field Day—Monroe, April 16.

"Fatty" Arbuckle's New Vehicle is "Brewster's Millions."

The most delightful comedy seen here in some time is "Brewster's Millions," the new Paramount picture starring Roscoe (Fatty) Arbuckle, which will be shown at the Strand Theatre Wednesday.

This famous story was presented as a Lasky feature several years ago but never has it ever been so delightfully presented as in this new screen version with "Fatty" as Monte Brewster.

A capable cast includes Betty Ross Clark, leading woman, and Fred Huntley, James Corrigan, Jean Acker, Marion Skinner, Charles Ogle, Neely Edwards, William Boyd, and Parker McConnell.

The story concerns a young man whose career is the bone of contention between two wealthy grandfathers, one an aristocrat, who believes he should not have to work, and the other a self-made man who wants him to work for the salary. The results are the many hilariously funny situations, of which Arbuckle makes the most.

Many Witnesses Testify to the Sound Mentality of Maggie Ross

Rev. George Atkinson, Rev. R. J. McIlwaine and Others Declare Her to Have Been Competent to Make Will—Crane Says Kinspeople Didn't Visit Her

That Maggie Ross was competent to make a will in 1907 and 1909 was the testimony of Rev. George H. Atkinson, Rev. R. J. McIlwaine and others in Superior court hearing the suit of 100-odd relatives who are seeking to break the will, this morning.

Rev. Mr. Atkinson was the first to take the stand. "I visited the Ross home," he said, "about 1907 or 1908. Later I was there in 1916 or 1918 to solicit funds for my school at Albemarle and Salisbury. Miss Maggie Ross did not contribute, but manifested an interest in the work and said she would consider making a contribution. She was perfectly sane. I asked for three to five thousand dollars."

The former Monroe minister's opinion as to the sanity of Miss Ross was endorsed by Rev. R. J. McIlwaine, who said: "I have known the Ross women since 1867, and have talked with them many times since then. Both had sufficient intelligence to make a will and to know the extent and value of their property. I borrowed \$500 from them some years ago, but paid it back in less than half the time the note was drawn for. I went with Mr. Hudson to the Ross home to look for the will after the death of Miss Maggie. We went upstairs and searched an old trunk, finding the wills in an envelope. We found about \$3500 in gold in some shot bags in a bureau drawer; also about \$1100 in paper money in the old trunk. Hudson and I read the will. There were some parties down stairs who wanted to know about the will. Mittie Bell was not there and I do not remember having made any statement to the effect that she was present."

Albemarle Man Testifies

Mr. Charles Parks of Albemarle was the next witness. "I formerly lived in the Ross neighborhood," he said, "and knew Misses Sallie and Maggie Ross well. In 1907, Miss Maggie had sufficient mental capacity to make a will. R. A. Hudson married my half-sister. I saw Maggie probably once a month when I lived in the neighborhood. I sold them lumber from 1903 to 1911 to build tenant houses. Most of these transactions were made through R. A. Hudson, agent."

Mr. B. C. Ashcraft testified as follows: "I knew the Ross women for about twenty-eight years. They were in my office probably once a year, and I had conversations with Miss Sallie in Miss Maggie's presence. I am not certain that I saw them in 1907. I knew them well enough to have an opinion as to their mentality. They were not educated but had ordinary intelligence. The conversations with Maggie were just ordinary."

Tried to Get Mag to Buy a Car.

Rev. Mr. Robinson, pastor of Banks Presbyterian church, one of the legatees of the Ross will, followed Mr. Ashcraft on the stand. He said: "I knew the Ross women. They had sufficient mentality to know their property and the nature and extent of the will. I tried to get Miss Maggie to buy a car and have her name painted on it, but she refused stating that she had invested in some bonds and would have to build several tenant houses. She spoke often and gratefully of her friends and neighbors. She knew of the existence of the Barium Springs orphanage; there is hardly a Presbyterian who does not. In mentioning her neighbors as being good and kind she spoke of Mrs. Yarbrough and others."

For the propounders, Mr. Frank Crane testified as follows: "For fifty or sixty years I have lived within two and a half miles of the Ross women, and for the past 25 years have lived next door to their home. I have had various transactions with both of them, and have borrowed money from them in amounts ranging from \$500 on down. I saw them almost daily. Their mental condition in 1907 and in 1909 was good. Miss Maggie Ross had sufficient mentality in 1907 to know her property, the objects of her bounty, and the nature and effect of her will. I was one of five commissioners to lay off a road through some of their lands and went to see them. This was about 1894. Both talked, but Sallie did most of it."

The names of the caveators were read over and Mr. Crane said he had never known any of them to visit the Ross women, although some of them lived in the neighborhood. Several kinspeople by the name of Deese, who are among the caveators, he said, had been on the place several times since the death of Maggie.

Monday's Proceedings.

His refusal to admit that Mr. R. A. Hudson, one of the executors and a legatee of the will, was a man of "high business integrity" was the only testimony of a sensational nature rendered by Representative Earl Ezzell, one of the witnesses to the will of Miss Maggie Ross, who was put on the stand yesterday.

Mr. Ezzell proved to be an impartial witness. He declared that he had known the Ross women nearly forty years, that he lived in the Marvin community, and that he was a witness to the will made in November, 1907, by the deceased woman. On question from Mr. Stack he de-

clared that Miss Maggie Ross was "boo-shooting" on this occasion. He had no remembrance of signing but two wills, but admitted his signature to all of the documents purporting to be the wills. In his opinion Miss Mag Ross was sane at the time her will was made.

Mr. Cansler elicited the admission as to the character of Mr. Hudson. It was quite a blow to the propounders. Mr. Ezzell tried to evade the question, but counsel for the propounders insisted, believing the Union county member of the legislature would endorse the general conception of Mr. Hudson's character; which, to say the least, has been good.

Says Mag's Mind Was Good.

Mr. C. C. McIlwaine was the next witness. Being duly sworn, he testified as follows:

"I have known the Ross women since 1867. I went to the Ross home in 1907 in response to a request conveyed by a colored woman. Sallie Ross said: 'We want you to witness our wills.' Then one of them went out and got the papers. I saw Sallie sign the will. Sutton, Ezzell and myself were all in the room when she signed.

"When we signed the will as witnesses Sallie was standing about five feet from us. She signed two wills. When Miss Mag signed the will her mind was good. She had sufficient mental capacity to know the amount of her property, the nature of her act and who she was giving it to. I never had any business transactions with them. Sallie brought in the papers and asked us to sign them. Both women were weeping.

"Mag Ross had others to transact her business for her, and I know of no instance where she transacted business herself. I knew them very well from about 1879. They visited my family and we visited them—sometimes every two or three months.

Here the propounders offered the will of Maggie and Sallie Ross, the codicil and the probate of the clerk.

Redwine on the Stand

Mr. R. B. Redwine, one of the executors, followed Mr. McIlwaine on the stand. "I was reared in Sandy Ridge township," he testified, "and have known the Ross women all of my life. In 1907 Mr. Adams and myself went to see the Ross women. Sallie told us that they wanted us to draw their will, saying that they had no education. Sallie asked me if I would act as executor, while Maggie wanted Mr. R. A. Hudson to act in this capacity for her. They outlined their bequests, Sallie doing the talking, and Mr. Adams taking them down. We got there about 8:30 in the morning and by noon Mr. Adams had not finished taking notes. Later the wills were drawn and sent them by registered mail with a request that they read them, make any corrections desired, and to return them with suggestions as to the changes they wished made.

"Copies of the will were found in a safe in Mr. W. O. Lemmond's office, the safe having formerly belonged to Mr. H. B. Adams, and were labeled 'Wills of Miss Maggie and Miss Sallie Ross.'

"Sallie Ross knew, in my opinion, the extent of her holdings, and the nature and effect of her act in making the will.

Miss Mag Bought Liberty Bonds

"I have seen Miss Maggie Ross on a few occasions since the drawing of her will, the last time being, I think, in 1918 when I tried to sell her some Liberty bonds. She said that she had already bought \$1000 in stamps and \$1000 in bonds and did not care to buy any more. I found these stamps and bonds in her effects after she died.

"When I saw her in 1918 she was, in my opinion, competent to make a will and able to understand the nature and effect of it.

"I was attorney for Miss Sallie Ross, and appeared for Bob Ross in a small road case. Sallie Ross paid me for this."

This completed the testimony of Mr. Redwine. The next witness was Rev. W. E. McIlwaine, who testified, as follows:

"I am a Presbyterian minister, and was reared in this county. I left in 1875, going to various charges and posts until a few years ago when I went to Florida, where I am now pastor of a Presbyterian church. I have known the Ross women since 1867. I was pastor of Banks Presbyterian church from about 1911 to 1917, and have often, at least once a year, gone back to the Banks neighborhood where the Ross women lived and always visited them at their home when I came back, having never missed visiting them on these occasions. I own property in that neighborhood.

Helped Miss Mag Select a Piano

"I visited Miss Maggie Ross on one occasion and asked her for a contribution to build Banks church. She gave \$500, later contributing \$300 more.

"I saw her in Charlotte in 1911 and she said she wanted to buy a piano. I helped her select the piano and she gave me a check of money and I gave \$200 of it to pay for the instrument.

"She bought the old Banks church,

BOX STOLEN AT WINGATE CONTAINED DOG'S HEAD

It Was Laying Near Station Waiting for Seaboard Train to Convey it to Raleigh.

Wingate, April 4.—A man living near Wingate recently killed a dog he thought to be mad. The head was packed in a metal bucket, and this container was placed in a wooden box with ice packed around it, and consigned to Raleigh for examination for rabies. Arriving at Wingate too late to catch the afternoon train, the man left the box outside of the station. Next morning when he came back to have the head placed on the Raleigh train he found that someone had stolen box, head and all, and now everybody is wondering what kind of an expression appeared on the thief's face when he opened the box and found a dog's head!

The protracted meeting which closed here Wednesday resulted in nine new additions to the church. The ordinance of baptism will be administered to the converts the second Sunday in this month at Womble's pond.

Mrs. J. N. Snider and Miss Minnie Herrin attended the Baptist W. M. U. convention at Rocky Mount last week.

Mr. E. B. Wright has bought a lot near Mr. J. H. Broom's garage and plans to erect a new store building on it at an early date.

Mr. and Mrs. M. B. Sherrin and little son of Washington are visiting relatives in Wingate.

The attendance at the Baptist Sunday school here Sunday was 296.

There will be a special communication of the Meadow Branch lodge, No. 578 A. F. and A. M., next Friday night, April 8. The Monroe degree team will have charge of the work, which will be in the third degree. All Masons are invited.

Children in the graded school played a prank on their teachers April 3rd by staying away from their classes.

The Wake Forest glee club and orchestra gave an entertainment in the high school auditorium Friday night which was thoroughly enjoyed by a large audience composed of Monroe and Wingate people.

Mr. Joe Beach was unanimously elected secretary of the Baptist Sunday school to succeed Mr. Legrand Bennett, who is leaving Wingate, last Sunday.

HIGH SCHOOL DEBATE WILL GO TO CHAPEL HILL

Caldwell and Phifer Win Here, While Blakeney and Houston Cop the Honors at Hamlet.

Monroe's debating team, composed of Messrs. Billy Phifer and Garah Caldwell, for the affirmative, and Messrs. Whiteford Blakeney and Clarence Houston, for the negative, will go to Chapel Hill to contest for the state championship in the University's annual triangle debate, having defeated the Hamlet team last night.

The affirmative side was debated here last night at the grammar school auditorium, Hamlet being represented by Misses Lillian Thompson and Grace Moore; while Messrs. Whiteford Blakeney and Clarence Houston were pitted against the Hamlet affirmative debaters at Hamlet. The question was: "Resolved, That the policy of collective bargaining through trade union should prevail in American industry." The judges here were: Dr. C. C. Weaver, and Messrs. T. F. Limerick and G. L. Nisbet. This is the first time Monroe has ever won both sides of the question in the annual triangle debate, and the members of the local team are being showered with congratulations.

Jury Drawn.

The following jury was drawn for a term of civil court beginning May 9: C. O. Howard, Sandy Ridge; R. B. Presson, Goose Creek; W. C. Davis, Sandy Ridge; J. H. McWhirter, Jackson; T. P. Dillon, Jr., Monroe; Lee Roy Helms, Buford; C. F. Moore, Lanes Creek; L. W. Helms, Jackson; C. F. Moore, Lanes Creek; W. D. Hawfield, Vance; T. F. James, Goose Creek; W. W. Rape, Buford; R. Fulton James, Marshville; J. E. McCain, Jackson; J. M. Thomas, New Salem; J. P. Griffin, Monroe; J. Rufus Hargett, Marshville; J. B. Mangum, Monroe, and J. R. C. Helms, Monroe.

Former Monroe Resident ACCIDENTALLY KILLS SELF

Joe Lassiter Who Worked Here Before the War Is Dead at Wilson From Bullet Wound.

Mr. Joe D. Lassiter, who worked here for several months with a paying concern before the war, is dead at Wilson, the victim, it is believed, of an accidentally inflicted wound. An account of the tragedy is related in the following Wilson dispatch:

"Joe D. Lassiter, 30, vice president of the R. G. Lassiter contracting company, of Norfolk, Va., with branches in a number of southern cities, died at 2:30 o'clock this morning from a bullet wound, believed to have been accidentally self-inflicted. Mr. Lassiter was found in an unconscious condition about 11 o'clock last night in his room at the home of C. E. Blount, here, with a bullet wound in his forehead. A pistol was found nearby. From the position of the body and the wound physicians and police who were called to investigate expressed the belief that Mr. Lassiter accidentally shot himself while cleaning his revolver. The body will be shipped today to Oxford, N. C., his home, for burial."

THE OLD DISTRICT SCHOOL

Popular Play to Be Given at Benton Heights School House Friday, April 8th, at 8 P. M.

The adults of Benton Heights will present "The Old District School" Friday, April 8, at 8 p. m. This is a very popular play and much preparation is being made to present it in "ye olden times." Come, laugh and help others to be jolly. Admission 15 and 25 cents.

Both sides scored points in the examination and cross-examination of Esq. G. W. Sutton, the first witness.

Continued on page two.