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ROSS WILL TRIAL ON 2ND WEEK; END NOT IN SIGHT

Monroe Correspondent of the Observer gives Resume of Union County's Most Interesting Case.

BRILLIANT CLASHES BY COUNSEL

When Superior court adjourned here Saturday the Ross will case had consumed nine days, with no prospect of the end in sight, writes the Monroe correspondent in the Charlotte Observer. The caveators still have a number of witnesses to put up and the propounders in rebuttal will offer several dozen witnesses. The importance of the case may justify a brief resume of the facts.

Misses Sallie and Maggie Ross, maiden white women living in the little village of Marvin in Sandy Ridge township, this county, on November 20, 1917, signed mutual reciprocal wills, almost identical in terms, in which the estate owned by them as tenants in common and consisting of about 1,400 acres of farm lands and (at that time) about \$15,000 in money, was left to the surviving sister during her lifetime and at her death to be disposed of as follows: About \$15,000 to individuals, churches, hospitals, schools and mission boards, and the balance of the estate to be divided between Robert B. Ross, colored, who had been reared in their home, and Mittie Belle Houston, his daughter, who had also been reared largely in the home of the Ross women.

Miss Sallie Ross, the elder by about eight years, died in 1909. A few weeks later Maggie Ross made a codicil to the will cutting off the wife of Robert Ross, colored, who had been given a small amount under the original will, and bequeathing one thousand dollars to her business agent, R. A. Hudson, prominent citizen of her community. The will of Sallie Ross was not offered for probate until after the death of Maggie Ross in May, 1920, when both wills were offered together and probated at the same time, with R. A. Hudson and R. B. Redwine as executors. As soon as the provisions of the will be-

came known a number of second, third and fourth cousins, there being no first cousins or nearer relatives of the women surviving, filed a caveat to the will in behalf of themselves and others who might make themselves parties to the action. When the case came to trial more than 100 caveators had joined the action as parties plaintiffs, alleging that the will of Maggie Ross is invalid on the ground that she did not have mental capacity to make a will, and if she did have mental capacity to make a will this particular was obtained by undue influence exerted upon her by her sister, Sallie A. Ross, the negro beneficiaries, Robert Ross and Mittie Belle Houston, and others.

The case has appeared on the court calendar of Union county for several terms but was not reached. There was a term of superior court for the trial of criminal cases scheduled for March 23, and there being no pressing cases of this kind, a special act of the legislature authorized this term to try civil actions, and the Ross will case was the only one calendared for the term. Court was postponed for three days, convening on Thursday, March 31st. On account of the wide family connections of caveators and the extensive publicity given the matter it was hard to find a jury of 12 men not connected and who had not formed an opinion. It being necessary to empanel the jury on Thursday in order to go over into the following week with the hearing, a night session was held and it became a race with the clock, the jury being finally empanelled a few minutes before midnight Thursday.

Over 100 witnesses had been subpoenaed, including many who had moved away from the Marvin community to other states. After proving execution of the will by the three witnesses who signed it at the time Miss Maggie Ross did, the propounders sought to show that the will was valid by putting up a number of witnesses who testified to the mental capacity of both Sallie and Maggie Ross. Several of these witnesses, including the pastor of the church to which Maggie belonged, declared that she was not only mentally competent to make a will, but was a shrewd business woman. Others testified that while most of her affairs were managed by R. A. Hudson as agent she frequently transacted matters of business in an intelligent manner and sometimes discussed such questions as selling cotton, farm work, etc., with her neighbors.

The caveators are seeking to show by many witnesses that Miss Maggie Ross was feeble-minded and physically weak; that she transacted no business, Miss Sallie Ross doing all of this prior to her death and R. A. Hudson since that time; that she was moody, suffering frequent spells of melancholia and abstraction; that she was dominated by her sister and intimidated by the negro woman, Mittie Belle Houston; that at the time the will was signed she was crying loudly and never did specifically assent to it, and that therefore the will of Maggie Ross should be set aside and the estate which it seeks to devise should revert to the heirs-at-law, the same

being the caveators and others of like relationship.

The evidence has been sensational at times, tending to show deplorable conditions in the Ross home where the negroes were admitted to absolute social equality. The propounders seeking to show that this was the full consent of Maggie Ross who had a natural affection for the negroes and for this reason allowed them the privileges they took and bequeathed the property to them, while the caveators contend that it was against Maggie's will but that she did not have mental force or will power sufficient to combat the conditions. The hypothetical question propounded to the expert witnesses embodies the principal contentions of the caveators which they have introduced evidence to prove, but which are denied in toto by the propounders.

Added interest attaches to the case because of the array of legal talent involved, the propounders being represented by E. T. Casler of Charlotte, R. B. Redwine, John C. Sikes, W. B. Love, W. O. Lemmond and Vann & Milliken of the local bar, and Frank Armfield of Concord. The caveators are represented by Stack, Parker & Craig of Monroe, Walter Clark, Jr., of Charlotte, and J. C. Brooks of Monroe. Many points of law have been threshed out in lengthy debate by counsel, and almost every will case ever before the state supreme court has been referred to as authority for the points advocated. Frequent comment is heard upon the brilliance of trial and careful attitude of Judge Bis Ray, who is presiding over the court.

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"VOODOO'S" LIQUID MAGIC FAILS WITH HUNCH BACK

Afflicted Man Was First Roasted on Sand Then Subjected to Concoction That Burned Like Lye.

Much as he wanted to have a straight spine, John Pocano, a hunchback, of Coatesville, Pa., was unable to pass an entire night in a barrel of magic liquid.

Physical torture, he testified in the suit of the New Jersey Board of Medical Examiners against Mrs. Catherine Frame, a so-called "voodoo" of Millmay, N. J., made it impossible for him to go through with the entire course of treatment prescribed.

Pocano was willing to spend his savings of years, he said, if by so doing he could be made to stand and walk erect like other men. He heard through friends of "cures" imputed to the woman at Millmay, a small town, and he went to her. She promised, he said, to make him straight for \$200. He paid her \$100 on account, the testimony set forth, and she prescribed a course of treatment. The remaining \$100 was to be paid when the man was "tall and straight."

Following was the course of treatment for a hunchback as the Coatesville man described it to the court: He was to lie twenty-four hours on a bag of sand which had been heated to a high temperature.

The hot sand burned Pocano's back, but he persisted until his skin had literally been roasted.

Then he was to jump into a barrel containing a liquid concocted by boiling "magic" herbs in water, and remain submerged to his chin a day and a half.

Almost in tears Pocano explained that he jumped out of the bath much more quickly than he entered it because his whole body was burned as if lye had been used.

Pocano said the woman doctor returned \$25 of his \$100 when he went to her. She failed to appear in court. Judge Repetto granted a judgment for \$200 to the medical examining board.

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Announcements

For Alderman in Ward Three.
I hereby announce myself a candidate for alderman in ward three, subject to the action of the Democratic primary.
A. M. SECREST.

For Alderman from Ward Two.
I hereby announce myself a candidate for Alderman from ward two subject to the action of the Democratic primary.
P. HAYNE JOHNSON

For Alderman from Ward One.
I hereby announce myself a candidate for Alderman from ward one subject to the action of the Democratic primary.
W. J. TRULL.

For Alderman, Fifth Ward.
I hereby announce myself a candidate for alderman from the fifth ward, subject to the action of the Democratic primary.
J. W. FOWLER.

For Alderman Ward Three.
I hereby announce myself a candidate for Alderman from ward three, subject to the Democratic primary.
J. T. SHUTE.

For Alderman Ward Two.
I hereby announce myself a candidate for Alderman from Ward Two, subject to the Democratic Primary.
O. H. MOORE.

For Alderman, Ward Five.
I hereby announce myself a candidate for alderman from Ward Five, subject to the Democratic primary.
D. F. EUBANKS

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 Fourth Ward.
I hereby announce myself a candidate for Alderman from the fourth ward, subject to the Democratic primary.
V. H. WOOD.

For Alderman From Ward One.
I hereby announce myself a candidate for Alderman from Ward 1, subject to the action of the Democratic primary.
LEE BROOM.

For Alderman Ward Four
I hereby announce myself a candidate for Alderman from ward four, subject to the action of the Democratic primary.
E. G. FAUST.

For Alderman From Ward One
I hereby announce my candidacy for re-election as alderman from ward one, subject to the action of the democratic primary.
W. F. LEMMOND.

For Alderman, Ward Three.
I hereby announce my candidacy for re-election as alderman from the third ward, subject to the action of the democratic primary.
J. B. SIMPSON.

For Mayor.
I hereby announce myself a candidate for mayor, subject to the action of the Democratic primary.
T. FRANK LIMERICK.

For Alderman Fourth Ward.
I hereby announce myself a candidate for Alderman from the fourth ward, subject to the Democratic primary.
W. E. FUNDERBURK.

For Alderman From Fourth Ward
We, the voters of the fourth ward, hereby announce the candidacy of Mr. J. W. Lathan as alderman from our ward, subject to the action of the Democratic primary VOTERS.

For Alderman Ward Four.
I hereby announce myself a candidate for Alderman from ward four, subject to the action of the Democratic primary.
J. DUNHAM BUNDY.

For Mayor.
I hereby announce myself a candidate for mayor, subject to the action of the Democratic primary.
J. D. McRAE.

For Mayor.
I hereby announce my candidacy for the office of Mayor of the City of Monroe, subject to the action of the Democratic primary. J. C. M. VANN.

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