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Gene Stowe. *Inherit the Land: Jim Crow Meets Miss Maggie's Will.* Sergio. Jackson: University Press of Mississippi, 2006. xii + 309 pp. $35.00 (cloth), ISBN 978-1-57806-864-7; $22.00 (paper), ISBN 978-1-934110-60-7.

Reviewed by Mary Hoffschwelle (Department of History, Middle Tennessee State University)
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Keeping It in the Family

In 1921, an all-white jury upheld the will of Maggie Ross, the richest woman in Union County, North Carolina, against a challenge from more than one hundred of her relatives. The case attracted public attention because Maggie Ross was a white woman who had bequeathed most of her property to two African Americans, Bob Ross and Mittie Ross Houston. Three years later, another all-white jury heard the case on appeal and once again upheld the will. Gene Stowe's *Inherit the Land* presents a detailed account of these proceedings and the unusual family that provoked them. Heralded as proof that justice and the rule of law could prevail in the midst of segregation and lynching, the case on closer examination reveals two complicated story lines. One is the story of a wealthy but emotionally isolated white family whose members created fictive kin relationships across the color line. The other is the saga of a court case to determine whether a white woman who chose black people as her heirs could have been legally competent.

A native of Monroe, North Carolina, where the trial took place, Gene Stowe began writing about the case when he was a reporter for the *Charlotte Observer*. Discovery of the trial transcript allowed him to complete this book-length work, which depends on extensive quotations from court testimony and contemporaneous media coverage. Stowe is clearly fascinated by the story of how two generations of white and black North Carolinians forged loving personal relationships, and especially by the legal triumph of reason over prejudice.

As Stowe is careful to show, there was little in recent history to suggest that white North Carolinians would champion the rights of African American legatees over white challengers. The white and black Ross families lived in and near the village of Marvin, a seemingly placid and neighborly small town in southwestern North Carolina. Underneath its calm surface, however, swirled the strong current of white supremacy that had overtaken North Carolina's Fusion experiment (1894-98) in interracial politics. Disfranchisement and mob violence hemmed in black North Carolinians while from atop the New South's hierarchy elite whites decried lynching but otherwise routinely spoke of blacks in degrading or, at best, patronizing terms.

The story of the Ross families suggests that, in the rural and small-town New South, family bonds were so essential that an alternative had to be constructed when one's family of origin failed to thrive. In 1857, Susannah (Susan) Burleyson Ross, a white woman born to a landed family, found herself and her children mired in poverty. They were rescued when her father bequeathed them the use of his family homeplace on condition that Susan's improvident spouse never set foot on the property. Subsequently, a legal covenant between Susan's mother and her eldest son ensured that she and her children would hold on to five hundred acres of Burleyson property and a slave. In the decades after the Civil War, Susan and her children expanded their property holdings; several years after their mother's death, the siblings moved to the most imposing house in Marvin. None of the children would marry or have their own children to inherit the land. As court testimony would later prove, precious few of their extended family of cousins, nieces, and nephews, or even their neighbors, befriended them. Without a broader family network and lacking education or strong religious sentiments, the Rosses had few ties to the broader social fabric of white Monroe.

Instead they turned to a black family. Susan filed a successful petition in 1874 to apprentice a black child, Robert B. Ross, whose mother had formerly been enslaved to Susan's in-laws. Susan's adult children Dennis (d. 1896), Sallie (d. 1909), and Maggie Ross (d. 1920) helped their mother raise Bob as a member of their household. They seem to have thought of him as a much younger brother, and as an adult Bob lived in the old Burleyson home. Increasingly isolated and lonely after Dennis's death, the sisters raised Mittie Bell, Bob's daughter,

as their own child. As doting mothers, Sallie and Maggie used their wealth to outfit their daughter in fashionable clothes and sent her off to Livingstone College to get the education they had never had. When their daughter left school to give birth to a child out of wedlock and the baby died, they shielded her from public shame. They rejoiced when she found a suitable husband and gave the young couple a new home of their own. Later Maggie Ross would describe Mittie's daughter Florence as "her darling granddaughter" (p. 63). Not surprisingly, then, in 1907 the Ross sisters wrote duplicate wills that rewarded some of the white individuals who had shown them kindness but devised the bulk of their considerable estate to ensure the financial security of their chosen family.

That said, it is difficult to assess the family relationships at stake here. According to Stowe, the white Rosses, especially Sallie and Maggie, acted from "simple goodness" and "guileless generosity" (p. x). Without denying the sincerity of their love for Bob Ross, Mittie Ross Houston, or Mittie's children, the white Rosses' motives and actions are problematic. The biracial family that the Rosses created invites comparison with other interracial relationships in the nineteenth-century South.[1] White matriarch Susan Ross took African American Bob Ross from his mother when he was only two years old. In that instance, the law allowed a wealthy white woman to apprentice a black toddler to her own household over his mother's protests. Bob's daughter and granddaughter would also be plucked from their birth families, but with parental consent. Nevertheless, the rupture of one family to create another raises questions about whether the white Rosses shared the assumption common among white southerners that their needs and desires superseded those of black families.

What the black Ross family felt or thought is even more difficult to know or interpret. The little evidence Stowe had to work with is indirect, drawn from white observers, the trial transcript, and Mittie's descendents. As was often the case in the nineteenth-century South, other whites in Monroe and the Rosses' white kin tolerated the biracial family until the black kin stood to inherit hundreds of acres of land. In court testimony, those who challenged Maggie Ross's will portrayed Bob Ross as an overseer and handyman rather than a brother, and Mittie Ross Houston as a spoiled, immoral, and manipulative young woman rather than a daughter. Later generations of black Rosses remember her differently, as a strong woman proud of her dual heritage.

Bob and Mittie Ross remain in the shadows because ultimately the legal story trumped the family story. As Stowe notes, after all their long years together, the Rosses' complicated relationships would be boiled down to one question: was Maggie Ross competent to write a will? Attorneys and witnesses challenging the will maligned the black Rosses and described Maggie as weak and dim-witted. The mere fact that a white woman would leave so much property to black people instead of her white relatives, they argued, proved that she was incompetent. As one witness said, "I do not want these negroes to have this property in our community. If the Ross women had the sense that I have got they would not make a will like that … giving it to the negroes" (p. 113). Attorneys and witnesses defending the will swore that the Ross sisters had always said they intended to provide for Bob and Mittie and that, whatever the propriety of her biracial family life, Maggie Ross had been in full possession of her faculties. In other words, Maggie Ross chose her heirs poorly but she knew what she was doing and acted of her own free will.

The outcome of the trial was less a triumph of interracial love and good will than of the power of the law to maintain order in a segregated society. The witnesses, legal authorities, and jurors who sided with Maggie Ross did not share her feelings for black people or believe in racial equality. Rather, they recognized that upholding the right of white citizens over their property protected the status quo.

This leaves Stowe in an uncomfortable position, having cheered the legal system for its color-blind application of the law and claimed that the white Rosses "knew better" than their racist contemporaries (p. ix). And unfortunately, he offers no explanation of the broader significance of this episode for our understanding of the region or the period. Since he wrote the book for a general audience, Stowe quite properly avoids a discussion of historiography, and he does a very good job of setting the trial in the historical context of Jim Crow North Carolina. The long quotations from the trial proceedings let us hear the voices of the "propounders" and "caveators" but, without a strong analysis of Stowe's own, they become repetitive and confusing. Readers may well feel that they have discovered a great story, but that it still needs a storyteller.

Note

[1]. The scholarship on biracial southern families focuses on those created by interracial sex. The white and black Ross families joined themselves through different means, but their experiences echo those described in Victoria E. Bynum, *Unruly Women: The Politics of Social and Sexual Control in the Old South* (Chapel Hill: University

of North Carolina Press, 1992); Kent Anderson Leslie, *Woman of Color, Daughter of Privilege: Amanda America Dickson, 1849-1893* (Athens: University of Georgia Press, 1995); Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven, Conn.: Yale University Press, 1997); Martha Hodes, ed., *Sex, Love, Race: Crossing Boundaries in North American History* (New York: New York University Press, 1999).

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