

# JUDGE MEARES DIED YESTERDAY EVENING

One of the Most Prominent Men in Eastern North Carolina.  
Judge of the Criminal Court for a Period of 21 Years.  
He Was a Lawyer of Considerable Ability.

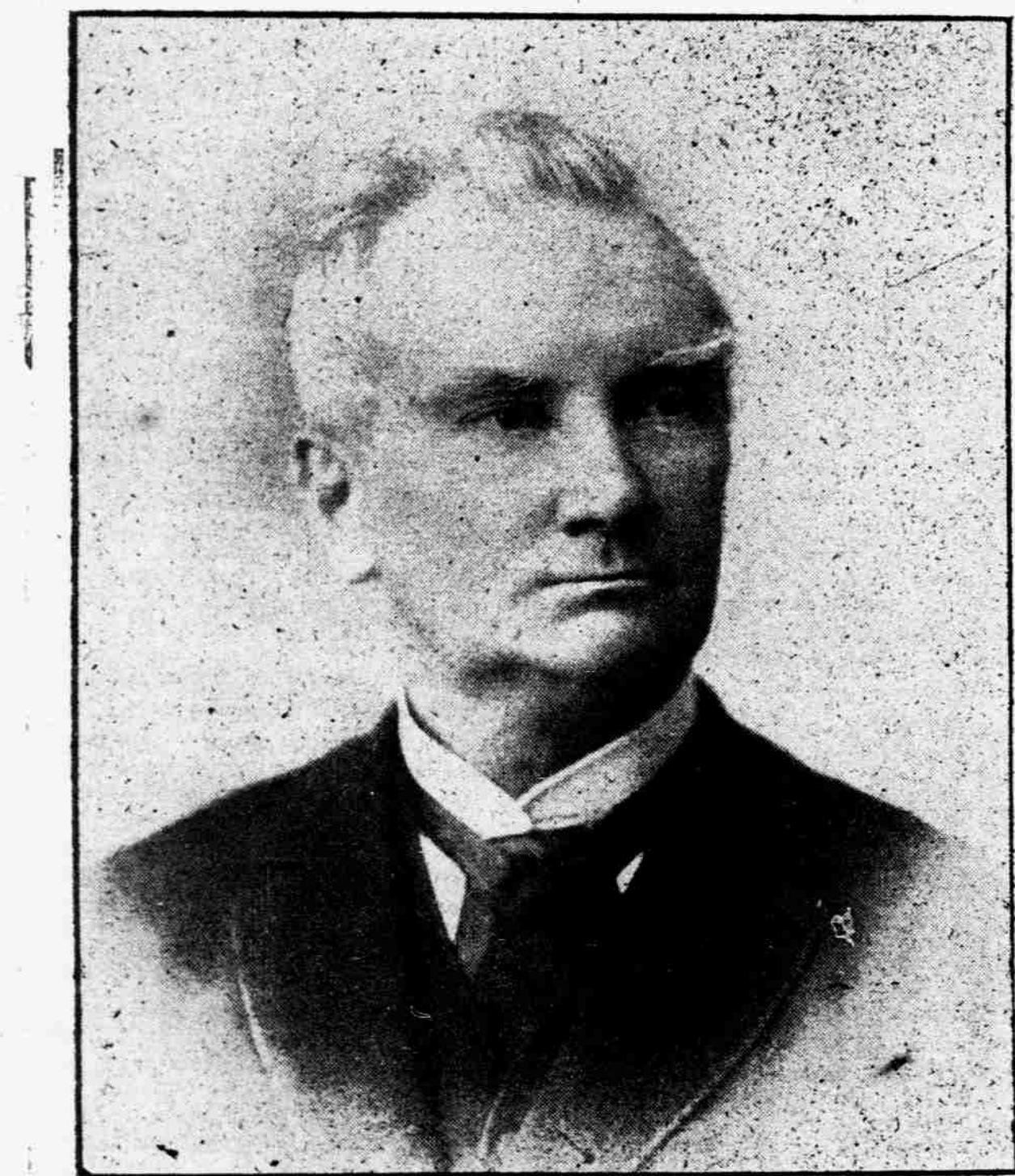
Last evening at 5:25 o'clock, Judge Oliver Pendleton Meares passed quietly away at his home on South Third street, after an illness extending over several months. The end was not unexpected, but nevertheless it came as a great shock to his family and friends. Death was due to heart disease. His condition had been critical for some time past and on Tuesday he grew much worse and it was realized that the end was near. Those who were near and dear to him were notified, and Mrs. H. B. Short, of Lake Waccamaw, his daughter, came to the city on a special train. Her husband was in the north, but he will be here today. Mrs. Baltzer, of Savannah, another daughter who has a very sick child and it is hardly probable that she will be here. Mr. O. P. Meares, Jr., is expected this morning from his home in Georgia.

The funeral will take place this afternoon at 3:30 o'clock from St. James Episcopal church and interment will be in Oakdale cemetery.

Oliver Pendleton Meares was born in the city of Wilmington, New Hanover county, of this state, on February 24th, 1828. He was the sixth son of William Belvidere Meares and Catharine G. Davis. His father was distinguished in his day as a lawyer, planter and statesman, and in a sketch of him, published in "The Eminent and Representative Men of the Carolinas," the author says:

"He was gifted to an extraordinary degree with moral courage, frankness and honesty of purpose, was bold in the expression of his opinions and looked with contempt upon those seekers of public honors who were mere followers in the wake of public opinion." His intellectual character-

istics were chiefly those of great logical power; quickness of perception and a wonderful power of concentration. He was a man emphatically of progressive ideas and throughout his career he was an ardent advocate and supporter of the state university as well as of an efficient system of public schools throughout the state. He was an earnest and zealous advocate of the construction of railroads and other works of internal improvement; and it was truly said of him at his death that he had lived more than fifty years in advance of his people.



JUDGE OLIVER PENDLETON MEARES.

It may be truly said of Judge Meares that in vigor of mind and independence of character, he strongly resembled his father, and what is said above of his father may be as truly said of him.

His mother, Catharine G. Davis, was a daughter of General Thomas Davis, who was an officer of the war of 1812 and prominent in this section of the state as a lawyer and a public leader. She was a woman of beauty, culture and refinement, and exerted a strong influence upon the educational development of her children.

The early environment of his boyhood and youth were those of education, intellectual culture and social refinement; advantages, that, if utilized, develop character, and in the person of Judge Meares were strikingly manifested. His youth indicated strength of character and settled purpose. He was prepared for college at the Bingham school and Caldwell institute and completed his education at the Uni-

versity of North Carolina, graduating in the class of 1848. He then commenced the study of law under Judge Battle, of the University law school. In 1850 he was licensed to practice and from that time until the breaking out of the war, he followed his profession either at the bar or on the bench, in his native state. He was appointed Clerk and Master in Equity, a position of more than ordinary importance under the old system of practice and pleading, the duties of which under the new system have been divided between the Clerk and Judge of the Superior Court, and in this capacity he served several years. His painstaking care and faithful discharge of duty were exhibited by him in this position. He used to relate the anecdote that, on one occasion, when he presented his docket to the late Judge Caldwell for his approval the judge who was distinguished for his singularity of character, reproved him for the neatness and care he had shown in writing up the records of his office, for, said the judge, it was inconsistent with the habits of a good lawyer.

He rose to prominence at the bar and was recognized as a strong lawyer before the outbreak of the civil war. He was an old time Whig and actively engaged as a public speaker in the campaigns of 1852, 1856 and 1860. He was an electoral candidate on the Fillmore ticket in the campaign of 1856. His speeches in these campaigns were marked by mental vigor and political learning.

After the election of President Lincoln, he became a secessionist and when his state seceded, he promptly entered the military service of the confederate states, as Captain of the "Wilmington Rifle Guards," which

lowering in this section for congress, and was once a candidate for the democratic nomination, but did not receive the nomination and was soon thereafter elevated to the bench. Had he entered congress in earlier life, there is little doubt that he would have attained distinction in that body and before the country. His strong personality, which always commanded confidence and respect, and his intellectual endowments, which were of a very high order, would have combined to have placed him among the first men of his day in the national councils.

In 1877, the criminal court of New Hanover county was again created, and he was elected by the legislature to the office of judge of that court, serving eight years. In 1885, the legislature created the criminal circuit, composed of New Hanover and Mecklenburg counties and again elected him judge of that court over which he presided ten years, when the criminal court of New Hanover, Mecklenburg, Robeson, Vance, Edgecombe, Warren, Halifax and Craven was created and he was appointed judge. Having presided over these courts for a period of twenty-one years, he resigned in 1897 and withdrew from active life.

He was once asked by Governor Scales if he would accept the appointment of the superior court judge, a vacancy having occurred, but he declined to do so, because of its duties separating him from his home. After his retirement from the bench in 1898, he did not again enter upon the practice of the law, and has since lived quietly at home in this city.

He married in 1850 Miss Ann Eliza, the daughter of Dr. Thomas H. Wright, of this city, and a granddaughter of Judge Wright, who was a native of Wilmington. Dr. Wright, her father, was one of the leading financiers of the state, president of the Bank of Cape Fear and a citizen of distinguished position; and his daughter, the wife of Judge Meares, was a lady of rare personal attractions, intelligence, refinement and gentle character. Mrs. Meares died several years ago. The surviving children of this union are Miss Caroline Green Meares, Mr. Oliver Pendleton Meares, of Bacon, Ga., Mrs. H. B. Short of Lake Waccamaw, and Mrs. Ernest V. Baltzer of Savannah, Ga.

## HIS CHARACTER AND PUBLIC SERVICE.

The dominant characteristics of his mind were those of vigor, discrimination, independence and power of exposition. His mind quickly grasped and analyzed any subject he considered and in the formation of its conclusions, was not influenced by prevailing fashionable opinion.

He was in his day a strong speaker and commanded great attention. In the clear exposition of any subject, in the presentation of facts and in argument, and particularly in command of forcible and direct language he was endowed with exceptional intellectual power. He seldom used an adjective; he rarely, if ever, used an illustration, but he spoke always with the strength of conviction, with dignity of manner and in clear forceful language. He could not have been the advocate of a cause, however popular, which he did not approve, and he would have stood for any cause, which he deemed right and the occasion demanded, however unpopular, without fear or thought of its personal consequences.

His public reputation rests, however, primarily upon his long record, ability and character as a judge. By this record he has reflected great credit upon his native county and state. When he first went upon the bench, we were not sufficiently removed from the demoralizing tendencies of the war to have restored this section and state to normal conditions. There was much general lawlessness and the criminal courts, over which he presided, were created in the first instance to meet unusual conditions. He brought to the bench the ripened experience of the lawyer and the publicist and those qualities of strength and power that marked his life and character. Having high ideals of the duties and responsibilities of his position, he presided with dignity, firmness and impartiality, and his court and name soon created a powerful influence in the repression of crime.

He presided over this court and in this city for many years, when conditions were unsettled, but so strong was the respect for the court and so feared was it by the lawless element, we did not have the disorder which followed upon his retirement. Had he remained on the bench it is more than probable that the causes, which led to our local revolution of 1898, would not have arisen. After Judge Meares retired, the administration of the criminal court tended to destroy respect for law, and with the loosening of the reins of justice, the criminal instinct of our lawless element, with its constant accession from other localities, became rampant and defiant. Had the law at that time been firmly enforced we would have been spared the necessity of that revolution, which was brought about more by social than political unrest.

His prompt and practical dispatch of the business of the court and his careful oversight of its expenses contributed through his judicial district to the reduction of the cost of the administration of the criminal law.

His life was one of singular purity of purpose and rectitude of conduct. He was temperate in all habits, regular in the performance of his work, observant of his social duties and attentive to his domestic relations. He was frank, candid and open-minded both in public and private relations. He was pronounced in his convictions either upon public questions or private subjects, and he was bold in the expression of his opinions when occasion arose and utterly indifferent to their effect upon his personal interest. He despised the hypocrite, hated the policy man; perhaps, in his contempt of hypocrisy and selfish expediency he unintentionally approached intolerance. His interest in public

affairs was born of his conscientious conviction as to the duty of citizenship. He had no selfish ambitions and did not seek public honors for personal aggrandizement. He did not seek applause, nor fear criticism, either of which he received with unconcern. He avoided sensationalism by instinct in all relations and deprecated the seeking of public or private popularity. He little thought of self, either in personal or public relations, and his mind was devoid of egotism. He would not flatter; he could not fawn. He was courteous to men, nor was his uniform courtesy altered save to rebuke questionable conduct or puncture the sham of false pretense. He was gentle and deferential to women, with chivalry, but not gallantry. He loved little children who would gather around him and chat with him as if a playmate. He had respect for religion and equal contempt for its cloak, and, in it all, he was sincere, with a sincerity that unconsciously spoke itself in manner, expression and speech. He had always been a regular attendant at church, and in later years he became a devout communicant of the Episcopal church. He was not only honest in conviction, speech and conduct, but he was honorable, and his honor was inviolable. He was a man of strong constitution, which temperate habits had preserved until the coming on of old age. Endowed naturally with a strong, vigorous and practical mind, its clearness was preserved in him until his end. He was dignified in appearance, with an intellectual and forceful countenance, and in personal conversation was fond of anecdotes, reminiscences and intelligent discussion. In his estimate of men and analysis of character or events, he displayed an intuitive insight. In his judgment of men, he was appreciative of virtues and intolerant of evil. He was not a demonstrative man in his general intercourse, but beneath a calm reserve of manner he was cordial and considerate. Born and reared under the influences of the old south, he revered its record and traditions, but permitted neither to dominate him with lingering regrets of the past. He believed his state and section had progressed in higher civilization, and on sympathetic lines, and was in thorough sympathy with the progressive development of the period through which he lived in his later years. Warm in his affections, he was revered and beloved in his own home; loyal in his relationships and friendships, he was held in affectionate esteem by relatives and friends; true to duty, as a private citizen, as a soldier, as a judge, he always enjoyed in a high degree the confidence, respect and admiration of the citizens of this state and section.

THE WADE HAMPTON STATUE. Unveiled With Appropriate Ceremonies Before a Crowd of Many Thousands in Columbia—Oration by General R. C. Butler.

Columbia, S. C., November 20.—The equestrian statue to the memory of Wade Hampton was unveiled here today in the presence of a crowd of ten or fifteen thousand visitors, augmented by the city's population. Business was suspended in honor of the occasion. A feature was the parade, which was probably the longest ever seen in this city. In the line of march were numerous military and civic organizations. Besides three companies from the military institutions of the state, and about twenty-five companies of state troops, there were the survivors of Hampton's cavalry, mounted, a long line of Confederate veterans, sons of veterans and a stream of caissons containing distinguished guests. There were also three bands of music.

On reaching the state, which is located in the state house grounds, the procession disbanded, forming in a circle around the large stand erected for the speakers and invited guests.

The exercises were opened with prayer by Bishop Ellison Capers, followed by a short address by E. A. Morgan of Greenville, who presented the statue to the state on behalf of the monument commission. In accepting the statue, Governor D. C. Heyward delivered a splendid address, introducing General M. C. Butler, the orator of the day.

When General Butler had concluded the eulogy upon his comrade in arms and colleague in congress, state Senator Richard I. Manning read a beautiful poem dedicated to the occasion by James Henry Rice, Jr.

## DEATH OF GEN. JOHN H. BRYANT.

Was a Prominent Washington Resident—Had Extensive Interests in Many Parts of the Country.

Washington, November 20.—General John H. Bryant, a prominent resident of this city, and New York, and having extensive interests in many parts of the country, died here yesterday after an illness of three days. He is survived by his wife Katherine C. Bryant, and a daughter Miss Katherine B. Bryant. Funeral services will be held here on Thursday.

Among other things, General Bryant was interested in the purchase of the Western Maryland railroad, in the Choctaw Coal and Railroad company, was proprietor of the Richmond Enquirer, owned factories in Richmond, Petersburg and Greensboro, N. C. He was president of the Seattle and International railway company, the Seattle Coal and Coke company and of the Gilman Coal company.

He was a member of the staff of the governor of Virginia. His factory in Richmond was in the building that was used as Libbey prison during the civil war.

Hon. J. A. Brown, of Chadbourne, spent yesterday in the city en route to Norfolk to attend a meeting of the lumbermen. He is one of the best posted men in eastern Carolina in regard to the berry business and he says the acreage is going to be greatly reduced.

# PRESIDENT IS FIRM JOYNER DECLINES

Stands by Order for Discharge of Troops. Will Not be President of the State Normal.

## WILL HEAR NEW FACTS AS SUCCESSOR TO M'IVER

Then May Consider What Further Action to Take. Memorial Exercises Brought Forth Fine Tributes.

All Persons Claiming to Have New Facts Concerning the Brownsville Troubles are Ordered to Have Them in Shape for Consideration by the President at Once on His Return. Influences at Work to Get the Discharge Order Rescinded—Secretary Taft Refuses to Discuss the Case.

New York, November 20.—A cablegram from President Roosevelt declining to rescind his order discharging colored troops of the 25th regiment unless the facts as known to him are shown to be false, but expressing his willingness to hear new facts bearing on the case was made public today by Gilechrist Stewart, of the Constitutional League.

Mr. Stewart cables to President Roosevelt at Ancon, Panama, as follows: "Republican county committee unanimously denounced discharge of colored soldiers. Parsons, Olcott, Bennett, committee petitioning department. Newspapers emphatic. Developments and new facts warrant. Ask immediate suspension order." The president's reply contained the following:

"Unless facts known to me shown to be false the order will under no circumstances be revoked, and I shall not for one moment consider suspending it on a simple allegation that there are new facts until these new facts are laid before me. Inform any persons having new facts, to have them in shape to lay before me at once on my return, and I will then consider whether or not any further action by me is called for."

(Signed) THEO. ROOSEVELT.

Washington, November 20.—Secretary Taft refused to make any statement whatever tonight concerning the negro troops which have been ordered discharged at Fort Reno.

"I can't discuss the case until tomorrow," Secretary Taft replied to all questions. He refused to say whether he had been in communication with the president by wireless.

Immediately after his arrival in Washington this afternoon from New Haven, Secretary Taft went to the war department and summoned General Oliver, the assistant secretary of war; Major General Ainsworth, the military secretary; Brigadier Thomas H. Barry, the chief of staff, for a conference.

William Loebe, Jr., the secretary to the president was also summoned to the war department before the end of the conference which lasted more than an hour.

All were silent about the conclusions reached and it is assumed that the Secretary of War has decided to let the case of the colored troops stand just where it is until after he gets in touch with President Roosevelt, who is expected to arrive at Ponce, Porto Rico tomorrow morning.

The war department had no advice confirming reports from Fort Reno that 25 of the members of the 25th infantry have already been discharged. So far as the department knows only seven members of the battalion responsible for the riot at Brownsville have been dismissed and those were soldiers who were arrested at San Antonio and were dismissed from the service after the courts failed to substantiate charges. Men were participants in the riot at Fort Brown.

## PEOPLES BOUND OVER.

Charge Against Him, Assault with a Deadly Weapon—Preliminary Hearing Before Mayor Waddell—Other Cases in the Police Court.

Engineer Jim Peoples, who shot a negro by the name of John McDowell on the steamer Tar Heel about ten days ago, was given a preliminary hearing before Mayor Waddell yesterday morning upon the charge of assault with a deadly weapon. On the night McDowell was shot it was thought he was going to die and Engineer Peoples was held at the city hall awaiting results. The wounds proved not to be dangerous and the negro will soon be well. McDowell had previously made a statement that he was drunk the night the affair occurred and didn't know what happened. Mr. James C. Lucas testified that the negro went to Engineer Peoples and he shot to defend himself.

Mr. Herbert McClammy defended Mr. Peoples and no one prosecuted. Owing to the nature of the case, Mayor Waddell thought it proper thing to do to bind the defendant over to the higher court so as the matter can be investigated further. Peoples was released under a \$50 bond.

There were quite a number of other offenders and among the number were several vagrants and all of them got terms of thirty days. Gussie Davis, Nancy Davis and Mabel Mills, all vagrants, got 30 days each at the county farm, and Martha Wiggins and Ida Fields, each got 30 days for disorderly conduct. Augustus Hall and Duncan Henderson each got 30 days on the roads for disorderly conduct, and Duncan Henderson was also bound over to the higher court for carrying a concealed weapon. His bond was placed at \$100 but even if he wanted to he could not give it for the next 30 days for he will be on the roads.

Many Former Students of the Lamented McIver and Prominent Educators From all Parts of the Country Joined in the Memorial Meeting—Magnificent Address by Dr. E. A. Alderman—Exercises Were Exceedingly Beautiful and Impressive.

(Special to The Messenger.) Greensboro, November 20.—The memorial exercises held here today in honor of Dr. McIver, late president of the State Normal and Industrial college, were plainly significant of the high place he has won in the esteem of the best element of progressive life in this and other states. It was distinctively a tribute from those he had educated, in the persons of many former students from all parts of the state, of those he had inspired by the presence of leading educators and co-workers from this and other states, and a liberal outpouring of citizens of the city who knew and appreciated at close range the splendid personal civic and material value of the man.

One of the highest tributes to his worth and forceful life was the one paid inferentially by the emphatic absence of politicians, no state government official, judge on the bench, congressman or United States senator being present. But there was assembled at least five hundred out-of-town visitors, representing the leading educators among the men and women of the state to pay tribute to the memory and the worth of the departed.

The addresses were of a high order and of appreciative merit. Dr. E. A. Alderman, president of the University of Virginia, a coworker through life in the principal one, which was magnificent in every respect. Other short addresses were made by President George F. Winston, President Venable, State Superintendent Joyner, Miss Mary K. Applewhite, representing former students, Dr. J. E. Brooks, representing the Guilford alumni association.

The large auditorium of the students building was packed with people, and the exercise throughout were exceedingly impressive and beautiful. At a meeting of the board of directors held in the afternoon to select a successor to Dr. McIver, as president of the college, State Superintendent J. Y. Joyner who had been generally conceded as the next president came before the board and stated that he could not accept the position, whereupon the board continued the administration of the college in the hands of the present superintendent, Dean J. I. Foust, until the close of the school year June 1st, 1907, and will provide as soon as possible an assistant to President Foust. The refusal of Joyner is taken by many to mean an acute stage of political conditions at present and in future over the question of educational policies in the state.

## AN ACCIDENTAL SHOOTING.

J. E. Dempsey Shot by Night Operator Parish—Raid on an Illicit Still—Bankers Decide on Group Plan.

(Special to The Messenger.)

Raleigh, N. C., Nov. 20.—J. E. Dempsey, white, of Portsmouth was shot, perhaps seriously in the abdomen in the train dispatchers office of the Seaboard Air Line here, while asleep by night operator R. J. Parish who says it was accidental. Dempsey does not blame Parish, the latter says he was examining his pistol. He at once called a physician. He is in the station house. Dempsey had been a flagman on the Tidewater railway.

Raleigh, N. C. Nov. 20.—Revenue collectors captured a "moonshine" distillery in Richmond county. A report was current that moonshiners intended attacking the officers and rescuing the property, but they did not materialize. The industrial club meets tomorrow to consider consolidation with the chamber of commerce.

The corporation commission reduces freight rates on apples, cabbages and various vegetables from points on the Southern railway in this state. This will give a rate of 25 percent lower than now. The order is effective December first.

Thirty-seven applicants, one a woman, for license as pharmacists are before the state board here. Two are colored.

The executive committee of the North Carolina Bankers association decided upon what is known as the Group plan, dividing the state into seven districts. This plan will secure a larger attendance at meetings and is more convenient and cheaper.

## Transfers of Real Estate.

The following deeds were placed on record yesterday:

H. F. Wilder and wife to Susie Townsend, for the sum of \$10 and other considerations, a lot 50 by 150 feet, same being in western line of Eleventh street, 155 feet north of Princess.

Annie E. Leggett, et al, of Craven county, to John H. Brunjes, for the sum of \$2,700 a lot 32 by 66 feet, same being in the southern line of Grace street, 198 feet north of Second.

Kate B. Corbett, of Savannah, and John H. Sweeney et al, of Wilmington, for the sum of \$1,200, lot where the W. and W. road intersects the right of way of the Wilmington and New Bern road.