#### CHARLOTTE DAILY OBSERVER, AUGUST 22, 1906.

## INTERESTING CASE & FAMILY OF WOODPECKERS, WHERE IS COLL JAKE NEWELL?

### AGAINST CITIZEN

the Tries a Man Who Will Not the When Called a Liar is a mar Fellow-A Large Crowd At-ndr Coart to Hear the Trial of Officer Who Had Fought a erchant-A Court Room Banter t a Pictu a Fight.

"recorder's court was very ing for awhile yesterday morn-The trial of Sanitary Policeman M. Thomas, charged with assault-Mr. J. B. Hudson, a candy mer-nt, was lively at times. Although o principals are small men vanted to fight out their differin court, or just outside. The see in court, or just outside. The wed favored this, if one was to be from those who rose from their is and craned their necks for a ter view of the inner-circle. Thom-was found guily but the judg-nt was continued. The most in-seting feature of the trial was the such made by the court in handing on its decision. Mr. Shannonhouse d that a police officer who would fight when he was charged with a was a pretty sorry fellow. At conclusion of the case three-int,

omas and Owens, two sanitary re, went down Monday aftermorn e if Mr. Hudson's feace, behind h hs keeps his mag, had been led. Hudson had been fined by recorder for permitting his horse un at large in a vacant lot, back run at large in a vacant lot, back his place of business on the corner College and Second streets. He ims that the snimal was doing hing more than those of other cit-is in that section of the city. He summoned before Mr. Shannon-ine again Saturday morning, but a dismissed as the evidence was to effect that the fence had been re-red as that the fence could not that the horse could not

ired so that the horse could not tout. Bad feelings had been en-andered between Hudson and Thom-and it was reported that the former id the latter had sworn a lie. iomas, who is known to be a gritty Jow, quick to resent an insult, be-use infuriated when he heard what udson was alleged to have said out him. Therefore, Monday, when and Owens went to "see the fence" iomas dropped around to see if adson had called him a liar. When on made no reply Thomas caught and pulled him out of his store

him and pulled him out of his store and began to pummel him, striking him in the mouth, on the face and about the chest. Hudson, being a spunky little chap, fell to and pulled a little flesh and tore a little skin from the officer's face. Like two Boston teriers they flew at each other and made the blood fly. Officer Owens who had been deeply interested in a certain knot in Hudson's fence, hur-ried to the scene and got between the belligerents. Mr. Thomas was very mad and those who saw the ight, barring the officers, testified yesterday that Thomas begged for a pistol with which to shoot "the s-of-be." The stories of the State's wit-nesses did not tally with those of the policemen.

When put on the stand Mr. Hudson ave a description of the fight. Hy id every detail and made appropristures.

"I was in my place of business," said Mr. Hudson, "when Mr. Thomas stepped up to the front door and usked me to come outside. He was ervous, or vicious looking, and re-ninded me of a crasy man."

"Yon get out of here,' I said. "He asked me two or three times I had said that he had sworn a a and when I declined to answer nd ordered him away he grabbed old of me and jerked me through the decirity of the year. The next Legislature will be urged

Red-Headed Hinks Nested in a Tree-Stump in Mr. James Harty's Yand Hat Pass Most of Their Time on Mr. C. W. Joinston's Residence. One of the happiest families in Charlotte is that of the pair of red-headed woodpeckers, melanerpes srythrocephalus, which nested in the stump of an old tree in Mr. James Harty's yard, on Noch Tryon street. Early in May Mr. and Mrs. Wood pecker began to dig the pretty lit-tice hole in which they have since kept house. The observant pedestrian, who passed along the west sidewalk of North Tryon, when the scarlet-topped birds were preparing their home, could hear the "thump, thump" of the basy bill or see the dust as it boiled out of the little round hole. In June four presty white eggs were

really hear the "thump, thump of the body of the little round hole, the price of the little power holds. In June four preity white case were industriously engaged were industriously engaged rathering worms and other sweets are the source of the little power words. All went well with the Peakerwoods and to-day the young ones are an it well with the Peakerwoods it will be easily been placed there by designing the and to-day the young ones are an it well with the Peakerwoods and to-day the young ones are an it well with the Peakerwoods and to-day the young ones are an it well with the Peakerwoods and to-day the young ones are an it well and as strong as their parents. They sit on the spires of Mr. C. W. Johnston's house, or of St. Mark's Latheran or the First Englist churches, the files a race with for an insect, he files a race with for an insect, he files a race with first merchands of the little ones salilies forth for an insect, he files a race with the metalborhood and their childer on eaginther on church or house for the little follows slick their tails close to the may a state the roughened bills. The little follows slick their tails close we you must seek information for sound' with their toughened bills. The little follows slick their tails close to the maxing a tattol like that of the meast the weak and forth, making a tattol like that of the spires of the weak are found. Sounding is a pastime with them. Their traws are full and forth, making a tattol like that of the be held in Charlotte Saturday, restimated while and black, are completed while the does not blow in before.

begin to drum. These birds, in their bright tricelor of red, white and black, are conspicu-ous wherever found; it is difficut to imagine a much more striking plu-mage; whether in the air, against the tree trunk, or in the follage, one of their broad patches of color is sure to able

to shine. RECORDER AND PEOPLE.

Petition to Have Him Elected by Popular Vote Instead of by the Al-

Wear for Women; fine Milli-A petition, asking that the Legisla-ture allow the people to say who shall or shall not be recorder, is being nery, Lingerie Waists, Blouses, Neckwear, Tailored Underwear of Nainsook, Linen or Silk; quietly but persistently circulated in the city. Those presenting the peti-tion seem to be meeting with marked auccess in getting signatures. Certain Charlotte citizens have been clam-Novelty Jewelry, Human Hair goods and accessories, Wraps, Top, Coats, Cravenette Raincoats, Tallor-made Suits and oring, not hoisterously nor loudly, but regularly for a chance to vote at the polis for the judge of the city court. There is a popular demand for a change in the mode of election. At Gowns, Evening Gowns a first, the recorder was appointed by the out-going mayor, one man, and later elected by the aldermen, 13 men, and the next step is to leave the mat-

ter to a popular vote. If one will circulate among the people of the city he will discover that a number of men would like to give Mr. F. M. Shannonhouse, the present recorder, a blow at the ballot box, but a very small per cent. of those who will ask that they be permitted to, wote for the next recorder have any feeling against Mr. Shannonbouse and a number of them would vote for him. It seems more democratic to vote for the recorder, just as one does for the magistrates and other judges.

His Friends Bolicitous About Him-The Notice Which Appears on Col. Newell's Office Door-Mr. J. D. Albright's Remark. A stray newspaper reporter drifted into the up-stairs of the Wilkinson

building yesterday morning for the purpose of paying a special visit to his friend, Colonel Jake F. Newell, chairman of the Republican county executive committee and an all-round

ekairman of the Republican county executive committee and an all-round good fellow. On the front of Col. Newell's of-face door there appeared the following notice, conspicuously displayed: 1"1 am in the rural districts, enjoying the simple life." No information was given as to where the rural districts referred to were, or what constituted "the simple life." No information was given as to where the rural districts referred to were, or what constituted "the simple life." At first it was thought that the notice might have been placed there by designing friends who wished to play a lift but such could not be, for Mr Newelle own signature was appended. Noting else to do, the news sutherer turned into the office of Mr J. B. Spence, Mr. Newell's erstwhile awarted in the the office of Mr J. B. Spence, Mr. Newell's erstwhile awarter turned into the office of Mr J. B. Spence, Mr. Newell's erstwhile awarter turned into the office of Mr J. B. Spence, Mr. Newell's erstwhile awarter turned into the office of Mr J. B. Spence, Mr. Newell's erstwhile awarter turned into the office of Mr J. B. Spence, Mr. Newell's erstwhile in Mecklenburg county. He could discover nothing. Mr. Spence hazarded the guess that Col. Newell

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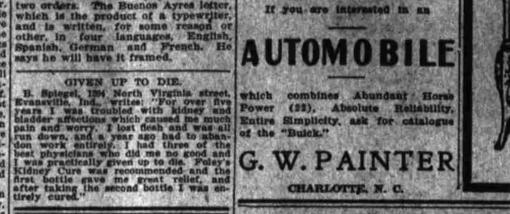
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RESULT OF ADVERTISING.

and Burnos Ayres, Hepublic gentins, Both Within Two Di "It pays to advertice and on't bulleve it. just let me tel about two orders I received ;

and to-day," said Mr. Charles moth. Southern manager f Charles M. Stieff Piano Comps

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Mr. Owens came up about that time and then it was two against one. Mr. Owens kept me from hitting

Did you answer him when he ed you about the lie," asked the

"No, I just told him to get out. I had mid that he swore a lie and I say no yet. I couldn't fight him then, because the other man held me, but

I am willing to fight him now." At this Mr. Thomas, who sat near, jumped up and said: "I accept that challenge, your honor, and we'll go out of here right now and settle this thing."

Recorder Shannonhouse frowned upon this proposition. The crowd, however, favored it. "The fact that you neither denied hor affirmed Mr. Thomas' question shows that you had called him a lise" wild the court.

liar." said the court.

Why didn't you protect yourself?" Because 1 did not want to fight officer. If he had worn citizen's

an officer. If he had worn citizen's clothes I would have fought him, and I will do it yet." "The history of the case shows." the recorder continued, "that Mr. Thomas did not swear a lie, because his testimony was corroborated here by other witnesses. People have no matter to take advantage of an office

Mr. Thomas, you are guilty of an set.

Having said this Mr. Shannonhouse

The police officer who will not re-t being called a liar is a mighty or man. The evidence in this case, we that Mr. Thomas told the truth this court, notwithstanding Mr. deon's repeated statements to the inary, and I am not going to hold officer liable on this charge, be-ues he did right in protecting him-t. If policemen cannot show their rependence when they are imposed on, and if they are not encouraged doing right, they will be a set of wards. A citizen must not hide hind an officer's uniform. Mr. mms, you are guilty of an assault, the judgment against you is con-pad." se police officer who will not re-

and." r. Hudson is not satisfied with the pination of the case. He may ar out a warrant against Mr. mas for foreible trespass. r. Thomas is a good offerr. He been on the police force at va-times for a number of years, friends speak well of him, but at that his temper gets the better is judgment now and then.

ty County Schools Opening. ajority of the county schools minimore within the text few, Several have already opened, codemy began two weeks ago rof. R. M. Gray in charge, will open best week and quite the Monday following, are several schools that have negtred teachers. The educaa for the fall are ex-

E WHONG tionsy trou

to pass a law, allowing the people to elect the recorder.

of Rural Completing Inspection

Mr. D. M. Harshberger, rural route aspector for the Postoffice Department, has returned from Philadelphia, where he spent his vacation. Harshberger will leave this morning for Matthews, where he will begin an inspection of the routes which go out from that town. After finishing at Mathews, he will go to Newells to inspect the route that starts from there, when he will have completed his inspection of the 20 routes in the

So far all of the routes have come up to the requirements and none have been recommended for discontinu

Colored Pitcher Breaks au Arm.

Mack McRee, who pitches for the Charlotte Giants, a colored baseball team, broke his arm yesterday afternoon at Davidson while throwing a bail. The game had just begun and he had only pitched four balls. Drawing back his arm to send a speedy one across the plate, he greatly surby other witnesses. People have no right to take advantage of an offi-cers brass buttons by casting insinu-ations ugainst him. You seen to hink that Mr. Thomas would do nothing at all when you were circu-lating the report and you have said that you did not expect him to re-infine th. Thomas, you are guilty of an

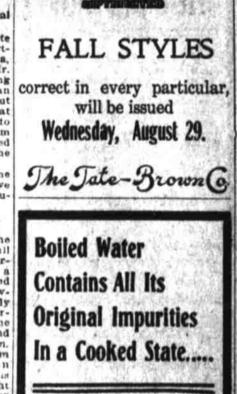
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