

PACKERS READY FOR FIGHT.

HAVE SEVERAL WAYS TO ATTACK THE INDICTMENTS.

Application of a Writ of Injunction Restraint on the Government From Prosecuting Likely to Come First—Meat Men May Ask for Habeas Corpus Writs.

CHICAGO, July 3.—The indicted packers are rapidly getting their defense into concrete form. Their general counsel, John S. Miller, will be surrounded by an array of legal talent such as has perhaps never before been assembled in any case in the courts of the United States.

It was expected that the packers through Attorney Miller would apply to-day before Judge Grosscup for a writ of injunction restraining the Government from prosecuting them under the indictments, but because of the fact that District Attorney Morrison was indisposed the matter was postponed until a time to be decided upon later before Judge Grosscup.

Mean while another plan, it is said, has been evolved by the associate counsel for the packers. This plan is to have the packers surrender to the Federal authorities at noon on Wednesday, and instead of giving bonds, to ask for a writ of habeas corpus before Judge Grosscup.

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It is said that the defendants cannot be held accountable twice for the same offense. While this is the usual rule, the packers will discuss the proposition, it is said that the plan has been submitted to all the principal heads of the packing concerns named in the indictment and has met their favor.

Other methods of attack suggested by the attorneys is a motion to quash the indictments on the ground that the Federal Grand Jury was illegally impaneled. A dissolution of the Grosscup injunction may also be asked for.

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CLEVER BOY SWIMMER DROWNS.

The Only Son of a Widow, Who Was Used to Scaring His Companions.

Swimming in Old Mill creek, Jamaica Bay, yesterday afternoon Willie Dietrich, only son of a widow who lives at 3100 Atlantic avenue, East New York, went out further from shore than the other boys. He was the most expert swimmer of his age in that section, and the boys thought nothing of it when he disappeared under water for a minute or so.

DIED OF BROKEN SKULL.

Edward Underhill of Yonkers Found Inconscious on the Street.

YONKERS, N. Y., July 3.—Edward Underhill, one of the best known citizens of this city, who was found in the street in front of 250 South Broadway last night suffering from a compound fracture of the skull, died to-night at St. Joseph's Hospital.

AUTO BRUISES LITTLE GIRL.

Man Who Says He Owns It Gives Narrative of One of C. G. Gates's Machines.

Trust Company of America

CAPITAL AND SURPLUS \$11,600,000

PRESIDENT OAKLEIGH THORNE

HONORARY VICE-PRESIDENT JOHN D. CRIMMINS

MAIN OFFICE, 135 BROADWAY

BRANCH, 38 WALL STREET

RICH MAN HELD FOR ARSON.

SAYS HE FIRED THE SHIRMER MILL BY ACCIDENT.

Priestley, Who is a Retired Manufacturer, Gave False Name When Arrested.

He Was Badly Scorching by the Flames—Excuse for Entering Mill.

PHILADELPHIA, July 3.—John W. Priestley, a retired textile manufacturer of Philadelphia, was committed to prison in Camden to-day.

It was charged that Priestley set fire to the wool spinning mill of George Shirmer & Son, in Fifth street, Camden, on Saturday last, causing a loss of \$50,000.

When arraigned before Recorder Stackhouse this morning Priestley admitted that he set fire to the place, but said it was an accident.

He went to light a cigar, he asserted, and when he threw the match away it fell among a lot of burlap.

Before he had time to make a move the whole place was ablaze.

The accused man was arrested shortly after the flames were discovered, as he was running away from the mill.

Since that time he has been in the Camden Jail under an assumed name.

He gave the name of John Williams, and refused to tell anything about himself.

To-day he weakened, and told the police his right name.

In getting out of the burning building Priestley had a narrow escape from death, as he was quickly hemmed in by the flames, and got a terrible scorching.

His muscathe and the top of his head were burned.

Priestley told the Recorder to-day that he had gone to the mill for the purpose of getting a price on the machinery, as he was in the market for machinery of the description lying idle on account of the closing of the mill.

WANT TO GO BACK TO WORK.

Striking Teamsters of Chicago Angry at Shea, Their Indicted Leader.

CHICAGO, July 3.—Wholesale disaffection is in the ranks of the striking teamsters, and the first great break came to-day when the lumber drivers at their meeting in Horns' Hall appointed a committee of ten to wait upon Edward Hines and tell him they are ready to come back on any terms so long as they are permitted to wear their buttons.

Shea was roundly berated for treason and for placing the teamsters in a false light before the public and their employers.

The lumber drivers waited hours for Shea to appear, and many threats were heard when hour after hour passed and he didn't come.

The drivers are in an ugly mood and ready to accept any terms of settlement which they can get.

The committee named could not see Mr. Hines to-day, as he is out of the city.

The importance of the move lies in the fact that many other unions are waiting for the lumber drivers to break away from the control of Shea.

DR. LORENZ TAKEN TO PRISON.

He Was Convicted With Mochen and the Grofs of Postal Frauds.

WASHINGTON, July 3.—Dr. George E. Lorenz, former postmaster at Toledo, Ohio, who was convicted of complicity in the postal frauds, was taken to the penitentiary at Mountville, W. Va., this evening, in company with a large crowd of white and negro convicts, to serve his sentence.

Lorenz was tried with August W. Mochen, Diller B. and Samuel Grof, and each was sentenced to two years imprisonment and to pay a fine of \$30,000.

The sentence on Lorenz was deferred on account of his illness and to enable him to turn State's evidence in the recent trial of Mochen, William Crawford and himself on the charge of conspiring to defraud the Government.

Mochen pleaded guilty and Crawford obtained a separate trial. The jury in the Crawford case disagreed in spite of Lorenz's testimony.

HOGG FOR THE CABINET?

His Friends in Texas Have Been Coaxing the President to Take Him.

ASTORIA, Tex., July 3.—The report was current in State official circles here to-day that Ex-Gov. J. S. Hogg had been sounded by President Roosevelt as to whether he would accept a Cabinet position.

Hogg is not in town and in the absence of confirmation the report receives little credit. It is believed to have originated with the friends of Hogg in the Crough-out State have sent petitions and telegrams to President Roosevelt asking that he be appointed to a position in the Cabinet.

This was done without the knowledge of Hogg. The ex-Governor has displayed his warm sympathy with the Roosevelt administration on a number of public occasions, and in his public speeches he has been strongly eulogistic of the President.

Gas Burns Three in Studio Basement.

Gas from a defective main leaked through the basement wall of the Van Dyck studio, 939 Eighth avenue, yesterday afternoon and came in contact with the boiler. A sheet of flame enveloped the engineer, Charles Airmann, and two electricians, George Nehrbas and Taylor Pound, who were assisting him with repair work.

Nehrbas and Pound live at 76 Eldridge street and 110 East Fifty-third street respectively. They were taken to the Presbyterian Hospital with severe burns about the arms and face and arms, but less seriously. No damage was done to the building.

Says Married Man Promised to Marry Her.

Isidor Horowitz is the defendant in an action to recover \$25,000 damages for breach of promise of marriage made here to-day by Lottie Brown through Howe & Hummel.

Miss Burg says she became acquainted with Horowitz in 1903, when he asked permission to call on her. She accompanied him to Coney Island and other places of amusement, and she alleges that they finally became engaged, although she was informed subsequently that he was married.

She denies that he ever promised to marry her.

Bishop Joyce Has Paralysis.

MINNEAPOLIS, Minn., July 3.—The Rev. L. W. Joyce, Bishop of the Methodist Church, sustained a cerebral hemorrhage, followed by an attack of paralysis, while addressing a meeting at Red Rock yesterday.

The condition of the Bishop is serious. Bishop Joyce is 69 years old. Before he came to Minnesota, six years ago, he was presiding Bishop of the missionary field of the Methodist Church in China and Japan.

TO THE HONOR OF PAUL JONES.

PLANS FOR EMBARKING BODY AT CHERBOURG COMPLETED.

Salutes Will Be Fired From the French and American Flagships as the Transfer Is Made—Rear Admiral Sigbee and Mr. Loomis to See President Loubet To-day.

Special Cable Dispatch to THE SUN.

PARIS, July 3.—In preparation for the transfer of the remains of John Paul Jones to the custody of the American Government, Francis B. Loomis, the special ambassador, and Rear Admiral Sigbee, commander of the squadron which will convey the remains to the United States, called upon Prime Minister Rouvier and Mr. Thompson, Minister of Marine, to-day.

Admiral Sigbee was in full uniform. Tomorrow Gen. Horace Porter, senior special ambassador, will present Mr. Loomis and Admiral Sigbee to President Loubet.

Admiral Sigbee has made final arrangements for the ceremony at Cherbourg at 6 o'clock on Saturday afternoon, when the body will be formally transferred to the flag-ship Brooklyn for conveyance to Annapolis.

The coffin will be placed on a French torpedo boat. As soon as this boat leaves the wharf the French flagships will begin firing a salute of thirteen minute guns—the number due to Paul Jones's rank as a rear admiral in the Russian navy.

When the boat bearing the body, the Brooklyn will begin firing a salute of thirteen minute guns.

The ceremony will be a swarm of boats from the French and American men-of-war following the boat bearing the body, the French on one side of the line and the Americans on the other.

Gen. Porter, who has remained in Europe for two months at great personal inconvenience while acting as guardian of the remains of John Paul Jones, will accompany the body to New York on the Deutschland as soon as he has committed his charge to the safe keeping of the American people's representative.

The American colony in Paris expresses unbounded satisfaction because the State Department conferred ambassadorial rank on Gen. Porter to enable him fittingly to perform his function.

WHOLE DAMN FAMILY IN COURT.

Evidence Shows That Harmony Has Fled the Impregnable Household.

The troubles of the whole Damn family were aired yesterday morning in the Harlem police court before Magistrate Whitman.

The family in question consists of the wife of Henry D., a man of 60, and Marie, his wife, 58 years old. The pair live at 61 East 103rd street. That there was not much peace in the whole Damn family was shown by the testimony given before the Magistrate.

Marie, at present, confessed the fact that on last Wednesday she went before Magistrate Whitman and got a summons against Henry. As a result of this summons, Marie, Damm was in court yesterday morning.

The popular idea of harmony in the Damn family was dispelled, for Mr. D. looked sore and Mrs. D. determined and resentful. Henry's black and blue arm was exposed to the court, as was also the black front of Marie.

Mrs. Damm told the Magistrate that she had wanted to tell her husband that "sent you for life," while the husband said that his only desire was that his wife should be put in a lunatic asylum with him.

Magistrate Whitman was unable to settle the matter, and referred the whole family to the probation officers.

FOUND UNSOUGHT CRIMINAL.

Detectives Shooting a Cop, but Confesses to Snatching a Relative.

Detectives Johnson and Hagenberg of Sergt. Eggers's staff heard yesterday that an Italian who answered the description of the man who had shot a special policeman in Brooklyn on Saturday night had been hiding in a cellar at 138th street and Lenox avenue for two days.

The detectives made a search and found the man in a cell in each district, and the description of the man wanted in Brooklyn, but when he was taken over there nobody could identify him.

He was identified by the Italian, who said he was Leonardo Rosetto, confessed to the detectives that he had stabbed his brother-in-law, Giuseppe Lulo, in a fight at 234 East 125th street on Saturday night, and accounted for the bloodstains in his clothing.

He was held in \$1,000 bail by Magistrate Whitman in the Harlem court yesterday afternoon. The brother-in-law was found in the Harlem Hospital with his arm almost cut off.

MOB CHASES A MOTORMAN.

He Had Run Down and Killed the Child of an Italian Handmaiden.

MOUNT VERNON, N. Y., July 3.—Emily Borsodi, the eighteen months old daughter of Prof. Borsodi, an Italian band leader of Mount Vernon, was struck by a Huckleberry trolley car in South Fifth avenue to-night and dragged under the motor for a block, while a mob of Italian men, women and children chased the car. The motorman heard the yells of the crowd and, stopping the car, learned he had killed the child. The motorman, who declared he didn't see the child run in front of his car.

BOY'S PRANK BREAKS COP'S LEG.

Falls From Window When Giant Cracker Hits Nap.

Patrolman James M. Gies of the West Twentieth street station was taking a snooze last evening at the front window of his ground floor flat at 247 West Twenty-first street. He was off duty and snoring.

A crowd of boys passing by dropped a giant firecracker, lighted, on the window sill.

The cop jumped upon the sill, tripped and fell out of the window, fracturing his ankle.

DEATH JUMP FROM WINDOW.

Mrs. Louisa Dietz, Wife of Piano Manufacturer, Succumbs in Sanatorium.

Mrs. Louisa Dietz, 36 years old, of 1042 Halsey street, died yesterday in the sanatorium of Dr. Thomas L. Wells at 945 St. Mark's avenue, Brooklyn, from injuries sustained on Friday afternoon by jumping from a rear window on the second floor to the ground below.

Charles Dietz, is a piano manufacturer.

Personated Another to Pass Bogus Check.

The man arrested on Saturday and locked up in the Forty-seventh street police station on a charge of offering a bad check now gives the name Ferguson. He possessed a \$200 automobile at the Broadway Automobile Exchange, 143 West Forty-eighth street, and in payment gave a check for \$2,000 on the New York County National Bank, with the forged signature of Samuel D. Styles, representing that he was Mr. Styles. Upon inquiry at the bank the fraud was detected. Mr. Styles is the president of the North River Savings Bank.

Detective Dies After Operation.

Detective Sergeant Joseph P. Kane died early yesterday morning in the Harlem Hospital, following an operation for appendicitis. Detective Kane had been in the police department twelve years and had held his present rank two years. He lived at No. 435 East 120th street, and is survived by a wife and two children.

Medical Consultation in China.

A physician has just returned from China, heavily laden with stories of Chinese medicine.

"Medical consultations are carried to their extreme limit in China," he said. "There, when anyone becomes seriously ill, a consultation of fifteen or twenty doctors is held. The doctors fill the house with their arguments. They make as much noise as a political convention.

But such a consultation as that would be considered small and futile if a great man—a magnate, say, of the third class—were to be ill. In such a case at least 100 doctors would gather together.

A member of the royal family was taken sick last winter. He died, and the doctor who lost touch with a good deal of pride that the largest consultation known to his country had been held over the sick man. No less than 316 physicians had come from every part of the kingdom to study and discuss the case.

The royal patient, I heard afterward, died.

Mrs. James A. Miller Dead.

Amsterdam, N. Y., prominent in charitable and religious work in that city, died Sunday night, aged 80 years. She was a member of the Second Presbyterian Church, the Central Union in security of the Young Men's Christian Association, the Dutch Reformed Church, and the firm of Kellough & Miller, lined oil manufacturers in Amsterdam, died on Dec. 17, last.

DEEDS OF BOLD JOE SAB.

Abducted Mrs. Wehby in Scranton and Took Her to Indian Territory.

SCRANTON, Pa., July 3.—Chief of Police Lona Day returned to Scranton this morning, after astounding experiences in Muskogee, I. T., where he went to secure the return of Joe Sab, who is wanted on the charges of abduction and larceny.

Sab is an Arabian, and was a well known business man of this region. About three weeks ago he disappeared with Negebe Wehby, the beautiful seventeen-year-old wife of Michael Wehby of Jessup. When she disappeared the woman had in her possession \$1,000 in cash and \$1,700 worth of jewelry belonging to her husband. Eight days ago Sab and Mrs. Wehby were located in Indian Territory. The woman came back here with Day.

She said Sab had induced her to get on a train, telling her that her husband awaited her in Western city. Arriving in Indian Territory, Sab told the woman her marriage to Wehby in Arabia was not binding in America, and compelled her under threat of death to go through a marriage ceremony, and they lived as man and wife. Sab took her money and the jewels.

When Chief Day arrived at Muskogee Sab had offered \$1,500 to have the case withdrawn. When this was refused he scoured his release on \$1,000 bail. A Federal Judge pronounced Chief Day's extradition papers bogus, and friends of Sab swore out a warrant for Mrs. Wehby on a charge of bigamy.

Wehby's arrest was averted with difficulty, and Chief Day returned. The stolen jewelry was recovered. It is not likely that Sab will ever be brought back here for punishment, owing to the cost that the legal fight and extradition will involve.

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TAMMANY HALL'S PATRIOTIC FEAST OF SPEECHES.

Long Talks by Govs. Glenn and Jared Y. Sanders—Sullivan Will Take "De Ate" to the Banks of the Harlem—Clan-na-Gael Games—Letter Carriers' Day.

The Tammany Hall Fourth of July celebration takes place this morning in front of the Fourteenth street Wigwam. Acting Grand Sachem Thomas L. Feitner will deliver the address of welcome, in place of Judge James A. O'Gorman, who is in Europe. Music will be furnished by the Sixty-ninth Regiment Band. The "long talks" will be made by Gov. Robert B. Glenn of North Carolina, and Gov. Jared Y. Sanders of Louisiana. Short talks are to be served out by a number of prominent Democrats.

The Florio Sullivan Association will celebrate outside "de Ate." The festival takes place at Sulzer's Harlem River Park, and "de Ate" will travel there in rubber-nock wagons.

Mulberry Bend holds an ice cream festival at 71 Centro street at 3 o'clock in the afternoon, under the patronage of Randolph Guggenheimer. The Bronx holds a monster celebration under the auspices of the McKinley Pole and Flag Association in the plaza at Boston road and 169th street. The exercises start at 10 A. M., and ex-Senate Senator Joseph P. Hennessy will preside. J. M. Wall is to be the speaker of the day. There will also be drills and a parade by cadet organizations in the Bronx.

The Clan na Gael of Long Island holds its thirty-eighth field day and picnic at Great Neck on Saturday. The day will be athletic games and prizes for Irish jigs and reels.

Brooklyn is to celebrate the day at Prospect Park with speeches and patriotic songs, under the auspices of the Knights of Columbus.

Members of the State Institutions and hospitals will celebrate the day at the New York Letter Carriers' Association will hold its annual outing and games at Schutzen Park, Union Hill, N. Y.

Montclair, N. J., will celebrate the day with a parade and an address by Booker T. Washington.

WILL JAB THE FIREWORKS BOY.

Health Board Won't Let Him Have Lookjaw If He Does Want To.

The Health Department is prepared to-day for the small boy. If he shows himself or gets shot the doctors will shoot into him status antitoxin to render him immune from lookjaw. At the Health Department laboratory of Dr. Parks, in Sixteenth street, enough of the antitoxin to meet the needs of the day has been made. The city is divided into twelve districts, and a physician in each district stands ready to swoop down on Young America and jab him with a hypodermic needle if he is not careful.

Patriotic K. C. to Celebrate To-day.

Fourth, or "patriotic degree" members of the Knights of Columbus in Brooklyn and Long Island will have a big celebration in Prospect Park, Brooklyn, this morning. The 10,000 members of lesser degree in the different orders on Long Island and Brooklyn will also attend. The celebration will be in charge of several hundred Catholic priests, including a number from out of town.

KILLS HORSE TO SAVE LIVES.

Guides Runaway Into Elevated Railroad Platform After Fatally Injuring Man.

One man was fatally injured, scores of persons in the streets had narrow escapes, and a horse was so badly injured that he had to be shot, in a runaway on Eighth avenue yesterday morning. The action of the driver in guiding the horse into a pillar of the elevated structure possibly saved other lives.

The horse, attached to a heavy truck belonging to the Standard Oil Company, was West 14th street, in charge of Christian Blaver