

TIGER ESCAPES JUSTICE

EGAN CASE ADJOURNED.

Forgery Charged in Connection with Getting Cheap Pier Rental.

Justice Trux, in the Supreme Court, yesterday, on the plea of ex-Senator Thomas C. O'Sullivan that family precedents had caused J. Sergeant Cram, former president of the Dock Board, to absent himself in Europe, put the case adjourned until the January term.

After January 1 a Tammany Corporation Counsel will be in charge of the Law Department. If the Egan case goes the way of other actions involving prominent Tammany officials, the important papers will be "lost" and the cases will be pigeonholed.

Mr. Cram's family benevolence did not prevent him from taking an active part in the Tammany campaign. He was with Charles F. Murphy almost every day. Instead of going with the other Tammany lights to Hot Springs, Mr. Cram, for whom a subpoena had been issued, sailed on November 14 for Europe.

The suit was brought against Egan by the city for the cancellation of the lease of the bulkhead between Twenty-eighth and Twenty-ninth sts. on the North River. In opposition to Mr. O'Sullivan's plea for another adjournment, Assistant Corporation Counsel E. J. McGuire declared he was ready to go on at once, and that Mr. Cram was not a material or necessary witness either for the city or the defendant.

FORGERY ONE OF THE CHARGES.

Mr. O'Sullivan, in asking for the postponement of the trial, reviewed the causes of action as stated in the complaint, which charges forgery and alteration of the minutes of the Dock Board with reference to the lease, alleges that the consideration paid for the lease was inadequate, and also asserts that the Sinking Fund Commissioners should have been consulted on the lease.

Mr. O'Sullivan said the case was placed on the preferred cause calendar for October 16, and was adjourned until November 9 on account of his political and personal engagements, and from that date to November 23.

"We are anxious to go to trial," Mr. O'Sullivan continued, "as my client is the person who has been injured, if any one has been injured, for he paid his money to the city, and to him has been denied the use of the privileges for which he got his lease. Since July last the city has refused any payment from him. We found, however, we were unable to go to trial on account of the absence from the city of Mr. J. Sergeant Cram, and we present an affidavit from his associate in business that he will not return until the Christmas holidays. He will certainly be here during the month of January next. We want to examine him in connection with the charge made against the defendant of fraud and forgery and that of tampering with the minutes of the Dock Board, as Mr. Cram was president of the Dock Board and had charge of the business as to this lease. He personally investigated. Certain resolutions were made by him or under his authority in resolutions previously adopted by the Dock Board. Charles F. Murphy was ill at the time, and Mr. Cram and Peter F. Meyer comprised the quorum of the Dock Board which transacted the business. It was Mr. Cram who directed the drawing up of the lease, and where these forgeries and alterations are alleged it was he who directed the erasures, which are now claimed to be illegal and destructive of the papers. We therefore want him as a witness and believe he will sustain our contention that the things called by the city mutilations of public records were alterations necessary and ordered by him as president of the Dock Board."

"We saw the defendant is absolutely innocent on his part of any attempt to alter the records, or forgery, or conspiracy, and that will be sustained by the testimony of Mr. Cram."

"As to the inadequacy of the consideration, Mr. Cram personally investigated as to the proper amount of the rental to be paid for the bulkhead and found, as he said in a personal conversation with me, that the city had been receiving only about \$750 in charge for the privilege for which the city is charging in this lease \$750 a year, and had in some years not received more than \$250. Even with the charge for storage for the exterior street, the gross rental never exceeded \$600."

Mr. McGuire said the city held that Egan was merely a "dummy" for some one in the Dock Board during the year 1901. "We claim," he said, "that by conspiracy between some man in the Dock Board and Egan he was put in possession of this bulkhead."

"No such claim is made," interpolated Mr. O'Sullivan.

"The pleadings speak for themselves," retorted Mr. McGuire. "We say Egan is to-day in possession of the entire bulkhead between Twenty-eighth and Twenty-ninth sts. on the North River, with the privilege of erecting a dump there, for the consideration of \$750 a year, that his lease runs for ten years, with renewals for ten years each, at the paltry increase of 5 per cent on each renewal."

"CRAM NOT A NECESSARY WITNESS.

"We will prove our case, not by Mr. Cram. He is not a material or necessary witness at all. We will prove our case by the documents of the Dock Board and by the evidence of certain officials there now. We cannot use Mr. Cram as a witness, and he is not a necessary witness for the defendant."

"We have the best witness here in court in the person of Mr. Meyer, who can supply all possible information as to the proceedings of the Dock Board. Mr. Cram is supposed to have had certain changes made in the minutes of the Dock Board. His actions in respect to the disappearance of resolutions passed by the Dock Board on November 8, 1901, and the appearance on the minutes of different resolutions applying to the defendant's matter, and fixing different terms of occupation, may be very interesting to Mr. Cram. The reason for these changes may be intensely interesting to Mr. Cram and may affect his reputation, but it does not affect this case. We have no concern with them. We want to get back the city's property, and replace it in the possession of the city."

"Upon the affidavits we present," Mr. McGuire continued, "there can be no question but that the city is right, and that Mr. Cram is not a material witness. Admitting that Mr. Cram is not a material witness, let us look into the reason why he is not here under subpoena. He was under subpoena for November 9, and called for Europe on November 14. As Mr. O'Sullivan has said, subpoenas and charges of great gravity tended absence in Europe were made against Mr. Cram. His intended absence in Europe was not known to us. We are not acquainted with Mr. Cram in any way."

Continued on sixth page.

LAUGH AT CEDRIC REPORT.

TITIAN HAD NO TROUBLE.

On Her Arrival the Steamship Reports No Collision.

Liverpool, Nov. 25.—A rumor was circulated in this city on Sunday that the White Star Line steamer Cedric had been sunk in midocean in a collision with the Lampert & Holt steamer Titian. As a careful investigation showed that the report could not be traced to any responsible source little heed was paid to it.

The Titian arrived in due course off the Irish coast yesterday. She was reported at Kinsale Head, and gave no signal to indicate any important experience on her voyage. This morning she arrived in the Mersey. Her owners, as well as the White Star Line people, all ridicule the story of the rumored collision. It is denounced as a pure invention of an irresponsible news agent.

CONDEMN FALSE REPORT.

Much Alarm Caused by the Rumor of Cedric's Collision.

A report that the steamship Cedric, of the White Star Line, had been sunk in collision with the Lampert & Holt steamer Titian in midocean, although denied, created much alarm and indignation in this city yesterday. At the office of the White Star Line there were several hundred inquiries, chiefly by telephone and telegraph, after the report was published. All over the city later were heard expressions of the severest condemnation of the publication of a report calculated to create needless alarm.

John Lee, agent of the White Star Line, was informed that the Titian had arrived in the Mersey in the morning and was on her way through the canal to Manchester yesterday, without reporting any accident. He said he had no information that gave the slightest color for a report that the Cedric had been sunk, and he was confident that the Cedric would arrive at her dock some time to-day. She was due off the Nantucket Lightship about midnight last night, he added.

The Associated Press yesterday gave out the following statement:

"We have no reason to believe that the rumored sinking of the steamship Cedric is true. The Lampert & Holt steamer Titian, which it is claimed was in collision with her, arrived off Kinsale Head, on the coast of Ireland, yesterday, on her regular scheduled time, and did not sustain any such disaster. It is inconceivable that the Titian could have arrived in this way and failed to give signal if the reported calamity were true."

A private dispatch from the Associated Press office in Liverpool says the report that the Cedric had been sunk, circulated there on Sunday, but its source could not be determined. The dispatch does not disclose the slightest foundation for such a report.

The Cedric was the largest steamship afloat when she was launched. She arrived here on her maiden trip on February 20, since which she has made ten round trips. She is 700 feet long, has a width of 70 feet and a depth of hull of 40 feet, with nine decks and more watertight compartments than any other ship in the passenger service. Her builders declared that if she were cut in two her halves would float. She is a floating palace, and when she left the other side she carried about 1,000 passengers and a crew of 350. She also carried about \$1,000,000 in gold, fully insured.

Among the Cedric's first cabin passengers are Frederick Roosevelt, a cousin of the President, and his wife, Charles A. Moore, former president of the American Protective Tariff League, with his wife and daughter, Mrs. Gray, wife of J. De Russey, the Earl and Countess of Yarmouth, Mr. and Mrs. Henry I. Bawby, J. S. Conover and family, Major and Mrs. F. W. Kettering, Mr. and Mrs. Peter Moller and Miss Moller.

The New-York manager of the Marconi Wireless Telegraph Company said yesterday that he had no suspicion that anybody connected with the company had been concerned in starting the report about the Cedric. "If such a wicked report could be traced to anybody, that person should have the severest punishment," he said. "There is an intimation that it originated on the other side. While we knew nothing about it here until it was published this afternoon, I recall the fact that the company in London sent a special order to have the arrival of the Cedric off Liverpool reported by cable immediately. We probably shall send such a message late to-night when the Cedric is sighted off the Nantucket lightship. The order for such a report may have been caused by a canard about the Cedric in London."

John Lee, agent of the White Star Line, said:

"We emphatically deny the report that the Cedric has been sunk. I have not called to the other side, nor will I, for I do not want to start and lift him up on the 'phone and asked official authority. They said it was an unfounded press report from Liverpool. I do not believe there is any truth in it. The Cedric should be heard from at Liverpool to-night and morning under favorable conditions. She is not an express steamer, but is running on the Germanic's schedule, and is really not due here before to-morrow."

DRIVEN OUT BY FIRE.

No Panic in Theatre, but Audience Takes a Mighty Lively Gait.

Pittsburg, Nov. 25.—Much excitement prevailed, but fortunately no loss of life or injury to any of the audience resulted from a fire which broke out in the Avenue Theatre, a continuous vaudeville house, this evening, while a performance was in progress. The audience lost no time in leaving the house, but there was no panic, and in a short time all were safely in the street. First rumors had many persons killed and injured. Harry Davis, owner of the theatre, places the property damage at about \$15,000, caused principally by water.

The fire originated from an explosion of a film roll used in the cinematograph apparatus, which was being operated in the rear of the balcony, and spread quickly to the gallery above. The work of the Fire Department was so prompt and effective that the flames got no further than the rear part of these two sections.

Within fifteen minutes after the fire was subdued Mr. Davis had a large force of men at work clearing up, and signs were out announcing that the house would be open as usual to-morrow noon.

THROUGH CAR TO CALIFORNIA. From New York to the Pacific Coast, leaving Dec. 15, Jan. 12, etc. Full particulars of Raymond & Whitcomb, 25 Union Square.—Adv.

Thanksgiving Message of the Rev. Dr. Greer, Bishop Coadjutor-Elect.

Dictated Especially for The Tribune.

Thankfulness is very difficult to do to order. It must, in large measure, be spontaneous, and it can to some extent be acquired by cultivating a cheerful and optimistic habit. Especially is such a habit desirable just now, when the business outlook is not as bright and hopeful as it has been. It must be remembered, however, that progress is not a steady and unbroken ascent, but pursues a spiral, sometimes going down a little, and yet with its general trend upward. Then, again, if we look for better and brighter things, the expectation will achieve them. This does not mean that good results will accomplish themselves, nor that strong and continuous effort is not necessary to bring them about. It does mean, however, that such efforts, in the long run, will be successful, and further than that, that evils of all sorts are on their way to cure when people see and deplore them.

WAR ORDERS AT BOGOTA. ARMY OF 100,000 MEN. Plan to Invade Isthmus if Reyes's Mission Fails. Colon, Nov. 25.—The correspondent of The Associated Press to-day received a telegram from Bogota, dated November 21, saying that the government had issued orders to raise the army footing to 100,000 men if General Reyes's mission to Washington should prove fruitless. The subjugation of Panama is given as the reason for the government's action.

PRESIDENT SATISFIED.

HIS VIEW OF CUBAN BILL.

Regards Extra Session as Eminently Successful. (FROM THE TRIBUNE BUREAU.) Washington, Nov. 25.—An intimate friend of President Roosevelt said to the Tribune correspondent to-day that the President regards with equanimity the failure of the Senate to vote on the Cuban treaty bill at the special session. He looks on the extra session as eminently successful. He thoroughly appreciates the unanimous agreement of the Senate to vote on the measure on December 15 is to all intents and purposes the accomplishment of the end to which he has bent every energy himself, and for which he called Congress an extraordinary session, and he is inclined to regret the sensitiveness of his friends who have believed they saw in the postponement of the vote an attempt to embarrass him or to reflect on the administration. There is, in his opinion, no occasion for weeping over the loss of nine days of the special session, when every one knows that the opposition might have prolonged the debate for months, nor does he regard the question of adjournment of the special session without day as a matter of any serious moment.

His friends have been made to appreciate that every energy should be bent to secure the ratification of the Panama treaty, which will be sent to the Senate early in the regular session, and that vain regrets over a brief delay in the enactment of the Cuban bill should promptly give place to the more serious business of promoting the Panama canal, which will afford ample opportunity for the friends of the administration and of a canal to display their mettle.

HOUSE HOLDS SENATE.

Special Session Not to End Before December 5.

(FROM THE TRIBUNE BUREAU.) Washington, Nov. 25.—With the adjournment of the Senate over Thanksgiving Day all hope of a final adjournment of the special session before December 5 has been abandoned. From now until the date named both houses will meet and adjourn as may suit their convenience, usually, no doubt, for three days at a time, that being the longest period over which either chamber can adjourn without the consent of the other. A peculiar set of circumstances has led up to this programme. At a heart to heart talk between Speaker Cannon and the Senate leaders it was found that there was no precedent whereby the upper chamber could inform the lower that a day had been fixed for a vote on the Cuban bill, and were the House to concur with the Senate in the adoption of a joint resolution providing for adjournment without day, it must do so without official knowledge or record of the fact that the passage of the Cuban enabling act had been virtually accomplished. For this reason the House was unwilling to yield to the wish of the Senate, and leading members of the "better thought" agreed with the Speaker in the reasonableness of his contention.

As a matter of fact it is generally conceded that it makes little difference whether adjournment is taken or not. By remaining in session the organization of the House can be completed preparatory to the work of the regular session, and little inconvenience will be caused to anyone. A large number of Senators and Representatives have left Washington, and it is doubtful if a quorum of either house will be present before the latter part of the next week. Representatives and Senators coming here from afar have generally brought their families with them, expecting to remain through the winter, and they will not be seriously inconvenienced by meeting in the Senate and House chambers from time to time and convening and adjourning their respective bodies.

One marked advantage of the present arrangement is found in the convenience of certain committees, notably those on Judiciary and Elections. It is now expected that all the House committees will be announced shortly, and the two named can then get to work on the impeachment cases before the Judiciary Committee and the contested election cases before the Committees on Elections. All these cases are more or less complicated, and the prospect of getting a considerable amount of work out of the way before the regular session is welcomed by the members of the committees named.

HOKE SMITH IN A FIGHT.

Has a Bloody Battle in a United States Court Room.

(BY TELEGRAPH TO THE TRIBUNE.) Atlanta, Ga., Nov. 25.—Hoke Smith, ex-Secretary of the Interior, and D. W. Rountree, a lawyer, engaged in a bloody fight in the United States Court room this afternoon. They are opposing counsel in a case on trial before Judge Newman. Smith made a statement that Rountree construed into a reflection on him, and he immediately sprang at Smith and struck him in the face. Smith retaliated, and for several minutes they dealt blows that drew blood and left bruises.

The court officials tried in vain to separate the infuriated men. Finally Smith, who is a powerful man physically, clinched with Rountree, lifted him from his feet and hurled him against a radiator some ten feet away. The shock rendered Rountree and Smith did not recover his attack. The faces of both men are in a hand and will try to prevent a renewal of the difficulty.

ORDER MARSHAL OUT OF STATE.

Peonage Indictments Frighten Louisiana Planters.

(BY TELEGRAPH TO THE TRIBUNE.) Monroe, La., Nov. 25.—The indictments in the peonage cases by the federal grand jury at Shreveport, La., have caused anxiety among the planters, and the strict secrecy maintained. Much feeling has been engendered, and this morning Deputy United States Marshal J. F. Pope, who was active in securing witnesses for the grand jury, found the following notice tacked to his office door:

"Sir: The part taken by you recently in this community makes it necessary for you to find a home in some other State. The faces of both men are in a hand and will try to prevent a renewal of the difficulty. Marshal Pope says that he has only done his duty, and will stay to the end."

"OIL QUEEN" SUED FOR DIVORCE.

(BY TELEGRAPH TO THE TRIBUNE.) Parkersburg, W. Va., Nov. 25.—Mrs. Frances E. Irlig, reputed to be worth \$1,000,000 and known as the West Virginia Oil Queen was to-day sued for divorce by her husband, Harry Irlig, a well known oil producer. Edward Landt, ex-chief of police of this city, is named as correspondent.

GRUBER TO SEE THE PRESIDENT.

Abraham Gruber, Republican leader of the XXIXth Assembly District, left town last night for Washington, where, it is said, he will see President Roosevelt with reference to securing the President's good offices in behalf of Captain Norton Goddard for the presidency of the Republican County Committee. Mr. Gruber has been "on the outs" with President Bruce since the last meeting of the County Committee, when his resolution denouncing the Citizens' Union for alleged treachery was run on a parliamentary sidetrack by President Bruce.

MURPHY TO BE HERE SUNDAY.

Senator Dowling Returns from Hot Springs—No News of Appointments.

Senator Victor J. Dowling, one of Charles F. Murphy's advisers, returned last night from Hot Springs, Va., where he was in consultation with the Tammany leaders over appointments, when McClellan becomes Mayor. Senator Dowling's office in the Stewart Building, was thronged with anxious office-seekers. He said that Mayor McClellan would be his own patronage dispenser.

"Murphy will return to town on Sunday," said Senator Dowling. "It is still too soon to predict anything about appointments. Colonel McClellan has the last meeting of the County Committee had time to talk the matter over with the leaders."

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FOUR-TRACK NEWS FOR DECEMBER.

Just out, full of interest, a beautifully illustrated, 4-cent copy at newsdealer's.—Adv.

O'DELL'S REORGANIZATION PLAN

GOVERNOR TO MAKE SWEEPING CHANGES IN THE ORGANIZATION IN THIS STATE AND CITY.

W. Barnes, Jr., May Succeed Dunn; W. C. Warren, G. R. Sheldon; F. N. Goddard, C. H. Murray or A. T. Mason, Mr. Bruce.

MANCHESTER MAY GO, TOO CALLS PLATT LEADER.

Senator Platt To Be Consulted in All Important Matters. But the Governor Says He Intends To Be More Active in Politics.

Friends of Governor Odell in position to speak with more than usual knowledge in regard to the Governor's views and plans said last night that the Governor's programme for a reorganization included the following shifts:

William Barnes, Jr., to be chairman of the Republican State Committee, in place of Colonel George W. Dunn.

A successor to Reuben L. Fox, secretary of the State committee.

William C. Warren, of Buffalo, to be member of the Republican National Committee, in place of George R. Sheldon.

Captain Norton Goddard, Charles H. Murray or Alexander T. Mason to be president of the Republican County Committee, in place of M. Linn Bruce.

A new secretary of the county committee in place of George R. Manchester.

New district leaders in the places of at least half a dozen State place holders whose districts have shown a growing tendency to become hopelessly Democratic.

A shift of the Republican State headquarters from the Fifth Avenue Hotel to the Republican Club.

Along with other changes is the growing probability that Frank M. Baker's name will be presented to the Senate for confirmation as State Railroad Commissioner to succeed himself.

The Governor's friends do not assert that these changes are absolutely sure to be made, but they say that the Governor is now regarded by President Roosevelt and Senator Platt as the working and executive head of the State organization, and that as such he will manage the organization with lieutenants of his own choosing.

The step, if it is taken, which will be likely to provoke the greatest surprise is the retirement of President Bruce from the County Committee, a thing of a quibulary about this. His friends say that his general plan is to have a district leader in charge of the County Committee, so that the post may be looked on as one to which a faithful district leader may aspire through promotion for fitness. The Governor has a great admiration for President Bruce, and has said more than once that he is the best president the committee has ever had. In view of this fact Mr. Bruce may be urged strongly by the leaders to retain the presidency, although it is understood he will not stay unless he is assured in his own mind that he is in fullest harmony with the President and the Governor. Mr. Bruce's view has been all along that in the approaching Presidential campaign the President will be the one most vitally concerned, and that only one who is in the fullest harmony with the President's purposes, from the President's own point of view, should be at the head of the local organization.

President Bruce has worked early and late since he assumed command of the committee last summer, and now has things in good shape. He has had to neglect his law practice, and his friends think that in the proposed reorganization he will be far from sorry if he can drop politics and give his attention wholly to his practice. The Governor's friends say that if Mr. Bruce retires from the County Committee it will be to accept a highly important appointment from the Governor or the President, both of whom have watched with great interest the fine record he made in the last campaign.

For these reasons the Governor's plans in regard to the presidency of the County Committee may be regarded as entirely "tentative."

The present indications are that the Governor will have practically absolute control of the campaign in this State next year. Senator Platt feels the weight of years, and does not relish the prospect of attempting to dive into a hard campaign with his old time energy. As stated in the Tribune's Washington dispatch yesterday, the Senator will remain as the recognized leader of the organization, and will be consulted in all important matters as they come up.

The proposed changes in the organization are not likely to be made at once. Colonel Dunn doubtless will remain as chairman of the State Committee until the annual meeting.

George R. Sheldon will continue as the New-York member of the National Committee until the election in April of delegates to the National Convention. Mr. Sheldon is not politically ambitious. He has invariably given his services to the organization when called upon, but has never sought recognition. William C. Warren, of Buffalo, who may succeed him, is known throughout the State among Republicans.

William Barnes, Jr., of Albany, who may succeed Colonel Dunn as State Committee chairman, has been chairman of the executive committee for three or four years.

Alexander T. Mason and Charles H. Murray, mentioned in connection with the County Committee presidency, are district leaders. Mr. Mason of the XXIXth and Mr. Murray of the VIIth. Mr. Mason is a Civil Service Commissioner. He served in that capacity under the Van Wyck administration. Senator Elsbere, one of the so-called "insurgents" at Albany last winter, comes from the XXIXth, and it is understood that Mr. Elsbere is urging the Governor to appoint his district leader. Charles H. Murray was a Police Commissioner under the Strong administration. He has been active in local politics for many years.

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William Barnes, Jr., of Albany, who may succeed Colonel Dunn as State Committee chairman, has been chairman of the executive committee for three or four years.

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