

TO PROBE GAS PERMITS.

CITY AFTER COMPANIES.

Ellison Says He Thinks Consolidated Franchises Invalid.

Mayor McClellan yesterday, after a conference with Corporation Counsel Ellison, requested him to take the necessary steps to determine the validity of the franchises of the constituent companies of the Consolidated Gas Company.

The decision of Referee Masten is generally regarded as being adverse to the city. It will be appealed, and meanwhile the Mayor and the Corporation Counsel are going to force to a conclusion, if possible, an action which will determine the status of the gas and electric lighting companies.

With more adequate information brought out by the Stevens committee and by the investigation before the referee in the federal courts, Mr. Ellison and the Mayor are confident that the city is in far better position to fight the companies than formerly.

The decision just rendered by Mr. Masten in the company case now leaves the city free to test the question of whether or not the Consolidated Gas Company has any franchises whatever under which it is entitled to conduct its business.

Each of the alleged franchises will now be subjected to a careful investigation, and proper steps will be taken by this office to settle the status of the Consolidated Gas Company in its relation to the city of New York.

It appears that in the case just decided by Mr. Masten the question as to the validity of the franchises was raised, but that he refused to decide it.

The franchises of the following companies are involved by the action to be begun by the Corporation Counsel: Consolidated Gas Company, New York Mutual Gas Light Company, New Amsterdam Gas Company and the Standard Gas Light Company.

SALE RECALLS MYSTERY.

Bank Gets Building of John Pettit, Who Vanished Nine Years Ago.

The mysterious disappearance in 1898 of John Pettit, president of the defunct John Pettit Realty Company, was recalled yesterday by the sale in foreclosure proceedings of the two story building No. 28 Ann street, at the Real Estate Exchange Salesrooms, Nos. 14 and 16 Vesey street, by Joseph P. Day.

Since his disappearance not a clew to the whereabouts of Pettit has ever been found, though scores of persons have tried to find him. George Robinson, a lawyer, offered a reward of \$1,000 for him, dead or alive.

Pettit signed years ago the bond to secure the payment of the mortgage on the annex building, and that is why he was named as a defendant in the action yesterday.

NEW CABRERA PLOT?

Diaz Said to Believe He Has Incited Yaquis to Rise.

Galveston, May 23.—Dispatches from the City of Mexico say that President Diaz declares convincing proof has been found of a plot of President Cabrera of Guatemala to incite the Yaquis to rise against Mexico and cripple her in any war with Guatemala.

GATES STILL WEALTHY.

Assets in Chicago That He Foresees Recent Slump.

Chicago, May 23.—In an interview on his arrival here to-day from New York, John W. Gates declared that he is as wealthy to-day as he was in 1901, when he was reputed to be worth \$50,000,000.

WANTS REPUDIATED BONDS PAID.

Bishop Galloway, of Methodist Church, Springs Sensation in Mississippi Politics.

Jackson, Miss., May 23.—An address by Charles E. Galloway, of the Methodist Church, South, before the Mississippi Press Association, in which the Bishop boldly advocated the payment of the Planters' Bank and Union Bank bonds, which have been repudiated by the State, has created a sensation of the first magnitude in Mississippi politics.

FRANCIS JOSEPH FOR THIRD TERM.

Austrian Emperor Wishes the President Would Accept Re-election.

Vienna, May 23.—The delegates to the 1907 session of the International Chamber of Agriculture were presented to Emperor Francis Joseph at court this evening.

CROSS CONFERRED ON SPAIN'S HEIR.

Madrid, May 23.—The traditional ceremony of conferring the Cross of Pelayo on the Prince of the Asturias, the newly born heir to the throne of Spain, took place in the palace to-day in the presence of the members of the royal family and a gathering of government officials.

PEABODY ADMITS SOUGHT GOULD EVIDENCE

Sent Telegram from Baltimore—Breaks Down to Hanson.

Lieutenant Frank Peabody told Deputy Commissioner Hanson nearly all that he knew last night about Inspector McLaughlin's use of the Police Department to further the ingenious Howard Gould by getting evidence against Mrs. Gould.

Peabody, during his confession, made this remark to Mr. Hanson: "What chance have I got, if I should talk? My superiors would hound me. I would have no standing in the department. I think that McLaughlin should tell all he knows.

PEABODY SENT TO BALTIMORE.

Peabody said that he wanted to go to Washington on a clew in the Regan murder, so the Inspector told him that he had better go to Baltimore and look into this marriage, it being thought that Kathrine Clemmons and Harriet Lowndsdale might be the same.

MORE TROUBLE FOR McLAUGHLIN.

The Deputy Commissioner was reluctant regarding what Mr. Nicoll had said, but it is known that a part of the conversation was taken down by a stenographer. It will be made a basis for further question of Captain McLaughlin and the others.

BECK'S CAREER IN CHINA.

Beck left the employ of the railroad in 1900 to go to China in charge of an exhibit sent out by the National Association of Manufacturers of America.

PEABODY EXPLAINS ABSENCE.

Captain McCafferty explained that the lieutenant on the desk, thinking that Peabody was asking if there had been any telephone calls for him while he was eating, told him "No."

Baltimore, By Telegram to The Tribune.

Baltimore, May 23.—Captain Pumfrey, of the local detective force, is exercised over the unusual course adopted by the New York department to gain information about Peabody in this city.

JEWEL THEFT \$500,000.

WOMEN VICTIMS, TOO.

Mrs. Thomas C. Platt Said To Be a Loser—Boeck Played Races.

Further investigation into the life of J. Edward Boeck, the fugitive diamond broker, shows a most interesting state of affairs. According to one man prominent in jewelry circles, the loot that Boeck obtained in money and jewelry will amount to something like half a million of dollars.

Boeck, it was learned yesterday, boasted constantly to his friends that he was the agent of Mrs. Thomas C. Platt and that she had given him the task of selling Tieda Lodge, which came to Mrs. Platt when she was separated from her husband.

BELL SENT TO CHAIR.

Prisoner Makes Dramatic Plea at Close of His Trial.

After being out less than three hours, the jury brought in a verdict of guilty of murder in the first degree last evening against John Bell, the streetcar conductor, accused of killing Dr. Charles Wilmut Townsend on January 25, in his Staten Island home.

"I ask no favors," Bell told the jurors, "and no sympathy, and if you think I am guilty, I want you to render a verdict accordingly. The District Attorney has told you that the cap I wore when arrested was mine. It is not so. That cap was in my home and I wore it when arrested, but it was not mine.

MR. TILTON NO BETTER.

Not in Immediate Danger, Though His Condition Is Serious.

Paris, May 23.—The condition of Theodore Tilton, the well known American editor and author, who in 1874 brought a civil suit against Henry Ward Beecher for \$100,000 damages, showed no improvement at a late hour to-night.

DIES ON WAY TO POORHOUSE.

Man Who Made a Small Fortune Through Lunch Counters Expires in Cab.

Ogdensburg, N. Y., May 23.—Marvin Waite, fifty-nine years old, of Gouverneur, died in a hack while awaiting a train to carry him to the poorhouse at Canton. He went West when a young man and remained until a few years ago, when he returned home broken in health.

SAYS LONGWORTH IS AN INTERLOPER.

Columbus, Ohio, May 23.—James Frieser, who is confined in a sanatorium here, applied to-day to the court for his release. He declares that he is the rightful husband of Alice Roosevelt Longworth and that Nicholas Longworth is an interloper and should be shot.

ARREST IN GIRL MURDER.

Police Say They Have Slayer of Amelia Staffeldt.

The first arrest in the murder of fifteen-year-old Amelia Staffeldt, who was found dead in a pasture near her home, in Elmhurst, Long Island, on Wednesday, was made last night. Henry Becker, twenty-one years old, who said he lived at No. 644 East 30th street, was taken in custody on suspicion by Captain McCafferty, of the Elmhurst station, and Lieutenants Galvin and Graham.

According to the police, Becker admitted being in the neighborhood at the time of the murder and washing his hands at the pump of Mrs. Simmons, who lives in the neighborhood. He was arrested at the Shell Road and Broadway, within a stone's throw of the home of the murdered girl.

Captain McCafferty said he believed Becker was the murderer and that he knew he had a bad reputation in the neighborhood in which he lived. According to the Captain Becker has been arrested in Manhattan on a charge of attempted assault. It was said late last night that Becker acted as if he were half-witted.

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SURPRISE FROM HUGHES SENDS SPECIAL MESSAGE.

Urges Recount Bill's Passage—It May Not Go to Mayor.

[By Telegram to The Tribune.] Albany, May 23.—As various Senators to-day were trying to stave off the presentation of a notice by Senator Cohan that at some future time he would move to pass the recount bill out of its regular order, a message from Governor Hughes reiterating his recommendation that this measure be made law reached the Senate chamber.

In my first message to the Legislature I recommended that provision be made for a recount of the votes cast for Mayor at the municipal election in New York City in 1905. The reasons for this recommendation were fully stated. The doubt that exists as to the result of that election should be dispelled and the demands of justice with reference to a matter of fundamental importance should be satisfied.

A bill providing for the recount has passed the Assembly, and I respectfully urge its passage by the Senate. The measure is neither for nor against any one, but it simply in the public interest, in order to provide the means for settling a matter which all should desire to place beyond controversy.

MIGHT DELAY ADJOURNMENT.

The Legislature is beginning to learn that the Governor is a man of his word with an unusual stock of determination. Holding the Legislature for the fifteen days allowed to the Mayor by law to decide on the bill would throw adjournment from the end of next week, the time practically decided on by Senator Raines and other leaders, to well along in June.

"I think that when we get through with the bill as it has worked no previous day this year, and went through a long third reading calendar, preparatory to getting into committee of the whole, early next week, when the recount bill may be taken up, if amendments of the character reported can be taken up when the requisite three days on the files in its new form have passed. By that time the Senate surely could get to that order of business and advance it to third reading and then pass it. It could be re-passed easily in the Assembly, and then could be sent to the Governor and would not interfere with any plans for early adjournment.

NOTHING DONE ON REAPPORTIONMENT.

Some persons here suspect that the Governor would like to have the Legislature here for other things than the recount bill—for reapportionment, for instance. Nothing was done on that subject to-day. Nothing will be done until next week. Members of the Apportionment Committee still are in the air as to the plan they shall adopt. Senator Tully has had several talks with Governor Hughes on the subject, as have other legislators here. All they have gained from them was a reiteration of the Governor's belief in the necessity and advisability of a complete reapportionment, which could not be subject to challenge from any source.

When the sub-committee on plans next week gets its tentative bill prepared, Senator Tully will have another talk with the Governor about the plan of redistricting provided for in the bill. Hughes men believe that the Governor if he found objections to this plan would not hesitate to point them out to Senator Tully, but they declare that in no case would the Governor advocate any changes or plans of his own. What the result on the reapportionment will be can only be estimated from the victory won by the Governor on the utilities bill and by the haste with which the Senate set about work on the recount proposition.