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BISHOP DAY RESIGNS

Action of Syracuse Man Paves a Sensation at the Methodist Conference.

MOVED BY DICTATES OF CONSCIENCE

Asserts that Neither Coercion Nor Duties Prompt His Action.

ANNOUNCEMENT CREATES A SURPRISE

Bishop Desires to Confine Efforts to Educational Fields.

PROBABLY NO SUCCESSOR AT THIS TIME

General Conference Indefinitely Postpones Election of Successor to the Late Bishop Chosen at This Session.

LOS ANGELES, Cal., May 23.—The most sensational incident of the Methodist general conference occurred this morning in the resignation of Bishop James H. Day of Syracuse, N. Y. His resignation was accepted by the conference, the conference then voted to indefinitely postpone the election of a successor to Dr. Day on the episcopal board, and this action was taken to mean that there will be no balloting for an eighth bishop by this conference as the board will remain as at present constituted.

In resigning his position Bishop Day asked permission of the conference to retire from further attendance. The resignation came as a profound surprise to every one, except a few friends who had suspected his mind regarding his determination, and his statement which preceded his action was listened to by the delegates and crowded galleries with intense interest.

When Bishop Fos, who was presiding, asked the conference to hear a statement from Bishop-elect Day, as a matter of personal privilege, the assembly appeared to divine that something out of the usual was about to happen and immediately granted permission. Dr. Day, who occupied a seat among the bishops on the platform, came to the front of the speaker's stand, and in a tense and impressive tone of voice began his statement.

"I do not believe," said Dr. Day, "that any man in the conference will charge me with disloyalty to my conscience and to my God. I believe that every one will concede that I am actuated by honest motives and that I am fulfilling my duty in taking the action I am about to take. It has been no coercion by the trustees of my university and that material considerations did not in any way enter into this matter. I am acting solely on the dictates of my conscience and have arrived at a conclusion only after two days of earnest and prayerful consideration. After thinking of the matter over I then felt at liberty to withdraw my name and did so. In the face of this, my friends kept my name before the conference, and when my name was called I was astonished to see my name going to me. I did not expect to see my name there, but I was surprised to find it there. I have thought of nothing but my duty to the church of which you are the representatives. I am not influenced by material considerations. There are new factors in my problem. I must try to do my duty for Christian education. I do not feel myself called to take up my resignation of the office of bishop and ask the confidence of this general conference."

There was a murmur of surprise among the delegates which was still in a moment by the voice of Dr. J. M. Buckley, seeking recognition of the chair. Dr. Buckley began by reading a paragraph of a statement made by the conference by Dr. Day on last Saturday concerning a newspaper article which had to do with an alleged altercation between Dr. Day and Prof. Alexander Haddad, as follows:

"I stand upon these principles today; but if I did not, after having given you my resignation, after having appealed to your kindness and your fairness, I am not capable of permitting you to vote for me for the episcopal office. I most certainly have not by the remotest hint or thought felt that I would use any such incident as this to promote myself to that high office."

Dr. Buckley stated that he had had no conversation with Dr. Day until Saturday evening, and then had endeavored in every way to induce him to abandon his determination to resign.

That," said Dr. Buckley, "when a man puts his action upon his conscience and duty to God argument is useless, and if insisted upon becomes impertinent."

Dr. Buckley then quoted a paragraph of the discipline to show that Dr. Day was not resigning the office of bishop, but only the eligibility to that office, as he had not yet been consecrated. He argued that the conference had a perfect right to nullify the act of his election, and that precedent was furnished in the case of Joshua Soles, who resigned after his election at the general conference of 1890. He moved that Dr. Day's resignation be accepted.

The question was put without debate and was carried unanimously.

Dr. Buckley thereupon moved that the conference proceed to ballot for a bishop to take the place of Dr. Day in order to carry out the recommendation of the episcopal committee for the next year.

Dr. Wright moved as a substitute for this motion that the further election of general superintendents be postponed. This was adopted almost unanimously and is taken to mean that there will be no more general superintendents chosen by this conference.

The vote for three missionary bishops was announced today as follows: For Africa, Rev. I. B. Scott; for southern Asia, William F. Oldham and John L. Robinson.

The conference rescinded its action of Saturday by which the representatives of a local newspaper were excluded from press privileges. It also fixed Thursday evening, May 28, as the time for consecrating new bishops. The remainder of the day's session was taken up with memorial services in honor of three bishops who have died during the last quadrennium.

REPORTS PHILIPPINE MASSACRE

Manila Hears that Friendly Natives Are Killed by Natives on Mindanao.

MERGER HEARING CONCLUDED

Argument Turns Largely to Title of Northern Pacific Stock.

AFFECTS HARRIMAN-PIERCE HOLDINGS

Settlement of the Title to the Disputed Securities Involves the Control of the Company.

TRENTON, N. J., May 23.—Argument was concluded this afternoon in the United States circuit court today in the case of the application of E. H. Harriman and Winslow P. Pierce to restrain the proposed plan of distribution of the assets of the Northern Securities company, which was decided by the United States supreme court and the illegal combination.

The concluding argument for the Northern Securities company was made by John G. Johnson of Philadelphia and W. D. Guthrie of New York closed the argument on behalf of the complainant. The argument on both sides turned largely on the subject as to the title of the Northern Pacific stock which Harriman and Pierce put into the combination and which amounted to about \$7,000,000.

The main contention of Mr. Johnson was that the stock had become the absolute property of the Northern Securities company and that the title thereto was legal for the Northern Securities company to carry out the pro rata plan of distribution upon which the company had agreed. Mr. Guthrie's principal point was that by reason of the illegal combination, title to the Northern Pacific stock had passed to the complainant, and that in consequence they were entitled to have returned to them the particular stock which they put into the combination, and which involved the control of the Northern Pacific company.

Controversy Not Between Stockholders. Argument was opened by John G. Johnson, representing the Northern Securities company. He stated first that the controversy was not one between stockholders. Neither was it a claim that the directors of the Northern Securities company had exceeded their powers. What is in dispute, he said, is a plan of the Northern Securities company to distribute property which the complainant claims to be its own. The case, therefore, stands, he said, on the question of title to the Northern Pacific Railway stock which was formerly owned by Harriman and Pierce, and which was afterwards acquired by the Northern Securities company. Mr. Johnson outlined a number of points which he thought were his argument. Among other things, he said, the bill of complaint was insufficient, because it made no averment of title. The bill, he said, violated the settled principles of equity, that the complainants were guilty of inequitable conduct in that they did not claim interest in the shares of common stock which they had never owned. Mr. Johnson was rather caustic in his reference to Mr. Harriman whom, he said, became a director of the Northern Securities company, and that the stock acquired by the Northern Securities company was acquired with the aid of Harriman's vote. The stock held by Harriman and Pierce in the Northern Pacific company, he said, was sold to the Northern Securities company, and from that time Harriman could have no possible right in the stock or interest in it whatsoever.

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EXPERT TESTIFIES IN CASE

Evidence on Behalf of Defendant in Hearing at Rising, Sun, Indiana.

SUPPLY CHINESE WITH GUNS

Russian Officers Are Caught in Act of Selling Government Stores.

CHINESE ARE INCENSED AT INVADERS

German Correspondent Says They Are Longing for the Time When They Can Avenge Their Wrongs.

BERLIN, May 23.—A correspondent of the Frankfurter Zeitung, writing from Harbin under date of April 15, gives striking details illustrative of the conditions of the Russian army and the relations existing between the Russians and the Chinese. He says that two officers, Lieutenant Colonel Korolnik and Staff Captain Ignatovich, are in the Harbin prison awaiting the carrying out of sentences of death imposed upon them for selling large supplies of gunpowder to the Chinese for the use of the officers charged the men \$35 per thirty-six pounds, but their supplies running low, they filled the boxes partly with sand and placed a layer of gunpowder on top. At the same time they raised the price to \$50.

The Chinese merchants, incensed at the swindle, caused the matter to be made known in higher quarters and a watch was kept, resulting in the detection of the officers. A regular arsenal with modern rifles, including many of the German model of 1900. The robber bands have grown bolder and more active than ever. Within a few weeks of the date of the letter to the Frankfurter Zeitung a band consisting of many as 2,000 men attacked a well guarded railway station. The Russians asserted positively they recognized Japanese officers in command of the assailants.

Continuing, the correspondent says that ferocious bitterness prevails throughout the Chinese population against the Russians. He then relates the following incidents in explanation thereof. After saying that the Russian settlers regarded the natives as being far lower than dogs, the correspondent says Russian officers assured him that the peasant settlers tested their new rifles by taking natives as a target. "One engineer with whom I traveled," he asserts, "did not salute a well known officer because the latter had shot down eight of the engineer's best laborers in mere wantonness. His complaint remained unheeded."

In consequence of such conditions, the correspondent asserts in conclusion, the entire laboring population are longing for the moment they may dare fall upon their tormentors.

GENERAL MA TREATS WITH BANDITS

Chinese Render Assistance to Leader Who Would Fight Russians.

LIAO YAN, May 23.—General Ma, commander of the Chinese troops, is in constant communication with Toulian, the chief of the Chinese bandits, who are adopting military organization under Japanese instructors.

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POLICE CONTINUE CRUSADE

Every Suspected Poolroom in Manhattan Borough Raided by the Officers.

CHOOSE TWELVE DELEGATES

Indianapolis Will Be Represented at the Constitutional Grand Lodge, B'Nai B'Rith.

INDIANAPOLIS WILL BE REPRESENTED AT THE CONSTITUTIONAL GRAND LODGE, B'NAI B'RITH.

Indianapolis, May 23.—The grand lodge of district No. 2, Improved Order of B'Nai B'Rith, tonight chose twelve delegates to the constitutional grand lodge, the highest lodge in the order, which meets in New York next March. Sol S. Kiser and I. N. Trilms of this city, Victor Abraham of Cincinnati, M. Friedman of Denver, Leon Block of Kansas City, Samuel Bowman of St. Louis, Nathan Drucker of Cincinnati, Jacob Furth of St. Louis, M. Marks, president of the Indiana Society of Ohio of Cleveland, Alfred Muller of Denver, Willard Craven of Cincinnati and N. M. Uril of Louisville were selected.

The constitutional grand lodge meets only once in five years. At the coming convention there will be delegates from everywhere on the globe.

TWO SHOT OVER DANDELIONS

Italians Fight in Pennsylvania and Stranger Takes Gun with Effect.

MEYERDALE, Pa., May 23.—In a dispute over dandelions at Elk Lick mine, one mile east, three Italian miners met death and the fourth participant escaped. An Italian named Louis was gathering dandelions in the rear of a boarding house run by Dominick Bilie. Bilie ordered Louis away, justly. Louis cursed Bilie, at which Bilie pulled a gun and shot him. An unknown Italian interfered, taking Louis' part, and shooting Bilie and his cousin, Samuel Bilie, who was coming along on a bicycle. The unknown Italian then escaped, but is thought to be hiding in the vicinity. The authorities are in pursuit.

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NEBRASKA WEATHER FORECAST

Fair in East; Showers in West Portion and Warmer Tuesday; Wednesday, Showers.

Temperature at Omaha Yesterday:
Hour. Deg. Hour. Deg.
5 a. m. 50 1 p. m. 53
6 a. m. 50 2 p. m. 53
7 a. m. 50 3 p. m. 52
8 a. m. 50 4 p. m. 53
9 a. m. 50 5 p. m. 52
10 a. m. 50 6 p. m. 51
11 a. m. 50 7 p. m. 51
12 m. 50 8 p. m. 51
5 p. m. 50 9 p. m. 50

SUMMARY OF THE WAR NEWS

Russians Worried Over Strengthening of Right Flank of Kuroki's Army.

(Copyright by New York Herald Co., 1904.)
NEW YORK, May 23.—(New York Herald Cablegram—Special Telegram to The Bee.)
After having been mysteriously sunk and subsequently raised, the Russian battleship Orel at Cronstadt met with another mishap. An explosion occurred in its bunkers and ten stokers were killed. Japanese spies have been arrested at Cronstadt and reports of investigations that are being made indicate that a suspicion exists that the occurrences on board the Orel were not accidental.

Dispatches were received confirming the report that the Bogatyr of the Vladivostok fleet was destroyed by the Russians after having been run aground, its guns first being removed.