HUNTERS WHO WERE HUNTED

(Concluded from Page 3.)

train, they were approached by Dr. Kolbfus and asked if it was not true that their cases contained game. They gave evasive questions and a few de nials and sought to ridicule the idea, but the warden insisted that they were carrying game and demanded that the cases be oppened for inspection.

DEMURRED AND PROTESTED. They demurred and protested but, finally, when appealed to as gentlemen and good citizens to recognize the authority of the law without making it necessary to use force they gave up their cases and the keys to them. As the warden had suspected, every package was jammed full of dead bilds, native and English pheasants pre-

dominating. It was contrary to the law to kill English pheasants in Pennsylvania last year. The United States law, the Lacey bill, makes it a penal offense to take out of any state any game killed in violation of a local law of that state. The warden notified the party that they were under arrest for violation of the Lacey law, and after taking their business cards and securing their word that they would enter bail before a stipulated justice of the peace at Milford, Pike county, allowed them to take the train for home,

They sent an attorney and bondsmar to Milford a few days later, gave bail for their appearance and proceeded to prepare a defense.

The case was set down for the Harrisburg session, but at the request of the defendants, was continued to Scranton. All were on hand, yesterday, and with them as leading counsel was ex-Attorney-General Kilpatrick, of Easton, who was the head of the state law department during Governor Beaver's term, 1887-1891, and who prior to that was president judge of the Third Judicial district. Attorney C. W. Bull, of Milford, assisted him.

GOVERNMENT'S SIDE.

On the government's side, assisting United States Attorney S. J. M. Mc-Carrell, were Robert P. Snodgrass, of Harrisburg, and Hon. John S. Wise, of New York, former congressman from Virginia, son of ex-Governor Harry A. Wise, of Virginia, and a valiant officer the southern confederacy. The United States government's special representative to attend the trial is T. S. Palmer, of Washington, who for years has been connected with the department of fish and game.

The flood-belated court attaches, jurors and litigants were all on hand, yesterday, and after the grand jury had been charged and sent out, the consideration of the Blooming Grove case was at once taken up. By noon-time four of the seven indictments had been returned true bills and the trial of the case was proceeded with. The jury was drawn, and without waiting for a return on the other three cases, the four defendants first indicted were arraigned. These were Messrs . Smith, Kuser, Barry and Kuser.

Much to the disappointment of those who were looking on, in expectation of an interesting trial, the case has gone over. The defense entered a demurrer to the indictments, and, after hearing arguments for three hours, Judge Archbald decided to continue the case, and deliberate at leisure on the motion to quash the indictments.

Nineteen reasons were advanced in the attack on the indictments. General Kilpatrick spoke for nearly two hours reasons, and made a remarkably interesting argument. United States Attorney McCarrell, General Wise and Mr. Snodgrass spoke in support of the

ONE OF THE REASONS.

One of the reasons assigned against the indictment was that the Lacey bill. on which it is founded, is unconstitutional because it attempts to impose a police regulation in a state, under the guise of an interstate commerce regulation, and thereby is an invasion of state rights.

In replying to this argument, General Wise-ex-Confederate officer and son of a southern governor-turned to General Kilpatrick and said: "Strange, indeed, are the changes made by the whirligig of time. General Kilpatrick gives me a new sensation. The grave alarm he voices over the consequences of the United States invading state States against the accusation of invading state rights."

Even the added dignity inspired by a silken gown failed to restrain the court from joining heartily in the general laughter.

In his argument attacking the indictment, General Kilpatrick said that if the defendants are indictable at all, it is for shipping game out of the state without having the packages plainly marked as to their contents, and on this count the indictment can not prevail, as the defendants did not complete the act of shipment. The law only contemplates the penalizing of a consummated shipment, the actual carrying of game out of the state, or the ictual delivery of the same to a carrier. In the common law, the intent to commit an indictable offense is, itself, indictable. In the federal courts, however, intent is only an offense when particularly specified. These defendnts might have prepared to ship, and had the intention of shipping up to the very moment of their arrest, but preparation and intent are not a crime in be prevented by the timely use of this instance, because the law does not specifically make them such.

AS TO STATE RIGHTS.

Then General Kilpatrick assailed the constitutionality of the Lacey law, characterizing it as an invasion of state rights. The state must police its own citizens, he went on to say. The federal government has no authority to make police regulations for a state or to aid a state in local police regulations. The Lacey law attempts to aid in state police legislation, under the guise of its interstate commerce powers of legislation, and in doing so, is guilty of an improper exercise of federal legislative

indictable offense, even though they failed to ship the game out of the state and had only prepared to carry It out, follows from the fact that the evasion of the provision that the packages containing game to be taken out of the state must be plainly marked, is the offense which the law particu-larly forbids. The defendants were guilty of an evasion of the law and the indictment charges an evasion. The thing prohibited is the concealment of the identity of the game.

IN DEFENSE OF THE LAW.

In defense of the constitutionality of the Lacey law, Mr. McCarrell quoted the decision of the supreme court in the case of Gear against Connecticut, in which it was decided that the state, as trustee of the people of the state, who own the wild game of the state, can regulate how it shall be taken so that it can be preserved as a food supply for its own people, even if such regulations discriminate against citizens of other states. He also averred that there should be no question as to the power of the federal government to recognize this right in its framing of an inter-state commerce regulation for

the transportation of game. In opening his argument in favor of the indictment, Mr. Wise said he would like to know from the other side just when the defendants should have been arrested. According to General Kil patrick they were not guilty of an offense until they had crossed the state line with their game. After they crossed the line, they couldn't be ar-

After reviewing the game laws from their very inception and explaining that the purpose of the Lacey law was to make it impossible to sell game in one state out of season by representing that it came from another state, Mr. Wise entered upon an elaborate defense of the constitutionality of the Lacey law opening with the bit of hu-

mor related above. "The states," he said, in dwelling upon General Kilpatrick's alarm over the attempt secession or a new career of violence by reason of the Lacey law, for this law is begot of the very confession that the federal government has no state rights in the matter of regulating hunting."

Mr. Snodgrass closed for the prosecution with a brief treatment of the Pennsylvania law, the defendants are alleged, incidentally, to have violated. General Kilpatrick in reply contended there was no evasion of the law any more than there was a violation of it, because the act of taking the game out of the state or delivering it to be

MORE MARINES ENLISTED.

onsummated.

carried out of the state had not bee

Quartette of Young Men Sent to League Island Navy Yard.

A quartette of young men were enisted at the local marine recruiting station, 134 Wyoming avenue, yesterday, by Major G. Barnett, and sent to League Island Navy Yard, Pa. They are: James Leonard, Joseph Fultz. Francis Parson and Harry Brennan, all of this city.

The marine corps is about to be increased by this term of congress, and for this reason many young men are making application to enlist, as there will be plenty of promotions for young men who have a military desire, and who can behave themselves, as the law provides for the promotion of worthy enlisted men to second lieutenants.

Marines are taught in a strict school. where discipline and duty are the watchword, and when sent to sea have a fine opportunity to see all parts of the world. An increase of pay is given The marines have good quarters and food, also libraries and all kinds of games for men attached to their barracks in our navy yards.

D., L. & W. Board for Today.

The following is the make-up of the Delaware, Lackawanna and Western board for today:

TUESDAY, MARCH 4. Extras East-8 p. m., Hoboken, Nugent; 10 p. m., W. J. Mosier; 11 p. m., Hoboken, Ruegg.

WEDNESDAY, MARCH 5.

Delaware, Lackawanna and Western.

In Effect Nov. 3, 1901.

Trains leave Scranton for New York—At 1.40, 3.15, 6.05, 7.50 and 10.05 a. m.; 12.45, 3.40, 3.33 p. m. For New York and Philadelphia—7.50, 10.05 a. m., and 12.45 and 3.33 p. m. For Tobyhama—At 6.10 p. m. For Buffalo—1.15, 6.22 and 9.00 a. m., 1.55, 6.50 and 11.35 p. m. For Binghamton and way stations—10.20 a. m. and 1.10 p. m. For Oswego, Syracuse and Utica—1.15 and 6.22 a. m.; 1.55 p. m. Oswego, Syracuse and 11tica train at 6.22 a. n. daily, except Sunday, For Montrose—9.00 a. n.; 1.10 and 6.50 p. m. Nicholson accommodation—4.00 and 6.15 p. m. Bloomsburg Division—For Northumberland, at 6.35 and 10.05 a. m.; 1.55 and 6.10 p. m. For Plymouth, at 8.10 a. m.; 3.40 and 9.00 p. m. Sunday Trains—For New York, 1.40, 3.15, 6.05 and 10.05 a. m.; 1.55, 6.50 and 11.35 p. m. For Binghamton and way stations—10.20 a. m. Bloomsburg Division—Leave Scranton, 10.05 a. m. and 6.10 p. m. Extras East-1.30 a. m., J. H. Masters with Baxter's crew; 4 a. m., A. II. Rowe; 6 a. m., Hoboken, Harvey; 8 a. m., E. M. Hallett; 9 a. m., Hoboken, McCarthy; 10 a. m., W. W. Labar; 11 a. m., H. Doherty; 1 p. m., Thomas; 2 p. m., Hoboken, McCathern; 3 p. m., Van ormer; 5 p. m., Hoboken, Carney; 6 p. m., C. W. Dunn

Summits, Etc.-6 a. m., J. Hennigan; 8 a. m., Pushers-6 a. m., Widner; 7 a. m., S. Finnerty; i. m., Houser; 11.45 a. m., Moran; 6 p. m., C

Bartholomew; 7.30 p. m., Nauman; 9 p. m., W. H. Bartholomew; 10 p. m., Lamping, Helpers—7 a. m., Gaffney; 7 a. m., Singer; 10 a. m., H. Coslar; 6.45 p. m., Lattimer; 8.30 . m., McGovern. Extras West-8 a. m., M. Carmody; 10 a. m.,

NOTICE Larkin with J. Gahagan's crew run No. 52, March 4. Kearney and crew run No. 54, March 4.

William Kirby with Wall's crew; 11 a. m., John Gabagan; 2 p. m., C. Kingsley; 4 p. m., A. E. Ketchum; 11 p. m., O. Randolph,

Murphy and crew run No. 56, March 5, W. D. Warfel and crew run 11.30 p. m. extra A. Gerrity and crew run 8 a. m. extra. March M. Ginley will run 7 p. m. extra with P. J Nealis' crew, Murch 4.

L. D. Lattimer will run 6.45 p. m. helper,

Pneumonia always results from a cold or from an attack of the grip, and may Chamberlain's Cough Remedy. This fact has been fully proven in many thousands of cases. Sold by all drug-

RAILROAD TIME TABLES.

Lehigh Valley Railroad. In Effect, Nov. 3, 1961.

Trains leave Scranton.

For Philadelphia and New York via D. & H.
R. R., at 6.38 and 9.38 a. m., and 2.18, 4.27
(Black Diamond Express), and 11.39 p. m. Sundays, D. & H. R. R., 1.55, 8.27 p. m.

For White Haven, Hazleton and principal points in the coal regions, via D. & H. R. R., 6.38, 2.18 and 4.27 p. m. For Pottsville, 6.38 a. m., 2.18 p. m. Improper exercise of federal legislative power.

The law is also unconstitutional, he argued, because it offends against the federal bill of rights. A federal law which denies to people of New York any right which is not denied the people of Pennsylvania is a discrimination against the people of one state in favor of those of another, and therefore unconstitutional.

United States Attorney McCarrell led in the argument, in support of the indictments, in a brief, but clear logical and interesting speech. The Lacey law, he said, is purely within the scope of federal legislative authority, for it is nothing more or less than a law regulating inter-state commerce in game.

That the defendants are guilty of an

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Our stock is the most complete in Northeastern Pennsylvania.

Our prices are the lowest for dependable merchan-

Every article is sold with our guarantee.

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phone orders. Both phones.

light store in America.

Our electric plant system connected by long tunnel, is the most complete of its kind in this country. Will gladly show you on request.

Our restaurant furnishes dainty and tempting meals.

Store is built on the values prices.

SOMETHING NEW SOMETHING SWEET Honeycomb Candy

The whole city is going wild over the new Honeycomb Candy. Get a free sample of the latest candy Big Store.

RAILROAD TIME TABLES.

Delaware, Lackawanna and Western.

New Jersey Central.

In Effect Nov. 17, 1901.

Stations in New York, foot of Liberty street and South Ferry, N. R.

Stations in New York, foot of Liberty street and South Ferry, N. R.
Trains leave Scranton for New York, Philadelphia, Easten, Bethlehem, Allentown, Mauch Chunk, White Haven, Ashley and Wilkes-Barre at 7.30 a. m., 1 t. m. and 4 p. m. Sunday, 2.10 p. m. Quaker City Express leaves Scranton at 7.30 c. m., through solid vestibule train with Pallman Buffet Parlor Cars, for Philadelphia, with only one change of ears for Baltimore, Washington, D. C., and all principal points south and west.
For Avoca, Pittston and Wilkes-Barre, 1 p. m. and 4 p. m. Sunday, 2.10 p. m.
For Long Branch, Ocean Grove, etc., 7.30 a. m., and 1 p. m.
For Reading, Lebanon and Harrisburg, via Allentown, at 7.30 a. m. and 4 p. m. Sunday, 2.10 p. m.

Pottsville at 7.30 a. m. and 1 p. m.

J. S. SWISHER, Dist. Pass. Agt., Scranton.

For rates and tickets apply to agent at station. C. M. BURT, Gen. Pacc. Agt.

Schedule in Effect June 2, 1901.

Schedule in Effect June 2, 1901.

Trains leave Scranton: 6.38 a. m., week days, through vestibule train from Wilkes-Barre. Pullman buffet parior car and coaches to Philadelphia, via Pottaville; stops at principal intermediate stations. Also connects for Sunbury, Harrisburg. Philadelphia, Baltimore, Washington and for Pittslung and the west.

9.38 a. m., week days, for Sunbury, Harrisburg, Philadelphia, Baltimore, Washington and Pittsburg and the west.

1.42 p. m., week days (Sundays, 1.58 p. m.), for Sunbury, Harrisburg, Philadelphia, Baltimore, Washington and Pittsburg and the west.

3.28 p. m., week days, through vestibule train from Wilkes-Barre. Pullman buffet parior car and coaches to Philadelphia via Pottsville, Stops at principal intermediate stations.

4.27 p. m., week days, for Harleton, Sunbury, Harrisburg, Philadelphia and Pittsburg.

J. B. HUTCHINSON, Gen. Mgr.

J. B. WOOD, Gen. Pass. Agt.

New York, Ontario and Western.

In Effect Tuesday, Sept. 17, 1901, NORTH BOUND,

SHOPPING NEWS

Dress Goods

Black Gown Cloths

In effective rarity and newest ideas. Recent developments, both in Europe and America, show conclusively that for Black Gowns "Clingy" Fabrics will be and are most in demand.

We are showing for Tailor Made Gowns an eight ounce Sedan Twill in high finish, at \$3.00 per yard.

And the six ounce, at \$2.25, same finish. These numbers are particularly handsome. In the still lighter weights, such as Silk and Wool and All Wool, the Grenadines not give satisfaction, goods Gauzes and Etamines prevail over foundations of white and black. They are both effective and stylish; a peculiar, graceful costume. Prices range from \$1.00 to \$4.00 a yard.

Cream Suitings

For golf, mountain or seashore use-in the Clay Diagonal, Panama, Crash and Fancy Basket Weaves. These goods are in great demand. They are 48 inches wide, at \$1.00 and \$1.25 a yard.

A messenger awaits your Mistral Cords

We have the best day- and plain shades, 48 inch wide at 89c a yard.

Each day sees us add to this popular department, and the constant increasing numbers of callers for high-class merchandise encourages us in the belief that the ladies of Paris, New York and Scranton enjoy the same taste.

Corsets

Corsets

Ladies' Fine Coutille Corsets, C.-B., short and long hip; French gored, straight 75c The success of this Big front, lace trimmed, top and bottom; regular \$1.00 kind. Now

Ladies' Nemo "R Strait" Front Corset, Coutille, lace trimmed; regular \$1.50 98c

Ladies' Fine Girdle Corset in pink, blue and white, lace trimmed top and 45c bottom; regular 69c kind. Now.....

Infants' Long and Short Bedford Cord Cloaks

Long Cloaks, Trimmed with fancy silk braid, with extra cape and ruffle. Short craze. Only for sale at the Cloaks, trimmed with deep Ruffle, edged with three rows of silk ribbon at

MUCH TROUBLE THAT PLEASES A CUSTOMER Our patrons frequently

NOTHING IS TOO

style this the "willing store."

Notes of interest from this interesting depart-

Odd China

HANDSOMELY DECORATED Cups and Saucers-15c instead of 25c Salad Bowls-

48c instead of 75c 75c instead of \$1.10 98c instead of \$1.50 7 Piece Salad Set-89c instead of \$1.25 98c instead of \$1.50

Plates, Decorated— 9c instead of 15c Assorted Japanese Chinaware-

7c instead of 10c

Jardinieres

Fine Pottery Jardinieres n rich color effects and neatly embossed:

29c instead of 49c 39c instead of 69c 49c instead of 75c 75c instead of \$1.25

\$1.29 instead of \$2.50 Jardinieres and Pedestals-\$3.39 instead of \$6.00

Glassware

Water Tumblers-21/2c instead of 5c Fruit Bowls-

10c instead of 15c Bottle--10c instead of 15c

Covered Butters-15c instead of 25c Covered Sugars—

15c instead of 25c Spoon Holdersroc instead of 15c

Creamers—

10c instead of 15c

Jonas Long's Sons

The Advance Matting Sale...

Has brought for your selection the best products of Japan and China. A feature of these new importations is the artistic pattern and color effects secured in this most sauitary and durable of all low-priced floor covering.

20 yards fancy China Matting— jointless; a choice weave orna-mented with patterns of 3.25

JAPANESE (cotton warp) MATTING— Fine weave, Fetching figure schemes, suggestive of the land of flowers. COTTON WARP JAPANESE MATTING

JAPANESE MATTING-Closely

cotton warp-a wearer par excel- 250 lence. Advance Sale Price, per vd.

-Excellent wearing quality; worth is apparent at a glance. The price is 32c far below real value. Per yard.... JAPANESE COTTON WARP MATTING -- Made of extra fine material, closely weven. Neat, small pattern in many color effects. Advance sale, per 35c yard

Credit You? Certainly!

SCRANTON, PA

Erie Railroad, Wyoming Division.

Trains for New York, Newburgh and Intermediate points leave Scranton as follows: 7.20 a. m.; 2.25 p. m.
Arrivals—10.35 a. m. from Middletown, Honesdale, Hawley and intermediate points. 0.20 p. m. from New York, Newburgh and intermediate points. No Sunday trains.

221, 223, 225, 227 Wyoming Avenue

RAILROAD TIME TABLES Delaware and Hudson.

Delaware and Hudson.

In Effect November 24, 1901.

Trains for Carbondale leave Scranton at 6,20, 8,00, 8,53, 10,18 a.m.; 12,00, 129, 2,34, 3,52, 5,29, 6,25, 7,57, 9,15, 11,20 p. m.; 1,31 a.m.

For Honesdale—6,20, 10,13a m.; 2,34 and 5,20 p. m.

For Wilkes-Barre—6,38, 7,48, 8,41, 9,38, 10,43 a.m.; 12,05, 1,42, 2,15, 3,28, 4,37, 6,10, 7,48, 10,41, 11,30 p. m.

Arrive

Arrive

Arrive

Cadosia

M. 10,45 a.m.

date 7,40 p. m.

For Carbondale—8,50, 11,31 a. m.; 2,34, 3,52, 3,23, 4,37, 6,10, 7,48, 10,41, 11,30 p. m.

For Pennavivania R. R. Points—6,38, 9,38 a. m.; 2,18, 4,27 and 11,30 p. m.

For Pennavivania R. R. Points—6,28, 9,38 a. m.; 1,42, 8,28 and 4,27 p. m.

For Abany and all points north—6,20 a. m. and 3,52 p. m.

For Wilkes-Barre—0,38 a. m.; 12,03, 1,68, 3,28, 6,32 and 9,11,47 p. m.

For Wilkes-Barre—0,38 a. m.; 12,03, 1,68, 3,28, 6,32 and 9,17 p. m.

For Albany and points north—3,52 p. m.

For Honesdale—8,50 a. m. and 3,52 p. m.

For Honesdale—8,50 a. m. and 3,52 p. m.

For Honesdale—8,50 p. p. A. Scranton. Pa. SCRANTON, PA.

LAPLIN & RAND POWDER CO.'S ORANGE GUN POWDER

THE

Rooms 1 and 2, Com'lth B'1'd's.

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We Offer, to Yiel I About 5 Per Cent.,

\$250,000

(Total Issue, \$1,000,000) Butte Electric & Power Co.,

Butte, Mont., 5 per cent. 1st Mortgage Sinking Fund Gold Bonds.

Denomination, \$1,000. Maturing I to 30 years. Rudolph Kleybolte & Co., NASSAU ST., NEW YORK CITY.

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"SUNSET LIMITED." (PALATIAL HOTEL ON WHEELS.) Leave New York Tuesdays, Thurs-

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FACTS

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Its Webs flowing oil number over in actual operation. Roldings of rich oil lands comprise over 21,000 acres. Its Stock pays 824 a year for every \$100 invested now.

Its Price at present is 25c, a share Will double at a jump soon. Its Oil holdings are in Ohio. Sania Bar-Its Ohio holdings have advanced 33 1-3% in value within two months.

Its oil is marketed direct to the Standard Oil Co. for each every month.

Earning power on present investment will double when price advances.

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These and many other facts we could men-tion make Eastern Consolidated one of the real opportunities for investors because of a rich dividends and its absolute security.

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customers today. We never han-dle a stock we cannot fully 1409 Real Estate Trust

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