THE OMAHA BEE.

SIXTH YEAR. OMAHA, NEB., MONDAY, JANUARY 22, 1877.---DAILY EDITION. NO. 187.

ALL QUIET AT THE CAPITAL

Reviewing the Battle Ground.

What the Independents Did to Help Achieve a Victory for Right and to Occasion the Downfall of Corruption.

They Deserve Homage.

Correspondence of the Bee.

Lincoln, January 19.—The Commercial is quiet to-night. In fact the entire city acts if something had paralyzed its motive power. The voice of rejoicing is no longer heard. Neither do the walls of the defeated rise audibly to the ears so long used to the jargon of many voices rejoicing or wailing in prospective success or defeat. The B & M. extra last night, conveyed the noisy boys to their respective homes, and the regular trains of to-day distributed the remaining men "who were called by business" to the capital, along the various lines of railroad from Nebraska City to North and Ogallala. The statesmen, too, took their departure to-day, and left silent the once thronging hall of the old capitol building.

The few remaining representatives of the Press and one or two legislators can survey the recent scene of action, with the serenity of an unscathed soldier viewing the battle ground after the retirement of victor and vanquished. They can review the movements of the opposing forces, can note the blunders, stratagems and successful maneuvres, which resulted in the final overthrow of one party, and achieved the victory for the other.

Republicans take to themselves great credit from the fact that the solid vote of their party was given to Saunders, and some, the *State Journal* of this morning, for instance, grant the steadfast and immovable independents no honor for the action they took. Now, it comes with ill grace from a paper supporting the defunct faction, this ignoring of the parties to whom the people are largely indebted for the facitous results which are sent forth in the otherwise able review of the contest

The combined force of the independent members was twelve. Birkhauser, Holt and Howe, Senators, and Gilmore, Girdis, Meyers, Page, McCreedy, Parker, Freirichs, Ewan and Mercer representatives.

Howe supposing himself leader, endeavored to tie the vote to himself, by every means in his power, with no other purpose than transfering it to Hitchcock, but was foiled in this attempt, it being very clearly perceived that he cared nothing for the interests of the party or state, but was attempting to use the delegation for his own base purposes As to the truth of his accepting the proposition to carry that vote for $8 000 we say nothing, but late developments exhibit the fact beyond doubt that he became attached to Hitchcock's interest on and after the Sunday spent in Omaha; and it is even said by Hitchcock men that Boss Stout furnished him money to conduct his Nemaha county campaign, with the understanding that he would support Hitchcock this winter. But be that as it may, one thing is morally certain, all he failed to accomplish for his master was the delivery of the vote, as he made the most strenuous efforts in connection with Hitchcock and his friends to move Birkhauser, Holt, Gerdis, Meyers and Page—the Richardson County members. He proposed to the two senators to go in with the pool and re elect him, urging with his most persuasive tones the policy of it, since it would unite the Hitchcock Republicans, Democrats and Independents, and increase the influence of his party. When these men of unapproachable integrity refused persistently, he remarked, "We have a sure thing for Hitchcock, and if you don't take the stand with us you will get left" So much for Howe, who says people could not see why he should "go for the man who furnished 'pap' for Bill Daily and Tom Majors," but that he had good reasons for doing so, intending all the time to support Saunders People may be blind to his idiosyncrasies, but not so blind as to give him credit for doing what every demagogue will do, and what he tried to do but failed in doing in Paddock's case, namely, voting for the winning man. Church Howe went up stairs just before the final ballot expecting to vote as he had voted in the preceding ballot, but changed because he saw that Saunders would win when Carnes, Chapman, Colby and Holt voted for him.

The pressure brought to bear upon the independents of integrity is almost beyond conception. From the day of their arrival they were daily and sometimes hourly, and on the last day Birkhauser was called out six times in one hour importuned in every conceivable way to cast his vote as the lobbyists of the federal brigade should dictate. Politicians and personal friends from his own county and town bull-dozed and tormented him, trying to get him down on paper for personal consideration to the wishes of his best friends, for Hitchcock. He and Holt led five members, which was just the number required after the trade was made with Tilden for the seventeen democratic votes, and there is no doubt anything which these noble representatives of the people should have asked at the hands of the party trying to take them would have been at their command. It was said to them "you two can make the Senator, and you can have the *benefits of it.*" Even after the Richardson delegation told Blanchard to tell Chapman and his wavering companions that they would vote for Saunders, Cunningham called out one of the number and plead on the ground of old acquaintance and upon every conceivable pretext that they should yet vote according to his dictation. It must be remembered that Saunders is not out any money, neither has he promised anything to anybody, so this steadfastness was maintained with no expectation or promise of reward. All honor to this delegation, but the

NEMAHA DELEGATION

too, were not all "delivered." Freirichs was thought to be easily managed, as his experience is limited. When Ewan and Mercer voted Howe, Freirichs voted like a man, Saunders, and when Mercer voted Savage, and Howe, Hitchcock He and Ewan showed independence enough to select the man who in their estimation was worthy of support. The Teutonic constituency of this man may well be proud of their representative who could neither be bought nor intimidated to go against his honest conviction.

GILMORE, OF CASS,

too, showed himself to be a man of whom it can truly be said, "he is not a purchasable commodity, nor is he a pliant tool in the hands of unscrupulous demagogues."

SALINE COUNTY

sent two independents, Parker and McCreedy, who made it their boast that their votes should kill those of Dawes and Whitcomb. Parker voted for Castor, a man unknown and unfit for the office, simply to give the said Castor a limited notoriety, with the intention of going finally to Hitchcock. His partner McCreedy, thought to help Morris, a man equally unknown, for the same purpose, but turned over after the first to his original master, and stuck to him to his death, against the expressed will of the citizens of his county.

From these facts (all of them can be attested) it will be seen what a tremendous pressure was sustained and overcome by Messrs. Birkhauser, Holt, Gerdis, Page and Meyers, (Meyers was unable to be present at the final ballot, but was intending to vote for Saunders) of Richardson, Gilmore of Cass, Freirichs and Ewan of Nemaha. On their votes hung the result, and they acquitted themselves of their important duty handsomely. I trust the *Journal* will correct the statement, and give honor to whom honor is due.

LINO.

The support of the Methodist bishops is provoking discussion. The last General Conference ordered the necessary amount for episcopal support to be assessed upon each charge, in such form that each pastor must pay pro rata to the bishop as he now pays pro rata to the presiding elder. Every charge has three pastors, stationed pastor, district pastor and general pastor. Each charge pays much or little on the voluntary principle; but whatever it pays must be divided into three parts for the three pastors. The church may refuse to pay at all, but it has no right to resist the division of whatever it may choose to pay. And the Methodist indorses this division. It costs three and a half cents per member to maintain the bishops

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When a man in New York has once taken a fine house he does'nt like to leave it even if his income begins to fail. It makes people talk, and his position may be affected. There died not long ago a gentleman, who, up to his death, had been paying $10,000 a year for his house, and could leave nothing for his family. He took it when times were flush and did'nt give it up. In London, where rents are higher than anywhere except New York, no one has paid such a rent as this since Lord Palmerston, when Prime Minister, paid the same sum for Cambridge House in Piccadilly He was childless, eighty, had an income of £20 000 a year in real estate and salary, and his wife had upwards of £20,000 a year more. London men with £100,000 a year in the most solid securities are content with houses rented at £1,000 a year. The London rents of the two richest men in England did not amount to $7,000. Their property was worth $80,000,000.

A TERRIBLE COUGH.

How often we hear the above remark during these extreme changes of weather. Colds, coughs and sore throats were never more prevalent among children than now. Now we are going to urge you to try a remedy which has excited comments by physicians all over the country, who acknowledge their surprise at the wonderful and happy results from its use. That remedy is the well known preparation, Hale's Cough Cordial. Your own druggist, Martin & Kennard will tell you that it is the best cough medicine they ever sold; and will warrant a cure or return your money to you in case of a failure after using one half bottle. It is very pleasant to the taste, making it a very desirable remedy for children.

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LOSSING'S GREAT CENTENNIAL HISTORY OF THE UNITED STATES ... AGENTS WANTED

VERY LATEST.

Charles Collins, Chief Engineer of the Lake Shore Raiload, Commits Suicide.

Despondency Over the Ashtabula Accident the Cause.

Senator Anthony, of Rhode Island, Attacked by What Seems to be a Stroke of Paralysis

[*MIDNIGHT TELEGRAPH.*]

NEW YORK

VETERAN REFORMERS.

New York, January 21.—The Tribune says a circular has been issued stating that the convention of Union Reform Veteran Association, held in Westmorland Hall this city, January 17th and 18th; that all the northern States were represented except Rhode Island and Oregon; that reports of the committees showed a membership of 180,000 exclusively of Union veterans, and a large number were daily joining in all parts of the country, including many ex-soldiers who had voted for Hayes. Among the members of the National Committee are named Gen. James Hooker, Wm. F Smith, Franz Siegel and Martin T McMahan.

The circular says that the association organized in August, at Indianapolis, and branches have been formed at all principal points in the northern states Soldiers are invited to join in preserving it from destruction by the insiduous encroachments of arbitrary power of the institutions they offered to maintain. The chairman of the national committee on different states and territories are instructed to daily report to national committee through Gen. John M. Corse, of Chicago, chairman, and Col John Tracy, of Westmoreland Hotel, New York, regarding this convention

Gen. Wm. T. Smith told a Tribune reporter last night that he was not aware of any convention of any kind having been held, but knew of the meeting of 15 or 20 persons at the Westmoreland Hotel. He was entirely ignorant of any business transactions by the association but believed it was carried on with much vigor in the West. Had been connected with it since last October but taken no active part; did not not know what was the purpose of the daily reports from branches of the organizations unless to keep the spirit of reform among its members.

SNOW SLIDE.

A cable special dated Pesth arrived this morning and says the land slide is near Stenbruck. It is now estimated that nearly 2,000,000 metres of earth have fallen, and the movement still continues. The railroad is covered to a depth of 50 to 200 yards, and will be blockaded for weeks. The river has overflowed its banks in consequence of the stoppage of its waters.

FOREIGN.

THE EASTERN QUESTION.

Constantinople, January 21.—The plenipotentiaries of yesterday presented to the conference counter proposals of a conciliatory nature The European delegates may, it is believed, possibly adjourn to consider.

OHIO.

SUICIDE.

Cleveland, Jan. 21.—Chas. Collins, chief engineer of the Lake Shore railroad, was found dead in his bed about 11 o'clock yesterday morning with a pistol in his hand, supposed to have shot himself on account of the despondency caused by his theoretical responsibilty for the late accident at Ashtabula.

ILLINOIS.

BALLOTING FOR SENATOR

Springfield, Jan. 21.—The 20th ballot same as 19th; 21st ballot Palmer loses 1; Anderson gains one; no other change. On the 19th ballot 198 votes were cast: Logan 97; Palmer 86, Anderson 12, Haines 2, Parish 1. 22d ballot same as last 23d ballot same as last.

Adjourned.

WASHINGTON.

SUDDEN ILLNESS.

Washington, January 21.—Senator Anthony, of Rhode Island, while returning from a visit to Baltimore, Friday night, was attacked while on the cars by what seemed to be a stroke of paralysis. Upon arriving in Washington he was conveyed by his friends to his lodgings, where he arrived after midnight. Medical aid was at once summoned and proper treatment administered He soon fell into a comfortable slumber. At this writing he shows signs of improvement A number of his friends have called to enquire after his health.

MARRIAGE SECRETS. Dr. C. A. Bohannan's Marriage Guide illustrated with numerous engravings...

INHUMAN PARENTS.

Imprisonment of a Child Seventeen Years Possible Murder.

New York Herald.

Milton, Mass, Jan. 16.—A most terrible case of parental cruelty, disclosing the imprisonment and neglect for seventeen years of an idiotic son and the possible murder of another, has set this usually quiet borough into an intense fever of excitement. As the story goes, about seventeen years ago a quarrel occurred in the family of Josiah Shields, by occupation a laborer, in which the father, mother and several sons participated. In the course of the dispute, Josiah, Jr, hardly of age, offended his father by his continued obstinacy, and the latter, as is supposed, struck the boy a severe blow, inflicting upon him some permanent injury. In order to prevent the discovery of the deed the wounded lad, it is alleged, was locked in a chamber The sudden disappearance of the lad was accounted for in various ways by the people of the neighborhood, the faimily giving out that the boy had run away. Last Saturday one of the sons died and the privacy of the family was invaded One lady going to a room, from which an almost overpowering stench emanated, had the curiosity to unlock the door and peer in.

Her testimony is to the effect that a strange man on all fours, naked, with long hair and beard, ran at her uttering gutteral sounds, and being apparently unable to speak distinctly. A general alarm followed. The matter was noised about town and the creature wallowing in his own filth was readily associated with the long-missing son, Josiah, Jr. So much excitement was occasioned that the selectmen of the town thought it their duty to investigate the affair On Saturday they called in a body, but were requested to postpone their investigation until Monday On the morning named Colonel Henry W. Russell waited on the family and found a poor half witted fellow, sallow in complexion from his long confinement with a nicely shaven face and cropped head

It turned out upon further investigation that during the interval between Saturday and Monday the inhuman parents had their son shaved and put in presentable shape. His appearance now is of an ordinary man, who stoops slightly and has a very sallow complexion, and, what is peculiar, he is quite stout. Of late he has been seen at the windows of houses with blankets wrapped about him, and this gave rise to the story of a "wild man" roving about the woods. The family assign no reason for having kept him concealed all these years and will not allow him to be seen by any one at the present time.

What adds to the terror of the foregoing story is the fact that another son has also been missing for upwards of sixteen years, and at the time of his disappearance an old well near the house was suddenly filled up The wildest excitement prevails here, and pending the digging out of the well, the Fields family are under surveillsuce.

PUBLICATIONS.

WHAT PAYS?

It pays every Manufacturer, Merchant, Mechanic, Inventor, Farmer, or Professional man, to keep informed on all the improvements and discoveries of the age.

It pays the head of every family to introduce into his household a newspaper that is instructive, one that fosters a taste for investigation, and promotes thought and encourages discussion among the members.

THE SCIENTIFIC AMERICAN

which has been published weekly for the last thirty-one years, does this, to an extent beyond that of any other publication; in fact it is the only weekly paper published in the United State, devoted to Manufactures, Mechanics, Inventors and new Discoveries in the Arts and Sciences.

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ADVERTISING

TELEGRAPHIC.

Two Negroes Get into a Row Near Atchinson, Kansas.

An Inquest is Being Held on the Body of Dr. Mayer Maix, the Denver Suicide.

Six Notorious Criminals Break Jail at St. Joseph, Mo.

MARKETS BY TELEGRAPH, FROM THE LEADING COMMERCIAL CITIES OF THE COUNTRY UP TO 3:00 P. M.

[*FOUR O'CLOCK P. M. REPORT*]

COLORADO.

INQUEST BEING HELD.

Denver, January 20.—An inquest is now being held over the body of Dr. Mayer Maix, a prominent physician of this city, who was indicted before the grand jury last Thursday for committing abortion and other offenses. He is supposed to have committed suicide by poison to evade exposure.

SNOW BLOCKADE.

The Atchison, Topeka & Santa Fe railway is blockaded by snow, and a number of Pueblo passengers from that road were obliged to come via this city.

KANSAS.

A NEGRO KILLED.

Atchison, January 20.—Last night about sundown, two negroes named Johnson got into a drunken quarrel in the suburbs of the city, and one of them procuring a musket loaded with buckshot shot the other in the knee, mashing the bone and flesh to a jelly, and producing an ugly wound The wounded man was brought to town for treatment, but owing to the loss of blood he died at an early hour this morning. The guilty Johnson was arrested by the sheriff, and is now in jail awaiting a preliminary examination.

MISSOURI.

JAIL DELIVERY.

St. Joseph, Mo., January 20.—The prisoners broke jail here this morning, and six of the most notorious, including John Lawrence under sentence of death for the murder of his father, and Broughton the murderer of Constable Sullivan, escaped. The work had been going on for some time, and was accomplished by lifiting the stone in one of the cells and tunnelling through to the street pavement, a distance of forty feet, where they emerged to the street along the jail wall like so many rats. Every arrangement has been made for their capture, and heavy rewards will be offered.

NEW YORK.

THE JANUARY THAW.

New York, January 20—The January thaw has set in, and under its influence the snow is rapidly disappearing. The weather for the past three days has been quite warm. This morning the thermometer was 37°. A dense fog hangs over the city, seriously impeding navigation on the rivers.

BENNETT AGAIN.

Albert Voget, Bennett's valet, started for Europe Thursday. Selma Lessing with sixteen travelling turnks and five wine cases marked J. G. B. were shipped at the same time. Voget it is believed acted as the escort of a veiled lady who arrived shortly before the vessel left the dock, and who was believed to be Bennett's sister.

FIRE.

A fire in in Brooklyn last night destryed Wm. Heath's fur and straw hat factory and two adjoining dwellings, causing a loss of $100,000. Stock and machinery were insured.

LATEST MARKET REPORTS.

CHICAGO PRODUCE.

CHICAGO, Jan. 20.—3 p. m.

Wheat—Easy; No 2 1 30¼; February, 1 31¼; March, 1 33⅛.

Rye—72c spot.

Corn—Steady; February, 44⅛ bid; March, 44⅞ bid; May, 49¼; No 2, 43¼.

Rye—38a38¼.

Oats—January, 35¼a35⅜; February, 35⅜a35¼; March, 36¼; April, 37¼a 37⅜.

ATTENTION!

Is called to the perfect-fitting shirts and fine underwear manufactured by *The Omaha Shirt Factory*, Ph. Gottheimer, proprietor. Having opened an establishment for the exclusive manufacture of these goods he guarantees satisfaction in every case both as to quality and fit, and his facilities are such that he is enabled to turn out better work at less prices than can possibly be offered elsewhere. A full line of gents' fine furnishing goods constantly on hand. Give him a call i26vm

ADVERTISING AND HOW AND WHERE TO DO IT.

Communicated,

OUR USURY LAWS.

To the Editor of the Bee:

There is no law more unjust on our statute books than that concerning interest on money. It is unjust in principle. It says that a contract made by parties of mature age, sound, without fraud and upon a good consideration, shall not be respected, because it is more profitable to one of the parties than the law thinks it should be. This is a doctrine that is applied in no other transactions among men The rule is that if the contract is made by parties of mature years, sound mind, and competent to contract, without fraud or duress that a court will not inquire into the profit or loss of the contracting parties. If the rule were different there could be no safety in business transactions. If a man were compelled by law to pay only what anything purchased might be reasonably worth, or to pay for services rendered what the same might be reasonably worth, regardless of the agreement of the parties, it would result in hopeless confusion and uncertainty. If one bought merchandise, or horses or cattle, or a house or other property, for which he gave his note, could say when that note came due, to his creditor, you charged me and I agreed to pay more for this property than it was reasonably worth, or your profit on on the sale was greater than it should be, or my loss on the investment was greater than it should have been, and therefore I will not pay you but a certain and less amount, to what an absurd uncertainty would our business have come. No one could rely upon when he should get his dues, or how much he should get. As the minds of men would always differ as to what a reasonable price or profit was, it could only be determined by the judgment of a court or jury, as to the actual value of the thing sold, or the reasonable profit of the transaction. Unless this matter were settled by statute, determining the values of all lands houses, horses, cattle, merchandise and produce of a country. Evidently it would be an unreasonable, impracticable and almost impossible thing to fix by law at what price a merchant should sell his goods, a farmer his produce, a real estate dealer his lands, a stock raiser his cattle, a landlord rent his house, a hotel-keeper entertain his guests, or a livery man hire his horses. Yet if it is possible and practicable to regulate the rate that shall be charged for the use of money. Why is it anymore reasonable, fair or just to regulate that than to fix a price for which a farmer shall sell a pound of butter or a bushel of wheat, or the price a livery man may charge me for the use of his property, or my landlord charge me for rent. A man's money is his own; and he has a moral right to contract with another for its use as well as any other man has to contract for the use of his property; he has a right to get what his contracting parties agree of their own accord, to pay, as well for the use of his money as any other thing, and when the law says he shall not have the benefit of a fair contract as well as his neighbor who invests his capital in a house and rents it, the law is unjust and invades his natural rights—becomes an oppressor instead of protector. For example, A has $1,000, with which he builds a house and rents it at $30 per month, payable monthly in advance, or $360 per annum. B has $1,000, which he loans at 15 per cent. per annum, or for $150. A can collect all of his rent from his tenant, but B can collect nothing for the use of his money for one year. Even if B loaned his money to A, with which money A has built his house, yet B can collect nothing for the money which made A $360. Is this fair, just, or even honest in the law? It may be said that experience has shown that A can not afford to pay 15 per cent. interest. I presume that it has also been shown that a man can not offered to pay $30 a month rent for a house costing $1,000 The law does not even allow B to collect what the use of his money is worth. The use of $1,000 for one year is valuable; certainly worth with us $100, and B is deprived of the fair value of the use of his money, because he has entered into a contract with the borrower which the borrower was willing and anxious to make, and which in fact may have saved him from great loss or made him great profit, greater than the arbitrary rate fixed by law. This is making a *quasi* crime of something not criminal. It is putting a penalty on an innocent party, for there can be no crime or moral wrong in a party making a contract with another who is perfectly competent to contract and upon whom he practices no fraud or duress. The law does not recognize the making of such a contract as either criminal, immoral or vicious in any other case than this at least, and there cannot in good sense or fairness be any distinction made between a contract for the loan of money and any other contract

As we have intimated, it is the rules of law that any contract to do a thing not *malum in se*—made by parties competent to contract fairly, without fraud, misrepresentation or force, will be sustained and enforced without regard to the profit or loss of either party.

Why reverse this rule *in toto*, when a loan of money is in consideration, and say no matter that the parties were competent to contract, and did contract without fear or fraud, fairly and in good faith; yet because the profit is larger than the iron measure of the law says it should be, their contract shall not be enforced? Even more, one of the parties, no more guilty than the other, shall be visited with a penalty, while the other shall be substantially given a reward for violating his contract. We insist that it is a shame that this should be the law.

If a contract is to be sustained because it is upon a valuable consideration, was distinctly understood by the parties, was infected with no fraud, and induced by no force, why not sustain a contract for the loan of money, which above all others is upon a valuable consideration; for the borrowers receive that which is the standard of value itself. There is no contract wherein a party can know better just what he gets, just what is its value and just when he is to repay it; and the precise amount of his direct loss, than this The theory that any force is used to induce men to make the contract does not apply to this state where men are so anxious to borrow money.

In truth this usury law proceeds on the theory that as to every other contract a man is able to bargain for himself. He may buy lands, houses, horses, cattle merchandise, and every thing else for which he is to pay money and his contract will be respected. But when he goes to borrow money he loses all his sense, judgment and self-control. He is taken in hand as a ward of the court, and as a foolish child the law makes a contract for him, and if anybody would make a contract harder on him than the law prescribes, it flees to his protection and visits a penalty on him who would thus impose upon the ward of the court.

We repeat that such laws are unreasonable, dishonest, and arise from prejudice and from the dishonesty of the original law makers, who were wrongly educated, We are glad that a movement is being made in the right direction by our present Legislature on this subject.

ADAM.

THE SUN.

1877 NEW YORK, 1877

The different editions of THE SUN during the year will be the same as during the year that has just passed. The daily edition will on week days be a sheet of four pages, and on Sunday a sheet of eight pages, of 56 broad columns; while the weekly edition will be a sheet of eight pages of the same dimensions and character that are already familiar to our friends.

THE SUN will continue to be the strenuous advocate of reform and retrenchment, and of the substitution of statesmanship, wisdom, and integrity for hollow pretense, imbecility and fraud in the administration of public affairs. It will contend for the government of the people by the people and for the people, as opposed to government by frauds in the ballot box and in the counting of votes, enforced by military violence. It will endeavor to supply its readers—a body not far from a million souls—with the most careful, complete, and trustworthy accounts of current events, and will employ for this purpose a numerous and carefully selected staff of reporters and correspondents. Its reports from Washington, especially, will be full, accurate, and fearless; and it will doubtless continue to deserve and enjoy the hatred of those who thrive by plundering the Treasury or by usurping what the law does not give them, while it will endeavor to merit the confidence of the public by defending the rights of the people against the encroachments of unjustified powers.

The price of the daily sun will be 55 cents a month or $6.50 a year, post paid or with the Sunday edition $7 70 a year.

The Sunday edition alone, eight pages, $1.20 a year post paid.

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ILLUSTRATED.

Notices of the Press.

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