THE M'INTEE MURDER TRIAL

The Case Progressing Slowly Before the District Court.

A DULL LOT OF WITNESSES.

Some Light Thrown Upon the Alleged Resignation of McGrew—Various Happenings About the State Capital.

[FROM THE BEE'S LINCOLN BUREAU.]

The McIntee murder trial has been the case of interest in the district court, and as predicted by the BEE, is being closely contested. All of the first day's proceedings and up to 10 o'clock yesterday the prosecution had the floor, six witnesses and the dying statement of the child being the evidence placed before the jury on direct examination. The principal witnesses were the mother and sister of the dead child and two physicians. James McIntee, the prisoner at the bar, is a man evidently over sixty years of age, a farmer living in the north part of Lancaster county and a native of Ireland. The evidence for the state adduced the facts that the preliminary hearing last summer brought out, that the child died from wounds inflicted by her father. Some time before the abuse occurred McIntee and his wife separated, his wife coming to Lincoln and supporting herself in town, McIntee holding to the farm and keeping the child, who afterwards died. The testimony sets out that in July, 1885, McIntee kicked his daughter, Bertha McIntee, on the hip, inflicting injuries from which the child died. After the injuries had been inflicted the mother sought and obtained possession of the child, a confirmed invalid, who for months suffered, failing all the time in health until the past summer, when she died. The dying declarations of the child recite a pitiful tale of mistreatment and suffering, which evidently are entitled to a great deal of weight. They were taken by the state a short time, but a few days before the death of the child and after the death some two weeks to ascertain the cause of the child's death the preliminary hearing then in progress was adjourned over long enough for the coroner to exhume the remains and hold a post mortem. At this post mortem the effort was made by McIntee's attorneys to prove by physicians that death occurred from hereditary diseases, but the testimony of the physicians was that death occurred from injuries inflicted. The defense in the present trial seems to be to establish this fact of disease and that McIntee's mistreatment is false. The witnesses as a rule are dull if not really ignorant, and the attorney for the defense exercised a good deal of time in attempting to tie up and confuse the testimony of Mrs. McIntee and her daughter, but their story in the main remained unshaken. While the prosecution had the case some of the prisoner's friends created disturbance by mutterings against the testimony and characterizing the testimony of some of the witnesses as d—d lies. When this continued in the hearing of District Attorney Strode, he arose and dressed down the disturbers in a vigorous manner, promising if the court did not stop them to put a warrant in the hands of the sheriff and give them enough of it. If the prisoner's witnesses had any mutterings to make after that they did it beneath their breath. This episode was duplicated yesterday forenoon in a milder form when Mr. Strode brought a little terse language to bear upon Mr. Sawyer, the defendant's attorney for attempting to interject a speech to the jury after an objection had been sustained.

At noon yesterday three out of the twenty-one witnesses subpœnaed for the defense had been heard and it looked very probable that the case would continue over until to-day before a verdict is reached. The defense is reinforced by these witnesses, who seem determined to do what they can to assist McIntee, and serious family difficulties between McIntee and his wife seem to be hidden throughout the progress of the trial.

AT THE CAPITAL.

The railway commissioners have received an answer in reply to the petition of citizens at the Ruby side track in Leonard county. The reply comes to the commissioners from General Manager Holdridge, of the B. & M., and states that his company will comply with the request asked and open the station for business at that point, and will place a permanent agent at the station.

Articles of incorporation were filed with the secretary of state incorporating the Eads Publishing company, with business location at Omaha, capital stock $50,000, and A. B. Eads, Henry Gibson, D. C. Dunbar, C. P. Bently and A. C. Troup as incorporators.

The National Life Insurance company has complied with the state laws and been admitted to transact business in the state of Nebraska.

Returns yesterday had been received from all but nine counties in the state at the secretary of state's office, and official figures will soon be obtainable on the election.

THE ALLEGED RESIGNATION

of McGrew, in Nemaha county, to make room for Howe to run for the legislature, had a little light thrown upon it by a Nemaha county man, who gave it as his understanding of the efforts made in that direction, that Dr. McGrew in case he resigned and Howe succeeded him, was to have the principalship of the state normal school at Peru in exchange for his resignation, it evidently being the intention of those who would like to work such a scheme to use the board of public lands and buildings for such a purpose. It is not deemed probable, however, that the vinegar in this case will catch any flies.

ABOUT THE CITY.

A pilgrim from the shrine of Bachus was up in police court yesterday for the usual sentence. He was found the day before trying to use the entire street for a promenade, and when Officer Malone found him he was so limp and helpless that a dray was called to cart him to the cooler. While was being searched by the jailer he protested that he was of an aristocratic family in Illinois and he recited the names of a number of prominent Lincoln people to establish his character, but his appearance was all direct evidence to the contrary.

Among the new business blocks being pushed toward completion are the Bohannon Bros. three story structure on Tenth and N. streets and the Montgomery and Billingsly buildings on Eleventh and N, both great additions to Lincoln's fine business houses.

Police court ground out a light grists yesterday, only three plain every day cases of intoxication coming up for a hearing. The city jailer is at present feeding and warming twelve city prisoners at the city jail.

Marshal Beach was in Omaha yesterday whither he conducted the pilgrim, Daggett, who confesses to firing accidentally the Baker block.

Lancaster county has thus far the present term of court sentenced ten prisoners to the penitentiary for terms of servitude in that institution, eight of whom have been turned over to the warden.

J. H. Threw, the newly elected president of the Western league of ball players, is home from the annual meeting at Topeka and steps will be taken at once by the Lincoln club to organize its team.

A lodge of Select Knights, A. O. U. W., was instituted in Lincoln from among the members of the local lodges on Thursday evening. The Select Knights start out with a membership of twenty.

The demand for rooms at the different hotels in the city for the session of the legislature has opened out briskly and any legislator who wants to stop at a first-class hotel on his three dollars a day and mileage had better speak early.

To-night the play "Lizette," written by Mr. Charles Urlich of the State Journal, will be presented at the People's Theatre by the Bernard Madison Square company.

Gen. C. H. Van Wyck, of Nebraska City, and State Senator Elect Paul Schminke and Hon. John C. Watson were in Lincoln yesterday.

Hon Gilbert L. Laws, secretary of state elect, returned home to McCook yesterday. He will return to Lincoln some time during the coming month to take up his residence at the state capital.

Two railroad men pounded themselves for three or four rounds down near the depot yesterday, and satisfied their anger without drawing the police or a crowd.

AT THE HOTELS.

Yesterday were noted among others the following Nebraskans: G. B. Christie, Omaha; E. L. Wilson, St. Paul; E. McGintie, Wilbur; H. M. Wells, Crete; W. H. Diller, Diller; T. C. Wheedon, York; Frank H. Galbraith, Albion; B. Foss, Omaha; Dr. J. S. Boice, Crete; E. Van Tyle, Omaha.

For weak lungs, spitting of blood, shortness of breath, consumption, nightsweats and all lingering coughs, Dr. Pierce's "Golden Medical Discovery" is a sovereign remedy. Superior to cod liver oil. By druggists.

ROMANCE OF A WESTERN GIRL.

The Value of a Certificate of Birth in Italy—A Romantic Story.

The fact that the marriage of Miss Fannie Rogers, a young Milwaukee lady, to a wealthy nobleman in Italy has been postponed because her birth certificate cannot be produced, as required by the civil laws of Italy, has made public a romantic story. The lady, who is now in Spain, has enlisted Rev. Mr. Eversz, a leading minister of this city, in an effort to find the missing certificate, but thus far he has been unsuccessful. Miss Rogers was born in a humble cottage on Hanover street, in Milwaukee. When she was quite young her father committed a crime for which he was sentenced to a term in the state prison, and a few months before the expiration of his sentence he became involved in an altercation with a guard. Seizing a shovel, he was about to strike the guard with it, when the latter shot him dead.

His wife, meantime, by laundry work had eked out a miserable existence for herself and family of little children, among whom was the little girl now betrothed to a wealthy Italian. The latter's pretty face attracted the notice of a wealthy Milwaukee lady, who adopted and educated her. Her natural aptitude for music was cultivated, and she received a fine musical education. About this time her foster-father, a board of trade man, became involved in heavy speculations, and in an attempt to save himself obtained money by false pretenses, and he was sent to the same state prison where her father had been killed. Feeling the disgrace of her husband's crime, the wife, with her adopted daughter, went abroad. The foster mother, possessing a fine musical education, has gained a living as a teacher. They made Italy their home for a time, then France, but are now in Spain. The young lady had all this time been in correspondence with her more intimate friends in this city. Her letters told of her advancement in her musical studies and her travels. A few weeks ago she informed her Milwaukee correspondent of her engagement to a wealthy Italian physician, and that the marriage was to occur shortly. She asked one of her particular friends to do her a favor. She requested that a copy of her baptismal certificate be secured of Reb. Mr. Healy to be forwarded to her, as the ceremony under the laws of the country could not be performed unless the record was produced. Mr. Healy having left the city, the letter was referred to Mr. Eversz, who secured a copy of the desired certificate and forwarded it to her. But last week Mr. Eversz received a letter direct from from her saying that she had made a mistake. Instead of her baptismal certificate, her birth certificate had been demanded, consequently the ceremony had been postponed until New Year's day, pending the receipts of a copy of the birth certificate, which she requested Mr. Eversz to forward her in Spain.

Although a birth certificate of every person born in Milwaukee county is required to be filed in the office of the register of deeds, Mr Everz, after a thorough search, has been unable to find the desired certificate. He is hopeful of finding either the mother of the young lady or some person who knew her and may be willing to sign a birth certificate, which he can have recorded and a copy of which can be sent to her in time to prevent a further postponement of the wedding.

BICYCLING SPORT.

Two Big Events to Come off This Month.

Arrangements were completed yesterday for a twenty-five mile race between Prince and Fred Shaw, of Glenwood, Iowa. The event will come off in the exposition building a week from next Saturday, November 20. Prince agrees to give Shaw a quarter of a mile start, or two and one-quarter laps. In addition to the big race there is to be a four-mile race for local amateurs, and a one-mile race for boys. The programme will doubtless furnish an interesting evening's entertainment.

Mr. Prince has also made arrangements for a grand six day race to commence this month on the 29th. Already a large number of entries have been secured. The men will race eight hours a day. The following bicyclists are expected to start: Higham, champion of England, Westbrook, Prince, Morgan, Schock, Hardin, Snyder, Friedberg, Shaw, Dingley, Maloney and Merrill.

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IT ANNOYS EVERYBODY
PROCURE A BOTTLE OF
ALLEN'S LUNG BALSAM
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TAKE IT FAITHFULLY, AND YOU WILL BE CONVINCED
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RAILROAD WRONGS.

A Business Man Sets Forth the Grievances of Denver's Merchants.

To the Denver Tribune-Republican: Every industrial interest in this country is being literally crushed to death by extortions of railroads.

Many of our legislators, some of our courts and fully three-fourths of our metropolitan newspapers have long since become the subservient tools of railroad rings.

Scores of our prominent politicians who seek election for the sole purpose of selling out in the senatorial struggle, and drawing a salary, which they are incapable of earning in any other capacity, are the pledged and pliant servants of those soulless corporations, the common property of highest bidder, the fruits of padded political conventions and Judas Iscariots to the people whom they brazenly and hypocritically pretend to represent.

These corporations manipulate our elections. They control our legislatures and subsidize our so-called free press to that degrading extent which precludes it from giving utterance to a single honest sentiment not in strict conformity with the dictates of railroad magnates and railroad rings.

Every official position which railroads find it profitable to control is made the subject of open, barefaced and unscrupulous barter and sale, while our political atmosphere is corrupted to that loathsome condition that would disgrace the most unclean thing.

Not satisfied with that unscrupulous legislation which took one-half of the public domain of the west from the reach of honest toil and squalid poverty and placed it snuggly in the pockets of railroad rings; not content with the untold millions of dollars showered upon them as subsidies by the debased and iniquitous politicians above referred to; overlooking the millions wrung from counties, cities and towns by their unjust and oppressive demands; forgetting the tens of thousands of business men who have been financially ruined by the gross and outrageous discriminations of railroads against persons and localities; unmindful of the burdens they have imposed on honest toil to pay the scandalous rates of freight on everything which labor produces or consumes: ignoring the fact these roads (which were built almost wholly by government aid) have in many instances been bonded for five times their actual cost, they now collect of western shippers the outrageous rates to pay the interest on these exaggerated and inflated values.

Their unscrupulous impudence in diverting our freights to suit the convenience of pools, is only equaled by their brazen lawlessness in breaking open packages of goods consigned to them for transportation.

Every cent is exacted that any business can or will possibly stand, and our cases of goods are lawlessly broken open lest the prattling babe should accidently get a rubber toy or a tin whistle on which these voracious money-gatherers had not collected their $12 a hundred pounds as freight from Chicago to this city.

Freights from New York to Chicago are 68 cents per hundred. We pay on the same goods from Chicago to Denver $3 per hundred.

The poor man pays more freight on a yard of brown duck than the rich man pays on a yard of $5 silk. He pays as much on a yard of 20-cent jeans as the bondholder pays on a yard of $5 broadcloth.

Out of one day's toil where he earns a dollar, he gives to the railroads 20 per cent on every calico dress he buys his wife or child. A cotton bolt costing 6 cents in Chicago pays 3 cents freight to Denver, just 50 per cent.

The farmer's wheat which sells for 50 cents in Colorado and Nebraska, is worth $1 in New York, and why?

California fruit sells for five times the price here that it brings in California, and why?

Shippers are compelled to haul their freight for miles by team alongside of railroads in Colorado to avoid the burdensome rates imposed.

Every politician who claims to control a vote is the pampered pet and favorite of our oppressors. Their pockets are filled with railroad passes without money and without price, save as a reward for their fidelity to a constant and continuous betrayal of the people.

With the business men and shippers who pay the running expenses of these roads it is quite a different thing. The few favors which are reluctantly extended to them are doled out through such surroundings of mock solemnity, pretended privacy and avowed dishonesty, as to place the receiver more in the light of a criminal than that of a paying patron. There is method in all this, but the fact exists that we pay for hauling nine-tenths of the dead beats in the land. All this is to maintain the honor of a pool, which is in every sense a combination against industry, a conspiracy to extort high and unjust rates from the people and a transparent imposition upon the rights of every shipper in the west.

Every laborer, every manufacturer, every business in our midst is writhing under these oppressive burdens. Every toiler must give up one or two extra hours of labor each day to satisfy the insatiate greed of railroad bondholders. Many of our western railroad men are keenly alive to the situation. They understand the gross injustices we are tolerating. But their hands are tied by the astute figureheads of the east, who know nothing of this country, care nothing for our welfare, have no conception of our wants, and whose sole ambition is to be the relative of some defunct millionaire and occasionally ride through this country in a palace car, and drink wine at the expense of the men they are driving to pauperism.

Manufactories in Colorado, where fuel is so plentful, are driven out of existence by the high rates on coal. Thousands of Colorado mines are idle to-day because of the excessive rates on ore. Our powder factory, our match factories, our soap works, have long since felt the withering blight of these oppressive discriminations.

Millions of dollars which ought to reward labor, beautify Colorado homes, build up manufatories and furnish employment for our thousands of idle mechanics, are squeezed, dollar by dollar, from the masses and stuffed into the coffers of foreign bondholders. Colorado pays $2,000,000 freight on ores every year in excess of fair and just rates. Denver pays $200,000 in excess on coal alone and millions more on grain, lumber and merchandise.

The people of the west have quietly submitted to this disgraceful imposition long enough. They have placed their faith in the political demagogues of all parties for years, without any good results. Thinking men are united on this question. The gross injustice they have suffered calls for open and firm revolt from every man having the least claim to manhood or independence. All hope for aid from political parties is vain. The people must grapple with this question in that fearless manner which the subject requires, and it is high time the work began. Respectfully, Z. SHED.

Red Star Cough Cure is wholly vegetable. No narcotics. Twenty-five cents a bottle.

The Sailing Packets of 1842.

Chambers' Journal: At the period of which I speak the sailing packets which ran between London and New York and between Liverpool and that port the rooms—as the little cabins ranged on either side of the saloon were termed were below the sea level. They were incommodious, dark and ill ventilated; in fact, the only light they enjoyed was that furnished by small pieces of ground glass inserted in the deck overhead and from the fanlights in the doors opening to the saloon, and this was so poor that the occupants of the state-rooms could not even dress themselves without making use of a lamp. The sole ventilation of them was that afforded by the removal of the saloon skylights, which, of course, could only be done in fine weather. The consequence was that the closeness of the atmosphere in the state-room was at all times most unpleasant, while the smell of the bilge-water was so offensive as to create nausea independent of that arising from the motion of the vessel. In the winter, on the other hand, the cold was frequently severe. There was, it is true, a stove in the saloon, but the heat from it scarcely made itself appreciably felt in the side cabins. In other matters there was the same absence of provision for the comfort of passengers. The fresh water required for drinking and cooking purposes was carried in casks, and, when the ship had a full cargo, many of these were placed on deck, with the result that their contents were sometimes impregnated with salt water from the waves shipped in heavy weather. At all times the water was most unpalatable, it being muddy and filled with various impurities from the old worm-eaten barrels in which it was kept. Not only was the water bad, but the supply occasionally proved inadequate, and when the voyage was an unusually long one the necessity would arise of placing the passengers on short allowance. There was always a cow on board, but there was no other milk to be had than what she supplied, no way of preserving it having been discovered. Canned fruit and vegetables were equally unknown. There was commonly a fair provision of mutton and pork, live sheep and pigs being carried, but of other fresh meat, and of fish the stock was generally exhausted by the time the vessel had been a few days at sea, refrigerators at that period not having been invented.

Salvation Oil should be the companion of every traveling man. It extinguishes pain, whether resulting from a cut, a burn, a bruise, or a sprain.

Chaucer says: "For gold in phsike is a cordial." For all that suffer from hoarseness, cold in the chest, lung trouble or bronchitis, Dr. Bull's Cough Syrup is golden "phsike." Price 25 cents.

TWO NOTED ENGLISHMEN.

The Debating Powers of Gladstone and Churchill.

I was much interested in the appearance of Mr. Gladstone as he arose to speak, says Hon. Seth Low, in the Brooklyn Magazine for November. A rather small, worn man, he seemed from the visitors' gallery, whose thin, gray hair betokened age, but whose active movement as he rose to his feet indicated abundant vigor. With a perfectly quiet manner, but with now and then a graceful gesture, his words came out in smoothly flowing sentences, directly to the point. At times with a touch of irony, and often with a quiet humor which never failed of its mark, he showed himself the master of parliamentary fence which all men know him to be. When he sat down it was evident there was nothing left of the motion. Later on in the spring, as the fight waxed harder and heavier against him, he displayed with all the fire of youth those wonderful qualities which have made him, even to his contemporaries, a marvel. Men say he never lights better than when the battle is desperate. With a courage born of the most complete conviction, that stopped at no risk and no labor, with an alertness that took in the whole field, with an eloquence that dazzled even his enemies, like a very Cœur de Lion, he fought almost single-handed the unequal fight. At a distance looking at him it would seem wholly beyond his physical powers. Close at hand his face is marked, indeed, with the lines and wrinkles of many campaigns, and you see before you still an old man, but you see also what at a distance you miss, that the lines are the lines of endurance and hardy strength more than of weakness and old age. Lord Randolph Churchill, on the other hand, is a young man, small and nervous-mannered, but he has about him the look of a good fighter. His remarkable address to the electors of Paddington in the last election represents only one side of him, and that not an admirable one surely, though it is fair, perhaps, to give the explanation of it which is current with some of his friends. These claim that, fearing the conservatives, as a party, would be lost behind their allies, the followers of Lord Hartington and Mr. Chamberlain, he set out to find a line of attack in which these liberals could not follow him. He found it in abuse of Mr. Gladstone. On this occasion, in the house, his bearing, contrary to what his reputation would have led me to expect, was dignified, and he appeared to good advantage. Apparently as much at home as Mr. Gladstone, he spoke calmly, clearly, and well. He showed himself well read in parliamentary history, and proved himself ready in reply when interrupted. The impression I gained at that time of his ability has not been shaken. In this respect I think there is no one on the conservative side of the house to be compared to him, and probably they have been wise in making him their leader in the new house of commons.

Only a Step.

When catarrh has progressed to a certain extent, it is only a step to that terribly fatal disease, consumption. If you have catarrh, even slightly, *it is a terrible mistake* to allow it to continue its course unchecked. If you will only read, you will find conclusive reasons why you should take Hobd's Sarsaparilla for catarrh, in the statements of many people who have been completely cured of this disease in its most severe forms. Send for book containing abundant evidence, to C. I. Hood & Co., proprietors of Hood's Sarsaparilla, Lowell, Mass.

RINGING CHURCH BELLS.

An Annoyance to the Well and an Affliction to the Sick.

London Lancet: Nothing is more inexplicable than the tenacity with which even sensible persons hold to the traditions of any system with which they have been associated by education and habit. A very striking example of this is the ringing of church bells when those places of public worship stand in the very midst of populous districts, and when those who frequent them are perfectly well aware of the hours of service, and are not in the least degree dependent on the sound of the bells for the opportunity of attendance. In the old days, when parisioners lived a considerable distance from their church, when there were few clocks in private houses, and when the times of service were uncertain, there were valid reasons why bells should be rung to call together the worshippers, but not one of there reasons at present exists, and the ringing of church bells in cities and towns is a needless and vexatious ceremony. To the sound in health it may be an annoyance; while to the sick it is a very grave affliction, causing in many instances serious injury, and we cannot hesitate to say in not a few cases actually aggravating disease and shortening life. The practice should undoubtedly be abandoned, or if prejudice be too strong for voluntary action it ought to be interdicted. It is intolerable that for the sake of a mere sentiment, which has no shadow of solemnity about it, which has nothing to do with religion or belief, and which (outside a utilitarian purpose, which has no place in these days) is simply a superstition of the most stupid kind, annoyance and injury should be perpetrated. A case of flagrant violation of the ordinary rules of courtesy that has just occurred in Liverpool, placing the authorities of one church in light wholly at variance with the spirit of common humanity, has raised this question in a manner which we trust will give it a practical shape. We would be the very last to offend the consciences of those who are striving to uphold the religion of the country, and we would not pen one word to wound the feelings of any sincere worshipper; but this matter of church-bell ringing has not the most remote connection with religion or worship, and we protest against a practice which is an offense, and too frequently entails consequences altogether too terribly disastrous to be contemplated without indignation. Medical practitioners will do well to refuse certificates of the cause of death in cases in which they have reason to believe that the fatal issue has been hastened by the disturbance caused by this practice, and leave it to coroners' juries to give expression to the feeling which the grievance very justly creates.

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Families represented: Filberts, Craggs, Acombs, Renick, Rose of Sharons, Moss Roses, Knightly Duchesses, Flat Creek Young Marys, Phyllises, Louans and True Loves.
Bulls for sale. 1 Pure Bates Filbert, 1 Pure Bates Craggs, 1 Rose of Sharon, 1 Young Mary, 1 Pure Crulck Shank and others. Come and inspect the herd. Address, CHAS. M. BRANSON, Lincoln, Neb.

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These bonds are drawn 4 times annually, with prizes of 200,000, 100,000, 500,000, 200,000, 100,000, 50,000, etc., down to the lowest prize of 100 Francs Gold. Anyone sending us $2 will secure one of these Bonds and is then ENTITLED to the whole prize that it may draw in next drawing, balance payable on easy installments. This is the best investment ever offered. Besides the certainty receiving back 100 Francs Gold, you have the chance to win four times a year. Lists of drawings will be sent free of charge. Money can be sent by registered letter or postal note. For further information, call on or address BERLIN BANKING CO., 305 Broadway, New York.
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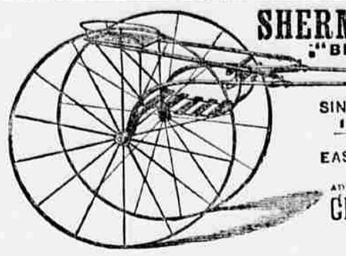
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PERFECTS DIGESTION.
DR. EDW. L. WALLING, Surgeon in Chief, National Guard of N. J., writes:
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No nauseous doses of cubebs, copaiba or oil of sandalwood that are certain to produce dyspepsia by destroying the coatings of the stomach. Price $1.50. Sold by all druggists or mailed on receipt of price. For further particulars sent for circular. P. O. Box 1571.
J. C. ALLAN CO., 34 John st., New York. CURE.
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