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VOL. XLII—NO. 56. OMAHA, THURSDAY MORNING, AUGUST 22, 1912—TEN PAGES. SINGLE COPY TWO CENTS.

APPROPRIATION FOR COMMERCE COURT PASSED BY HOUSE

President Wins His Long Fight for Retention of This Item in the General Departments Bill.

IT IS LIMITED TO MARCH 4

Democrats Say Fight Will Be Resumed Next Session.

VETOED FOR THE SECOND TIME

House Passes It Third Time by a Good Majority.

NOT ENOUGH VOTES IN SENATE

Nine Progressives, Among Whom Are La Follette, Cummins and Crawford, Vote with the Democrats—Thornton with Republicans.

WASHINGTON, Aug. 21.—Finally framed so as to meet the approval of President Taft, a new legislative, executive and judicial appropriation bill was passed by the house late today. It eliminates the disputed provision for abolishing the commerce court, substituting for it an appropriation for that tribunal until March 4.

President Taft again today vetoed the legislative, executive and judicial appropriation bill because it still carried an amendment to abolish the commerce court, which the house and senate insisted upon including in the reframed measure. The provision to limit tenure of office of civil service employes to seven years, which was an additional reason for the president's first disapproval, had not been included in the bill a second time.

Within one hour after President Taft had for the second time vetoed the legislative, executive and judicial bill because it carried a provision to abolish the commerce court, the house today repassed it, 154 to 53, over his veto. It now goes to the senate.

The legislative appropriation bill failed of repassage in the senate over President Taft's veto. The motion to repass the bill received 37 votes to 27 in the negative, but the two-thirds necessary to override the veto was 41.

Nine progressives voted with the democrats in the senate in the attempt to repass the bill as follows:

Bourne, Bristow, Clapp, Crawford, Cummins, La Follette, Nelson, Poindexter and Works. Senator Thornton, democrat, voted against the motion.

BALLINGTON SAYS HE HAS NO PERSONAL QUARREL

PATCHOGUE, L. I., Aug. 21.—An immediate members of the family of General Ballington Booth, head of the Volunteers of America, authorized the following statement today regarding the death in London of General William Booth, the commander-in-chief of the Salvation Army.

"General Ballington Booth deplores any reference at this sad time to the estrangement between himself and father, which arose purely on matters of government and principle seventeen years ago. He refers to be silent regarding the Salvation Army's treatment and statements, save to say that he has always treated his father with the deference and duty due a great man. His eldest sister and second brother are also out of the movement and he has no knowledge of any effort having been made during these last days or at any time towards reconciliation.

"This is no personal quarrel but a matter of difference in works. He would have gone to his sister, Eva, but when he and his brother attempted to offer their sympathy at the time of Mrs. Booth-Tucker's death they were met with rebuff. He has sought to avoid this public appearance of disagreement. His sympathy has been written with affectionate solicitude to his brother, Bramwell Booth, in England."

KANSAS BANK DEFAULTER CAPTURED IN NEW YORK

TOPEKA, Aug. 21.—John A. Flack, wanted on a charge of having defaulted $75,000 of the funds of the Abilene State bank of Abilene, Kan., of which he was cashier, has been captured in New York City, according to information received today by J. N. Dolley, state bank commissioner.

NEW YORK, Aug. 21.—John A. Flack was arrested here this afternoon by detectives of a surety company. He admitted his identity and he said he would gladly go back and stand trial. The shortage, he asserts, is more than $75,000.

MISSOURI EDITORS VISIT BIG DAM AT KEOKUK

HANNIBAL, Mo., Aug. 21.—The second day of the Missouri Press association opened this morning with a large increase in attendance. About 200 newspaper men from various parts of the state are here. An open parliament was held this afternoon and tonight the editors were the guests of the Hannibal Commercial club. A boat excursion to the Keokuk dam will be the feature of the third day.

The Weather

Forecast until 7 p. m., Thursday.

For Omaha, Council Bluffs and Vicinity—Fair tonight and Thursday; not much change in temperature.

Hours.	Deg.
5 a. m.	64
6 a. m.	64
7 a. m.	64
8 a. m.	65
9 a. m.	65
10 a. m.	72
11 a. m.	74
12 m.	76
1 p. m.	77
2 p. m.	76
3 p. m.	79
4 p. m.	81
5 p. m.	80
6 p. m.	80
7 p. m.	79
8 p. m.	77

Second Regiment Installed in Camp at Grand Island

GRAND ISLAND, Neb., Aug. 21.—(Special Telgram.)—The Bradstreet race course grounds, consisting of practically an entire section of land, have been converted into a camping ground for the Second regiment, Nebraska National guards and tonight a large number of the companies are in camp in the city of tents which arose today.

Colonel J. H. Paul of St. Paul and Lieutenant Colonel Walter Sammons of Kearney are in charge. A detachment of Company H of Aurora was the first to arrive followed by Company A of Kearney and the companies from Beaver City, Nebraska City, Hastings, Holdrege, Lincoln, Company I of Omaha, Schuyler, Alma and Albion.

Colonel Paul pronounces the camp grounds as excellent. He will issue his first orders tonight or tomorrow morning and contemplates being lenient with the men, but putting them on their good behavior. They will be permitted to come to the city in the evening, but he is determined to deal strictly in case of any irregularities.

Bishop George A. Beecher will be here tomorrow and will have supervision of the mail and other details. Governor Aldrich is expected to be in the city Sunday evening and Monday and will officially review the regiment. Adjutant General Phelps is expected to be in the city the greater part of the week.

All necessary sanitary arrangements have been made for the camp including shower baths.

United States Will Send Two Thousand Men to Nicaragua

WASHINGTON, Aug. 21.—Complete arrangements to throw a force of two thousand blue jackets and marines into Nicaraugua within ten days to protect foreign lives and property and keep railroad communication open from the American legation in Managua to the Pacific coast were made today by the Navy department.

Senator Bacon in the senate today scored the State department for its attitude in the Nicaraguan revolution.

"Some time ago there was negotiated an American-Nicaraguan treaty providing that the United States furnish agents to collect customs in Nacaragua and to are the proceeds to pay loans made by American capitalists," said Senator Bacon, "but the senate did not ratify the treaty. But by whose authority I do not know, there has been an effort to accomplish without law that for which they failed to procure through law."

Senator Bacon asked a senatorial investigation of the landing of marines and blue jackets in Nicaragua.

PHILADELPHIA, Aug. 21.—Eight hundred marines will sail from the Philadelphia navy yard next Saturday for Nicaragua. Orders directing the move were received at the navy yard this afternoon from Washington.

Opium Smugglers Conceal Drug in the United States Mail

HONOLULU, Aug. 21.—Smugglers of opium in their efforts to circumvent the customs authorities at American ports have been using mail bags as carriers of the contraband drug.

Discovery of this method taken by the smugglers was made some time ago but has been kept secret while an investigation was under way.

On the steamer, Manchuria, which arrived at Honolulu, from the Orient, on August 8, a mail bag was found which, instead of containing letters, was stuffed with $5,000 worth of opium. Either mail bags long have been surreptitiously used for this purpose by collusion between postal employes here and at some Oriental port or the bag has been opened aboard the Manchuria during a voyage, its mail matter destroyed, and the tins of opium substituted.

It is believed the investigation will be extended to all calling ports of the steamships that ply between Manila and San Francisco.

Assistant United States Attorney General Gordon went from here to Japan and it is said his mission is to extend the investigation to Japanese ports.

Traction Companies to Submit Definite Offer to Employes

CHICAGO, Aug. 21.—Officials of the companies operating the two street railway systems of Chicago were prepared to submit a definite proposition to their employes today as they resumed negotiations with union leaders and Mayor Harrison.

While the offer of the traction officials dealt with working conditions only, it is said that the proposition would bring about a break in the deadlock which has existed for two days.

In the event of working conditions being satisfactorily adjusted, the vital question of wages, heretofore untouched by either side in the controversy, will then be taken up. There was a possibility of both questions being settled before nightfall.

BILL TO AID FARMERS MARKET CROPS IS PASSED

WASHINGTON, Aug. 21.—A "division of markets" in the Agricultural department, to act as the clearing house for farmers and consumers in distributing farm produce and reducing the chances of shortage or over-supply, was authorized in Senator Hoke Smith's bill passed by the senate today. Information as to supplies of farm produce and the condition of the market in different cities would be distributed by "farmers, farmers' organizations and societies of consumers."

The bureau would also be authorized to investigate and report on co-operative systems used in the United States or foreign countries whereby farm products are more economically placed in the hands of consumers.

PENROSE IN SPEECH EXPOSES ROOSEVELT DEMAND FOR MONEY

Senator Replies to Charges Made Regarding Certificates Sent Him by Archbold.

PART OF LARGE CONTRIBUTION

Standard Oil Gave Hundred Thousand to Elect Colonel.

DONE WITH T. R.'s KNOWLEDGE

Says Flinn Offered Two Millions to Be Senator.

MORE REVELATIONS TO COME

Papers and Letters Exist Showing Facts in Relation to Contribution of Harriman in Nineteen-Four.

WASHINGTON, Aug. 21.—In a careful, deliberate speech in the senate late today Senator Penrose of Pennsylvania replied to the charges made regarding a certificate of deposit for $25,000 sent him by John D. Archbold of the Standard Oil company in 1904.

Senator Penrose admitted receiving that sum from Mr. Archbold, but said it was part of a collection of a contribution of $150,000 made by Archbold to the republican national campaign, $100,000 of which amount he said went to the republican national committee and $50,000 to himself for use in Pennsylvania.

"Theodore Roosevelt had been advised of the contribution," Senator Penrose declared.

He said that later Cornelius N. Bliss, then treasurer of the national committee, asked for another contribution of $150,000 from Archbold and his associates "interested in the Standard Oil company.

"The demand was urgent, insistant—I may say imperative—and it was reported it came direct from Roosevelt," declared Senator Penrose, forcefully.

William Flinn, Roosevelt leader in Pennsylvania, was scored by Penrose. The senator charged that in 1904 Flinn offered him and Israel W. Durham "$1,000,000 or $2,000,000" if they would favor his candidacy to the senate to succeed Senator Quay. Senator Penrose read what purported to be copies of telegrams to show that Flinn asked John D. Archbold to assist him in securing the election.

Editor Object of Attack.

Senator Penrose also attacked E. A. Van Valkenberg, editor of the Pennsylvania North American, and referred to the "effrontry, hypocrisy and mendacity of the Van Valkenberg-Flinn combination."

The galleries of the senate were filled in response to the announcement that Senator Penrose was to speak. He read his speech from printed proofs and talked slowly and impressively. At the conclusion of his speech the senator promised further disclosures. Senator Stone of Missouri asked him if he knew anything of the contribution of E. H. Harriman to the 1904 republican campaign fund.

"The papers are on file and letters exist," said Senator Penrose, "which I think during the campaign will see the light of day. I think it would be very beneficial to the country if they should become public."

"Where are they now?" asked Senator Stone.

"They are hidden in the archives of the campaign committee, in the cellars and vaults of business men and in the offices of lawyers," returned Senator Penrose. "I think the time has come when these charges should be met and the American people should no longer be gulled by answers which insinuate that another man is a liar."

Quotes Roosevelt Interview.

Penrose had read by the clerk a newspaper interview with Colonel Roosevelt, in which the latter was quoted as saying that Penrose had nothing to do with the presidential campaign of 1904. The senator said he was a member of the national committee, chairman of the Pennsylvania state committee and conducted the campaign in Pennsylvania.

"Mr. President, is this ingratitude, mendacity or political aphasia?" He demanded.

A ripple of laughter greeted this question and Penrose seized his big palm leaf fan and settled into his set.

Senator Bacon asked to whom the $2,000,00 was to be paid by the "citizen who wanted to be elected to the senate."

"I suppose either, Mr. Durham, or myself," responded Mr. Penrose. "We did not get that far in the consideration of the business.

Senator Culberson of Texas, seeing phaychological opportunity, immediately called up his bill forbidding campaign contributions, by corporations and limiting the amount to be contributed by individuals to $5,000.

A fillibuster developed and after a half dozen roll calss on it the senate was forced to adjourn.

Omaha Day is Set at the State Fair

Omaha day at the Lincoln state fair has been set for September 4. Members of the Knights of Ak-Sar-Ben, the Real Estate exchange, the Ad club, Omaha Motor Auto club, Commercial club and the University club will get together for a trip to Lincoln to make Omaha day the biggest of the fair and the most successful in the history of annual state fairs.

Geneva Saloon Case Up.

GENEVA, Neb., Aug. 21.—(Special.)—The two petitioners for saloon license had notice of same published and made application before the city council last Thursday evening, but there being remonstrances filed last night was appointed to hear the same. The saloon people were represented by Judge Joseph Wertzburg and the temperance people had Attorney A. G. Wolfenbarger, both of Lincoln. The hearing was continued.

Confronting a Predicament

From the Indianapolis News.

FORMAL NOTICE TO SHERMAN

Committee Informs Vice President of His Renomination.

SUTHERLAND MAKES ADDRESS

Mr. Sherman is Only Vice President Given Second Nomination by Republicans—Taft Sends Congratulations.

UTICA, N. Y., Aug. 21.—Vice President James S. Sherman, the first man to be twice nominated by the republican party for the office he now fills, was formally notified at his home here today that he was again the choice of a republican national convention. "This distinction was not sought by me," said the vice president, after United States Senator George Sutherland of Utah had delivered the speech of notification, "but unsolicited, it is the more appreciated. I cannot but recognize your message as a mandate I must obey."

The ceremony was in the opeen air in Roscoe Conkling park. Mr. Sherman was escorted to the place by a procession of republican clubs and the city gave up the day to holiday making in honor of the occasion.

Vice President's Address.

Vice President Jamts S. Sherman, in accepting the vice presidential nomination of the republican party, said in part:

"Gentlemen of the committee, you represent the forty-eight states of the union and the 8,000,000 republican voters in our wide domain. You bear the commission of the convention, which representing them, met in Chicago in June. The annals of American parties do not record the proceedings of a political gathering conducted with more openness, fairness, deliberation, sobriety and worthy purpose than that for which you speak.

"Not deceived by the clamor of those who attempted to bolster up claims without basis, by hundreds of contests resting on a foundation so flimsy that in the light of investigation most of them melted away like snow in a furnace and were rejected by quite or nearly an unanimous vote, the convention adopted a platform that rings true for patriotism and constitutional government and worthily bestowed a renomination upon our present chief executive.

"Our party has never before conferred a second nomination for the office of vice president upon any man. This distinction was not sought by me, but, unsolicited, it is the more appreciated. As a loyal republican I stand squarely upon the party platform.

"I approve the admirable statement of republican principles and achievements made in the address accepting the nomination for president by William Howard Taft. Upon that platform and associated with President Taft, I gratefully accept the renomination.

"Our opponents are divided into two camps, rivaling each other in their efforts to excel in disturbing the civic

(Continued on Second Page.)

The National Capital

Wednesday, August 21, 1912.

The Senate

Convened at 11 a. m.

Senator Bacon introduced resolution authorizing an investigation of the recent landing in Nicaragua by American forces.

Passed bill creating a "division of markets" in bureau of statistics, Department of Agriculture.

Passed Pomerene bill for uniform bills of lading.

Postmaster General Hitchcock endorsed to conferees on postoffice appropriation bill the house proposition for a parcels post, instead of the senate's.

Senator Williams attacked Colonel Roosevelt for his published criticisms of Thomas Jefferson and other historical figures.

The House.

Convened at noon.

Message from President Taft vetoing legislative, executive and judicial appropriation bill because of provision abolishing commerce court was read.

Repassed legislative, executive and judicial appropriation bill, containing anti-commerce court provision, over President Taft's veto.

El Paso-Juarez Port is Opened by American Troops

EL PASO, Tex., Aug. 21.—The El Paso-Juarez port was opened today by the United States troops commanded by General E. Z. Steever following the occupation of Juarez last night by 2,000 Mexican federal troops. Crowds were allowed to cross to Juarez without the formality of passports.

An attempt was made last night by rebels to dynamite the long tunnel of the Mexican Northwestern railway between Casas Grande and Madera, state of Chihuahua, according to word received today. A small band of rebels attempted to enter the tunnel and was met by a party of federal Yaqui Indians on guard. Twelve of the rebels were killed by the Indians.

SAN DIEGO, Cal., Aug. 21.—The Mexican gunboat General Guerrero, in command of Commander Oton Blanco, and the steamer Benito Juarez, owned by the Compania Naviera del Pacifico, have been captured by the rebels, according to private advices today from Mazatlan. The gunboat carries a crew of 108 officers and men and is equipped with six-inch and two four-inch guns, according to Leon Gomez, Mexican consul here.

Nebraska Warden Denies Charge Made By Dr. Loveland

LINCOLN, Neb., Aug. 21.—Nebraska prison authorities take vigorous exceptions to the strictures passed by Dr. Frank Loveland of Topeka, Kan., on conditions at the Nebraska penitentiary. Warden Melick said in reply to the statement of Dr. Loveland at Columbia, Mo.:

"I know of no reason why this prison expert should even insinuate that barbaric treatment exists at the Nebraska institution.

"It certainly has not existed during my administration, and I believe it due to the people of Nebraska to emphatically to deny that statement. What the conditions may be in other state institutions of a like character, I have no knowledge, but I do know that brutality of any sort is not and will not be tolerated in the Lincoln institution."

Postoffice at Warner, South Dakota, Robbed

ABERDEEN, S. D., Aug. 21.—(Special Telegram.)—Burglars broke into the postoffice at Warner, ten miles south of here last night, blew the safe and stole $400 worth of stamps and $5 worth of postal savings stamps. Cash amounting to several hundred hollars was in the steel box which the burglars could not open. Telephone wires were cut to prevent the alarm being spread.

Warren and Mondell Are Renominated

CHEYENNE, Wyo., Aug. 21.—It is considered certain that United States Senator F. E. Warren and Representative F. W. Mondell were renominated by the republicans and John B. Kendricks for senator and T. P. Fahey for congress were selected by the democrats in yesterday's primary. Returns are slow and definite figures are not likely for several days.

INSURGENT WOODMEN CRITICISE COMMISSION

LA CROSSE, Wis., Aug. 21.—State Insurance Commissioner Ekern was criticised at the insurgent Woodmen state convention here today by John L. Sundean of Minneapolis, organizer of the Modern Woodman assembly, for alleged support of the so-called Mobile law. J. W. Murray was elected chairman and A. J. Riek of Weyauwega was chosen for secretary of the convention.

WILSON DIVIDES HIS FORCES

Part of Executive Committee is Assigned to Chicago Office.

SECRETARY DAVIES HAS CHARGE

Treasurer Wells is Attached to Eastern Headquarters in New York, Which Will Be in Charge of Chairman McCombs.

SEA GIRT, N. J., Aug. 21.—Division of the democratic national campaign committee, not in authority, but in geographical activity, was announced today by Governor Wilson.

One-half of the committee will be located in New York City and the other half in Chicago, where officers of the committee today intended to establish the western headquarters of the democratic campaign.

The governor announced that Senator Gore of Oklahoma, chairman of the committee on organization; Representative Burleson of Texas, chairman of the speakers' bureau; Senator Reed of Missouri, Judge W. G. King of Oregon and Charles R. Crane, the vice chairman of the finance committee, would co-operate at Chicago with Joseph E. Davies, secretary of the national committee.

At the New York headquarters, besides National Chairman McCombs and Vice Chairman McAdoo, will be stationed Rolla Wells, the national treasurer; Henry Morgenthau, chairman of the finance committee; Josephus Daniels, chairman of the publicity committee; Willard Saulsbury, chairman of the special bureau; Representative A. Mitchell Palmer of Pennsylvania, Representative McGillicuddy of Maine and Senator O'Gorman of New York.

Explaining the new plan of campaign, Governor Wilson issued the following statement:

"The arrangement proposed for Chicago does not in any way interfere or cut across the authority of the national campaign committee as a whole. It merely transfers half of the committee to Chicago in order that they may conduct their work there with special reference to the western country. The committee in charge is divided in space merely and not in authority."

Mooses Are After Funds.

CHICAGO, Aug. 21.—Leaders in the progressive party will hold an important conference at headquarters tomorrow it was announced today, after it had been learned that United States Senator Joseph M. Dixon of Montana, and Henry F. Cochens, head of the progressive speakers' bureau, had departed from New York for Chicago.

Medill McCormick, and George F. Porter of Chicago today issued a call for a meeting tomorrow at which the progressive business men's finance committee will be formed. This committee will have charge of the work of getting funds to finance the national campaign.

John F. Bass today took charge of the Illinois progressive fight for county, senatorial district and congressional nominations on the state ticket. He said there would be a complete organization in every county.

Second Injunction Suit.

TOPEKA, Kan., Aug. 21.—A second injunction suit to prohibit the names of eight Roosevelt presidential electors being put on the general election ballot in Kansas was filed before Judge Smith McPherson of the United States court at Red Oaks, Ia., today. A temporary restraining order was granted and Charles Sessions, secretary of state, was notified by telegraph not to make any move until the injunction had been heard.

COUSIN OF MARK TWAIN DIES IN GERMANY

BERLIN, Aug. 21.—Mrs. Alice Von Versen, widow of General Von Versen, died here on Monday. Her maiden name was Alice Clemens of St. Louis and she was a cousin of Mark Twain. She was one of the most prominent German-Americans at the imperial court.

MELON CUTTING IN INDEPENDENT PHONE FINAL SETTLEMENT

Wise Bondholders Are Getting a Handsome Bonus in the Receiver's Dividend.

RESULT OF PRIVATE PLANS

Not All of Purchase Price Paid Into the Court.

COMMITTEE HANDLES THE DEAL

Bondholders Represented in Transaction by Their Own Men.

BELL COMPANY PAYS TWICE

Bids Million for Plant, but Adds $400,000 in Private Transaction with Bondholders' Committee.

Some of the bondholders of the insolvent Independent Telephone company are receiving in the neighborhood of 20 cents on the dollar in the winding up of the company's affairs and others are receiving about 43 cents on the dollar. This is due to the fact that the Nebraska Telephone company paid $400,000 more for the plant than the sum bid at the receiver's sale July 1.

The extra $400,000 is being distributed pro rata among the group of bondholders who before the sale organized what is known as a bondholders' committee. To this committee, it is said by those who are on the inside, the Nebraska Telephone company made the promise it would pay $1,400,000 for the Independent plant, but it would buy it as cheap as it could be bought at the receiver's sale. The property was purchased for $1,000,000 at the auction. The extra $400,000 went to the bondholders' committee.

Bondholders' Unite.

When the Independent Telephone company was found to be financially weak a number of the bondholders got together to see what could be done. Among them were Frank Woods of Lincoln, president of the Independent system there; Frank B. Johnson, Lysle I. Abbott and Edson Rich. They invited all the bondholders to deposit their bonds with a bondholders' committee, which they proposed to organize. Many of the bondholders did not do this because they did not know what the plan was. Many feared it meant they would be asked to invest more money to bolster up the Independent company to continue operations. Many deposited their bonds until the committee had in all about $1,900,000 worth of bonds. When others refused to come the committee authorized the Title Insurance and Trust company, as trustee, to institute foreclosure proceedings, which was done. The Independent Telephone company made no defense. It simply confessed the insolvency and a decree of foreclosure was issued.

The extra $400,000, which is being distributed among the members of the bondholders' committee, did not go through the hands of the court, but is being paid to the committeemen, who were the movers in getting the foreclosure suit started.

Banks Paying the Checks.

The $1,000,000 was deposited in the Nebraska National bank in Omaha, where it has been checked out as bonds have been presented.

"It is simply a commercial transaction with us," said H. W. Yates, jr., vice president of the bank. "Further than that we have nothing to do with it."

The business of distributing money to the members of the bondholders' committee is done at the Merchants National bank. Fred Hamilton, cashier of the bank, said yesterday that the bank has nothing to do with it, except that money has been deposited there and bonds are being paid from the bank. When reminded that the million was supposed to be deposited at the Nebraska National bank, Mr. Hamilton simply said that funds had been deposited with the Merchants bank for the payment of Independent Telephone bonds. Asked how much was deposited in the Merchants, he said:

"Oh, I don't know how much. I can't tell that without looking it all up." He said he did not know who were the bondholders outside of the bondholders' committee.

Amount Not Named.

Luther Drake, president of the Merchants National bank, when asked about the deposit made there for bondholders, said:

"You know a bank hesitates to say anything about its depositors or its deposits. It wouldn't be in good form for us to give out the amount."

Frank H. Woods, chairman of the bondholders' committee, lives in Lincoln. Frank B. Johnson, another prominent member of the committee, when asked about its franchise and the purpose of its organization, said:

"Abbott is the only man that can talk on that matter. I can't tell you."

Edson Rich, another prominent member, is out of the city. Lysle Abbott, it

(Continued on Second Page.)

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