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MR. COSSAR SATISFIED WITH RESULTS ON FARM

Six Boys for the Gagetown Farm will Arrive Next Week The Year's Crops Most Successful.

Tanned and lean and looking very fit, G. C. Cossar who has been living the strenuous life on his farm at Gagetown, came into the city yesterday and hung up his agricultural hat at the Royal.

"The farm has given a good deal better results this year than last," said Mr. Cossar when seen by a reporter. "The manager, Mr. Mickiejohn, knows the business, and he has done well. I think the yield this year will be nearly double the best previous record of the two farms."

Mr. Cossar has ten boys on the farm now and six more will probably come out next week. While his novel experiment of picking up boys of St. Mungo's city unattached or without prospects and bringing them out to New Brunswick and trying to make disciples of Lubin out of them, has not turned out to his heart's desire, he is evidently glad he went into it and has hopes that it will point the way to larger schemes for salving the waste life of British cities. Some of the boys he brought out in the first year of his experiment did not make good—mainly, he thinks because they were too old. The boys he has brought out more recently have been under 17 years of age, and they have exhibited a conscientious desire to make the most of their opportunities of fitting themselves for life in the new world.

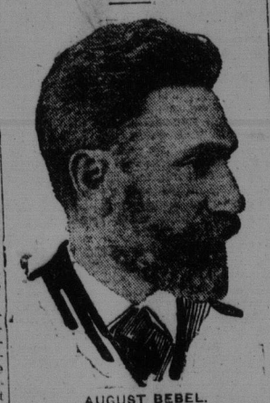
Some of the boys prove a disappointment, but Mr. Cossar is in no wise discouraged, and hopes to improve his farm and provide accommodation and work for a larger number of boys. He has set out some young orchards and brought over pure bred stock from Scotland and next year he expects to bring over some more pure bred cattle.

In some cases poor boys in Glasgow come to Mr. Cossar and ask him to send them out here, but often he finds recruits for his colony under rather distressing circumstances. "I noticed a boy on the street one day so weak looking and white faced that I thought he had consumption," he said. "I took him to a doctor who said the boy was sound enough, but evidently starving. Afterwards the boy said to me: "No wonder I loked white. I hadn't eaten anything for three whole days."

I sent that boy out here, and after a few days he cleared out."

"The boys," he added, "are required to work hard on the farm and their hours are long. But I think it is good for them. I want to make them fit for life in this country."

FIERY HERR BEBEL IS BACK ON THE JOB AGAIN



AUGUST BEBEL.

This fiery leader of the Socialists in the German Reichstag has been very ill, but was able to attend the big Socialistic Congress at Jena and will again be in the public eye at the coming Reichstag. This picture of him is from a late photograph.

CHINESE REVOLUTION HAS A SERIOUS LOOK

Continued from page 1.

San Francisco, Oct. 19.—Contributions to the funds of the Chinese revolutionists continue to pour into the coffers of the local agents of the rebels. The headquarters of the Chung Hwa republic, and the Tai Tung Yat Bo newspaper report that $500,000 had been forwarded to Penang in the Strait settlements where the executive committee of the Young China party is now located.

News is Conflicting.

Peking, China, Oct. 19.—All telegrams from the interior are censored and consequently there are conflicting reports as to the result of the battle of Hankow yesterday.

It must be remembered that telegrams to Peking pass through the hands of the imperialists while messages for Shanghai are sent by way of Kiu-Kiang, which is in the hands of rebel sympathizers.

Must Cut Their Hair.

San Francisco, Cal., Oct. 19.—Short hair has been made the distinguishing mark of the Chinese revolutionists, according to a message from Hankow received today by the Chung Sao Yat Po, which says the revolutionary government has given the male inhabitants of Hankow and Wu Chang until Oct. 22, to cut off their queues. This means that those refusing to lose their queues will lose their heads, says Neg Poon Chew, editor of the paper and one of the local leaders of the Young China movement.

Another special despatch from Shanghai records a rumor that three imperial warships have surrendered and raised the flag of the republic. It is also said that the rebels have captured Wang Chow, province of Hu Peh, occupied the forts and telegraph office there and are advancing toward Sheung Yang.

ONUS OF PROOF RESTS ON THE SALOON KEEPER

According to Magistrate Ritchie's Decision in Dolan Case Saloon Keepers Must Satisfy Themselves that a Man is Sober Before they Can Sell Liquor to Him—Text of an Important Judgment.

In the police court yesterday Judge Ritchie delivered judgment in the case of Henry Dolan, charged with selling liquor to George Hansen, a sailor, while intoxicated. The defendant was fined $50.

His honor pointed out in the course of his judgment that according to the best English authorities, it was not necessary that the licensee or person selling the liquor should know that the person was drunk, to make him liable. On the contrary, it was his duty to know that the man was sober. That law, he said, was not understood in St. John. A short time ago a liquor dealer, steppingeup to the clerk, asked what he was charged with. Selling liquor to a drunken man, he was told.

"Well, if we can't do that," replied the licensee, "we might just as well get out of the business altogether."

D. Mullin, K. C., who appeared for the defendant, gave notice that the case would be appealed.

The judgment, in view of the important point decided is of considerable interest. It was as follows:

The King vs. Henry Dolan.

In this case the defendant, Henry Dolan, is charged under section 65 of the liquor license act, with the offense of selling liquor to one George Hansen, a drunken person, in his, defendant's, tavern, Union street, St. John city, on Friday night, the 13th Oct. inst.

The trial has been somewhat protracted, there being three hearings, namely the 14th, 16th and 17th inst. I have carefully read over and considered the evidence adduced at these respective hearings.

The fact that George Hansen was served with liquor in the defendant's tavern on the night in question is not disputed; indeed the defendant Dolan admits that Hansen and his two companions were served with lager beer and under the act "lager beer" is defined as liquor. Hansen's two companions, however, testified that they and Hansen got and drank whiskey in Dolan's. Whether or not it was lager beer or whiskey for the purposes of this prosecution may be said to be immaterial, and I am only considering it because of an incident in connection with the serving of the liquor, viz: the pouring of the liquor out of a bottle into a glass, the defendant says he poured out the lager beer for the three men, two of the three men say that they got whiskey and that they and Hansen poured the liquor out of a bottle into a glass. The defendant says he didn't give them whiskey, but neither the men nor MacLeod say that. Dolan gave them whiskey. One of the men on cross-examination says that at a previous time they got lager beer in Dolan's but on the occasion at night when they visited his tavern, they got whiskey and they poured it from a bottle.

Police Officer McLeod says he saw three men on Charlotte street, three-quarters of an hour before he arrested Hansen for drunkenness, that he talked with Hansen, who, he says, was under the influence of liquor, full of liquor staggering over the street. After he had the talk Hansen went with his companions down the street into Dolan's; that he, the officer, stood so as to see Hansen, stood long enough on the sidewalk to see Hansen pour out of a bottle into a glass. A few minutes afterwards Hansen came out of Dolan's. That Hansen was drunk. That he pleaded guilty and was fined eight dollars.

None of the witnesses for the prosecution say the defendant Dolan was present. One of them, Johanson, said on cross-examination that, "I cannot say if defendant was there. I did not take any notice," but they say that all three men were served with whiskey, and that they poured it out of a bottle into a glass, and this statement is corroborated by Police Officer MacLeod. Dolan says they got no whiskey from him, but the prosecution does not say, nor do any of the witnesses say that Dolan served them with whiskey. There was a bartender there that night, Albert Carpenter, but he does not negative the statement that they were served with whiskey. They might have been served at different times with both whiskey and lager beer. They swear that they were served with whiskey, and that they poured it out of a bottle. They do not say that Dolan served them. Police Officer MacLeod cannot say it was whiskey, but he says he saw Hansen pour something out of a bottle, and the witnesses swear that it was whiskey that was poured out of the bottle.

The weight of evidence is undoubtedly in favor of the statement that those men poured whiskey out of a bottle into a glass, but as I have already intimated from one point of view under the Liquor License Act, it is immaterial whether they were served with lager beer or with whiskey. The only reason that I have considered it is, as it may bear on the question of the credibility of the two men who accompanied Hansen, that they got liquor in Dolan's is not disputed.

Then comes the question that is disputed, viz: the condition of the man Hansen. The three men were together the day and night, as one said, "I was with Hansen yesterday and last evening all the whole day he said he was not drunk and he was not sober." And the other said, "I was with him last evening, with him all day. I was a little drunk." Officer MacLeod says, "Hansen was under the influence of liquor," and he arrested him, and Officer MacLaren who received the prisoner says Hansen was staggering under the influence of liquor.

For the defense besides Dolan, there were sworn Messrs. Turner, Maquire, Morrison, Albert and George Carpenter. Mr. Turner did not speak with Hansen but he swore, "I certainly say he was not drunk, a man's drunk when he is not able to take care of himself and give an intelligent anwser. I say a man is not drunk until he is not able to take care of himself and not able to give an intelligent answer. I say Hansen was not drunk because he was able to walk and talk. One of the three who objects to the officers arresting Hansen was under the influence of liquor, he staggered as he walked away. He was able to talk, he was the drunkest of the whole three." George Carpenter says he was in Dolan's bar on that night and that Hansen was sober; Carpenter is the only one who puts it so strong. Mr. Morrison's attention was attracted to the three talking at Watson's on Charlotte street, the policeman spoke to them and they went into Dolan's. They did not stagger that he noticed, but MacLeod saw Hansen stagger and Turner saw another one of the three stagger. One or two who see and act is worth more than a few who do not see. Is every man "although under the influence of liquor" who can talk, can walk to be permitted on licensed premises? Is he a person in a fit condition to be served with liquor?

What do we gather from English authorities, decisions under just such a section as we are now considering. In one case the wife of the tavern keeper gave a drink to a customer, the defence set up that it was after hours. The court held that the hour of closing had nothing to do with permitting drunkenness. In another case the English court decided that a licensee could be convicted of permitted drunkenness on his premises where a man was drunk when he came to the knowledge of the licensee. And in another case it was decided that it is not necessary in order to constitute the offense of permitting drunkenness on licensed premises, to show that a drunken person was served with drink on the premises. Lord Alverstone, chief justice, said: "That drunken persons ought to be turned out of licensed premises as soon as they show signs of being drunk."

Dolan says those three men were in the tavern talking, smoking cigarettes and had a drink and afterwards had another drink, and after Hansen took a sip of the second glass he got sick, put his arm on the counter and his head on his arm and Dolan said "Get him out in the air it is warm here," and he further says that up to that time he didn't appear to me to be drunk.

Now the law as laid down clearly a quarter of a century ago in England does not appear to be understood in this city. To illustrate this, some time ago a licensee was summoned to court and when he came he asked the clerk what the charge was and on being informed for selling to a drunken person, the licensee dealer frankly said, "If we cannot do that, we might as well get out of business." Judge Stephen in the celebrated case of Cundy vs. LeCocq said that "the clause we are considering says nothing about the knowledge of the state of the person served. I believe the reason for making this prohibition absolute was that there must be a great temptation to a publican to sell liquor without regard to sobriety of the customer, and it was thought right to put upon the publican the responsibility of determining whether his customer was sober. As I have already pointed out the object of this part of the act is to prevent the sale of intoxicating liquor to drunken persons and it is perfectly natural to carry that out by throwing on the publican the responsibility of determining whether the person supplied comes within that category.

In this decision it would seem that the publican should not sell liquor without regard to the sobriety of the customer, putting the responsibility on the publican of determining whether or not his customer is sober before selling him liquor. Surely, it cannot be the law or be in the interest of order or morality that liquor may be supplied to a person until he is not able to talk or walk.

Anyone unfamiliar with the meaning of the words, sober, sobriety, intoxication, and drunkenness, might refer to any standard dictionary for the definition of such words.

One of three men supplied said he himself was not sober, another of the three, said he himself was "a little drunk," this was on cross-examination. One of them, Turner says, was the drunkest of the three. The three sailors were together all the day and evening. From all the evidence, I have no doubt whatever but that Hansen was drunk and should not have been served with liquor. Too much of this practise has made this year the record one for drunkenness in this city.

I think in this case the weight of evidence is with the prosecution.

Under the testimony and according to the law governing such a case, I judge the defendent guilty and fine him fifty dollars, in default of payment he be imprisoned in jail for thirty days. There will be no costs.

In England, the penalty is £20, equal to $100.

May Purchase Farm Here.

the Royal yesterday hast(rhaaCvdy Henry Steele, of Scotland, who was at the Royal yesterday, has been looking about the province with the idea of purchasing a farm and becoming a New Brunswicker. He was much impressed with the farming possibilities of some of the places he visited, and may come out here next year and engage in farming.

BIG CORPORATION TO DEVELOP WATER POWER.

Brattleboro, Vt., Oct. 19.—Definite announcement was made here today that a corporation to be known as the Central New Hampshire Power Company with a capital stock of $15,000,000 had been incorporated in Maine by residents of Brattleboro, its purpose being the development of extensive water powers in Central New Hampshire.

A QUICK PASSAGE.

City Island, N. Y., Oct. 19.—Schooner Lawson, (Br.), from Port Greville, N. S., and schooner Jost, (Br.) from Spencer's Island N. S., made a quick passage of seventy hours to City Island.

WHAT MAKES A COMPLEXION?

The season's programme of evening parties, social events, etc., is before you. Why not look your best? Why not ensure a good complexion? Matter of time and perseverance only if you will use Zam-Buk.

Zam-Buk is a skin food; and complexion is purely a matter of skin health. Zam-Buk smeared lightly over face, each night, acts as a skin tonic. It stimulates the cells beneath the cuticle to healthy action, makes the capillaries and blood vessels work, and the vigorous circulation, thus started, carries away secreted impurities. Waxy, sallow deposits are thus removed. That yellow tinge gives place to the pink of health.

Isn't this wiser than relying upon talcum powder and cosmetics? Zam-Buk builds up a complexion from blood and tissues. It lasts!

HALIFAX SCHOONER WAS LOST AT SEA

The Renown Went Down in Mid-ocean but Crew was Saved — Bound for Newfoundland from Spain.

Special to The Standard.

Halifax, Oct. 19.—A. B. Crosby, ex-M. P., owner of the schooner Renown, received the following message from Bremen, Germany, this afternoon:

"The Renown sunk in mid ocean, crew saved."

The schooner was bound to Newfoundland from Spain with a cargo of onions. She had been engaged in this trade by R. Gulton and Co., of Burgeo, Newfoundland, for four months. The Renown was 98 tons register, and 12 years old. She carried a crew of 6 men and was partly covered by insurance. The cargo was insured.

WHEN HE DIES SOON, WHAT THEN?

EMPEROR FRANZ JOSEPH

of Austria-Hungary, who looks rugged in this his latest photograph, but whose age makes death certain before long. Then the long discontent of Hungary and the general jealousy of European powers may bring—who knows?

LATE SHIPPING

Arrivals.

Quebec, Oct 19—Strs Helvetia, Griffin, Sydney; Querida, Anticosti.

Fastnet—Passed—Pola, St John, N B.

New York—Schrs Jost, Port Greville, NS; Lawson, Minersville, NS; Fleetly, Chatham, NB; Charles J Dumas, do.

Vineyard Haven—Schrs Archie Crowell, Barrington, NS; Levi S Andrews, Bonaventure, Que.

Sailed.

New York—Str Nanna, Hillsboro, N B.

C. T. Lugrin, of Paradise Row, who was taken suddenly ill last Monday, is improving.

Do you want boys suits, overcoats and reefers. Come to the People's Dry Goods Store, 14 Charlotte street.

Attend the big sale now going on at the People's Dry Goods Store, 14 Charlotte street.

DIED.

BROWN.—In this city on 19th inst., Harrington Hunter, eldest son of David J. and Lillian M. Brown, aged 30 years.
Funeral from his late residence 119 Leinster street, Saturday, 2.30 p. m.

BRADLEY—Suddenly at his residence 50 Monmouth street, East Boston, John J. Bradley, in the 68th year of his age, leaving besides his wife two sons and four daughters, also a brother and sister.

D. Boyane
Optometrist and Optician
38 Dock St.
Close 6 p. m. Sa

F. R. MURRAY HEADS S. S. ASSOCIATION

St. John Man Chosen to Lead Provincial Sunday School Forces, at Yesterday's Session of Convention.

At the afternoon session of the N. B. Provincial Sunday School Association yesterday Fred R. Murray was named president; Rev. J. C. B. Appel, vice-president; Rev. W. A. Ross, secretary, and A. H. Chipman, treasurer. The rest of the officers according to the report of the nominating committee which was adopted as read, were: Department superintendents—Elementary, Mrs. W. A. Ross, secondary, Rev. S. J. McArthur, Newcastle; Home, Rev. G. A. Lawson, Moncton; Adult, Fred R. Murray; Education, Rev. J. B. Ganong, Havelock; Temperance Rev. W. B. Wiggins, Moncton; Missionary, Mrs. David Hutchinson; I. B. R. A., Alex. Murray, St. Stephen.

Additional members of the executive committee: Andrew Malcolm, W. J. Parks, J. Willard Smith, E. R. Machum, R. T. Hayes, Robert Reid, Alexander Law, Lewis W. Simms, J. W. Flewelling, Rev. H. D. Marr, Rev. Gordon Dickie, Rev. David Lang, Rev. Dr. David Hutchinson, Rev. W. Camp, Rev. J. H. A. Anderson, Rev. F. S. Forter, Rev. W. F. Gaetz, Rev. A. F. Newcombe, Mrs. B Carr Harris, Bathurst; Mrs. W. C. Matthews, Joshua Carvell, Jemseg; R. B. Wallace, Fredericton; I. A. Corbett, Hillsboro; Rev. M. F. McCutcheon, St. John; Rev. Dr. Campbell, Sackville; Rev. D. McOdrum, Moncton; Rev. J. B. Champion, Salisbury; Hon. J. K. Flemming, Hartland; W. S. Loggie, Chatham; Col. T. Alexander, Fredericton Junction; S. H. White, Sussex; D. C. Frith, Campbellton; C. W. Manzer, and S. J. Parsons, Woodstock.

The report of the teacher training department was presented by E. R. Machum. In this it was said that greater interest was being manifested in the work of the department. Mrs. J. C. Calkin and Miss Edna L. James, of Sackville had passed a successful examination in Hurlbuts Old Testament studies. Miss Hazel E. MacMurray, Miss Annie G. McDonald, Miss Helen C. Hamish and Miss Catherine McR. Hunter, of St. John passed an examination in the same course.

Five of the class at Burtts Corner studying the course prescribed by the Disciples of Christ passed. They were, Beulah K. Allen, Mrs. Wesley H. Jones, Maggie D. Burtt, Florence E. Allen, and Mrs. W. D. Tilley. Eight passed on the book From Eden to Jordan: F. E. Allan, Beulah K. Allan, James L. Allen, Mrs. Wesley H. Jones, E. Pearl Lawrence, Mrs. Stillman Jones, Maggie Burtt and Lucy Foster. In the reading circle, books were supplied to Mrs. J. K. Flemming, Hartland; Miss Juliette Brown, Sussex; Miss Alice C. Dickison, Kirkland; Rev. J. H. Brownell and family, Port Elgin Mrs. Howard T. Bath and friends, of Honeydale, Charlotte county. None of these had reported completion of the course however.

At the evening session Rev. J. F. Williams, of Marysville and his brother Stanley Williams of this city, sang a duet. Robert Reid stated that the returns of the credential committee showed an attendance of 236 delegates. Formal votes of thanks were passed to the authorities of Queen Square church; to H. W. Bromfield and the choir; to other churches who furnished hymn books for the meetings; to the international committee for sending Dr. McElfresh; to all others who in any way contributed to the programme; to the press and the people of St. John, who so hospitably entertained the delegates.

Rev. G. A. Lawson at the evening service gave an excellent address on Our Debt to the Association. Those who took part in the afternoon session were Rev. H. E. Thomas, Rev. J. B. Ganong, Miss Florence Alexander, Mrs. R. T. Mawhinney, Charles W. Manzer, Dr. McElfresh and Rev. S. J. McArthur.

In the morning there was a large attendance. Following a teachers' conference led by Dr. McElfresh, Mrs. W. A. Ross reported for the elementary work. Rev. W. B. Wiggins in reporting on the temperance department referred to the growth of temperance sentiment in the province as evidenced in the recent local option victories in the Parish of Lancaster and in Kent county. The work of pledge signing was still being vigorously prosecuted in the Sunday schools.

Rev. J. K. Curtis then gave an address to the teachers in which he insisted that the most important work of the teacher was to teach the child and not the lesson. The use of the sand table, the blackboard and the dramatic representation of an incident were all valuable aids.

Lewis A. Simms then reported for the missionary department after which Rev. M. E. Fletcher delivered an address on the subject of missions. Rev. W. A. Ross spoke on the necessity of each county in the province doing its utmost to come up to the highest possible standard of the work. Rev. H. A. Read made an appeal in favor of the Advocate, following which Rev. S. J. McArthur delivered the second of his lectures on The Child and the Evangel.

SUNDAY SCHOOL CONVENTION TO MEET IN ZURICH

Philadelphia, Pa., Oct. 19.—At a meeting here today of the executive committee of the World's Sunday School Association which was attended by Sabbath school leaders from Europe, Africa and America, it was voted to hold the world's seventh Sunday school convention in Zurich, Switzerland, July 8-16, 1913.

William N. Hartshorn, of Boston, vice-president of the world's association and president of the international Sunday school convention made a lengthy report of his recent visit to European cities in the interest of the Sunday school work.

Those attending the conference represented 285,000 Sunday schools and 28,000,000 scholars. Among those in attendance were the following: W. N. Hartshorn, Boston, vice-president; Fred A. Wells, Chicago, Treasurer; Bert Cashman, Chicago, acting secretary; Frank L. Brown, New York; H. J. Heinz, Pittsburg; A. B. McCrillis, Providence; E. H. Nichols, Chicago; G. W. Penniman, Boston; Justice J. J. MacLaren, Toronto.

A Birthday Party.

A number of friends of Mrs. Sidney Duncan called at her home, 103 Acadia street, on Tuesday evening to celebrate her birthday. The time was pleasantly spent with games and music. Mrs. Duncan received a beautiful fur tie and other useful articles.

JURY FOUND VERDICT OF MANSLAUGHTER

Continued from page 1.

"If you come to the conclusion that the person is guilty of culpable homicide but not murder then he is guilty of manslaughter. If you come to the conclusion that the defendant is guilty and it was not an accident then you must inquire whether the prisoner meant to cause the death of McCluskey or meant to cause him such ordinary injury that was likely to cause death and did not care whether death was caused or not, then the verdict should be manslaughter.

"There was no doubt but that McCluskey was killed. We have the evidence of McIntyre, Mr. and Mrs. Bragdon and the dying declaration of McCluskey of the happenings on the night of May 3rd. A dying declaration should be given in the exact words of the witness. The dying declaration is of vital importance in this case and for certain reasons which I have stated before I was in doubt whether to allow it to go into the evidence. It is well known that the only evidence which is admitted into a court of justice where a jury exercises functions, is the testimony given under oath. A dying declaration is admitted, because the court says that after a murder or crime is committed in secrecy and very often without the aid of the deceased person, it is impossible to secure a conviction. The courts naturally will receive such a declaration.

"When a man is dying as a result of a crime he is apt to tell the truth. Under these awful circumstances the declaration is admitted but the jury should attach such weight to the testimony as it sees fit.

"Something has been said as to the conflicting evidence in this case. The evidence seemed to be alright. When you see witness after witness swearing to the exact details of a case there is more apt to be perjury than if they disagree on details. No body of men can see even a fight and use the same details. Man looks at things from his own standpoint.

"If a man learns that his wife has been debauched by another, he is roused to a pitch of anger that sweeps him beyond his control, and if he kills the other that is manslaughter and manslaughter that the court deals leniently with. If his passion cools and he deliberately seeks out and shoots the offender, that is murder.

"In the present case the prisoner had marvellous control for he seems to have made no effort to kill McCluskey as the latter came from the house.

"The fact that the evidence of Mrs. Bragdon and McIntyre is fuller than at the preliminary examination should not count against these witnesses for as a general thing a witness will but answer the questions asked him by the lawyers."

The judge asked for a verdict in conformity with the evidence and all ends of justice would be satisfied.

Old Folks Concert.

There was an interesting old folks concert last evening in St. Philip's church in which members of the congregation participated. A varied programme of sacred and secular music was rendered, with the quality which is such a marked feature of the entertainments in this church. There was a large attendance, and the affair was thoroughly enjoyed.

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The Best Cheque Protector sold. Does the work of a $25.00 chine. Price $1.50. Rubber stamp all descriptions. Stencils, Stencil Brushes, Automatic Numbering chines, Daters, Pen and Pencil W Stamps, Indelible Marking Outfits Linen, High Class Brass Sign W Print your own price tickets and vertising Cards with Sign Mar R. J. Logan, 73 Germain St., opp Bank Commerce.

ROAD MAC
Every spring we m for the different machin vinces, so that we will each style of blade will advance and shipments have had a great deal blades, and supply a su the price is low. Bolts each blade.
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