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POOR DOCUMENT

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JOHN A. BOWES, Editor and Publisher

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ST. JOHN, N. B., THURSDAY FEB. 20, 1890.

For the Latest Telegraphic News look on the First Page.

THE QUEENS COUNTY CASE.

The Globe of yesterday devoted almost a column of its space to an editorial on what it calls "the Queens County Outrage," which is nothing more nor less than an attack on the Supreme Court of this Province for their recent judgments in the two cases arising out of the Dominion election in Queens County, in February 1887. We should have thought that Mr. Elis would have had enough of this sort of warfare against the Bench of the Province considering how narrowly he has escaped imprisonment for slandering Judge Tuck, and the almost certain prospect of a jail that lies before him, but it seems he is not satisfied to let matters rest, but must continue the contest against the Supreme Court until they are forced in the public interest, as well as for their own protection, to act. Some months ago we gave our readers a detailed account of the Queens county election case, at which Mr. Geo. F. Baird, M.P., and Mr. George G. King were candidates in 1887. One of the sections of the Act under which elections and held requires that the sum of $200 shall be deposited with the returning officer on behalf of each candidate by his duly authorized agent. On nomination day $200 was deposited with the returning officer on behalf of Mr. King and a receipt obtained therefor, but the deposit was not made by Mr. King or by his authorized agent as required by law. The authorized agent of Mr. Baird then objected to Mr. King's nomination claiming that it was invalid and void for non compliance with the requirements of the statute in this particular. The returning officer, however, granted a poll and polling took place on the 22nd Feb. When the votes were counted it appeared that 1191 had been given for King and 1130 for Baird. When this result appeared, the authorized agent and counsel of Mr. Baird requested the returning officer to declare Baird elected on the ground that the provisions of the law with reference to the deposit of $200 by Mr. King's authorized agent not having been complied with Mr. King was not legally a candidate and all votes given for him were null and void. The matter was argued at length on behalf of Mr. King and Mr. Baird before the returning officer, and the latter finally declared that Mr. Baird was the only candidate legally nominated and that he had been duly elected to the seat in Queens.

When this result was reached Mr. King's counsel hastened to Fredericton and made an application to Judge Steadman, the County Court Judge, for a recount and final addition of the votes. This application was granted and the 11th day of March was set down as the day for a recount. Mr. Baird was served with notice of the recount on the 7th of March, and his counsel, Mr. L. A. Currey, applied to Judge Tuck for a writ of prohibition forbidding Judge Steadman from proceeding to make a recount. It appears that Mr. Currey did not obtain this writ without a great deal of difficulty, having applied to Judge Tuck for it on three different occasions, and he only got it on the Judge being convinced that the granting of such an order was not merely a matter of discretion but an act of justice to the applicant. The order so granted, it should be explained, was an order *nisi*, that is to say, it was an order which was not to be made absolute until the other side had an opportunity of being heard.

The order was served upon Judge Steadman and also upon the returning officer of Queens. Judge Steadman chose to disregard it claiming that Judge Tuck had no jurisdiction over him in the matter, and he opened the court at Gagetown on 11th of March, in order to hold a recount. This object, however, was defeated by the refusal of the returning officer to produce the ballots on the ground that he preferred to obey the order of the Superior Judge. Judge Steadman then adjourned his sitting until the 11th of April in order to allow the rule nisi to be argued and disposed of by the Supreme court.

The judges have now held that the returning officer was wrong in declaring Mr. Baird elected, that he should have returned the man having the majority of votes, but that having done so the proper remedy was under the elections act, and not by a recount. They also held that Judge Steadman acted improperly in undertaking a recount in defiance of the prohibition of Judge Tuck, and that the writ of prohibition, for issuing which Judge Tuck was so shamefully abused by the Globe, was properly granted. They hold that Judge Steadman's power was limited to a recount of the ballots where the returning officer had improperly counted or jected ballot papers or improperly summed up votes. But as this had not been done there was no excuse for the interference of the county Judge. The returning officer had not miscounted the ballots but had simply decided that Mr. King was not a candidate so that Judge Steadman was acting improperly and outside of his duties when he undertook to interfere. This judgment is entirely clear and the reasoning on which it is based is unanswerable yet here is the Globe's comment on it:—

The Supreme Court of the Province, after three years of consideration or deliberation or procrastination, has given a judgment in the case and in a case arising out of the same circumstances, which may thus be summed up. The returning officer did wrong in returning Baird, says the Court, which of course everybody knows. To say that he did wrong is to express very mildly an opinion of a crime of the rankest kind against law order and the constitution of the State. He ought, says the Court, to return the man having the majority of votes. But although he did this wrong, Judge Steadman did wrong in attempting to right this wrong, inasmuch as there having been no count of the votes there could have been no recount. Let us say in all respect to the Supreme Court that this is the flimsiest, thinnest, and most paltry kind of verbal veneering by which a great wrong could be glossed over. By a series of miserable and contemptible verbal subterfuges the Supreme Court of the United States, under the influence of the iron heel of the slaveholder, trampled down humanity and practically argued that a man with a black skin had no rights which a white man in a free country need respect. It held in effect that a white man might have a soul, but a black man could have none. And the white man himself stood up with arms in his hands against this form of declaration, ever fortified as it was by learning misapplied, by history misinterpreted, by language distorted, and by the law misquoted, and all done with an ingenuity and skill which—devilish as it was—excites the admiration even of those who most severely condemn it.

The Globe then proceeds to argue that there was an actual count of the ballots in the Queen's county case, and that Mr. King was found to have received 1,191 votes and Mr. Baird 1,130. But this argument is at once answered by the fact that had such a return been made, it would have been just what Mr. King wanted, for it would have made him at once a member of Parliament and rendered any further proceedings unnecessary. If the returning officer was wrong in declaring that there had been no election in consequence of the disqualification of one of the candidates that wrong should have been righted by the election court and not by Judge Steadman, who is not invested with any authority to decide anything in connexion with the election except the goodness or badness of a ballot, and whether the tallies have been properly kept. That Judge Steadman undertook to decide this case in defiance of the prohibition of Judge Tuck, shows either a great excess of partizan zeal or a gross ignorance of his duties as a judge which renders him unfit to sit on the bench. Here is the Globe's apology for his conduct:

Before Judge Steadman could get at the work he was required by law to do, Mr. Justice Tuck issued a writ of prohibition to prevent him acting. The parties who had conspired to get for Baird the seat to which Mr. King was elected knew that their scheme was doomed if an honest man like Judge Steadman got the matter into his hands. And so the prohibition of Mr. Justice Tuck served their purpose. But Judge Steadman, conscious that Mr. Justice Tuck had not the power to stop him from doing what was right in this case, proceeded to the place appointed in the county in defiance of the writ issued. But he was prevented from proceeding by the fact that the returning officer refused to give him the ballots to count. For his intention to do what was right legal proceedings were taken against Judge Steadman at the instance of Baird or some of the persons associated with him. A great crime against public liberty had been committed, and men who openly resisted the proceedings were doomed, so far as these men could bring any doom upon them. The spirit of the usurping tyrant is the same in every usurper whether he usurps the control of the nation or a seat in the national councils. An irresponsible ruler in Abyssinia puts to instant death the man who questions his power. In Russia the irresponsible ruler of that unhappy land sends into exile the men who criticize his acts. These rulers act according to the law or the customs of their kingdoms. In Canada death or exile cannot be inflicted, and so another mode of punishment has to be sought. Judge Steadman, as we have stated, was proceeded against for contempt.

The intelligent reader will only laugh at all this wasted rhetoric. Instead of Judge Steadman being a much persecuted man he was treated far too leniently. The truth of the matter seems to be that he altogether mistook his position. We cannot recall any person whom he resembles so much as that door keeper of the House of Representatives during General Grant's presidency who wrote to his friends that he was "a bigger man than old Grant; but who was unceremoniously kicked out of his office for saying so. Judge Steadman thought he was a bigger man than Judge Tuck and now the court has informed him, in very emphatic language, that he was mistaken. It is to be hoped that for the future he will avoid all meddling in political matters and obey the orders of his superior judges.

NOTE AND COMMENT.

The Nova Scotia Liberals are trying to save themselves by an alliance with the Third party which is the name by which the Prohibitionists are now known. The temperance men will make a great mistake if they have anything to do with the discredited, disloyal and wholly worthless men who have governed Nova Scotia for the past few years.

The extreme tenderness of the United States senate for dynamiters was shown by their insertion of the word "voluntary" before manslaughter in the list of extraditable offences in the new treaty. This is intended to save those persons who blow up a building regardless of who may be in it. Perhaps the next dynamite bomb may be exploded in the U. S. Senate Chamber.

This is election day in Northumberland and we will probably be able to announce the result in a late edition. The St John paper which seems to be most interested in this contest is the Sun which has been publishing frantic appeals to the electors to defeat Tweedie, but as the Sun has no circulation worth speaking of in that county, these appeals have probably not produced much effect.

Those who are always bragging about the prosperity of the United States should read about the distress of the anthracite coal miners in Pennsylvania. Five thousand men are idle and the few collieries now in operation must shut down soon, as the stock on hand at present is unprecedented. There are 1,750,000 tons of coal above ground, for which there is no market. The miners have very little if any money, and many with large families are experiencing great hardships. Hundreds of railroad men are also idle, owing to the laying off of many coal trains. If such a state of things existed in Canada, what a sweet morsel it would be for Laurier, Cartwright and other Grits.

The Truro Guardian says:—

The governor general and those connected with the ice regal court at Ottawa, recently created quite a sensation by spending Sunday afternoon in the excitement of a game of hockey. They have a strange code of morals, these aristocrats!

It is to be hoped that this statement is not true, for the people of Canada have some old-fashioned notions as to how Sunday ought to be observed. Yet the following from the official reports of the proceedings of the House of Commons, in committee on the 14th inst., seems to point to something of the kind:—

Mr. Wright: The Minister of Public Works, will remember that he then gave this matter full consideration, and led us to believe that long before this we would have this ample accommodation which his honor, the speaker, suggested is necessary for the members of this House. If the hon. minister will look over the plans, he will find, I think, that it is proposed we should have a gymnasium, a bowling alley and various means of enjoying ourselves.

An hon. member: And a racquet court.

Mr. Wright: I think we did not go so far as a racquet court, nor were we to have any hockey on Sunday.

PROVINCIAL POINTS.

The Halifax Tragedy—Accidents in Albert—Death of Rev. G. F. Miles, &c., &c.

Peter Innes, formerly manager of the W. & A. Railway, is rapidly recovering his health.

The character assumed by Miss Ollie Peters at the carnival on Friday night was Winter, not Rats as published.—Halifax Herald.

A mayflower in full bloom was laid on the editorial table to-day. It was picked by C. M. Metzler in Cunard woods yesterday.—Halifax Mail, Feb. 18.

A magnificent stuffed moose head is on exhibition in the window of the Halifax Piano and Organ Co.'s store. The moose was shot in Cumberland county.

The near relative of a "society" family in this Province died in the Poor-house here within a few days. There are not a few cases of the kind in the institution.—Acadian Recorder.

A New Glasgow delegation, consisting of D. Grant, J. Leslie Jennison, J. H. Sinclair, J. C. McGregor and H. T. Sutherland, will go to Ottawa to seek a subsidy to deepen the East River as far as New Glasgow.

The order of Railway Conductors held their second annual ball and supper at Truro Monday night, dancing in McKay's hall and suppering at the Learment hotel. A Halifax string band furnished music.

Truro, with 5,000 inhabitants, has only 75 telephone instruments in use, from which an income of $1,600 is derived. Establishments now renting the instruments are considering the advisability of discontinuing their use.

The lubricating oil factory at Stellarton, N. S., is completed, and work is expected to begin shortly. Mr. Leahy is the manager. This industry is among the first to be started in the town of Stellarton since incorporation and we hope to hear of many more.

A man who has gained considerable notoriety, as a hen poisoner tried his hand at poisoning a neighbor's dog, the other day, and instead of serving a term in jail, this time received a severe castigation from a woman. Served him right.—Springhill News.

Jas. Ruel, of Fredericton, has closed a large contract for ice with a Brooklyn company, and began work yesterday near the Glasier booms. Asa Vanwart has agreed to supply 20,000 tons for the Knickerbocker company of New York, and R. A. Estey and F. P. Thompson are now in Boston for the purpose of securing ice contracts.

Rev. G. F. Miles, who was stricken with paralysis at his home in Amherst, a short time ago, died yesterday morning. He was one of the oldest Baptist clergymen in the provinces, and has at different times filled various pulpits in that section. He was pastor of the Moncton Baptist church for two or three years commencing with 1858.

W. H. Noyes, of Portland, Me., has a case of thirty-six choice stones which he has had cut from specimens collected by him in Maine and on the coast of Nova Scotia. The collection comprises white topaz, false topaz, green and pink tourmalines, amethysts and aquamarines. The stones vary in size from a very small tourmaline to a large amethyst and false topaz, the latter being very brilliant.

Since the new year came a great deal of sickness among all classes has prevailed throughout the whole of Elgin, Albert Co. La grippe has been very severe, and quite a number of deaths have followed. Mr. and Mrs. Jno. Barchard, aged respectively 91 and 88, died within a week of each other. They had lived a happy life in marriage for about 69 years. In less than a fortnight their son, Alexander, aged 49, died of the same disease.

David Lawson, residing on a ranche near Silver Bow Junction, Montana, died very suddenly on the morning of the 10th inst. Deceased had recently been suffering from a slight attack of Russian influenza, but had quite recovered and it is thought death was caused by heart disease. At the time of his death Mr Lawson was 67 years of age. He was a native of Queens county, having gone to Montana with his family some four years ago. For about 20 years previous to his departure to the west he held the position of deputy sheriff of Queens county, and will be remembered by many people in St. John and other parts of the province as having been for several years proprietor of the Lawson House at Gagetown.

The Halifax Probate Office would be a great field for an inquisitive antiquarian. Deputy Registrar Howe has in his keeping every will filed since Halifax was founded in 1749. The very first testament commences with the words, "In the name of God, Amen"; it is the will of one William Nickolson, and bequeaths all and everything to his dearly beloved wife. The witnesses' names are peculiar, viz: William Challand, John Chalk and Wm. Batchelor. John Collier was the registrar at the time of filing the will, February 13, 1749. From a historical point of view, the will of Theopolas Lillie is a valuable document. Lillie is one of the Empire loyalists mentioned in Sabine's "Loyalists in the American Revolution." His will is dated 31st May, 1776, and leaves his ownings to his wife Ann.

The icy condition of the roads in Albert Co. has been the cause of a number of serious accidents during the past week. Enoch Steeves of Beaver Brook had his leg broken by a sled slewing. Samuel Dunville of Hopewell Cape fell striking his head with great force on the ice making a wound from which he bled so freely that Dr. Peck was called to attend him. Benjamin Bray of Hopewell Cape had a narrow escape while driving his team loaded with wood. The load slewed and capsized, the horses being thrown and Mr. Bray thrown a considerable distance, but fortunately neither horses nor driver were hurt. James Card, a young man of about 22 years of age living with Thomas Dickson at Lower Cape, had his leg badly crushed by a tree falling upon it while working in the woods last week. It was thought that amputation would be necessary but at last accounts he is doing better.

Speaking of Ellen Anderson who was found dead in a ditch near the Halifax citadel a few days ago, the Halifax Herald says;—This woman was seen in company with a rough looking man between seven and eight o'clock on Friday evening—the night she disappeared. On Sackville street, near the head of Dresden row she accosted a young man, who refused her solicitations. A few minutes later she was joined by a rough looking man, who came up Queen street or Dresden row and the couple proceeded along Sackville street, towards the common. It is more than probable that they went up citadel hill. So far as now known that is the last man who saw Ellen Anderson alive. The police should try and find out who that man was, where, what time and under what circumstances he left her. The general public believe that unfortunate woman was murdered by being pushed over into the ditch surrounding the citadel. But she was a prostitute with no friends, and it is doubtful if the attorney-general or the police will take any practical steps to ascertain how she met her fate.

A WOMAN THE FORGER.

Extensive Series of Forgeries of Notes, Bonds and Mortgages in New Jersey—Mrs. Lippincott Proved Herself a Good Hotel Keeper and a Shrewd Financier.

ATLANTIC CITY, N. J. Feb. 16.—An extensive series of forgeries of notes, bonds and mortgages, with South Jersey and Philadelphia banks, firms and individuals as victims, has just come to light, and the suspicion that the work has been done by a woman gives to the sensational developments a tinge of romance. Edward Lippincott, a well known resident of Medford, N. J., and proprietor of Haddon Hall, Atlantic City, had for months passed been confronted with notes of which he had no knowledge. Several of the notes were signed by Edwin Lippincott as either maker or indorser, and Mrs. M. A. Haines, who is a sister of Mrs. Lippincott. Both of them say their signatures on the notes are not genuine, and that they never gave them. Mr. and Mrs. Lippincott have managed Haddon Hall for many years, but Mrs. Lippincott was the real manager of the hotel, and she took upon herself the work of attending to all the finances of the establishment. Some months ago Mr. Lippincott was confronted with $4000 of notes of which he had no knowledge, but he finally paid them. After this Mr. Lippincott found more bogus paper in circulation. Suits have been begun against Lippincott by a number of banks and private individuals to recover the amount of money advanced on notes bearing his name. Mr. Lippincott frankly admits that his wife had ruined him by her forgeries, and that he does not know what she did with the money. The wife refuses to tell.

The first indications of the Lippincotts' financial stringency known here was when a mortgage was negotiated on Hadden Hall for $40,000 in favor of the Penn Mutual Insurance Company of Philadelphia, about two years ago. The following year there was a payment of $10,000 due on the mortgage and a second mortgage for $9,000 was negotiated in favor of B. H. Quicksall of Mt. Holly. Investigations have led to the discovery that the handsome residence of Mrs. M. A. Haines in Medford, which is valued at $5000 or $6000, has been mortgage for nearly $19,000. The first mortgage, which is on record in the recorder's office in Mt. Holly, is for $14,415, and was given to the United Security, Insurance & Trust Company of Philadelphia in 1887. Behind this are two other mortgages, one for $1500 to B. S. Quicksall of Mt. Holly, and another of $3000 to Julia Lippincott. All of these mortgages are bogus, as Mrs. Haines says she never gave a mortgage in her life, and never knew of the existence of these until this investigation was begun. The excellent standing of her husband and the fact that Haddon Hall was apparently one of the most successful hotels on the Island gave Mrs. Lippincott prestige, and no one doubted her statements when she wished to exchange a check, negotiate a loan or have a note discounted.

Even the help employed in her house were appealed to, and willingly gave up their earnings or savings in amounts from $25 to $200, Mrs. Lippincott persuading them that their money was safer with her than in the bank, and that she would allow them 6 per cent. interest. The full amount of her forgeries is not yet known, but it is believed it will reach $75,000.

Mrs. Lippincott is credited with being a woman of unusual business capacity and force of character, shrewd in her dealings, and not given to frivolity, display or extravagance of any sort and very domestic in the family circle. The inference is that she has lost the money in stock speculation, endeavoring at first to recoup by single forgeries which through continued ill luck induced the wholesale crimes which are laid at her door.

NEW YORK MILK SUPPLY.

Fears That the Failure of the Ice Crop Will Reduce it One Half.

MIDDLETOWN, Feb. 17. The failure of the ice crop is causing much anxiety throughout the milk producing region of New York, New Jersey and Pennsylvania tributary to the New York market. In shipping milk ice is an absolutely indispensible article first, for dissipating the animal heat and cooling the product to a proper temperature, and second, for refrigerating the cars in which it is transported from the remoter shipping stations. Immense quantities of ice are also consumed by the cremeries and condenseries. In hot weather and without ice it would be impossible for producers living 100 miles or more from New York to deliver their milk in a sweet condition, and without some extraordinary measures taken at least half of the city's customary supply would be cut off.

It is recalled that there was nearly a total failure of the ice crop of the region in 1869-70, when no ice was gathered during the winter months. Early in March there came a short cold snap, which enabled the milk producers to house a scanty crop, not exceeding 4 inches in thickness. At that time New York got all of its milk from near-by points, and but little ice was needed, but the ice famine which followed the short crop of that season was felt as a serious disaster by the milk producers. A similar failure of the crop this season would compel the producers to manufacture the ice they need artificially or to get it from distant points, in either case subjecting them to a disadvantage which they can ill afford in the present prostrate condition of the milk industry. It is true that the city consumers would have to pay higher prices, but, as is usual in such cases, it would be the middlemen, and not the dairymen who would get the chief benefit

Telegraphic Flashes.

General Laurie and Mr. Dickey arrived in Ottawa yesterday.

Coal miners at St. Etienne, France have struck because a fellow workman was dismissed.

Another plot against the life of Prince Ferdinand is believed to be on foot at Sofia.

The U. S. Senate has ratified the British extradition treaty with unimportant amendments.

Five hundred forged shares of the Orleans railway company have been put in circulation in Paris.

The trouble between the Montreal school of medicine and Laval may now be considered as settled.

Five buildings were destroyed in a fire at South Amboy N. J, yesterday. The total loss is $70,000.

The Cronin suspect, Smith, is under arrest in Chicago. He is the man who drove Cronin to his death.

Rev. Mr. Grant, pastor of the Baptist church at Winnipeg denounces in strong terms the proposed Manitoba school bill.

A number of Trinity College, Toronto, students who introduced hazing to initiate freshmen, have been fined by the faculty.

The new land purchase bill will not be limited to $100,000,000 but will provide a great single tribunal for the settlement of all land disputes.

The Senate of Toronto University held a meeting last night and discussed the best means of restoring the University building and library.

Switzerland will act as arbitrator in the dispute concerning the boundaries between the Portuguese possessions and the Congo Free State.

The cause of Count Andrassty's death was epithelal affection of the bladder. The body will be interred in the family vault at Terbes Castle.

Lieut-Gov. Campbell, at Toronto, has recommended the legislature to aid in the reconstruction of Toronto University to the extent of $160,000.

Russia has demanded of the government of Bulgaria the payment of 3,000,000 roubles, arrears due on account of Russian occupation, 1878 and 1879.

Thirty-four bodies have been recovered from the mine near Deciseo in the department of Nierre in which there was an explosion last night.

Arthur Sauve, a house of commons page, was killed last night at the capital slide. He was overtaken by another toboggan while descending the shute.

A. B. Black, N. S.; J. L. Peters, Queens Co., N. B., John Hamilton, New Perth, P., were elected to the executive committee of the Dairymen's association at Ottawa, yesterday.

J. B. Kelly, the Cronin suspect from St. Louis, was confronted by Mrs. Conklin at Chicago, yesterday. She postively declared he was not the person who drove away with Cronin on the night of the murder.

—The seven hundredth female physician in Russia has just passed her examination, and yet the population is said to be gradually increasing.

—"I guess I am the litter-ary editor," said the janitor, as he tried to bring the chaos of the editorial room up to at least primtive civilization.

—The average pulse in infancy is 120 per minute; manhood, 80; at 60 years, 60. Females are faster—that is, their pulse is faster—than the males.

—Nine bridesmaids walking up the church aisle three abreast is a new idea, but this is a season when novelty is fashionable. Next they will probably come in Indian file.

—Gayarre, the Spanish tenor who died recently, left 4,000,000 francs. His funeral at Madrid brought the whole population to the streets. His funeral car was covered with flowers.

—It may be that "sweet are the uses of adversity," as Shakespeare says, but it goes to show the unselfishness of men that, sweet as they are, every one would be willing somebody else should take his share of them.

—The Emperor William has issued a sensible order that in future no paintings or statues or busts of himself or of any members of the Royal family (either alive or dead) are to be purchased with any public funds.

—King Humbert's table is entirely spread with hammered gold plate service which is used every day. As the kitchen girls when washing it can't very well break it constantly, he possibly thinks it cheaper than the ordinary article.

—European infantry in India is to be armed with the magazine rifle and a first supply of 8,000 is about to be sent out, toward the total of over 50,000, which will be required to complete the armament. Native troops are still being armed with the Martini-Henry.

—"I only wish to say," spoke a mangled passenger as he dragged himself out from under the wreck made by a terrific railway collision, "that, in my opinion, nobody is to blame for this accident." And he then peacefully breathed his last. He was a Coroner.

—Gentleman (to young lady from Richmond, on the cars)—beg pardon, but I am a physician. Your companion is very pale. Is she seriously affected? Young Lady—Painfully so I assure you. "An aneurism perhaps?" "No; I think his name is Arthur Jones."

—Mrs Riverside Rives—My dear Miss Fulton, how lovely to see you here! Were parties very different in your days? Miss Ann Fulton—Well, somewhat. In my days the girls wore one-buttoned gloves and dresses buttoned up to the neck; now they wear one-buttoned dresses and gloves buttoned up to the neck.

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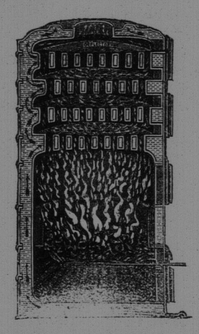

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