THEATER REBATES BY 3 RAILWAYS

Michigan Central, Lake Shore and Big Four, With Burlesque Men, Indicted.

PAID LARGE AMOUNTS FOR ADS IN PROGRAMS

Really a Reduction in Rates for Transporting Troupes, the Government Alleges.

Chicago, February 20.—Four indictments for alleged rebating were returned today by the federal grand jury, the defendants being three railroad companies, two theatrical concerns and four individuals.

Excessive payments for "advertising" in return for the purchase of railroad tickets is declared to be the medium by which the rebating was accomplished.

Those Indicted.

Discovery of the supposed system to evade the law was made by the division of inquiry of the interstate commerce commission. Those indicted are:

Harry J. Rhein, general passenger agent of the Big Four railroad, named in two indictments.

William Underwood, assistant general passenger agent of the Michigan Central railroad, named in one indictment.

Rudolph K. Hynicka of Cincinnati, director of the Columbia Theatrical Amusement company, named in three indictments.

James E. Fennessy of Cincinnati, director and secretary of the Empire Circuit company, named in one indictment.

The Columbian Theatrical Amusement company of New York, named in three indictments.

The Cleveland, Cincinnati, Chicago & St. Louis (Big Four) Railway company, named in two indictments.

The Lake Shore & Michigan Southern railway, named in one indictment.

The Michigan Central Railroad company, named in one indictment.

The Heuck Opera House company of Cincinnati, named in one indictment.

$5,000 Fine.

The federal act which it is alleged has been violated provides a penalty of a fine of not more than $5,000 for a corporation and a fine of not more than $5,000 or imprisonment of not more than two years or both for a person guilty of such violation.

Inquiry into the case has been in progress for more than a year. Large sums of money are said to have been involved in the alleged rebating. It is asserted that during the theatrical season of 1909-10 Hynicka was paid $9,292 by the roads and during 1910-11 $9,677. During 1909-10 the federal investigators allege Fennessy received $8,604. He is not accused of being a party to the alleged rebating during 1910-11.

The manner in which the rebates are said to have been granted is alleged in the indictments as follows:

In the summer of 1909 the officials of the Vanderbilt lines operating west of Buffalo and east of Mississippi river sought the business of the Columbia Theatrical Amusement company and of the Empire Circuit company, the headquarters of both of which were in New York city. The corporations operate burlesque theaters east of Mississippi river, and together control about 75 theatrical companies, averaging 30 persons each. These companies are transported each week and the aggregate of their passenger fares is large.

Officials of the Vanderbilt lines, it is charged, conferred with Hynicka, who is a director of the Columbia company, and with Fennessy, who is secretary of the Empire Circuit company, at their Cincinnati offices with a view to getting this business for railroads. The lawful rates was two cents a mile for theatrical companies.

Refund Fourth.

After several conferences it was agreed, according to the charges, that the Vanderbilt lines would refund to Hynicka and Fennessy the twenty-five percent of the lawful fares of their various companies in consideration for their influence in giving to the railroads the business.

It is charged further that Hynicka thereupon organized the Cincinnati Railroad Program Advertising company and contracted for space in theater programs in several cities. This space, it is alleged, was used by Hynicka to display an advertisement of the Vanderbilt lines, for which he paid the publisher's regular price—ranging from $2 to $7 a week—and received from the railroads 25 per cent of the fare of the theatrical company transported that week to the city where the advertisement was published.

In some instances the railroads inserted on their own account advertisements in the theater program, for which they paid as low as $2 a week, it is charged.

It is asserted by the commission that similar irregularities appeared in the payments by the roads to Fennessy, who is alleged to have collected the amounts for the Empire Circuit company. The rebating device was precisely the same in both cases, it is charged, except that Fennessy frequently received free an allotted space in a theater program, which he used to advertise one or more of the railroads receiving therefor the 25 per cent refund on the transportation charges against his companies.

DEMAND A PARDON FOR BRANDT NOW

Unless Gov. Dix Acts Justice Gerard Will Denounce Conviction as a Travesty.

Special to The Free Press.

New York, February 20.—Immediately after Judge Richard L. Hand adjourned the Brandt pardon hearing this afternoon on the ground that he may, he must take the responsibility if Mortimer L. Schiff and Howards S. Gans are allowed to testify, Atty.-Gen. Carmody caught the first fast train for Albany to tell the governor that unless Brandt is pardoned tomorrow Supreme Court Justice Gerard will submit the writ of habeas corpus and probably denounce the prosecution of Brandt as a travesty of justice.

Mr. Carmody frankly told the governor tonight that Justice Gerard will not consent to any more dilly-dallying and that if the writ be made he can delay no longer out of courtesy to Mr. Dix he will have to make public an opinion which, based on the same records that the governor reviewed, will be totally opposed to the governor's conclusions.

Immediate Pardon.

The only practical way, Mr. Carmody argued, in which the governor can give speedy justice to Brandt, as well as save himself from embarrassment, will be to issue a pardon some time tomorrow.

The first session of the pardon hearing produced nothing save an acrimonious fight between Delancey Nicoll, Paul D. Cravath and John D. Lindsay, counsel for Schiff and Gans, and Atty.-Gen. Carmody and District Attorney Whitman, who were supported by Brandt's lawyers, Mirabeau L. Towns and Robert M. Moore. Mr. Nicoll led the fight to get Mortimer L. Schiff, Mrs. Mortimer L. Schiff and Howard S. Gans to appear as witnesses. He said they did not want immunity from prosecution and would not accept it. The attorney-general and the district attorney, fighting back to back, told Judge Hand that section 584 of the penal law automatically grants immunity to witnesses who appear in such proceedings as the governor's pardon inquiry. The district attorney told the commissioner flatly that he expected to indict for conspiracy certain witnesses whose appearance before Judge Hand he objected to.

Then Judge Hand declined to assume the responsibility for affording possible immunity to Schiff and Gans and adjourned the hearing until 11 a. m. Tuesday, February 27. Judge Hand left for Albany tonight to have a conference with the governor. Delancey Nicoll went to Albany to submit briefs to Gov. Dix. It was confidently asserted tonight that the Hand hearing is dead and that the governor would be constrained to issue a pardon.

Protect Woman.

Mr. Nicoll's speech before Judge Hand in the early part of the proceedings today, in which he said that Mrs. Schiff, as well as Mr. Schiff and Gans, would like to have an opportunity of refuting false and scandalous stories that reflected on a woman's honor, was perhaps the most interesting feature of an intense proceeding.

"We will show," he declared, "that this man asked for clemency on the ground that he had never committed burglary in the Schiff home, but had gone there at the invitation of Mrs. Schiff. We will bare all the details of the foul conspiracy to blacken the name of a woman, and we will demand every paper, every record, and every witness, to protect the honor of a reputable family and the reputation of a virtuous wife and mother."

Replying to Mr. Nicoll, both the attorney general and the district attorney regretted there has been any insinuation of scandal introduced by the Schiff counsel. Their position was that the grand jury conspiracy inquiry must not be embarrassed by Judge Hand's permitting Schiff and Gans to obtain immunity from prosecution as conspirators, and that Judge Hand should be concerned only with the records of the case in so far as the question as to whether Folke E. Brandt was guilty of burglary in the first degree was concerned, he imprisoned. Nothing else was essential in the pardon inquiry, they argued.

Attorney-General Carmody outlined the state's attitude in the case—that of determining simply whether Brandt had had a fair trial.

"So far as I know," he said, "there is in the papers before the governor nothing reflecting on the honor of any woman. Therefore I as introduce only evidence bearing on his guilt or innocence. We are not here to air scandals or pursue rumors."

STEAMER PLAN MAKES PROGRESS

Canada and Transportation Companies May "Get Together" Before Long.

Special to The Free Press.

Montreal, February 20.—Establishment of a fast line of steamships of the most modern type to operate between Canada and Britain, is the object of negotiations now being carried on between the Canadian government and several English and Canadian transportation companies operating Atlantic steamship service.

Briefly stated, the plan is to construct and operate six ships of a speed of 24 knots per hour between Halifax and some English port, probably Liverpool. English capital is heavily interested in the project on which an expenditure of $20,000,000 is proposed, but the company will also be backed by the Canadian Pacific, Grand Trunk and Canadian Northern railways and the Allan line.

It is planned to so construct the vessels that they will be convertible in time of war. The transatlantic trip, it is calculated, will be made in four and a half days. This will be a material shortening of time.

DIES SUDDENLY IN ANN ARBOR

Simon B. Hartman, Athens Banker and Horticulturist, Found Dead in His Room.

Ann Arbor, Mich., February 20.—S. D. Hartman, of Athens, Mich., died suddenly this morning in this city, where he had come Friday for treatment with Dr. Camp, specialist in nervous diseases. While the cause of his death is not yet known, it is thought due to heart failure.

Mr. Hartman, who is a vice-president of the Athens bank, and a large fruit grower in that vicinity, had been ill for some time with what doctors in Battle Creek and Kalamazoo pronounced to be a nervous breakdown. He was advised to come here to consult with Dr. Camp, which he did, beginning treatment last Saturday. This morning after a long walk, he returned to his rooming place, went to his bedroom, and locked the door.

Later, hearing no sound from the room and getting no reply to repeated knocks at the door, Mrs. Hartman, who with their four children accompanied Mr. Hartman here, became alarmed, and called assistance. A ladder was put up to the window and access gained to the room. Mr. Hartman was found lying face down across the bed. He was dead though the body was warm.

Several physicians were telephoned for, but all were out. Then someone thought to call the U. of M. medical building across the street for aid from among the faculty. A senior class was reciting when the messenger, breathless, burst into the door and announced that a man was dying across the street. The entire class and the professor rushed to the scene.

No. 2 fire company, stationed in that vicinity, seeing every one running, thought there was a fire and they, too, rushed along with their hand fire extinguishers.

Athens, Mich., February 20.—Simon B. Hartman, prominent agriculturist, who died suddenly in Ann Arbor today, owned and operated a modern farm here, known as the Ottawa Valley fruit farm. He was 35 years old, and was the first receive the degree of agriculturist from the M. A. C. He was vice-president of the Athens State bank, a member of the school board and an active Grange worker. Yesterday his mother received a letter from him stating that he was feeling much better; today a telegram told her of his death. A widow and four small children survive him.

DAIRYMEN WANT CHANGE IN LAW

Complain They Are Denied Right of Defense and Will Make Appeal to Congress.

Kalamazoo, Mich., February 20.—Declaring that the dairyman has not the slightest chance to defend himself or prove that his product might come within the terms of the law under the present regulations, the Michigan Dairyman's association today passed a resolution asking for a change in the national law. A committee will be appointed to attend the next session of congress and see if the present law cannot be amended.

Under existing conditions, it is only necessary for an inspector to hold up the product of a dairyman aby say that he shall pay a fine and costs amounting to so much. The inspector's word is final and it must be obeyed or the dairyman will be forced to quit business.

The dairymen say that this is not a square deal and that they are the only people in the country that are not given a chance to be heard. It is to secure what they term rights that the committee will be sent to Washington in an endeavor to have the present law changed.

There were over 500 dairymen present at today's session coming from all parts of Michigan. It is believed that at least 1,500 delegates will be present when tomorrow's session begins. Because of the lateness of several speakers in arriving, tonight's program was put over until tomorrow morning. Former Gov. Fred M. Warner will then tell the delegates how to make a success of the cheese business.

DEATH RATE IN STATE DECREASED

Total for 1911 is 1,841 Fewer Than for 1910—Violence Including Suicide, Took 2,333.

Lansing, Mich., February 20.—Secretary of State Martindale has compiled the mortality records for the year 1911 and shows that there were 27,056 deaths reported, which is 1,841 fewer than for the previous year. The report shows 4,852 deaths of infants under one year of age or 18.5 per cent of all deaths returned. It is stated that an improvement is shown in infant and child mortality as compared with 1910.

There were 2,206 deaths from tuberculosis reported, a slight decrease from 1910. In typhoid fever there was also a decrease, from 626 to 522, and the death decreased rate from 24.7 to 18.8 per 1,000 population. Similar decreases are shown in diphtheria and croup, the number being 437 from those causes as compared with 469 in 1910. Even larger was the drop in scarlet fever, the rate going from 11.7 in 1910 to 7 per 1,000 population in 1911. The number of deaths from measles in 1910 was 324, and 190 in 1911. The total number of deaths from pneumonia in 1911 was 2,570. This is the largest number of deaths compiled from any cause given in the bulletin. It is a slight decrease as compared with the year before.

There were 2,333 deaths from violence, including suicide, as compared with 2,036 during 1910. Smallpox greatly decreased during the year, there being only five deaths reported from this disease. Particular mention is made of infantile paralysis (acute interior poliomyelitis) there having been 45 deaths reported. It is stated that no comparison can be made with previous years as 1911 was the first year in which the disease was segregated from other diseases of the spinal cord.

Detroit Dentist a Wife Deserter.

Saginaw, Mich., February 20.—Dr. Herbert W. Price, a Detroit dentist, was found guilty in the circuit court today by a jury, after it was out less than five minutes, of abandonment charged by his wife, Amy Price. Judge Gage remanded Price to the custody of the sheriff to await sentence, but it is possible that the doctor will secure $1,000 bonds and pay his wife $10 a week as ruled by the court.

GLADWIN GIVES FRANCHISE

Saginaw Man Gets 30-Year Lighting Grant From Council.

Gladwin, Mich., February 20.—Charles W. Eichel of Saginaw obtained a franchise today from the city council to light the city. Under the franchise, which is to run 30 years, Eichel is to furnish street lights of 100-candle power for $60 a year and to other consumers for eight cents per kilowatt hour. The city has the right to purchase the plant and equipment at any time. The majority of the users of the electric light have agreed to use Eichel's current for two years. The franchise will be submitted to a referendum at the spring election. The Consolidated Light and Power company has spent about $30,000 in purchasing electric rights in the city and may have difficulty in obtaining a franchise.

Visits Aged Husband, Finds Him Preparing To End His Life

Manistee, Mich., February 20.—Peter Burwell, brought here today from Springdale township for examination by Probate Judge as to his sanity, has been living alone all winter in a little shack while his wife has been staying in Bear Lake. She went home to him Sunday and found him preparing to hang himself. She got help to watch and persuaded him from his purpose. Burwell is 70 years old.

Reappoint De Bour.

Special to The Free Press.

Washington, February 20.—J. W. De Bour of Michigan who has resigned from the naval academy of Annapolis on account of deficiency in one of his studies, will, it is learned, be reappointed to the academy as his own successor. Mr. De Bour will not have to take the entrance examinations, but will have only to qualify again on physical conditions.

SEES COMPETITOR OF HARDWARE MEN

President of Michigan Retailers Warns Them Against Catalogue Houses.

Special to The Free Press.

Grand Rapids, Mich., February 20.—Telling the members of the Michigan Retail Hardware Dealers' association, in eighteenth annual session here, that their greatest competition is coming from the catalogue house, President E. S. Roe, of Buchanan, today advised them to meet this condition in Michigan prices on small items that pay more than 100 per cent must be revised. Catalogue houses use the retailers' prices in making their comparisons with dealers, he declared. Where lines are exclusive or selling prices are fixed by the manufacturers, or the goods will bear a profit, he said, prices should be maintained.

He urged the sale only of goods of quality and advised a rigid study of business conditions as essential to aid a successful merchant against outside competition. President Roe suggested that the association affiliate with the National Federation of Trades associations and the Michigan Federation of Retail associations.

A. T. Stebbins, of Rochester, Minn., gave a talk on "Co-operative Insurance," C. A. Palmer, state commissioner of insurance, spoke on "Fire prevention." Treasurer William Moore of Detroit, will read his annual report tomorrow. Railroad Commissioner Glasgow, Auditor Gale and Porter H. Wright of Holly, Mich., will submit a report on the National Retail Hardware Dealers' association. Officers will be elected Thursday morning.

Son Will Fill Pulpit at Hastings Occupied For Years by Father

Hastings, Mich., February 20.—Rev. Maurice Grigsby of Oswego, Kansas, has accepted the pastorate of Hastings Presbyterian church of which his father, Rev. Maurice Grigsby of East Jordan, was pastor years ago, and will preach his first sermon March 23. Rev. Maurice Grigsby graduated from the Hastings high school, Alma college and Chicago theological seminary. He occupied pulpits in Paw Paw and Chicago before going to Oswego.

Eleven New Griffins Initiated.

Ann Arbor, Mich., February 20.—Eleven blindfolded men were led through the slushy streets of this town tonight, prodded and paddled as their tormentors willed, and then taken to the Michigan Union for a banquet. The 11 new Griffins, an honorary society, were: Cyril Quinn, Saginaw; J. Forshard, Munising; John Otto, Grand Rapids; H. B. Carpenter, Rockford, Ill.; J. H. Van Auken, Adrian; Carl Everbach, Ann Arbor; William Daugherty, Washington, D. C.; George Patterson, Detroit; Kingsley Gould, Battle Creek; Mack Ryan, Brimley; William Fitzgerald, Detroit.

Orators in Final Tryout.

Ann Arbor, Mich., February 20.—Six men have been chosen for the final tryouts in the junior lit class for the university oratorical contest. They are: E. J. Rosenberg, Ann Arbor; E. R. Thurston, Toledo, O.; W. W. Wheatley, Harrisburg, Ill.; A. P. Barrett, Ann Arbor; Arthur Dondiness, Coselile, and Merl Gump, Milan. These men will contest for class representation next Friday evening.

WHAT 'CUTICURA' DID FOR ONE FAMILY

Boy's Sore Cheeks Cured by Cuticura Soap and Ointment. Also Used Them to Heal Deep Cut and to Treat Ingrowing Toenail.

2126 Vine St., Cincinnati, Ohio.—"My little boy's cheeks began getting sore three years ago. I tried everything I ever heard of but nothing cured him. At last I sent for Cuticura Soap and Ointment. After four treatments his face began getting better and in three weeks' treatment he was cured.

"The first of July my oldest son fell and cut his hand. The cut was very deep. At the time I was in the country and it was impossible to get him to any doctor. I tied the wrist up and put on the Cuticura Ointment very thick, after that I washed it with the Cuticura Soap and continued using the Cuticura Ointment. He had no pain after the Ointment was applied and soon was completely cured of the cut with not a mark left.

"Nothing is better for ingrowing toenails than Cuticura Ointment. For more than eight years I suffered with an ingrowing nail. It almost set me wild. Two months ago I started to use Cuticura Ointment on it. At night I washed the foot with hot water and Cuticura Soap, then I would apply Cuticura Ointment on cotton and wrap the foot up. The ointment softened the hard skin and it could be removed without pain. In a week's time my foot was much better, now it is entirely well.

"For cuts and bruises I think washing them with Cuticura Soap and dressing with Cuticura Ointment is the best thing on earth. For insect bites if the bite is washed with hot water and Cuticura Soap, and Cuticura Ointment applied, one will receive immediate relief. I have tried it and know." (Signed) Mrs. Arend, Jr., Sept. 11, 1911.

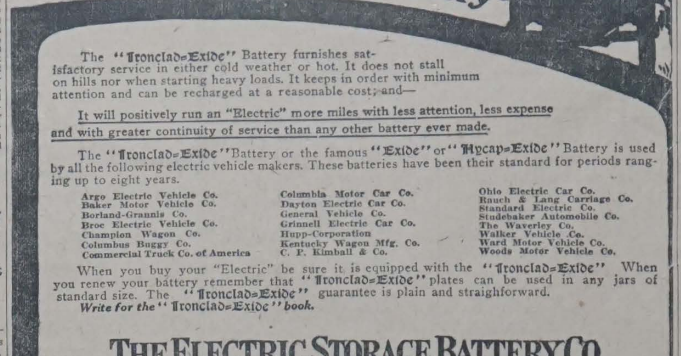
Cuticura Soap and Cuticura Ointment are sold by druggists and dealers throughout the world. A single set is often sufficient. Liberal sample of each mailed free, with 32-p. book on the care of the skin. Address "Cuticura," Dept. T, Boston. Tender-faced men should shave with Cuticura Soap Shaving Stick.

PROPOSALS WANTED.

SEALED PROPOSALS will be received at the Pontiac State Hospital until 1:30 p. m. Thursday, March 14th, 1912, at which time and place they will be opened for supplying this Hospital with coal for one year, commencing May 1st, 1912, with approximately 1,500 tons of free burning Bituminous and approximately 500 tons of Anthracite coal, of the qualities as specified by the Steward throughout the year. Proposals to be made on U. D. Hospital coal sheets. Bidder must specify location of mine.

Detailed specifications upon application.

DEPENDABLE POWER FOR YOUR "ELECTRIC" Under All Temperature Conditions



The "Ironclad-Exide" Battery furnishes satisfactory service in either cold weather or hot. It does not stall on hills nor when starting heavy loads. It keeps in order with minimum attention and can be recharged at a reasonable cost; and—

It will positively run an "Electric" more miles with less attention, less expense and with greater continuity of service than any other battery ever made.

The "Ironclad-Exide" Battery or the famous "Exide" or "Hycap-Exide" Battery is used by all the following electric vehicle makers. These batteries have been their standard for periods ranging up to eight years.

Argo Electric Vehicle Co.	Columbia Motor Car Co.	Ohio Electric Car Co.
Baker Motor Vehicle Co.	Dayton Electric Car Co.	Rauch & Lang Carriage Co.
Borland-Grannis Co.	General Vehicle Co.	Standard Electric Co.
Broc Electric Vehicle Co.	Grinnell Electric Car Co.	Studebaker Automobile Co.
Champion Wagon Co.	Hupp-Corporation	The Waverley Co.
Columbus Buggy Co.	Kentucky Wagon Mfg. Co.	Walker Vehicle Co.
Commercial Truck Co. of America	C. P. Kimball & Co.	Ward Motor Vehicle Co.
		Woods Motor Vehicle Co.

When you buy your "Electric" be sure it is equipped with the "Ironclad-Exide" Battery. When you renew your battery remember that "Ironclad-Exide" plates can be used in any jars of standard size. The "Ironclad-Exide" guarantee is plain and straightforward.

Write for the "Ironclad-Exide" book.

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The "Exide" Sparking Battery is unrivalled for auto lighting and ignition.

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The Masterpiece of the Motor Car Craft

Our Car is equipped with the wonderful "Ironclad-Exide" Battery, described above. Call and let us explain its proven advantages, also the many other superior features of the matchless "Grinnell." Phone Grand 1659 for a trial ride at your pleasure.

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SEE WOODWARD AVE. WINDOWS

SEE WOODWARD AVE. WINDOWS

A Fashion Event

THROUGH the enterprise of Messrs. Cheney Bros., manufacturers of "Shower-proof" Foulards, Paris Fashions, in full and complete representation, are brought right to your very door.

They have had made, in Paris, a group of miniature Manequins, each one full costumed by the renowned dressmakers of Paris, in a 1912 model gown, complete in every particular.

These little figures not only illustrate completely the coming fashion for approaching Spring—the gown, the hat, and every detail of a well turned-out woman of fashion—but the figures themselves, small as they are, portray the insouciant verve characteristic of Paris fashionables.

This truly wonderful display possessing intense interest for women, will be shown in our Woodward Ave. Windows for a few days only. Do not miss it.

These Manequins—30 in all—each gowned differently—tell the whole story.

On First Floor — **The New Foulards** — On First Floor

IN CONJUNCTION WITH THE ABOVE, WE show on our Counters an elaborate assortment—about a hundred styles—Cheney Bros.' new 1912 "Shower-Proof" Foulards with and without border—no Foulards are better, and they represent the highest Art known in designs and colorings—23 inch 85c and $1.10; 44 inch bordered, $2.00 and $2.50.

A Visit to Our Silk Section Will Interest You

PICTORIAL REVIEW PATTERNS — Newcomb-Endicott Company — PICTORIAL REVIEW PATTERNS

6-DAY FORCED SALE

A well-known mercantile firm which conducts numerous stores throughout the United States with headquarters in Boston, shipped its Detroit branch a large quantity of Ladies', Children's and Infants' ready-to-wear goods and Gents' Furnishings, etc., amounting to $10,000.00. Owing to the fact that its Detroit branch is itself overstocked, this quantity of goods, together with the balance of Weber's Bankrupt Stock, must be disposed of within 6 days.

Ladies' Spring Coats, $25 to $35 value, all colors and styles	$6.95
Ladies' $5.00 Messaline Silk Waists, all colors, latest styles; all sizes	$1.79
Ladies' 50c Corset Covers and Aprons with Bibs	15c
Men's $2.00 Pants, all sizes	79c
Men's $2.00 and $2.50 Dress Shirts, all sizes	79c
Men's $4.00, $5.00 and $6.00 Oxfords	98c

WEBER'S

212 WOODWARD AVENUE.

Look for the sign. Don't forget Thursday, the 22d. We will celebrate Washington's birthday by giving the people bargains. Doors open at 10 a. m.

KLING'S

See what you are getting for your money—know what you are taking into your system. Don't guess at the contents of a clouded beer bottle—find out. If you drink beer, stick to a standard brand—get posted on beer purity.

Kling's Pros't is the Pure-Food Law beer because it is CHILL-PROOF. Pros't pours clear and sparkling as crystal. You'll never find a cloudy bottle of Pros't. Even after a period in the ice-box this wonderful beer is actually transparent, and entirely without sediment or drugs. Drink Pros't always.

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