ILLINGWORTH GETS TEN DAYS.

He Kept McLaughlin from a Cell and Will Occupy One Himself.

MUST ALSO PAY A $50 FINE.

Justice Barrett Decides Tamsen Was in No Way Responsible.

SHERIFF'S OFFICE CRITICIZED.

The Predecessors of Tamsen, Barrett Said, Always Attended Court.

Deputy Sheriff John Illingworth is sentenced to ten days' confinement in the City Prison and fined $50 for contempt in disobeying the order of the Court to lock Inspector McLaughlin up the Tombs last Saturday.

Sheriff Tamsen is relieved of all responsibility in the matter by Justice Barrett.

Justice Barrett, in deciding the case, referred to the loose methods which apparently prevailed in the Sheriff's office at the present time, by criticising the fact that Sheriff Tamsen was out of town when the McLaughlin trial ended, and that Under Sheriff Sherman was not present.

Sheriff Criticised by Barrett.

He said it had been the custom of Mr. Tamsen's predecessors in office, Sheriffs Grant, Gorman and Saxton, to always be present in court at the close of important criminal trials, so that they might personally attend to the disposition of any prisoners that might be committed, and take them into custody.

In the present case neither Sheriff Tamsen nor Under Sheriff Sherman were present, but the duty had been delegated to a subordinate who was not even a deputy sheriff, but merely a prison guard, who was clearly ignorant of his duties and responsibilities.

This, he thought, was all wrong. Either the Sheriff or the Under Sheriff should have been present, and he hoped that in the future this would be done, or that some special officer, duly authorized, would be assigned to duty in the court-room on such occasions.

Assistant District-Attorney McIntyre said that this rebuke to the Sheriff's office was a timely one, and he was satisfied, although the Court had decided against him in the case of Sheriff Tamsen, that the proceedings had been well taken.

It was rumored that an application might be made some time this afternoon to some other Justice of the Supreme Court for a stay of proceedings in Illingworth's case, pending an appeal to the General Term, but this was denied by ex-Judge Curtis.

As the matter is one which only affects Justice Barrett as the presiding Judge of Oyer and Terminer, none of his associates would be likely to entertain such a motion.

The announcement that the proceedings to punish Sheriff Tamsen and his deputy, John Illingworth, for contempt of court would go on before Justice Barrett at 11 o'clock drew a crowd to the Oyer and Terminer room in the Criminal Court Building this morning.

Coroner Hoeber Sees Barrett.

Shortly after Justice Barrett arrived at the court-house, at 10.30 this morning, he received a call from Coroner Hoeber, who was ushered into his private room.

The little Coroner, who will have to arrest his friend the Sheriff if the Court declares that he is in contempt, was not as voluble as usual, and refused to talk about the possibility of his performing the disagreeable duty which may devolve upon him.

"Ach, Gott!" he ejaculated, when questioned by an "Evening World" reporter, "do not speak to me of such a thing. I go to see Judge Barrett. I cannot talk."

Coroner Hoeber evidently wanted to consult the Judge as to his duties and responsibilities in case it should be necessary for him to take his fellow German Reformer into custody, and he was too much impressed with the importance of the occasion to give attention to the remarks of outsiders.

The picture of the short Coroner leading the big Sheriff in chains, however, suggested some comical possibilities, and the result of the proceedings was awaited with the greatest curiosity by the throng which at that hour filled the court-room.

Justice Barrett took his seat upon the bench at 11 o'clock. Ex-Judge Curtis and Mr. MacLean, representing the Sheriff, were on hand, and Coroner Hoeber was seated inside the railing, just below the Judge's desk. Sheriff Tamsen was not in court.

McIntyre Opens the Case.

Assistant District-Attorney McIntyre began the proceedings by rehearsing the facts already well known regarding Illingworth's failure to take Inspector McLaughlin to the Tombs, and upon which the proceedings to punish him and Sheriff Tamsen also for contempt of court had been based.

Ex-Judge Curtis asked that the Assistant District-Attorney should be required to state the law upon which this action for contempt was based, but Justice Barrett denied his motion.

Then Mr. MacLean made a motion that the name of Sheriff Tamsen be stricken from the papers in the case, as there was not the slightest suggestion, he said, to show that the Sheriff was in any way responsible for the failure of his subordinates to do their duty, or that he had any knowledge of it whatever.

There was no evidence or allegation in the papers upon which the Court could hold Sheriff Tamsen for a criminal contempt.

This Justice Barrett also denied, and cause why punishment for the alleged contempt should not be imposed.

Mr. McIntyre said nothing whatever regarding Under-Sheriff Sherman, whom he had threatened to bring into the contempt proceedings, as well as before the Grand Jury. He stated, however, that the Sheriff was responsible for all the acts of his subordinates, and it was on that principle that the present proceeding had been brought.

Here's How It Was.

Ex-Judge Curtis, who had a long affidavit from Illingworth, said that when Inspector McLaughlin had been committed to the custody of his client, early last Saturday morning, the prisoner, as they were passing out of the court building, told Illingworth that he was suffering from a severe mental and physical strain, and was completely worn out.

"He asked Illingworth if he would object to giving him a chance to take a little fresh air," said ex-Judge Curtis. Illingworth thought there was nothing wrong in this, so they started up the street to Broadway and walked as far as Prince street.

Then McLaughlin made another appeal to Illingworth to allow him to go to a Turkish bath, saying that it was the only thing that would refresh him.

To this also Illingworth finally consented, but he accompanied his prisoner into the bath and watched him as long as he remained there.

When the bath was over, Illingworth in his affidavit says that Inspector McLaughlin was so overcome by the reaction that he seemed to fall into a stupor, from which he was not able to arouse him. He, therefore, let him sleep until after 7 o'clock, all the time, ex-Judge Curtis said, "watching him like a mastiff." Not once was McLaughlin out of his sight.

Illingworth's Big Heart His Ruin.

He argued that Illingworth's action was simply prompted by a merciful and compassionate heart, and that there was no intention to wilfully disobey the mandate of the Court.

He closed with an appeal for clemency for Illingworth on these grounds, and for the additional reasons that if the act was amenable to the law, it was the Sheriff who was responsible and not the deputy, and if a violation of the law had been committed, Illingworth had so far expiated his offense by resigning.

Barrett Squelches the Defense.

"This was a direct mandate of this Court to this man," said the Justice, "and your contention has no bearing upon the case."

Mr. MacLean next spoke for Sheriff Tamsen. He said he had two affidavits, one of which was that of John J. Kelly, a prison guard, which he read. Kelly said there was no assignment of special duties, but that it was arranged that Illingworth, as the regular man at Oyer and Terminer, should have charge of any prisoner who might be committed in the McLaughlin case. He knew nothing about McLaughlin not having been taken promptly to the Tombs till he saw it in the newspapers. No word had come to the Sheriff's office from Illingworth.

An affidavit from Sheriff Tamsen was also read by Mr. MacLean. It was very brief and simply asserted that the Sheriff was at his country place, in Greene County, from Friday last until Sunday, and that he had no knowledge whatever of any order having been given in the McLaughlin case to any of his subordinates. He said that he did not know that Illingworth had been appointed to attend to prisoners in the Court of Oyer and Terminer.

Justice Barrett, after hearing the arguments of counsel, decided that so far as Sheriff Tamsen was concerned he should be discharged from the order to show cause.

Ten Days for Illingworth.

In the case of Illingworth, however, Justice Barrett said that an entirely different principle applied. He was appointed to do official duty, and was regularly assigned to the court. The commitment was given into his hands to execute, and he should have done it immediately.

The only question was whether he had disobeyed the mandate wilfully or not. His own affidavit, in which he said he complied with Inspector McLaughlin's request reluctantly, showed that he had disobeyed the order deliberately, and was, therefore, guilty of a criminal contempt, although no corrupt intent had been shown.

He had also been guilty of untruthfulness in stating to the Court that he had taken McLaughlin to the Tombs at 6 o'clock, when he did not bring him there until more than three hours later.

Justice Barrett said he would have been inclined to condone his offense but for this reason, and he, therefore, ordered him to be confined in the city prison for a term of ten days and pay a fine of $50.

Ex-Judge Curtis asked for a stay until he could take an appeal to the General Term, but this Justice Barrett denied, saying that he thought he had been sufficiently lenient, and that his order should receive immediate force.

He afterwards consented to delay the signing of the order of commitment for Illingworth until 10 o'clock to-morrow morning, and he was paroled in custody of his counsel.

For Assaulting a Policeman.

Patrick Dollard, a laborer, of 223 East One Hundredth street, and Jeremiah Ready, an alleged pugilist, of 1324 Third avenue, were held in $500 bail each for trial in Harlem Police Court this morning, charged with assault on Park Policeman Charles Grimm.

AFTER THEIR SHIELDS

Devery and Glennon Appeal to Court for Reinstatement.

The Ex-Captain and Ex-Wardman Claim Illegal Dismissal.

Lawyer James Says the Commissioners Acted Disgracefully.

The appeal of ex-Police Captain William S. Devery from the action of the Board of Police Commissioners in dismissing him from the police force was argued before Judges Bookstaver, Pryor and Bischoff, in the General Term of the Court of Common Pleas, this morning.

Col. E. C. James and Abraham Eikus represented Devery, and Corporation Counsel Scott appeared for the Police Board.

Capt. Devery was dismissed on Aug. 31, 1894, after a trial by the Commissioners on fifty-six charges of neglect of duty and bribery.

EX-POLICE CAPT. WILLIAM S. DEVERY.

He was accused of permitting disorderly houses to run in his precinct, and with accepting money from Herman Hoffman, of 180 Allen street; Charles Priem, 28 Bayard street; Katie Schubert, 144 Christie street; Karl Werner, 6 Delancey street, and Rhoda Sanford, 24 Bayard street.

Capt. Devery, pale and careworn, sat behind his counsel and listened attentively to the argument.

Col. James, in presenting the case, called attention to Devery's long and faithful service. He was appointed patrolman on June 19, 1878; promoted to roundsman on Sept. 16, 1881; sergeant on May 27, 1884, and captain on Aug. 30, 1891.

At the conclusion of the argument in the Devery case Lawyer House submitted the appeal of ex-Ward Man Edward Glennon, whose dismissal from the police force followed that of Capt. Devery.

Glennon was Devery's ward man, and was tried on substantially the same charges as had been preferred against his Captain.

The argument in Glennon's behalf was based on the same grounds as that of the Captain, with the exception that as Glennon was not ill, it was concluded that his case had been prejudiced by

EX-WARD MAN EDWARD GLENNON.

the refusal of the Commissioners to adjourn his trial because of the sickness of Devery, who it is claimed was his principal witness.

ACCUSES CAPT. KILLILEA.

Ex-Sergt. Miller Writes About Bribery and War Records.

Augustus M. Miller, an ex-police sergeant, who was dismissed from the force, and who now lives at 237 Willis avenue, sent a letter to Commissioner Andrews to-day, in which he questioned the war records of Captains Copeland and Pickett, and accused Capt. Killilea of bribery.

The Comissioners laid the matter over indefinitely.

Miller stated that Capt. Copeland never went to the war further than Riker's Island, where he was sent with 300 patrolmen to quell a disturbance among a regiment of soldiers who were waiting on the island to be armed prior to being sent to Washington. This was in 1863.

Miller also accuses Capt. Pickett by saying that he led some of the rioters during the draft riots when the United States soldiers were shot down in Second avenue.

He says that Capt. Pickett got himself relieved from duty in order to escape danger in the rioting, and that he (Miller) was the Acting Sergeant in the precinct at the time.

Capt. Killilea, according to Miller, several years ago received a $200 or $300 check from the keeper of a hall on Forty-fourth street for the purpose of allowing a disreputable ball to be held.

He says he made charges against Killilea, but they were eventually dismissed. As the result of these charges Miller alleges that Gerald Jaffrey, who was Killilea's ordinance man, resigned from the Department.

WANTS A NEW SYSTEM.

Bar Association Investigating Method of Choosing Jurors.

What is considered an important move towards a change in the jury system was the adoption by the Bar Association last night of a resolution offered by Austen G. Fox, which provides that the Judiciary Committee of the Association shall investigate the jury system.

The Committee is requested to report at the next meeting the working of the statutes touching the selection of names of those on jury lists and the drawing of panels.

PLEDGED TO POLICE REFORM.

Board Regrets the Failure of the Reorganization Bill.

Crooked Work Discovered in Connection With Civil Service.

The Police Board met at 10.30 this morning, all the Commissioners being present.

President Roosevelt stated that Police Surgeon Dorn had sent in his application for retirement.

"He is entitled to retirement under the rules," said Commissioner Roosevelt, "but I have asked him to remain at least a month and help us out. He consented, providing he is relieved from precinct duty and detailed to physical examination work only."

"That can be arranged," said Commissioner Andrews.

President Roosevelt introduced the following resolution:

The Board of Police deeply regrets the failure of the Legislature to pass the Police Reorganization bill introduced by Senator Lexow. Its enactment would greatly have lightened the work of the Board, and its defeat will greatly increase that work. But the imperative necessity of the reform it would have facilitated has become more than ever apparent, and the Board of Police pledges itself to bend with ever increasing vigor and resolution to its accomplishment.

The resolution was unanimously adopted.

President Roosevelt presented a paper bearing the names of all the policemen who have been indicted during the past year.

"The Board is competent and empowered to proceed against these men," said Mr. Roosevelt, "regardless of whether they are now under indictment or have been."

The President then suggested, and it was so determined, that Commissioners Andrews and Parker take the list of names and report on each case to the Board as to whether proceedings should be begun immediately against those now under indictment or wait until the courts have passed upon their cases.

Commissioner Andrews said that there were cases of nearly a year's standing in which policemen had been charged with various offenses, but had never been punished.

"I suggest, sir, that this matter be also included in this work delegated to Commissioner Parker and myself," said he.

"You don't mean to say that there are certain cases a year old?" exclaimed Commissioner Parker.

"Well, nearly a year," replied Commissioner Andrews.

The Commissioners then took up the subject of physical requirements of candidates for appointment as policemen.

Commissioner Grant recommended that the extreme limit of age be placed at twenty-one to thirty years, instead of twenty-one to thirty-five years.

The Commissioner also asked that the weight be fixed at 140 pounds instead of 133, and the height not less than five feet eight inches.

"I agree with everything but the extreme low limit of the height," said President Roosevelt. "My experience in college football teams and athletics has taught me that the five foot seven or seven and a half man, stockily built and healthy, is far more athletic than the slim six footers."

Commissioners Andrews and Parker coincided with Col. Grant, and President Roosevelt withdrew his objection.

The next subject showed that there had been fraud in the matter of past civil-service examinations.

"I have a letter which informs me that there has been some dodging in the matter of looking up the character of candidates," said President Roosevelt.

"I have found that there have been a number of vouchers for the good character of candidates who have never heard of the would-be policemen or the subject. It should be looked up."

Commissioner Andrews introduced this resolution:

That the commanders of precincts be instructed to report to this Board the names of the members of his command and the name of every club, political, social or otherwise, to which he belongs.

"None of the policemen shall belong to a political club," said President Roosevelt.

"It's hard to ascertain whether such clubs as the Pequod or the Michael Donegan Clubs are political organizations or not," said Mr. Parker. "The rules of the club have been framed exactly to serve that purpose."

The resolution was adopted.

The Board voted Louis S. Posmer confidential clerk to Commissioner Parker at $1,000 salary.

Chief Clerk Kipp read a letter from Capt. Timothy J. Creeden, Morrisania station, asking leave to withdraw his application for retirement.

"On what grounds does he ask for the withdrawal?" asked Commissioner Parker.

The chief clerk read:

I sent in my resignation to your predecessors, a hostile Board to me. I am able-bodied yet and have no other means of supporting my family.

The matter was referred to the Committee on Pensions, as also were similar applications from Patrolman Edward Gillespie and Patrolman Sullivan.

Capt. Schmittberger, of the Kingsbridge station, was refused a vacation.

Chief of Police Byrnes examined another batch of big policemen in the school of instruction at Police Headquarters this morning. They are candidates for the new Broadway squad.

Police Surgeons Fluherer, Dexter, Dorn, Phelps and Lyons were in consultation with President Roosevelt, of the Police Board, before 10 o'clock this morning. The surgeons were sent for yesterday. The President discussed with them the subject of physical examination of candidates for the force.

As a result it is said that the physical examination hereafter will be more exacting and rigid.

Inspector Williams's name was not mentioned at Police Headquarters yesterday in connection with the fact that he would ask for retirement when he returned from his vacation next week.

When Commissioner Andrews was told this morning that a newspaper had said that Williams would resign if the Commissioners refused to retire him on application, the Commissioner laughed heartily at the idea.

No License for McGlory's Hotel.

The Excise Commissioners to-day rejected the application for a license for a hotel at 227 East Fourteenth street. The application was made by Francisco Anaconi. Rev. A. McEwen, pastor of the Fourteenth Street Presbyterian Church, and Miss Lambert, Superintendent of the St. Elizabeth Industrial School for Girls, 235 East Fourteenth street, objected because the hotel was next door to a school for girls and that the house is owned by Mrs. Annie McGlory, wife of "Billy" McGlory. It was said in evidence that William M. Evarts and a Mrs. Van Cott have threatened to leave the neighborhood if the license were granted.

Clark Not Indicted.

The Grand Jury to-day refused to indict John J. Clark, formerly proprietor of the Bijou Restaurant, at 504 and 506 Sixth avenue, for keeping a disorderly house. The evidence against Clark was given by Patrolmen Waters and McDonough, of the West Thirteenth street station, as the outcome of the raid made upon the place by Capt. Pickett and a squad of forty men on Sunday night, four weeks ago, when fifty men and women were arrested. The place is now closed.

B. Altman & Co.

SECOND FLOOR.

To-Morrow, Thursday, May 16.

LADIES' TAILOR-MADE DRESSES,

With the new shaped extra wide skirts and lined throughout with Taffeta Silk.

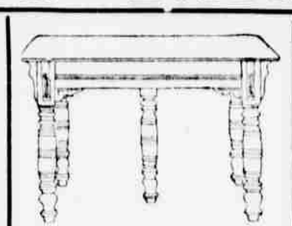
In Blue and Black Serges and Cheviots, $22.00

In English Whipcords and Homespuns (Tan and gray shades,) $32.00

18th Street, 19th Street and Sixth Avenue.

LUDWIG BAUMANN & COMPANY. BLOCK, 35th to 36th St. and 8th Avenue.

HERE is a magnificent Oak Dining Table; top when closed 44x42 inches; heavy carving of under brace and legs; price lately reduced to 6.50



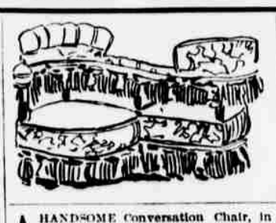
BEST Antique Oak Extension Dining Table; top 30x42 inches; splendid table for the price; substantial looking 2.48

PRETTY Antique Oak Hall Bedroom or Dining Chair, price lowered this week to ..... .49

HARDWOOD Refrigerator; best makes only; each one warranted; they begin at 4.49

Send for Catalogue.

FLINT Glass Lemonade Sets, 7 pieces, handsomely engraved and decorated, fancy colored flint glass; price, with brass or silvered tray, 1.29; price, less tray ..... .99

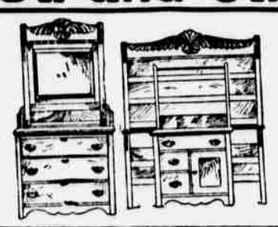


A HANDSOME Conversation Chair, in splendid Brocatelle, with trimmings of marbleized plush, cords and heavy bullion fringe, in pale blue and seal; a simply unheard-of bargain. Price 11.98

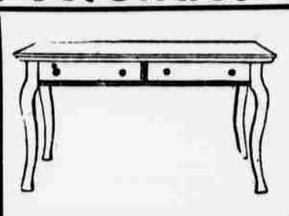
PURE Corn Whisk Broom, strong wire handle, 12 in. long, 21c.; 11 in. long, 18c.; 10 in. long, 15c.; 9 in. long, 13c.; 8 in. long ..... .10

NICKEL Plate Oil Stove, three 4-inch burners, three holes for cooking; quick, even heat, perfectly safe, only 2.90 Oven to fit ..... .98

TRAY, quadruple silver-plated on hard, white metal, engraved and chased, hand-burnished repoco edge, 2.15. Fluted edge 1.45



THREE-PIECE Bedroom Suit, mahogany, superior finish oxidized handles, mirror 20x24, finest bevel plate 14.00



LIBRARY Table of solid oak, bent legs, fine polish, plain wooden top, two drawers; no price at all; only. 6.30

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Manufacturing, Banking, Shipping and all branches of Mercantile life are operated on a credit basis. Why should you hesitate to purchase goods on easy terms, especially when we offer them at prices much lower than the so-called "Cash Houses?"

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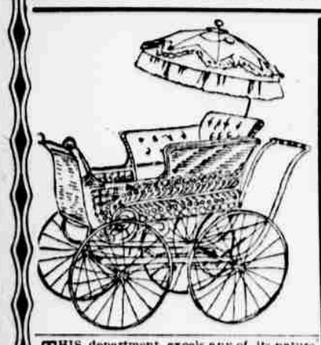
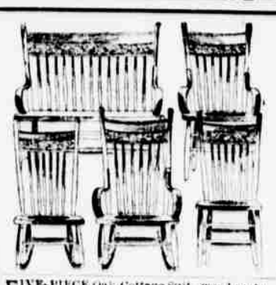
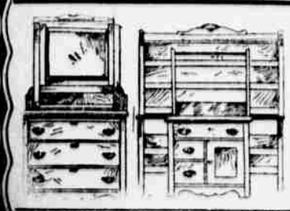


THIS department excels any of its nature in this or any country. Every conceivable design in the construction of the carriages, great variety in the upholstering, graceful touches, silk, satin and lace parasols. They begin at 2.50



FIVE-PIECE Oak Cottage Suit, wood seats, consisting of a Tete-a-Tete, Sewing Rocker, Easy Rocker, Arm Chair and Side Chair, antique polish finish, good value at $10.00, special price 7.25

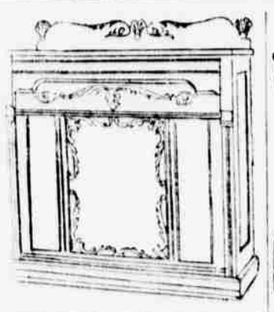


ONE of the best things in the house—a Bedroom Suit of three pieces, once reduced to $8.85. In answer to repeated requests from customers, we place this suit on sale again, having drawn 1,000 suits from our warehouse, and will continue to sell this marvel for 8.85

GILT Brass Banquet Lamp, 6-inch French Onyx, with 14-in. shade, all colors, complete 1.94

DAINTY yet substantial Sideboard, 3 drawers, one velvet lined, for silver, and two large cupboards below; plate-glass mirror, stanchion. Height, 6 ft.; width, 3 ft. 4 in.; depth, 1 ft. 6 in.; size of glass, 15x24 in. 7.15

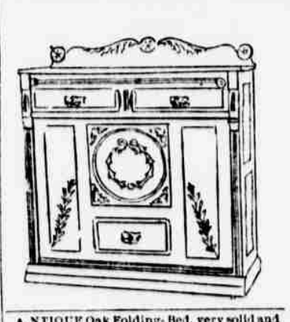
Being pressed for space to accommodate our stupendous collection of Iron Beds, we have decided to offer these four handsome patterns of Folding-Beds at a merely nominal figure.



THIS Antique Oak Folding Bed is quaint and out of the ordinary run in its carving, handsome head coping, only 8.99

THIS is a stylish, fine-appearing article in a Folding-Bed, of antique oak trimmed with brass, high head-piece. Price (worth double the money) 8.99

THIS antique oak style hardwood Bed is handsomely finished with brass, old English cherubic carving of wing figures on drawer and top; perfect ventilation in daytime 8.99



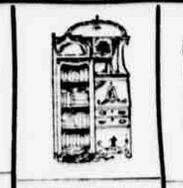
ANTIQUE Oak Folding-Bed, very solid and imposing in appearance; centre square has carved wreath and medallion, side panels relieved by carved branches, also on drawer, top elaborated. Price 8.99

STEP LADDERS, with tool shelf, strong and durable, the following sizes 5 feet, 39c.; 3 feet, 24c.

ANTIQUE OAK Hardwood Bed, nicely carved; splendid bed for the price. Height, 5 ft. 9 in. 2.25

ICE PITCHER, triple silver plate, chased and engraved, pure white metal 2.10

THE "Housewife" large market basket, best wicker, oak obtainable. Well braced handle, handsomely made, with covers, price ..... .69



QUARTER Sawed Oak combination Bookcase and Desk, 6 ft. 10 in. high, 3 ft. 7 in. wide, beveled French plate glass 8x10 and 6x18 ..... 24.90

COMBINATION Desk and Bookcase, swell front, 7 ft. high, 4 ft. 4 inches wide, beveled French Mirror, 15x16 ..... 42.00

HERE is certainly a markedly handsome piece of furniture, a combination Desk and Bookcase, 6 ft. 5½ in. high, 3 ft. 11 in. wide—Beveled Plate Glass 25.00

SPLENDID Oak and quarter-sawed front Combination Desk and Bookcase, height 6 ft. 10 inches, width 3 ft. 9 inches; mirror 10 x16 and 10 x18 ..... 31.00

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Our Carpet Department has been constantly enlarged and added to until it is the fullest and most complete on earth. Magnificent Velvets, Wiltons, Moquettes, Brussels, Tapestries, Art Squares, Ingrains, Hassocks, Rugs, &c.

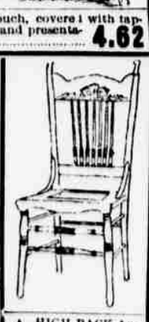
. . LINOLEUM . . ART SQUARES . .

FINE Oak-Frame Couch, covered with tapestry, substantial and presentable. Price 4.62

ANTIQUE Oak Hardwood Bed, height 5 ft. 6 in., very nice article indeed, for 2.00

THESE Chairs for any room, of antique oak finish, with colored plush seats, satin damask, brocatelle or imitation leather; strong, durable 1.00

LAMP OIL STOVE, iron tank, 3½ inch wick, made in 3 sizes only. Three burners, 1.21; two burners, .79; one burner ..... .39



A HIGH BACK Antique Oak Dining Chair, superior in design and quality to any other offered at the low figure 1.48

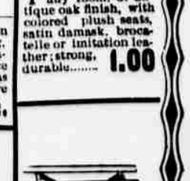
FOLDING Iron Board, strong, well made and durable. The former price of this article was $1.35. We are now selling it at ..... 69c.

SOLID Steel Muslin Kettle, ground finish inside; the biggest bargain yet ..... .23

JAPANNED Bread Box, heavy tin, gold lettering ..... .26

JAPANNED Spice Tray and 6 Spice Boxes. Each one lettered on cover; each ..... 12c.

ZINC Sprinkling Can, japanned, will hold 3 qts. ..... .19



FOLDING Garden Bench, painted red and green, strong and well made ..... .84

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