Whitman Declares Black Book of No Value, and He Believes McCall Is Honest

pointment to various State jobs. But there is absolutely nothing in the "confession" to give the slightest basis to the charge that Supreme Court Judges bought their nominations from Tammany Hall.

Stilwell says that on many important bills he was told by brother Senators that Charles F. Murphy wanted him to vote with the organization. He admitted that his record showed he had obeyed orders.

Stilwell told Hennessy that the officials he named were all minor ones and that with the exception of a few Senators he had never had any "organization" orders.

Stilwell said Senator James J. Frawley had acted as spokesman for the organization and that some of his orders had come through Frawley.

Hennessy told Stilwell he would get a pardon from Sulzer if he would give affidavits to back up his assertions as best he could.

Stilwell said he was willing to do anything to get out of jail.

Stilwell said that the Senators he had formerly "worked with" had given him a "dirty deal," and that he wanted to revenge himself on them. He said he was willing to testify for Sulzer at the impeachment trial.

The black book will show that Stilwell's interview with Hennessy, which took place six days after Charles H. Unversagt and Col. William N. Amory visited him, was no more productive than the first one when Gov. Sulzer's emissaries first broached the proposition of an exchange of a pardon for information from the former Senator which would be used to "get" some of Sulzer's enemies.

Hennessy and Stilwell talked together for more than an hour, but came to no conclusion. Hennessy was to report back to Gov. Sulzer what he had learned.

These are all the important matters in the Stilwell-Hennessy conversation, and hence all that will be found in the black book. There is no mention anywhere in the conversation of the name of Judge Edward E. McCall, and the rumored "disclosures" which were to "turn New York inside out" are missing.

Stilwell in the conversation said that he knew that Judges had for years been buying their nominations from Tammany Hall by means of large campaign contributions at "critical moments." He could, however, give no proof of this, only hearsay evidence.

Stilwell's alleged accusations cover a period of eleven years.

Ex-Senator Stephen J. Stilwell

Who denies making a confession involving any public official or public person.

M'CALL DENIES ASKING SULZER TO STOP PROBE

"Only the Workings of a Disordered Brain," He Says of Latest Attack.

Judge McCall used only a few words yesterday to deny an interview in the *Evening Mail*, in which William Sulzer accused Mr. McCall of bringing to him when he was Governor in Albany an order from Charles F. Murphy to fire Hennessy and stop his investigations.

Here is Judge McCall's answer:

"It is needless for me to say that there is not a single word of truth in any statement that he makes in reference to my having made any representation to him or my saying any of the things that he states I said. I never had any such conversation or conversations with him and I can attribute it only to the workings of a disordered brain."

Sulzer, according to the statement printed in the *Evening Mail* yesterday, makes the charge that Edward E. McCall tried to get him to stop John A. Hennessey's graft investigations and told him that Charles F. Murphy would make McCall Chief Judge of the Court of Appeals if the inquiries were stopped and that Sulzer would be allowed to name the Associate Judge.

This was in explanation of Mr. Hennessy's recent statement that a "great friend" had gone to Albany and told Mrs. Sulzer that Hennessy was the cause of all the Governor's troubles with the organization. Hennessy says that the day after Mrs. Sulzer told him this he went to the Governor and asked him about it and the Governor "admitted that Judge McCall was the friend who made that statement."

"I remember it well," said Mr. Sulzer in yesterday's statement. "It was Judge McCall who came up from Mr. Murphy to get me to call off Mr. Hennessy.

"Judge McCall did all he could to induce me to stop the graft investigation. He said to me: 'Unless you stop they will throw you out of office. These men will stop at nothing. They can do anything. Why, they are so organized and so skilful that they could blacken the character of the Archangel Michael himself.'

"Judge McCall," continues the statement, "wanted me to assure him so that he could tell Mr Murphy that I would stop investigations concerning the frauds on the highways, amounting to millions and millions of dollars."

Mr. Sulzer also said that Judge McCall tried to get Mrs. Sulzer to influence her husband.

"Mrs. Sulzer told me," he said, "all that the Judge had told her and that he thought I was making a great mistake in going on investigating graft and certain grafters and she said I ought to stop Mr. Hennessy because she was fearful that if I didn't Mr. Murphy and the grafters would make a lot of trouble for me and might endanger my life, and he intimated to her that if I was permitted to send them to prison they would kill me."

Mr. Sulzer says Judge McCall made this statement to him on one of his weekly visits to the Executive Mansion.

"The Chief says that if you will stop Hennessy and quit investigating graft everything will be all right. He has promised me the nomination for Chief Judge of the Court of Appeals and says if everything is satisfactory you can name the Associate Judge of the Court of Appeals."

The ex-Governor says he answered to this that he wasn't making Judges of the Court of Appeals and that nothing could stop him in the performance of his duty. Mr. Sulzer also repeated his statement that some of the things Judge McCall asked him to do he did because they were all right and some he refused because they were wrong.

WHITMAN INDORSES NOTT.

Strongly Recommends Assistant for General Sessions Judge.

Charles S. Whitman has indorsed the candidacy of Charles C. Nott, Jr., fusion nominee for General Sessions, in a letter to Noah C. Rogers, a member of Mr. Nott's campaign committee. The District Attorney said:

"Mr. Nott has been an Assistant District Attorney for the past twelve years, and I believe that no one in this city has had a more diversified or successful experience in criminal prosecutions than he.

"When I became District Attorney I requested him, on account of the record which he had made under District Attorney Jerome, to remain as one of my assistants.

"While his success in court has been very great, he has always preserved the judicial frame of mind, and when absent from my office I have always, when possible, arranged to leave him in charge of it.

"I regard his nomination as an ideal one and I believe that his election will be of the utmost advantage to the people of this county."

MITCHEL FAILS TO "END M'CALL"

Continued from First Page.

S. Straus, the sturdy Progressive, who, like Mr. Whitman, regretted the mud slinging and who had nothing to say against Judge McCall personally. So was Mme. Olive Fremstadt of the Metropolitan Opera, whose magnificent voice raised in "Annie Laurie" made many forget momentarily the uglinesses and weariness of campaigns.

For size, for the outpouring of people, for the rush and surge and weight of a great crowd the fusion meeting of last night has probably never been excelled. The fact is the immense audience did not cheer, did not strain their lungs with such applause and shouting in honor of the principal candidate as has often been heard in the vast auditorium.

The precise oratory of Seth Low, the chairman of the Business Men's Non-Partisan Anti-Tammany League mass meeting, and Mr. Low's measured intellectuals were not conducive to frenzied enthusiasm.

Near Riots at Doors.

There were scenes of disorder within and without the Garden before Mr. Low at 8:30 P. M. called the meeting to order. The very size of the crowd had something to do with near riots at the entrances, but perhaps poor management had as much.

Doors were slammed shut at unexpected times, thereby angering hundreds who had waited patiently for admittance. These threw themselves against the lines of public and private policemen, stormed fire-escapes, threatened the balconies and were only calmed when speakers went from the Garden to the street and organized an overflow meeting.

Inside the Garden there were ructions because reserved seats were seized by the greedy or were handed over to the friends of somebody with influence.

The crowd came early. At 6:30 P. M. there were long lines waiting at the entrances on all four sides of the Garden. When the doors were opened there was a rush that nearly carried the policemen off their feet. The rush kept on until the doors were closed. Later, when Mr Mitchel began to speak, the people in the galleries had had enough of speech-making, apparently, and started for the doors with a stamping of feet and shouts that prevented the candidate from being heard. There were shouts and shrieks from the people as the small army of private policemen attempted to stop the stampede and Mr. Mitchel seemed to be embarrassed.

Cheer Leaders There.

For the first hour the crowd responded dully to the speeches and to the persistent cheering of delegations of college men who were grouped under their banners and transparencies. The occasional mention of Mr. Mitchel's name was not followed by hearty cheering.

Mr. Low opened the speechmaking by saying that he had fought Tammany since Tweed's time and that he was going to keep on fighting Tammany until it was destroyed.

"Tammany," he said, "is New York's most powerful enemy. It has made New York's name a byword. It turned down Mayor Gaynor, not because he hadn't been a good Mayor, but because he hadn't been Tammany's Mayor. No honorable man can vote for Tammany. The only two men who ever rose to national greatness from New York in my time were Samuel J. Tilden and Grover Cleveland, and they won to eminence because they fought Tammany. There is a danger to-day that young men will barter their manhood by accepting favors from Tammany."

Mr. Low asked for support for Mr. Mitchel, Mr. McAneny and Mr. Prendergast. The cheering was mild even though college cheer leaders turned handsprings up and down the aisles and did their acrobatic best to start general applause.

Oscar S. Straus, speaking as the representative of the Progressive element of the fusion movement, was the first to stir the meeting. It was clear that thousands there highly approved of Mr. Straus and didn't mind telling him so.

"We will win in this campaign because we deserve to win," said Mr. Straus. "We will win because the people will be avenged upon the oligarchy misgoverning this great city.

Didn't Take His Advice.

A year ago I tried to give you some good advice. [Applause and laughter.] Many of you didn't follow it. [Laughter.] I don't hold that up against you and I will forgive you if you will take my advice this time. [Applause and laughter.] I think your experience has taught you to give a little more heed to my advice. [Great applause.] If you fail again to follow it you will subject the city to the same humiliation and shame that fell upon the State. [Applause.]

"I am opposed to the rule of Tammany Hall and Charles F. Murphy. You must have rulers who take orders from you and who will not call any man 'chief.'

"I have no quarrel personally with Judge McCall. He may be, doubtless is, an exceptional man. My quarrel is with the collar he wears, with the man he calls 'chief.' If the Sulzer episode means anything it means that Tammany is determined to command the obedience of its pet candidates."

Then Mr. Straus asked the people to vote for Mitchel, McAneny, Prendergast, Marks and the other fusion candidates.

Mme. Fremstadt sang two songs, the encore being "Annie Laurie," and left with a friendly wave of her jewelled hand. The spotlight fell upon Dudley Field Malone, who has considerable of a reputation as a spellbinder. Mr. Malone hit into Representative John J. Fitzgerald for charging at the Knickerbocker dinner to Judge McCall that Mr. Mitchel was not a real Democrat. He labored shrewdly to convey the impression that the Wilson Democracy is behind Mr. Mitchel.

Yells for Whitman.

The great crowd began to yell as soon as Mr. Malone retreated. The people had seen District Attorney Whitman stepping into the speakers' box. College yells collided in the air. The people in the galleries and on the floor waved flags and cheered. Mr. Whitman smiled his pleasure while waiting five minutes for the uproar to quiet.

"I stood here four years ago to a day telling you that I would be elected and promising that I would not be a Republican District Attorney. I have kept that promise.

"I don't agree with all that has been said in this campaign. I don't believe in abuse and vilification. Cries of liar are a pretty poor form of argument.

"I believe that Judge McCall is an honest man. Twenty-five years as a lawyer, as a Judge and as District Attorney have convinced me of that. But the issue is not an issue of candidates or men. It is, Do you want to bring Tammany Hall back in New York? [Cries of no.]

Little Black Book.

"I have been asked to talk about the little black book. District Attorneys cannot talk with the freedom of other men. I do not know whether individuals or organizations have violated the law. Such questions are not determined in a few days. But I promise you that the names and the evidence in my hands will be followed up to the end. The evidence will be followed let it lead where it may."

Mr. Whitman asked for support for the whole fusion ticket.

Mr. Mitchel entered the Garden as he finished speaking. The candidate for Mayor couldn't get in by a door, so the police took him up a fire escape on the Twenty-seventh street side so that he could scramble through a second floor window. After the sixteen minutes of cheering he began his speech, which was restrained and empty of violent attacks against Judge McCall.

The issues he defined were Tammany, prodigacy and inefficiency; the necessity of reducing the cost of government; the development of transportation facilities, parks and playgrounds; the terminal and freight yard plans and sane administration of city departments, including the freeing of the Police Department from "The System."

"Nothing stands in the way," he said, "save Murphy and his system. We have found it necessary to speak plainly, to make the people understand that under the cover of apparent respectability Murphy was again trying to seize their treasury and their city."

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George G. Benjamin

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SULZER ATTACKS COURT OF APPEALS

Declares Bosses Elect Them and Control Their Decisions.

HUMAN NATURE ON BENCH

Says He Proposes to Vote for the Progressive Candidates.

Ex-Gov. Sulzer, talking last night in the Lenox Assembly rooms of the Sixth Assembly district, made an attack upon the Court of Appeals.

"There are seven Judges of the Court of Appeals elected by the people," said Mr. Sulzer. "The record shows that the bosses can control decisions when it comes down to a matter of politics. The decision of the Court of Appeals in the John Mitchell case and the votes and the rulings in my case show that the Court of Appeals can be polluted as well as judicial."

Mr. Sulzer said he was going to vote for the Progressive candidates, Judge Learned Hand and Justice Schoultz, and he said he urged his friends throughout the State to do the same. He continued:

"As a lawyer I am reluctant at all times to criticise the courts, and yet as a citizen having the general welfare at heart, I am brave enough to say that the courts are human, not above error, and should not be above honest criticism.

"The Court of Appeals should be the ablest and the bravest and the most impartial court in all our State. That is the only way for the average citizen to get justice in the last analysis.

"It is unnecessary for me to go into details. The bosses nominate these Judges, and when the people elect them they are more grateful to the bosses than they are to the people. Of course, it is all too bad, and yet too true. As one of my counsel said during my trial in Mr. Murphy's high court, human nature on the bench is much the same as human nature off the bench.

"Two of the elected Judges of the Court of Appeals retire the first of the year. The boss of the Republican party nominated two Judges and the boss of the Democratic party, Mr. Murphy, nominated two Judges to succeed the Judges who retire on January 1. In each case the bosses picked as one of the party candidates a member of the court, so if the Democrats or if the Republicans are elected there will be a vacancy on the Court of Appeals bench the first of January, which vacancy will be filled by the Governor—and, of course, the Governor will appoint the man Mr. Murphy selects.

"As a lawyer, and a citizen, I have carefully considered this question of electing two judges of the Court of Appeals. After deliberation I am constrained to say in the interest of justice, and for the common weal, that the true citizen should vote for the candidates of the Progressive party—Judge Seabury and Judge Hand. These men are able jurists, honest, and capable, and impartial. It will help the Court of Appeals to have them elected, and their election will certainly go far to lift that court high above the abyss of partisan politics.

"We have enough Murphy and Barnes judges on the Court of Appeals now. This is one of the most important matters for the determination of the voters in this campaign."

M'CALL RAPS PULITZER: SPEAKS ON ECONOMY

Gets Warm Reception in the Bronx and in Brooklyn.

Judge McCall continued his attacks on Pulitzer and the "licentious" press and explained the real estate and rapid transit issues in several speeches in The Bronx and Brooklyn last night. He did not refer again to the attack on Mitchel's connection with a teens real estate corporation except to point out that his charges of the night before in the Brooklyn Academy of Music had not been answered by the fusion candidate.

His first appearance last night was at Burland's Casino, Prospect and Westchester avenues, The Bronx, where he spoke underneath an electric sign, "Bronx for McCall."

Referring to Mitchel, Judge McCall said: "He cannot explain the reason why our city is groaning under debt unless he truthfully says it is because of the unwarranted indulgences of our present Board of Estimate."

He scored the expenditures for Dreamland Park and Rockaway Beach Park and the railroad and watershed in Ulster county.

"In each and every one of these schemes I have found the trail of the serpent," he said, "a beneficiary who is scattering scurrilious literature through the city."

He said this beneficiary was a "Republican ex-Senator, who is the advocate of Mr. Mitchel, and well he might be."

He told the people of The Bronx that by his signature they would shortly receive the benefits of rapid transit and said that the only thing he had gained by it was the enemity of "this fellow Pulitzer." He called upon Mr. Mitchel to repudiate Pulitzer.

Judge McCall's second speech was at the Cherokee Democratic Club, 334 East Seventy-ninth street. There he got the biggest reception of his trip. Judge McCall made only a brief speech.

When he mounted the platform a voice shouted something about Hennessy.

"That is a name that can't be mentioned where gentlemen meet," said the speaker.

McCall got over into Brooklyn shortly after 10 o'clock, where he had ten speeches scheduled in almost every section of the borough. He told them that Brooklyn was a "busy hive that has been sorely neglected," and his speeches dealt in the main with the rapid transit issue.

NEWBURGER WARNS POLICE.

Any Who Fail in Duty on Election Day May Be Dismissed.

Deputy Police Commissioner Newburger told the policemen at Headquarters yesterday that if any one of them failed in his duty on election day he would be liable to instant dismissal. Commissioner Newburger was presiding at the trials of four policemen who were charged with being absent from their stations during registration.

"Election day and registration days are the most important in the calendar," said Mr. Newburger.

All policemen in town will be transferred for duty on election day according to the custom established several years ago.

"I NEVER SAID IT" SAYS J. H. DELANEY

Declares Some One Impersonated Him in Detectaphone Conversation.

HE KNEW IT WAS THERE

He Carefully Tefrained From Saying Anything to Commit Himself.

William Sulzer relied on the detectaphone in more places than one to get evidence against his enemies in Tammany Hall. According to those who were at the Executive Mansion in the last days of the Sulzer tenancy, the place was peppered with detectaphone receivers, and whenever Sulzer wanted to trap somebody into admissions which would help his case against Murphy he put the caller near the business end of a detectaphone and a stenographer at the other.

That was the experience of John H. Delaney, whom Sulzer made State Commissioner of Efficiency and Economy and who still holds the job. A report of an alleged conversation between him and Sulzer on September 23 was printed in one of the papers yesterday morning. It was supposed to have been caught by the detectaphone. Delaney said yesterday that the whole report was manufactured or else Sulzer got a dummy to impersonate him so that the stenographer working at the other end of the detectaphone wouldn't know the difference.

Talked About $10,000 Gift.

According to the story Sulzer got Delaney to confess to a knowledge of the Allan Ryan $10,000 campaign contribution. After Delaney said "Good evening" to the Governor, Sulzer was represented as saying:

"I'll tell you what I want; I have got to go on the stand and tell my story. I have got to tell the story about the $10,000."

"I don't remember any $10,000," said Delaney.

"You know I gave you $10,000," said Sulzer, and then Delaney said he didn't know a thing about it, that he had never received any campaign money from Sulzer.

"Do you deny I gave you $10,000 for Murphy," Sulzer is said to have asked.

"Well, I am not going to make any comment on that," said Delaney, according to the detectaphone's record.

Sulzer reminded him that he had given him the money one afternoon in his private office, and that Murphy had told him that Delaney had passed it up to the head of Tammany Hall.

Delaney's reply was that Murphy had no right to say any such thing, and that as for Delaney himself—he was a man "who never squeals."

False, Says Delaney.

Delaney said yesterday that the conversation as the detectaphone caught it was false.

"The alleged conversation between Gov. Sulzer and me, published to-day," he said, "was manufactured for the occasion. Those who know me will recognize that the language quoted could not be mine.

"I never in my life used the expressions 'bet your life,' 'keep mum' and many others quoted. If there is any kind of a record of this alleged conversation in the possession of the Burns agency some illiterate fellow was made to impersonate me.

"I do not know now whether or not I can get any redress at law, but I am going to consult an attorney to-day, and if it is possible I will make those who have uttered and published this attack atone for it."

Delaney's friends said yesterday that he knew when he went to Sulzer's house on September 23 that the detectaphone was at work. He wouldn't commit himself, they say, on anything that the Governor said, and came away feeling that Sulzer hadn't got what he was after.

THE PHILHARMONIC CONCERT.

Mme. Teresa Carreno, the Soloist, Heard Late in the Evening.

It would be interesting as well as instructive to know who desires a concert programme requiring that an audience shall sit for more than two hours. Perhaps some day people will be told, but in the meantime a patient and long suffering public will be asked to subscribe to entertainments of such prodigious size as that offered by the Philharmonic Society at its first concert of the seventy-second season in Carnegie Hall last night.

Mr. Stransky, the conductor, has often displayed want of judgment in making programmes, but he can hardly surpass a record which includes the fact that the soloist of the evening walked on the stage at 9.50 P. M. and had finished the first movement of a concerto at 10.10. There were two movements to follow, and after them the "Marche Slav" of Tschaikowsky. Surely Horace was right when he said: "Art is long; life is short."

The concert began with the "King Lear" overture of Berlioz, which is sufficiently uninteresting in itself and was not made any more attractive by Mr. Stransky's labored interpretation. Then came the "Fantastic" symphony of the same composer, a work which is offered with some frequency chiefly because of the delight which conductors find in it. There are music lovers also who can discern in its score some large and important message, but critical listeners seem to become weary of it in the course of time.

The work has its indubitable effects. It has splendid tonal qualities and certain vigorous and infectious rhythms; but its profundity is more pretentious than real, and its feeling is manufactured. It was played last evening with no small brilliancy of tone by the Philharmonic musicians. There are new men and good ones in the orchestra, the concert master being an acquisition. It may be doubted whether the removal of the trumpets, trombones and tubas to the side of the stage opposite to that which they formerly occupied worked any advantage.

The solo performer was Mme. Teresa Carreno, who was heard in her old battle piece, the B flat minor concerto of Tschaikowsky. She was welcomed to the stage with great cordiality and responded by playing with her old time brilliancy and color.

Girl Bitten by Bulldog.

A bulldog owned by Thomas Cane of 125 Bedford avenue, Williamsburg, bit Molly McLaughlin, 7 years old, of the same address, yesterday. She was taken to the Williamsburg Hospital and then to the Pasteur Institute.

Junk Dealer Left $250,000.

It developed yesterday during the trial of an appeal from the probate of the will of Michal Kiley, an eccentric junk dealer, who died in July, 1912, at 20 Bright street, Jersey City, that he left an estate of $250,000 to friends and to St. Peter's Roman Catholic Church, Jersey City.

SCORES CIVIL SERVICE LEAGUE.

Metz Answers Its Questions and Says It Is Playing Politics.

Herman A. Metz has replied to the questions of the Civil Service League as to his attitude toward the civil service law. The reply was such as to bring forth a return by Robert W. Belcher, secretary of the association. Both letters were made public yesterday.

Mr. Metz in his letter says that he has not replied to the first letter of the association because: "Frankly, I believe your organization, at least when it was run by Mr. Goodwin, was conducted on absolutely unfair and partisan lines. I base this opinion on my own experiences while in office and the reports issued by Mr. Goodwin as secretary, usually just before the bills for dues were sent out to the various members, with the view apparently of impressing them with the fact that he was earning his salary."

Mr. Metz says further: "Your association certainly had every reason to find fault with the present conditions in the Department of Finance, as compared with those existing at my time, but I never heard even a murmur against the present incumbent, or in fact against any Republican holding office, for violating civil service rules."

Mr. Metz refers to the investigation into his conduct in office, in which he said that he was found blameless by the State board. He points to his record as Comptroller and in Congress to prove that he is truly in favor of civil service. Mr. Belcher replies that he has no desire to enter into any controversy, but he denies the partisanship charge and then proceeds to correct the memory of Mr. Metz a little in reference to the investigation. He said that a majority of the board said:

"It is impossible to review the methods of the Finance Department in the filling of places free from competition without reaching the conclusion that, however faithfully the Comptroller may have sought to select fit men for such work and such fitness being established, if places were considered a legitimate mean of granting political favors."

PURDY DEFENDS TAX RATE.

Offers Record of Sales to Disprove McCall's Charges.

Lawson Purdy, president of the Department of Taxes and Assessments, says out a statement yesterday which he said was a reply to "charges" made by Mr. McCall that real estate in the city has been overassessed for taxation.

"From January 1, 1912, to July 1, 1913," said Mr. Purdy, "there were 7,000 sales of real estate in Manhattan with recorded considerations, and 1,223 sales in Brooklyn.

"These records show:

	Considerations.	Assessment.	Ratio.
Manhattan	$104,920,958	$100,806,[illegible]	[illegible]
Brooklyn	10,594,802	10,4[illegible]	[illegible]

"This shows assessment at full value. On the average there must be as many sales at prices below assessed values as above."

Beggar Is Sent to Workhouse.

Charles Petersen, 52 years old, of 142 Hester street, was sent to the workhouse for twenty days by Magistrate Freschi in the Tombs police court yesterday for begging from the Rev. William Fox of 1051 Trinity avenue, The Bronx, on Broadway.

Killed by Dose of Bichloride.

TRENTON, N. J., Oct. 30.—After treatment in St. Francis Hospital here for more than a week, Edgar Lewis of South Broad street died today after a spell of swallowing five bichloride of mercury tablets taken in mistake for pills.

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These gems are characteristic of the care exercised in the selection of our stock of precious stones.

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Which is one reason why so many, many people always hire a 'bus whenever they can.

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CABARET EXTRAORDINAIRE

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