IS ON PARTY LINES.

Report of Committee on Utah County Election Contest.

PUTS BRINGHURST ONE AHEAD.

Recommends Unseating Lemmon, Democrat—Minority Report—The Fire and Police Bill.

The chief topics of interest in the Legislature today were the election contest in the House and the fire and police bill in the Senate.

The former came up on the committee on election report, made by Lewis, chairman, and the report submitted by Marshall. The whole committee had agreed to report adversely to two of the Republican contests, for the reason that an inquiry into the case had shown conclusively that they had lost just a majority of the votes cast. In the case of Bringhurst, Republican, against Lemmon, Democrat, the result was different. The majority report set out that Bringhurst had received one more vote than Lemmon, and recommended that the latter, who received the certificate, be unseated, and that Bringhurst be given his place. The minority arrived at a different conclusion, summarizing it up that if the majority procedure in excluding the number of ballots for each was right, then the two men would have the same number; but the correctness of this procedure was not admitted, and it was claimed that Mr. Lemmon had a clear right to the seat.

The fire and police bill brought out an animated discussion in the Senate, in which the friends of the measure were not strong, and clearly indicated their position.

SENATE.

In the Senate this afternoon petitions were presented as follows:

By Jones, of T. Baker and 132 others, asking for the repeal of the police and fire commission law; tabled.

By Chalfant, of F. Erickson, claims for services; committee on claims.

Christie, chairman of the elections committee, reported S. B. No. 19, on elections, and recommended its passage.

REPORTS OF COMMITTEES.

Sutherland, chairman of committee on engrossed and enrolled bills, reported the following, passed by the House and Senate, as ready to receive the signature of the President of the Senate:

An act to prohibit blackballing.

An act authorizing the Governor to appoint notaries public, confirming the appointments heretofore made, and validating official acts under such appointments.

An act for the organization of the Supreme court, defining its powers and fixing the terms thereof, and providing for the appointment of a deputy clerk and bailiff, defining their duties and fixing their salaries.

Sutherland, chairman of the judiciary committee, reported back H. S. No. 46, an act to define who are bona-fide servants, with amendments, and recommended its passage; also H. B. No. 14, an act providing for the transfer of causes pending in the district court, as amended by the House, and recommended that it be passed with the House amendments.

ON STATE SEAL.

McKay, chairman of joint special committee on seal for the State, asked more time, so as many designs had been submitted; granted.

FOR A NEW SCHOOL LAW.

Allison introduced S. B. No. 45, an act to provide a uniform system of the schools for Utah; committee on education.

Mr. Allison asked that 500 copies of the bill be printed because of the importance of the measure.

FROM THE HOUSE.

A communication was received from the House, announcing the passage of H. B. 6, an act to provide for the support of wives deserted by their husbands, etc. The bill was referred to the committee on judiciary.

FIRE AND POLICE BILL.

Warner moved that the fire and police bill be postponed for one week, in response to the request of Mayor Hardenbrook and others.

Sutherland opposed. He said the City Council had refused to ask the Legislature to repeal the law.

The petition was read, in which was promised many reforms in city government which would save Salt Lake about $50,000.

Rolfe said that if any new light were to be gained, he would be willing to give the time asked. He was for the bill, and thought he would be in a wear from now, but he did not care to rush it.

Evans said a great deal of time had been taken already, and he did not see any good reason for such postponement. The opponents of the bill had had every opportunity, and further delay was not essential with the welfare of the State.

Miller said the city administration had just found out where it stood, and he believed the consideration of the bill should be deferred as requested.

Chidester wanted no further postponement. The business was half settled, and the other half should be settled at once.

Jones said the petition for delay was signed by the mayor, eleven councilmen, and all the city officials except the heads of the fire and police departments. This was that a bill consolidating certain departments, and effecting a retrenchment, might be formulated and introduced. It was a mockery that the request for delay should be granted. He charged the friends of the bill were afraid of public sentiment, and therefore wanted to rush it through. In return for the courtesy of the Council in allowing the Legislature's free meeting place, the request should be granted.

Allison objected to the constant use of unparliamentary language by Senator Jones. Allison did not think Jones believed what he himself said. As for public sentiment, Allison stated that while he was not an enthusiastic supporter of the non-partisan system he was in fear of that sentiment. He proposed to do his duty as the servant of his constituents. The insinuations and insinuations of Mr. Jones were entirely out of place, and it repeated ought to be resented by every member of the Senate. This was a personal controversy, and the Legislature had had enough of it and should settle the business at once.

Warner said he would as soon finish the bill today as any time, but out of deference to those making the request for postponement, that it should be granted.

Booth said he was willing to grant postponement. He had taken with a number of the signers of the petition and he wanted to find out why others of the petitioners were opposed to the bill.

The vote showed eight in favor of postponement and eight against it, and the motion was declared lost, the President voting no.

Jones, whose speech on the bill was supposed not to be finished yesterday, at this point refused to discuss it further.

Warner objected to the bill because the officers appointed under it were not elected directly by the people. In the interests of good government he believed there should be a radical change from the present commission system. He believed the bill was a scheme to keep certain persons in office. He criticized the present board of commissioners for running the city into debt, and the chiefs of police and fire departments for doing likewise. He did not believe the people of Salt Lake City desired the retention of the commission, or that its opposition was from the saloon element. Mr. Warner continued his remarks at some length, saying the best element of the city was against the bill and the commission.

Sutherland said he was prepared to assume the responsibility of supporting this bill. He took this position for the reason that the vast majority of his constituents were in favor of the non-partisan commission. One objection raised to the bill was that the fire and police chiefs had flocked to this debate; another was that a member of the commission had urged its passage. These men as citizens had a perfect right to do that. The Governor had recommended the retention of this commission, and when a member thereof had accepted the invitation of the Governor to suggest needed amendments, that member was severely criticized by a senator. As to the suggestions of the Mayor of Salt Lake on the subject of this commission, they were wholly impracticable. It was a disgrace to the city that it should share the wages of sin; but the effort to charge the police department against this system was a perversion of facts. The responsibility was with the city attorney and the police justice, who were not under this commission. The police had no alternative, but to do as their officials had directed. Mr. Sutherland pointed out the unfairness of the assault on the non-partisan system by charging it with that for which it had no responsibility, and cited a grand jury report in 1891 where the police department under the Mayor had a vastly greater amount of evil, to the extent that a captain of police had been killed by one of his subordinates. And yet the state was asked to return the city to that system of government, the most disreputable ever known here. It was conceded that the votes of the legal city were in favor of the non-partisan commission, and Senator Jones had read extracts from Mr. McNeece's letter in a way that did the latter great injustice. Mr. Sutherland then read Mr. McNeece's letter, and was continuing his speech in support of the bill at the time the NEWS went to press.

THE HOUSE.

The first business in the House today after the reading of the journal and prayer by the chaplain, was the presentation of the following petition relating to school lands by Gibson:

VERNAL, Uintah Co., Utah,
January 27, 1896.

To the Hon. Legislature of the State of Utah:

Gentlemen—At a meeting held at Vernal on the above date the following resolution was adopted:

Resolved, That we, the undersigned citizens of the United States and settlers on school land ceded to the State of Utah, hereby respectfully petition your honorable body to pass a law granting to bona fide settlers on said lands the right and privilege of purchasing said land at the minimum price of $1.25 per acre, we having improved said land by making canals and lateral ditches, setting out orchards and vineyards, building houses, corrals, etc., and paying taxes on said improvements. And your petitioners will ever pray.

The petition was signed by James M. Sheffer and 27 others and was referred to the committee on public lands.

Maughan presented a similar petition from Thomas Leishman and 37 other residents at Wellsville, Cache county, and it was referred to the same committee.

REPORTS OF COMMITTEES.

The committee on militia, by Stevens, chairman, reported that they had made certain amendments to H. B. No. 30, and recommended its passage as amended.

The committee on enrollment reported that H. J. M. No. 1, relating to the annexation to Utah of certain Arizona lands, had been found correctly enrolled, and upon such report, Speaker Denny signed the memorial in the presence of the House.

ELECTION CONTESTS.

Then came the reports of the committee on elections with regard to the Utah county contests for seats in the legislative body. The first one by the whole of the committee and relating to the case of Grosvenor at al was as follows:

Your committee on elections to whom was referred the contested election case of G. G. Stanos, contestant, vs M. Larsen, contestee, and that of John C. Graham, contestant, vs A. O. Smoot, contestee, beg leave to report as follows:

That after hearing the evidence in each of said cases and considering the same, they find that the illegal votes claimed by the contestants and supported by the evidence to have been cast for the contestees are not sufficient to offset the result of the canvass of the votes made by the Utah Commission.

Your committee therefore recommend that said cases be dismissed and that the contestees be allowed to retain their seats.

Respectfully submitted,
LEWIS, Chairman.

On motion of Manahan the whole evidence in the case was filed.

The committee, in reporting on the Bringhurst-Lemmon case was divided, majority and minority reports being submitted. The majority was as follows:

Your committee on elections, to whom was referred the contested election case of J. E. Bringhurst, contestant, vs Hyrum Lemmon, contestee, beg leave to report as follows:

That they have heard the testimony in said case, have considered the same and find that it appears by the canvass made by the Utah Commission therefor, the said Lemmon received 2,507 votes and said Bringhurst received 2,502 votes; that at poll No. 4 in Lehi precinct, Utah county, there were cast for said contestee and against said contestee two lawful votes that were not counted by said Utah Commission; that at poll No. 2 of said Lehi precinct there were cast for said contestee and against said contestee two lawful votes that were not counted by said Utah Commission; that at American Fork precinct there were cast for said contestee and against said contestee two lawful votes that were not counted by said Utah Commission, making in all a total of 2,509 lawful votes cast for said contestee and against said contestee; that at poll No. 3 in said Lehi precinct there were cast for said contestee and against said contestee two lawful votes that were not counted by said Utah Commission; that at American Fork precinct there were cast for said contestee and against said contestee two lawful votes that were not counted by said Utah Commission, making in all a total of 2,509 lawful votes cast for said contestee and against said contestee; that at poll No. 2 in said Lehi precinct there were cast for said contestee and against said contestee two lawful votes that were not counted by said Utah Commission; that at the second ward in Provo in said Utah county there was one lawful vote in favor of said contestee and against said contestee that was not counted by said Utah Commission; that at Spanish Fork precinct in said county of Utah one R. E. Robertson, a non-resident of said county of Utah, and a resident of the county of Juab, was unlawfully and illegally permitted to vote; that said Robertson voted for said contestee and against said contestant; that at Provo one E. S. Cowley, a non-resident of the county of Utah and a resident of the county of Salt Lake, unlawfully and illegally voted for said contestee and against said contestant; that at Provo one John W. Pike, a non-resident of the county of Utah and a resident of the county of Salt Lake, illegally and unlawfully voted for said contestee and against said contestant; that at Provo one Emil Maeser, not a qualified voter of said county of Utah was permitted to unlawfully and illegally vote; that said Maeser voted in favor of said contestee and against said contestant; that said illegal votes cast for said Robertson, Cowley, Pike and Maeser and each of them were counted by the said Utah Commission in favor of said contestee and against said contestant; that after adding to said contestee the votes legally cast for said contestee and not counted by said Utah Commission, the total number of legal votes cast for said contestee is 2,507.

Said contestant, J. E. Bringhurst, having received the highest number of votes cast at said election for said office, your committee recommend that the said now occupied by said Hyrum Lemmon be vacated by the said contestee and that the same be awarded to said J. E. Bringhurst upon his taking the oath of office as prescribed by law.

Respectfully submitted,
LEWIS, Chairman.

At the opening of the reading of the minority report, Critchlow noticed that it proceeded on a line of argument, and interrupted by raising the question as to whether, under rule 40, such a report could be allowed.

His question was discussed by several members, and finally Critchlow withdrew his point of order, and the report was read and the clerk proceeded.

The majority dissented from the position maintained and the conclusion reached by the majority of said committee upon questions of both law and fact; and inasmuch as it was a question of vital public concern, they deemed it important to state at length the reasons that impelled them to dissent from the views of the majority. It was to be regretted that in an important matter involving the rights of individuals and the public in which the functions of the committee were purely judicial, the committee should be divided in their views and conclusions as to what was just and right between the parties litigant, divide on party lines, thus leaving themselves open to the suspicion of being guided and influenced by partisan desires rather than by a wish to do absolute justice in the cause.

They sincerely hoped that what seemed from these reports to be a division of the committee for party reasons was after all only a coincidence and that the members of the House of Representatives as a whole at least would be fair, just and impartial, and determine the important question by the law and the evidence uninfluenced by party considerations.

If the honorable body would only apply to the facts in evidence the ordinary rules that everywhere prevailed in our Anglo-Saxon civilization, the undersigned had no doubt that the conclusion reached by them in the report would be adopted and the contestee be confirmed in his position as a member of the House.

It should not be forgotten that the contestee, Hyrum Lemmon, was a sitting member; that the certificate by which he was admitted as a member implied that he was duly elected and entitled to the office, hence all the presumptions were in favor of his right to continue in that position, and should be overcome by evidence which clearly showed he was not legally elected.

The report then went on and gave a very detailed report of the case and concluded by appealing to the members to reject the contestant's claim and allow the contestee to retain his seat.

At the conclusion of the reading of the report, which was signed by Mansfield, Egan and Bernheisel, Moreen moved that both reports be printed and made a special order for Tuesday at 2:30, which motion was seconded by Lewis and carried pro and con at press time.

Notes.

A legislative ball is the talk now for a date near Washington's birthday.

The number of bills introduced into the Legislature passed the hundred mark today, and the work is only fairly started.

"The House has just got down to work," says Speaker Denny, "and from this time on you may expect business to be pushed. The committees are all through with."

The objection of Senator Allison to Senator Jones's boisterous and insinuations against the nonsectarian sentiment of nearly all the members.

The police and fire commission still hold fair to have proportionately more strength in the House than it did in Senate, since the members of that body feel that its principle has the endorsement of the masses of the people.

The sportsmen have fixed up the game law as they would like it to be. The House committee promises to do considerable further fixing, and by the time the bill gets through the Legislature it is expected to be a pretty stiff measure for the protection of fish and game.

Members of the Legislature are carefully considering over the provisions of the bill inaugurating the Torrens land transfer system in Utah. It seems a good thing, but—" is the prevailing sentiment, and whether or not advocates as to it being preferable to the present system will be cleared away depends largely on the opportunity legislators have for investigating the merits.

KINDLY REMEMBRANCE.

Employes of Z. C. M. I. Present a Valuable Token to Superintendent White.

There was a very pleasing incident not down on the regular programme of daily occurrence at the Z. C. M. I. last evening just before 6 o'clock, the hour for closing, which was a most fitting preliminary to the grand ball to be given at the Tabernacle tonight.

At that time the employes of the institution to the number of three hundred or more assembled in the carpet department to witness the presentation to Superintendent Webber of a magnificent hall clock. Mr. A. W. Carlson made the presentation speech and briefly traced the operations of the mammoth concern with which they were connected, from its inception, with President Brigham Young as its founder, down to the present. He referred to each of Mr. Webber's predecessors in an appropriate and befitting way and called attention to the fact that he had been with the enterprise for twenty-seven years, the full period of its existence and had been remarkably fortunate and well preserved in the discharge of the responsible duties developing upon him.

Mr. Webber, during the speaking said he expected to see photographs of—" to his vision, betrayed vainly his emotion and in reply expressed his surprise and thankfulness at the manifestation and esteem exhibited by the employes whose kindness he would ever appreciate.

Supreme Court.

The Supreme court met at 10 a. m., Chief Justice Zane presiding. The only case that came before the court was that of F. V. Saunders, appellant, vs the Southern Pacific railway. It was argued by Attorney David Evans for appellant and John Marshall in reply; case submitted and taken under advisement.

Star Gulch Snowslide.

Mr. Isaac Brockbank, of this city, has just returned from the vanderbilt mine, in Star Gulch, Idaho, where the snowslide which killed George Hagan and seriously injured a blacksmith known as "Mosman Pete" occurred on the 15th inst. Five thousand dollars' worth of property was destroyed by the slide. A very rich strike has been made. Mr. Ferguson is still at the mine, and everything is running smoothly again.

SNAKE RIVER VALLEY.

Epidemic of Pneumonia Reported in the Settlements Here.

Lieutenant Governor Vic Bierhower dropped into the capital yesterday from Shoshone, says the Boise, Idaho, Statesman of Thursday, January 30. He reports an alarming state of affairs on the Snake river bottom. He says what might be termed an epidemic of pneumonia is prevalent there and grave fears are entertained as to the ability of the physicians to cope with it in many cases. The spread of the epidemic in a section where the services of a physician have scarcely ever been required is considered remarkable. A great many theories are advanced, but the doctors are not quite satisfied with any of them. The winter has been mild. In fact, the thick snow fall there is given by some as the cause of the unhealthy condition. Others hold that the breaking up or plowing of so much of the native land recently can be assigned as the cause.

Whatever may be the reason, it is a fact, says the lieutenant governor, that in the neighborhood of 100 families living along the river from Blue to the Briggs settlement, a distance of about twenty-five miles, are afflicted with pneumonia, some in the most aggravated form.

The lieutenant governor says it is passing strange that a community that has experienced practically no sickness should, in so short a time be so sorely afflicted. Did he not know to the contrary, he would be impelled to the belief that they were being punished for some enormous offense.

Senator Brown's Lawsuit.

Boise, Idaho, Statesman, Jan. 30: In the supreme court yesterday the important suit of Arthur Brown vs O. V. Bryan et al was continued for the term. The suit involves the title to one-third of the Elephant mine at Hailey, originally owned by George H. Roberts, and brings up an interesting question with reference to trust deeds.

Arthur Brown, who, by the way, is one of Utah's senators, appears as Roberts's assignee. Roberts gave the First National bank of Hailey a trust deed to his one-third interest in the mine to secure the payment of borrowed money. The deed was terminated as trustee's sale and the Roberts mine was purchased by George W. Venable. Senator Brown maintains that the trustee's sale was not legal, that, under the laws of Idaho, a trust deed must be foreclosed in the same manner as a mortgage.

Senator Brown also sues for himself in the case which he claims is his by reason of a purchase by Peterson & Kingsbury. The case which takes up a good deal of court but for the Utah senatorial contest.

MINOR MENTION.

A boy and baby—the first born of the family—arrived at the home of Mr. and Mrs. J. R. Latimer last night.

Illness disorders the town now as Governor Wolfe's private secretary.

Who will be the next city auditor? Some people say Willard Hart is sure to secure the position, but friends of other candidates are endeavoring to prevent it.

A public debate will be given at the Y. M. C. A. house this evening on prohibition, between the representatives of the Prohibition and Republican national conventions. The meeting will be called to order by R. F. Avery, presiding officer of the evening, at 7:30 sharp. A short musical and literary program will be rendered, preceding the debate. The public is cordially invited.

Personal Paragraphs.

C. Inglebresen, of Ogden, is at the Templeton.

H. D. Rhoads, of Cheyenne, is registered at the Cullen.

H. A. Nelson, of Ashland, Ia., is a late arrival at the Walker.

Frank E. Dalby, of New York, and G. E. Brown, of Denver, are tourists registered at the Templeton.

E. Hindmarsh and wife arrived at the Cullen last evening on their way home from a pleasure trip to Canada to their home in Greenwood, Kansas.

Frank Jacobson, a prominent business man of West Fargo, N. D., was here in the city the past week, looking the city over with a view to moving here.

J. L. Fuller, of San Francisco; W. Cook and wife, of New York; Robert Wilson, of United States, and F. F. Wilson, of Portland, are among the late arrivals at the Templeton.

Mr. and Mrs. J. J. Grant, of Fargo, N. D., are two well known people who have been in the city the past week enjoying the mountain scenery and the many places of interest in Salt Lake, left this morning for the east.

Mr. C. R. Pinnell, the well known and popular young local manager of the J. N. Lepson Jewelry Co., is present in Ogden, from where it is his intention to bring home with him next Monday a partner for life. The young lady in the case is Miss Ella Christensen, of Ogden's fairest daughters. The ceremony will take place next Tuesday.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $110,101; same day last year, $171,396.

Balances, $6,874.61; same month last year, $5,908,501.

TODAY'S QUOTATIONS.

New York.—Silver, [illegible] bar, $2.[illegible]

London.—Silver, [illegible]

ORE AND BULLION.

T. R. Jones & Co. [illegible] ore, $5,000; bullion, $2[illegible]; [illegible] $6,000.

W. S. McCornick & Co. received today: Silver and lead ore, $11,100.

Wells, Fargo & Co. received today: Bullion, $7,040.

STOCKS AND MARKETS.

New York Stock Market.

New York, Jan. 31.—Stock markets opened with a fair degree of activity and firmness. Interest centered in the Western roads owing to the pending importance of the agreements recently reached by the presidents of the respective lines was fully realized. New issues started advanced 1[illegible] to [illegible]. In reading stocks were broken at intervals from recent strength, most attention under the lead [illegible] and after a rise of [illegible] per cent to [illegible] per cent.

General market after 11:30 moderate pressure, the Boston account advanced 1[illegible] per cent to 1[illegible], with a subsequent reaction to [illegible]. The general market displayed a sagging tendency in which New Jersey Central gave way 1[illegible] to [illegible], or per cent. The preliminary movement was clearly due to taking profits accruing from earlier advance. Sugar lead Dow's losing ground 1[illegible] to [illegible]. Westerns rose to [illegible] on rumors of another dividend, but fell back nearly equally of late. The closing tone of market showed a decidedly weaker tone.

Chicago Markets.

CHICAGO, Ill., Jan. 31.

Wheat—January, [illegible]; May, [illegible].
Corn—January, [illegible]; May, [illegible].
Oats—January, [illegible]; May, [illegible].
Pork—January, [illegible].
Lard—January, [illegible].
Ribs—January, [illegible].
Rye—[illegible].
Barley—[illegible].
Flax—[illegible].
Timothy—[illegible].

Chicago Live Stock.

CHICAGO, Jan. 31.

Hogs, receipts 21,000. Market strong, 5 cents higher.

Mixed, [illegible].
Light, [illegible].
Heavy, [illegible].
Rough, [illegible].

Cattle, receipts, 4,000. Market quiet, steady.

Beeves, [illegible].
Cows and heifers, [illegible].
Texas cows, [illegible].
Stockers and feeders, [illegible].

Sheep receipts, 7,000; market dull, weak, at yesterday's decline.

Silver, Lead.

SILVER CITY, Lead [illegible].

DIED.

HANKS.—At Hanks, Utah, January 31st, of consumption, Mr. Ira Hanks, born Perry, aged 40 years. Funeral at the Hanks ward, Sunday, February 2nd, 10 o'clock a. m. Friends invited to attend.

Funeral notice will appear at 11 a. m. Sunday, February 2d, from Tabernacle. Joe Walker's Funeral Chapel, 3 south West Temple street. Interment city cemetery.

GOOD FOR EVERYBODY

Almost everybody knows some [illegible] who has suffered the stings and tortures of [illegible]. Those who take SIMMONS LIVER REGULATOR find it good for the health of a dull and [illegible] liver and know that it purifies the [illegible] throughout the whole system. [illegible] this fact: SIMMONS LIVER REGULATOR regulates the Liver, keeps it active and healthy, and when the Liver is in condition you find yourself free from Biliousness, Indigestion, Sick Headache and Constipation, and the bowels are not disturbed. Indeed, you never are so cured by a simple medicine. Dose small and pleasant to take. Druggists sell only in full packages. Not to be had unless the genuine is asked for. Prepared with a [illegible] by R. W. SIMMONS LIVER REGULATOR. The King of Liver Medicines and better than pills.

EVERY PACKAGE has the Z Stamp in red on wrapper. J. H. Zeilin & Co., Phila., Pa.

Cuticura

FOR THE HAIR and SKIN

A warm shampoo with Cuticura Soap, and a single application of Cuticura (ointment), the great Skin Cure, clear the scalp and hair of crusts, scales, and dandruff, allay itching, soothe irritation, stimulate the hair follicles, and nourish the roots, thus producing luxuriant hair, with a clean, wholesome scalp.

Sold throughout the world. Potter Drug & Chem. Corp., Sole Proprietors, Boston, U. S. A.

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GRAND JANUARY STOCKTAKING CLEARANCE SALE!

Every Department Will Offer Great Bargains!

Silks, Dress Goods
Capes
Jackets
Underwear
Hosiery
Gloves
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Notions
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MEN'S GOODS, DOMESTICS
BLANKETS, QUILTS,
And Everything Else in the House.

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