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Possible impeachment faced by Ray and Kilgarlin

State Capital Highlights

By Lyndell Williams

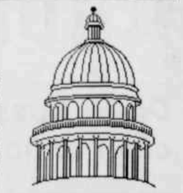
On the heels of the no-budget 70th Legislature, two Texas Supreme Court justices face pressure for their resignations and possible impeachment.

However, the Legislature, due to grapple soon with massive budget cuts or taxes, is in no mood to be distracted from that task until it's over.

Still the question of whether the special call should be widened to include impeachment is an issue that will probably be discussed until adjournment.

Justices C.L. Ray and William Kilgarlin were publicly reprimanded for seven counts of misconduct last week by the State Commission on Judicial Conduct. It's the first time the Commission has disciplined high court justices.

Governor Bill Clements, a Republican, quickly called for the two Democrats to resign, as did state Senator Frank Tejeda, D-San Antonio, who last year chaired the House panel which pursued the alleged wrongdoings.



Ray and Kilgarlin refused to resign, of course, and Kilgarlin fought back by calling the findings a "crock of manure." Both say they are running for reelection, and regard Tejeda's pursuit as a vendetta.

Rides and funds

The Commission reprimanded Ray for accepting free plane rides, trying to transfer court cases for a campaign contributor, soliciting funds from attorneys with cases before the court and for pursuing a libel suit against a Tejeda committee witness.

Kilgarlin was hit with a "public admonition" for seeking funds for the libel suit, like Ray, and for improperly instructing two attorneys on the Code of Judicial Conduct.

Clements and Tejeda say the two justices should step down to protect the court's integrity.

Pressure to oust

Tejeda is pressuring in several areas for removal, but the eventual result may lie in how top Democrats react.

Chief Justice Hill was touring China, and his interpretation of the reprimands may eventually tilt the struggle one way or the other.

The Democrat-controlled Legislature is in no hurry to hand Clements two high court appointments.

Worth the risk?

Insiders predict that Clements, already holding their feet to the fire on the budget issue, won't risk pushing lawmakers on a probable bipartisan issue this special session.

If the sentiment still smolders, the governor could call a special session for impeachment later.

Certainly, Ray and Kilgarlin have been controversial figures related to at least three important issues this past year: the Tejeda Committee probe, the proposal to change to appointed judges, and tort reform, where critics complain the two justices too often side with plaintiffs.

Clements, SMU

Ironically, the governor revisited the site of another probe last week, when he testified before a bishops' committee investigating "Ponygate," the play-for-pay scandal of the SMU football team.

Clements, a former SMU board governor, was questioned for three hours about his knowledge of the illegal activities, but declined to name others who knew of the illegal payments. The exchange was termed "friendly."

Other issues

•State Comptroller Bob Bullock set the stage for a grim special session by forecasting that revenues for the next two years will be about $700 million lower than earlier projected. He stressed that Clements inherited a bad situation.

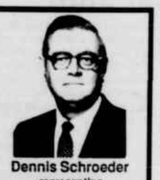
•Houston oilman Jack Blanton, a former Southwest Conference tennis champion, was elected chairman of the University of Texas System regents last week.

Dallas financier Jess Hay did not seek reelection after Clements publicly sought to prevent Hay, a top Democratic fundraiser, from keeping that post.

•The Texas Low-Level Radioactive Waste Disposal Authority last week began its third statewide search for a low-level dump site. The agency expects to complete the search by summer, 1989.

•West Texas isn't taking it lying down. Backers from Odessa, Midland, San Angelo and Big Springs areas are working to have the feds consider their region as a site for the proposed supercollider.

A state group passed over this area and submitted Dallas and Amarillo as the two Texas sites, but the mavericks are considering end-running that decision.



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Let's Look Back...

24 Years Ago

(June 6, 1963)

Progress continues on the construction of the new gymnasium and field house at the Eagle Lake High School. The pre-stressed concrete beams, made by the Baas Concrete Co. of Victoria and weighing over 16 tons, were put in place by large equipment of the Bowen Construction Co.... Citizens of the community joined others throughout the world in mourning the death of Pope John XXIII, who passed away Monday night after a long, incredible duel with death. The 81-year-old pope was the 261st pontiff and spiritual ruler of the world's Catholics...

Lenox's collection of masterpieces in fine china is on display this week at Gift's of Distinction... Clyde Upson, Eagle Lake Negro man about 33 years old, died in the Laughlin Hospital Friday from injuries sustained in a tractor accident last Thursday... Ed R. Frnka of Garwood was surprised Sunday with a party on his 83rd birthday... Rev. Thomas Kirby was reappointed to serve for another year at the Lissie Evangelical United Brethren Church...

Homer Bruce Koliba, son of State Representative and Mrs. Homer L. Koliba Sr. of District 46, has been appointed Comptroller of Cochise College, located between Bisbee and Douglas, Arizona.

Let's Look Back...

48 Years Ago

(June 2, 1939)

Mr. and Mrs. Hayes Stephens and Mrs. Frank Stephens returned home Tuesday morning from a visit of several weeks to the Golden Gate Exposition at San Francisco... E.H. Rodgers, who succeeded R.T. Westmoreland as collector of school taxes beginning the duties on June 1, has opened his office in the former Eagle Lake State Bank building on Main Street... Lester Beckman arrived last Friday from LaCeiba, Honduras, for a visit of several weeks with his parents, Mr. and Mrs. Henry Beckman...

Mr. and Mrs. D.R. Wintermann left by automobile yesterday for a three weeks' vacation which will take them to the World's Fair in New York and various points of interest in the east... James Ray Thomas and William Glaiser left Monday in James Ray's Model "T" to become real cowboys for several weeks of the summer at William's uncle's ranch near Cotula in West Texas... Raymond Waddell went to Austin today and will be accompanied home by his brother, Bruce, a student at the University of Texas, who will spend his vacation with the family of his parents, Mr. and Mrs. Will Waddell...

Eagle Lake received a two-inch rain last night. Farmers are now wanting dry weather so they can get into their fields to work. Sufficient rains have fallen throughout this community for all farming and stock range needs... Due to a slip in the presentation of the diplomas on the night of the seventh grade exercises, the first two honors were exchanged. First honors should have been given to Gordon Causey and second to Lillian Ruth Isenhower. The averages, however, were only a fraction of a point apart.

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LETTER TO EDITOR

Brucellosis program hurts farmers, ranchers

(To the Editor: This letter was sent to the Honorable William P. Clements, governor; the Honorable Jim Mattox, attorney general, and the Honorable Robert Saunders, state representative and it reads as follows.)

Dear Sir:

I am writing to you and all the taxpayers in Texas. When you are working on the budget to cut expenses please check into the brucellosis program. It hurts the farmers and ranchers. *(The Semoras have already received a response letter from Governor Clements who referred this problem over to Sarah G. Goodearle, constituent services, who is investigating the problem.)*

When they started this program over 25 years ago, it was supposed to cull out your cows that were not having baby calves. Right then they took some of our best cows that were having calves.

The next time they took some more of our best cows which had calves and also took two cows which our private vet had doctored for anaplasmosis and they had recovered after several others died. This disease is a killer, sort of like Lukemia in people. They made us sell those poor sick cows for slaughter, said they had brucellosis. Someone ate that meat.

Now they are trying to take our cows which have baby calves by their side and brand these cows with a B on their jaw. *(The Semoras received a sheet of rules and regulations of the Texas Animal Health Commission from John W. Holcombe, DVM, executive director, stating that "all reactor cattle shall be permanently identified within 15 days of classification by hot iron branding with the letter 'B' - at least 2x2 inches - placed on the left jaw. An approved reactor tax shall be placed in the left ear. Identification shall be prior to movement. Reactor cattle shall be sold for immediate slaughter and removed from the premise under 'B' permit within 15 days from the date of identification for beef cattle and within seven days from date of identification for dairy cattle. Movement for immediate slaughter shall be to a slaughtering establishment where Federal or State inspection is maintained or to a livestock market for sale to such a slaughtering establishment.")*

This is cruel to the cow and she can't eat very well. This will already stunt her baby calf. Then after 15 days we are supposed to sell these cows and leave their babys' orphans.

One of the vets that work with the brucellosis program, a Sam Winkelman, tricked me (Mrs. Semora) into signing a paper that tied me and all my heirs and successors into the brucellosis program forever. I am sending you a copy of the letter I sent to the Attorney General, a Dr. Cox in Austin and to Mr. Saunders, our representative. I am sending you the answers I got from Dr. Cox and Mr. Saunders. A Dr. Lindstrom from Hallettsville told me a cow that had anaplasmosis wouldn't hurt you to eat it, just might not taste so good.

We are not the only ones that don't like this program. We have been getting petitions signed and am sending them to you. These petitions are about within 20 to 30 miles around us as we, like most people, don't have time or gasoline to go too far. Two of our petitions with a bunch of signatures, were stolen. One from the auction barn at Wharton and one out of a man's truck that was helping us get signatures in Eagle Lake. Doesn't that tell you something.

Some people are really scared to sign these petitions because they think those State vets will really get to them if they find out that they signed them. They don't like the brucellosis program out they don't want to sign anything. But we still have a lot of Texans that are not afraid to stand up for what is right or wrong. When a vet has a right to come on your property, take your best cows and leave baby calves orphans that is wrong. And take cows with a different disease and make you sell them for someone to eat, that is wrong. If this is a law, change it. These vets have wrote us a lot of threatening letters of what they are going to do to us, but I am hoping that you will look into this and check it out. I am sending you copies of these letters.

A good farmer or rancher knows if a cow doesn't bring any baby calves he might as well sell her because she isn't bringing in any profit. We small ranchers know our cows by name and know which are good. If the cow and calf are good for slaughter and we don't sell milk, just who would we hurt to keep our good cows. If the large ranchers like the program because they have so many cows they can't tell which have calves and which don't, let them get a private vet and pay him and not let the government have a bunch of vets on the payroll doing nothing. I do believe that dairies where they sell milk should be checked very good and often. Those vets with a touch of college know about as much about farming or ranching as we do about the oil business. A good farmer or rancher doesn't need a government man to tell him how to run his business, all he needs is a fair price for his product.

We are still owing some on our small piece of land and need every baby calf we can sell. The price for a sucking calf off a cow is very good right now. Nobody should complain.

Now my husband is being sued for not letting them brand his cows. Hope you look into this fast so they won't put him in jail and I have to tend to those cows. My husband is only 79 years old, going on 80, and I'm a few years behind him.

Thank you for taking the time to read this and let's get some action on this problem. Write to President Ronald Reagan, The White House, 1600 Pennsylvania Avenue, Washington, D.C. 20500; the Honorable William P. Clements, Governor of Texas, Room 200, State Capital, Austin, Texas 78701, or Robert Saunders, P.O. Box 2910, Austin, Texas 78769.

Sincerely yours,
Mr. & Mrs. Charlie Semora
P.O. Box 541
Eagle Lake, Texas

The following was copied from the 1959-1960 Funk & Wagnalls Standard Reference Encyclopedia, Volume 24, Page 8731:

Undulant Fever or Brucellosis: Infectious bacterial disease, common to certain quadrupeds, including cattle, swine and goats, and to man. Human beings acquire the disease through contact with infected animals or by consumption of contaminated milk. The disease was first described (400 B.C.) by the Greek physician Hippocrates and was known in later times variously as Malta fever, Bang's disease, Texas fever, Mediterranean fever, Rock fever and goat fever.

The disease in animals generally causes abortion of the fetus, partial sterility and decreased milk supply. In man brucellosis assumes acute and chronic forms. The acute form is characterized by weakness, chills and high night fevers, and other results in nervous disorders, painful joints and miscarriage. Chronic undulant fever is very difficult to diagnose as the symptoms are exceedingly varied; common to almost all cases are remittent fevers and disorders of the central nervous system.

Control of brucellosis includes pasteurization of milk and protective inoculation of animals. The development in the 1950's of an effective vaccine called Strain 19, with which calves are inoculated against the disease, has resulted in reducing greatly the incidence of bovine brucellosis in the United States. As a rule human beings suffering from brucellosis respond favorably to the administration of broad-spectrum antibiotics (q.v.).

Colorado County Courthouse Report

MARRIAGE LICENSES

Douglas Fred Ealy, 36, and Janice L. Pricka, 32.

Kirk Edward Schneider, 28, and Jansey Lynne Hayes, 26.

Gregory Contreras, 20, and Lydia Mesa Almanza, 25.

DIVORCES FILED

Yolanda Rodriguez and Norberto Luis Rodriguez.

Hazel Stoval and Willie Stoval.

Eunice Jean Creeks and Darral Vance Creeks Jr.

Michele Elaine Bubela and Patrick Karl Bubela.

Gayle Alan Gertson and Elisa Gertson.

REAL ESTATE DEEDS

Deed, Emmit A. Odom Jr. to Community Savings and Loan Association, lot 2, block 5, The Falls Subdivision, Section II; 6-1-87.

Gift Deed, Mary Untermeyer to Gladys V. Schmidt, 36.105 acres, Joseph Ehlinger Survey; 6-1-87.

Gift Deed, Mary Untermeyer to Joyce M. McIlvain, 36.105 acres, Joseph Ehlinger Survey; 6-1-87.

Gift Deed, Mary Untermeyer to Raymond L. Untermeyer, 36.105 acres, Joseph Ehlinger Survey; 6-1-87.

Gift Deed, Mary Untermeyer to Arthur H. Untermeyer, 36.105 acres, Joseph Ehlinger Survey; 6-1-87.

Deed, Gus L. Sronce to Nell D. Sronce, interest in two tracts, E. Tumlinson League; 6-2-87.

Gift Deed, Linda Aurich to Lelda and Harold G. Peschel, 131.73 acres, P.R. Splane League; 6-2-87.

Deed, George L. H. King Jr. and Leah Wilson to Jack F. Leyendecker and Carlton W. Leyendecker, 60 acres, R. Alley League; 6-2-87.

Deed, John C. and Sharon N. Anders to George R. and Carolyn S. Taylor, 2.671 acres, James Burleson Survey, et al; 6-2-87.

Deed, Curtiss Automotive Supply, Inc. to Rhonda Cheryll Schonenberg, 6.51 acres, John Hadden Survey; 6-3-87.

Deed, Curtiss Automotive Supply, Inc. to Rhonda Cheryll Schonenberg, 2.94 acres, John Hadden Survey; 6-3-87.

Deed, Curtiss Automotive Supply, Inc. to Rhonda Cheryll Schonenberg, 2.03 acres, John Hadden Survey; 6-3-87.

Deed, Curtiss Robert Schonenberg to Rhonda Cheryll Schonenberg, lot 18, addition to Krupka Subd., W.B. Dowes Survey; 6-3-87.

Deed, J.W. and Feryl Henry to John C. and Linda B. Roffall, 27.56 acres, Leonard Pickens Survey; 6-3-87.

Deed, Mary Elizabeth Houckins, et al, to Ralph and Fay Rutledge, 2.56 acres, John Dabney League; 6-3-87.

Deed, Henry J. and Thelma Hajovsky to Joaquin and Concepcion Tello, lot 29, Hajovsky Subd., W.B. Dowes League; 6-3-87.

Deed, Dorothy J. Selph to Warren C. Dupre, lot 13, block 44, Sheridan; 6-4-87.

Deed, W.C. Dupre to Marcelino Garcia, lot 13, block 44, Sheridan; 6-4-87.

Gift Deed, W.C. Dupre to W.C. Dupre Jr., lots 1, 2 and 3, block 45, Sheridan; 6-4-87.

Gift Deed, Adolph Kuehn Sr. to Adolph Lynn Kuehn Jr., et al, 115.3 acres, Alfred Kelso League; 6-4-87.

Deed, Ralph and Fay Rutledge to Mary Elizabeth Houchins, et al, 1.28 acres, John Dabney League; 6-4-87.

Deed, John R. Howard to A.C. Ledesir Jr., undivided interest in 93.83 acres, H.M. McElroy League; 6-5-87.

Deed, Jerry L. Dutcher to Rubin Lee and Nira Noska, 3.62 acres, Martin Ramsey Survey; 6-5-87.

OIL, GAS LEASES

Celestina Ammann, et al, to Shell Western E&P Inc., 607.8 acres, J.T. Dilley Survey, Colorado and Wharton Counties; 6-5-87.

Celestina Ammann, et al, to Shell Western E&P Inc., 160 acres, J.D. Schultze Survey, No. 901; 6-5-87.

ANNOUNCING NEW ARRIVALS

Mason Karl Kovar

Mr. and Mrs. Frank Kovar, of Alleyton, announce the birth of their first child, a son, born on Friday, June 5 at 2:38 a.m. at the Eagle Lake Community Hospital in Eagle Lake. The baby was named Mason Karl and weighed eight pounds, five and one-half ounces and measured 21 3/4 inches long at birth.

Maternal grandparents are Mr. and Mrs. Leon Holub of Alleyton. Paternal grandparents are Mr. and Mrs. Jessie Kovar of Columbus. Great grandmother is Irene Meyer of Columbus.

Catherine Ann Pribyl

Mark and Bridgett Pribyl, of Eagle Lake, announce the birth of their first child, a daughter, born on Thursday, June 11 at Eagle Lake Community Hospital in Eagle Lake. The baby was named Catherine Ann and weighed eight pounds, three ounces and measured 21 inches long.

Maternal grandparents are Alfred and Linda Helms of Hungerford. Paternal grandparents are Leo and Bernice Pribyl of East Bernard. Great grandparents are Mr. and Mrs. Davenport of Houston and Mr. and Mrs. Helms of Hungerford.

The new mother is the former Bridgett Helms.

Becky Benge named on dean's honor roll

Becky Yvonne Benge, daughter of Mr. and Mrs. Major Benge of Eagle Lake, is listed on the dean's honor roll for the spring semester at San Angelo State University in San Angelo.

Ms. Benge, an elementary education major at ASU, is listed on the 3.5 to 4.0 honor roll.

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Efficient irrigation systems save soil, water

Irrigated acres have the potential for serious erosions problems, says Wilson Scaling, chief of USDA's Soil Conservation Service. As much as 70 tons of sediment yield per acre has been measured on some furrow irrigated fields, which is 20 times above acceptable soil erosion levels for those soils.

Fortunately, the potential exists on irrigated lands for soil and water savings, says Scaling. SCS is helping irrigators, especially in water-short or highly erosive areas, to evaluate the efficiency of their irrigation systems and is recommending ways to improve them.

Any irrigation system should be part of a complete conservation plan, District Conservationist Connie Fair said. Improved irrigation practices conserve and protect water as well as soil. And soil erosion is being recognized more and more as a problem not only on the farm, but beyond the farm gate too.

More than 65 million acres of the nation's cropland is irrigated — almost three-fourths with furrow, or flood, irrigation and the rest with sprinkler systems.

Applying too much water or applying it the wrong way, especially on sloped fields, erodes soil and carries sediment, nutrients and pesticides into streams, rivers and lakes. Overirrigation also can cause water to percolate beyond the root zone into ground water and carry pollutants to underground supplies.

In some states, SCS field employees are using mobile field water conservation laboratories to help irrigators conserve water. SCS and other USDA, federal, state and local agencies are cooperating to help farmers develop irrigation systems that are compatible with local soils, crops, water supplies and climatic.

For help in assuring that your irrigation system is operating most efficiently, contact the local office of the USDA's Soil Conservation Service.

Land slides fatal

Deadly cave-ins in pits and ditches kill or seriously injure several construction workers in Texas every year.

Dennis Ressel, soil scientist for the USDA Soil Conservation Service at La Grange, said slides in clay soils probably kill more people each year than those in sandy soils.

"Most people are careful around sand because they know it caves easily," Ressel said. "But they think a thick clay soil will not slip; yet most clay soils shrink when dry and swell when wet. This causes slick pressure plates to develop beneath the soil surface."

Ressel said the pressure plates, called slickensides, are similar to two pieces of glass pressing against each other. When a ditch or pit is dug through the plates, especially when the soil is moist, the soil can — and does — suddenly slip, causing a cave-in.

The solution is to use metal or wooden braces to shore up slides of any ditch dug into a soil with a potential slide hazard. Ditches five feet deep or deeper should be protected.

SCS has published soil surveys for most counties that can be used to identify soils with a high slide potential. Free copies are available to engineers, builders, contractors or others interested in construction hazards.

For information contact your local SCS office in Columbus or write to SCS, 101 S. Main Street, Temple, Texas 76501-7682.

Save water, energy

If you are interested in saving water or energy while growing rice, you need to see a new set of fact sheets available at local offices of the USDA Soil Conservation Service or the Texas Agriculture Extension Service.

Major topics discussed in the leaflets include shallow water management, improved water delivery and pumping plant efficiencies.

Connie M. Fair, district conservationist for SCS at Columbus, said single copies of the fact sheets are free.

The publications are the result of a cooperative study initiated in 1982 by SCS, the Texas Agricultural Experiment Station, local conservation districts, and the Texas Rice Research Foundation.

Federal Land Bank lowers interest rates, enters Phase II of fixed rate loan program

Officials of the Federal Land Bank of Texas recently announced plans to extend their new fixed rate, purchase money loan program.

Favorable response to the Land Bank's fixed-rate loan program in May prompted the bank to initiate Phase II of the program. Phase II offers qualified purchasers a 9 3/8% interest rate for the purchase of farms and ranchers and a 9 5/8% rate for the purchase of rural residences. Each program has a 1 point closed loan fee to the bank.

"The bank's executive committee reviewed the overall benefits of the program and determined that the program would be beneficial to our stockholders by helping stabilize the rural land market in Texas," says Don Rogge, president of the Federal Land Bank of Texas.

Rogge noted that during the first 30 days of the program, 298 applications totaling $47 million were submitted to Federal Land Bank Associations across the state.

"We are encouraged by the response to the new program. We feel it could be an indicator that the real estate market in Texas is beginning to turn around," Rogge said.

The program fixes the interest rate for 10 years and converts to the bank's variable rate at the end of the 10 years. Purchasers must qualify under the Land Bank's usual credit standards and use the money for new purchases only.

According to Rogge, rates for the bank's existing variable rate borrowers also were reduced on June 1. The new rates are 10.25% on farm and ranch loans and 10.5% on rural residence and farm-related business loans.

The Federal Land Bank and 44 Federal Land Bank Associations located throughout Texas have $2.38 billion in loans outstanding on 37,000 loans to approximately 100,000 Texas farmers and ranchers.

Those interested in more information should contact their local Federal Land Bank Association, the bank president said.

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Columbus Livestock Market

The market this week saw a shortened run due to the rains. Demand was good on all classes of stocker calves with better kinds selling stronger. A house full of buyers were on hald for the sale, says George Hagan and Don McAlister.

If we can be of any assistance in marketing or hauling your livestock, call collect 409-732-2622 or 409-732-5841. We have top market sales at Columbus Livestock Market every Thursday.

Cattle on hand, 433; hogs, 20; sheep, 10; horses, 10.

Packer Cows: higher dressing utility and cutter cows, 44 to 50 cents per pound; lower dressing utility and cutter cows, 39 to 40 cents; light weight canner cows, 34 to 39 cents.

Packer Bulls: heavyweight bulls, 57 to 60 cents per pound; utility and cutter bulls, 52 to 57 cents; light weight canner bulls, 48 to 52 cents.

Butcher Calves and Yearlings: good and choice, 62 to 65 cents per pound; standard, 55 to 62 cents.

Stocker and Feeder Calves and Yearlings: steer and bull calves 150-300 pounds, 85 cents to $1.30 per pound; 300-400 pounds, 76 cents to $1.06; 400-500 pounds, 70 to 90 cents; 500-600 pounds, 66 to 78 cents; heifer calves 200-300 pounds, 80 cents to $1.10; 300-400 pounds, 72 to 88 cents; 400-500 pounds, 68 to 78 cents; 500-600 pounds, 64 to 73 cents; replacement heifers, 65 to 76 cents.

Stocker Cows: good stocker cows and heifers, 48 to 55 cents per pound; medium stocker cows and heifers, 43 to 48 cents per pound; good cow and calf pairs, $625 to $675; medium cow and calf pairs, $550 to $625; common cow and calf pairs, $450 to $550.

Hogs: No. 1 butchers, 55 to 57 cents per pound; No. 2 and 3 butchers, 53 to 54 cents; feeder pigs and shoats, 80 cents to $1; sows, 42 to 44 cents.

Sheep: ewes, 18 to 22 cents per pound; lambs, 50 to 65 cents; bucks, 15 to 20 cents; pairs, $35 to $40 per pair.

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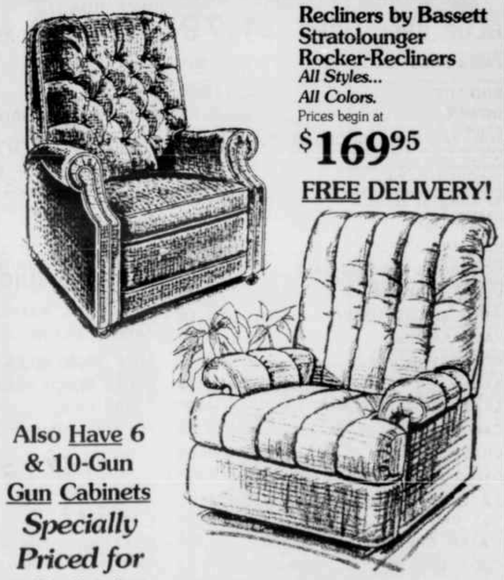

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