

805

Record No. 1490

In the
Supreme Court of Appeals of Virginia
at Richmond

H. A. HADEN

v.

G. STUART HAMM

PETITION FOR MANDAMUS

“The briefs shall be printed in type not less in size than small pica, and shall be nine inches in length and six inches in width, so as to conform in dimensions to the printed records along with which they are to be bound, in accordance with Act of Assembly, approved March 1, 1903; and the clerks of this court are directed not to receive or file a brief not conforming in all respects to the aforementioned requirements.”

The foregoing is printed in small pica type for the information of counsel.

M. B. WATTS, Clerk.

161 Va 934

IN THE
Supreme Court of Appeals of Virginia

AT RICHMOND.

Record No. 1490

H. A. HADEN

vs.

G. STUART HAMM.

PETITION FOR MANDAMUS.

To G. Stuart Hamm:

Take notice that on the 9th day of January, 1934, at 10:00 A. M., or as soon thereafter as counsel can be heard, I will apply to the Supreme Court of Appeals of Virginia in its Courtroom in Richmond for a writ of Mandamus to be awarded against you, directing you to deliver and surrender to me the books, records, papers, vouchers, funds, accounts and cash in your hands and under your control, and also all the property books and all other insignia of the office of the Treasurer of Albemarle County (now abolished); and commanding you to refrain from holding yourself out as Treasurer of said County or in any wise attempting to act as such.

A copy of my petition which will be presented to said Court as hereinaforesaid, is hereto attached, praying for the issu-

2

Supreme Court of Appeals of Virginia.

ance of said writ and which petition has been duly sworn to.
Given under my hand this 5th day of January, 1934.

H. A. HADEN,
Director of Finance of Albemarle County.

Legal and timely service of the above notice and a copy of
the petition referred to therein acknowledged.

ALLEN, WALSH & WADDELL,
Counsel for G. Stuart Hamm.

IN THE
SUPREME COURT OF APPEALS OF VIRGINIA,
AT RICHMOND.

H. A. HADEN, DIRECTOR OF FINANCE OF ALBEMARLE COUNTY,

vs.

G. STUART HAMM.

PETITION FOR WRIT OF MANDAMUS.

To the Honorable Supreme Court of Appeals of Virginia:

Your petitioner, H. A. Haden, Director of Finance of Albemarle County, respectfully represents:

1. That pursuant to an Act of the General Assembly of Virginia, Acts of 1932, Chapter 368, page 727, the Circuit Court of Albemarle County entered an order Feby. 24, 1933, submitting to the qualified voters of Albemarle County the question of whether or not they should adopt the County Executive form of organization and government for said County as provided in said Act. A copy of said order is herewith filed marked Exhibit A as part of this petition and which is prayed to be read and so treated.

2. That a special election was held on the 2nd day of May, 1933, at which the qualified voters of Albemarle County, by a vote of 1,395 for and 710 against, voted to change the existing form of government of the County to the County Executive form, as shown by an order entered by the Circuit Court of Albemarle County May 8th, 1933, L. O. B. 48, p. 41. A copy of said order is herewith filed marked Exhibit B as a part of this petition and which is prayed to be read and so treated.

3. That, pursuant to said Act members of the Board of County Supervisors of Albemarle County, one of whom is a

qualified voter of each of the six Magisterial Districts of said County, were elected by the qualified voters of the County at the general election held November 7th, 1933, for the term beginning January 1st, 1934, and ending December 31st, 1935, and duly qualified as such before January 1st, 1934, as provided by said Act.

4. That, all the members of the Board of County Supervisors of Albemarle having duly qualified, took office on January 1st, 1934, on which date the form of organization and government of Albemarle County became the County Executive form, and it became the duty of the Board of County Supervisors of Albemarle County to organize and provide for all the governmental functions of the County, as provided in said Act.

5. That, the first or organization meeting of the Board of County Supervisors of Albemarle County was held at the Court-house of said County on January 1st, 1934, at which meeting, after having organized, the Board proceeded to appoint H. A. Haden County Executive and Director of Finance, and his bond as County Executive was fixed at \$5,000.00, and his bond as Director of Finance at \$100,000.00.

6. H. A. Haden, before his appointment as Director of Finance, and as such, the chief, assessing officer of said County, was approved by the State Tax Commissioner for such position, all of which is shown by extracts from the minutes of said January 1st, 1934, meeting of the Board of County Supervisors of Albemarle County, a certified copy of which is herewith filed marked Exhibit C as a part of this petition and which is prayed to be read and so treated.

7. That, H. A. Haden gave the bonds as required and duly qualified, not only as County Executive, but also as Director of Finance of Albemarle County, as shown by a copy of an order entered by the Circuit Court of Albemarle County January 1st, 1934, a certified copy of which is herewith filed marked Exhibit D, as a part of this petition and which is prayed to be read and so treated.

8. Thereupon, H. A. Haden took office, both as County Executive and as Director of Finance of Albemarle County. On the recommendation of H. A. Haden as County Executive, the Board of County Supervisors at said meeting proceeded to appoint the Superintendent of Public Welfare, County Health Officer, and County Agricultural Agent, the County Home Demonstration Agent, and other officers and employees of the County. The Board appointed members of the County Welfare Board, the County School Board, and the County Health Board.

9. That, the County Executive form of government for Albemarle County having been adopted at said election of May 2nd, 1933, became effective January 1st, 1934, on which date the offices of County Treasurer and Commissioner of Revenue for Albemarle County ceased to exist and the powers and duties of said officers were transferred to the Director of Finance.

10. That, in accordance with the provisions of said Act, J. Fendall Garth, former Commissioner of Revenue, turned over and surrendered to H. A. Haden, Director of Finance, his office and all the records therein. J. Fendall Garth, upon the recommendation of the County Executive, was appointed as assistant to the Director of Finance, by the Board of County Supervisors at said meeting of January 1st, 1934.

11. After your petitioner, H. A. Haden, had qualified as Director of Finance of Albemarle County as aforesaid, he, in the presence of the Board of County Supervisors, then in session, requested and demanded the said G. Stuart Hamm to deliver, turn over and surrender to him, the Director of Finance, all property of the County of Albemarle in his possession, including the books, official records, papers and vouchers, fund and cash then in his hands and control all the property books and all other insignia of his office, belonging to his office; all of which the said G. Stuart Hamm then and there refused to do. Such demand and refusal is shown by a resolution adopted by the Board of County Supervisors of Albemarle County at its said meeting of January 1st, 1934, a certified copy of which is herewith filed marked Exhibit E, as a part of this petition and which is prayed to be read and so treated.

12. That, your petitioner is now and has been since his aforesaid qualification Director of Finance of Albemarle County and is clearly entitled to receive into his custody and possession each and all of the insignia of said office of County Treasurer, which has been abolished, which are enumerated in paragraph 11 of this petition, and each and all of which the said G. Stuart Hamm illegally and wrongfully detains from your petitioner.

13. That, the County Executive form of government is now functioning as the only form of County government of Albemarle County. The officers appointed by the Board of County Supervisors have taken over the several departments of the County Government as heads thereof and the several boards appointed by the Board of County Supervisors have organized and are functioning. The only officer of the old government questioning the right of the new County government to function is G. Stuart Hamm.

14. G. Stuart Hamm held the office of Treasurer of Albemarle County from January 1st, 1920, until that office was abolished December 31st, 1933, by said Act. He was re-elected Treasurer of Albemarle County at the General Election held November 3rd, 1931, for the term of office commencing January 1st, 1932. He duly qualified and took office as Treasurer of Albemarle County on that date. Except for the abolition of the office of Treasurer of Albemarle County and the termination of the term of office of G. Stuart Hamm, when the County Executive form of government went into effect in said County on January 1st, 1934, G. Stuart Hamm would have been entitled to hold office until December 31st, 1935.

Wherefore and for as much as your petitioner is otherwise without sufficient and adequate remedy, he prays that a peremptory writ of Mandamus may be issued by this Honorable Court directed to the said G. Stuart Hamm, commanding and compelling him to deliver and surrender to said petitioner as Director of Finance of Albemarle County, Virginia, the property, books, records and all monies and funds belonging to the office of Treasurer, now abolished, now in his possession and under his control, wherever the same may be, including the combination to the safes and vaults in said office, and all the papers and other property and assets of the former Treasurer's office of said County and now in the custody of said G. Stuart Hamm; that said G. Stuart Hamm be commanded to refrain from holding himself out as Treasurer of Albemarle County, or in any wise acting as such Treasurer, and that all such other, further and general relief be granted your petitioner as the nature of his case may require.

H. A. HADEN,

Director of Finance of Albemarle County, Petitioner.

JNO. S. GRAVES,

County Attorney for Albemarle County,

GEORGE GILMER,

Counsel, p. q.

State of Virginia,

County of Albemarle, To-wit:

This day came H. A. Haden, the above named petitioner, who personally appeared before me, Dorothy R. Crawford, a notary public in and for the County and State aforesaid, in my County aforesaid and made oath that the matters and things stated in the foregoing petition are true.

My Commission expires February 19th, 1934.
Given under my hand this 5th day of January, 1934.

DOROTHY R. CRAWFORD,
Notary Public.

EXHIBIT "A".

Virginia:—

At a Circuit Court held for the County of Albemarle on the 24th day of February, 1933.

Present:—Hon. Lemuel F. Smith, Judge.

IN RE: "COUNTY EXECUTIVE FORM" OF ORGANIZATION AND GOVERNMENT.

Order for Special Election.

This day came certain qualified voters of Albemarle County and filed their petition under and by virtue of Chapter 368 of the Acts of the General Assembly, 1932 (Acts 1932, p. 727), praying that an order be entered in this court directing that an election be held on the question of the adoption of the "COUNTY EXECUTIVE FORM" of organization and government and that the sense of the qualified voters be taken at a special election to be called not later than ninety days from the filing of said petition.

The Court, upon receipt of said petition, having examined the same and finding that it is in compliance with law, proceeded to hear evidence as to the signers thereto, and doth find and declare that said petition is signed by more than ten per cent (10%) of the qualified voters of the county of Albemarle, that the same is regular in all respects, and that the petitioners are entitled to have the question submitted to the qualified voters as to whether the "COUNTY EXECUTIVE FORM" of organization and government shall be adopted or not.

And the Court, having further heard said petitioners, doth conclude that said question should be submitted to the qualified voters at a Special Election, rather than at the next general election.

THEREFORE, the Court doth direct that the regular election officials of this county proceed to hold a Special Election on the 2nd day of May (that being the Tuesday after the

first Monday in May) 1933, to take the sense of the qualified voters of the County of Albemarle on the question "Shall the County of Albemarle adopt the 'COUNTY EXECUTIVE FORM' of organization and government"? which said election shall be held in accordance with the statute in such cases made and provided.

And it is further ordered that, after said Special Election shall have been had, the results thereof shall be certified by the board of election commissioners to this Court.

A Copy—Teste:

W. L. MAUPIN, Clerk,
By C. E. MORAN, D. C.

EXHIBIT "B".

Virginia:—

At a Circuit Court held for the County of Albemarle on the 8th day of May, 1933.

Present:—Hon. Lemuel F. Smith, Judge.

IN RE: "COUNTY EXECUTIVE FORM" OF ORGANIZATION AND GOVERNMENT.

The Commissioners of Election of the County of Albemarle having certified to the Court an abstract of votes cast at the Special Election held in said County of Albemarle on the 2nd day of May, 1933, theretofore ordered on the question "Shall the County of Albemarle Adopt the County Executive Form of Organization and Government?"; and it appearing from said abstract of votes that 1,395 votes were cast FOR adoption of the County Executive Form and that 710 were cast AGAINST adoption of the County Executive Form; the Court being of the opinion that the said votes so cast for changing the existing form of government constitute, in contemplation of law, a majority of the qualified electors of the said County of Albemarle voting on said question, doth adjudge and order that said change in the existing form of county organization and government has been adopted by a majority of the qualified voters of said county voting on the question, and that the County Executive Form of organization and government is the form adopted by a majority of the qualified electors of the said County of Albemarle Voting thereon.

The Clerk of this Court is hereby directed forthwith to certify a copy of this order to the Board of Supervisors of said County for recordation upon the minutes of said Board.

A Copy—Teste:

W. L. MAUPIN, Clerk,
By C. E. MORAN, D. C.

EXHIBIT "C".

"On motion by C. P. McCue and seconded by E. J. Ballard, H. A. Haden was unanimously elected as County Executive of Albemarle County and Director of Finance of Albemarle County and his compensation fixed at \$4,200.00 per annum, payable monthly. The bond to be required of him as County Executive of Albemarle County was fixed at \$5,000.00. The bond to be required of him as Director of Finance of Albemarle County was fixed at \$100,000.00, said amount being in the opinion of this Board not less than one-fifth of the amount of money to be received by him as Director of Finance of Albemarle County annually.

Thereupon H. A. Haden, having been approved by the State Tax Commissioner as Director of Finance of Albemarle County, and as such the chief assessing officer of said County qualified as County Executive of Albemarle County and as a Director of Finance of Albemarle County and gave the bonds of \$5,000.00 and \$100,000.00 hereinabove required of him in the form conditioned, and with security, prescribed by law".

I, W. L. Maupin, Clerk of the Circuit Court of Albemarle County, Virginia, and as such Clerk of the Board of County Supervisors of Albemarle County, Virginia, do hereby certify that the foregoing is a true copy of extracts of the minutes of a meeting of the Board of County Supervisors of Albemarle County held January 1st, 1934.

Given under my hand this 5th day of January, 1934.

W. L. MAUPIN, Clerk.

EXHIBIT "D".

Virginia:—

In the Clerk's Office of the Circuit Court of the County of Albemarle, January 1st, 1934.

HENRY A. HADEN, COUNTY EXECUTIVE,
QUALIFIED.

HENRY A. HADEN who was, on this the first day of January, 1934, by the Board of County Supervisors of the County of Albemarle, duly appointed COUNTY EXECUTIVE of said County of Albemarle, such appointment being effective as of this date, this day personally appeared in the Clerk's Office of the Circuit Court of the County of Albemarle and, together with the United States Fidelity and Guaranty Company, Baltimore, Maryland, as his approved surety, said company acting by W. F. Souder, its thereunto duly authorized agent and attorney in fact, entered into and acknowledged a bond in the penal sum of \$5,000.00, conditioned and payable according to law, and further qualified as such County Executive by taking and subscribing the oath of office prescribed by law.

And the said HENRY A. HADEN, having likewise been duly appointed by said Board of County Supervisors as DIRECTOR OF FINANCE of said County of Albemarle, executed a further bond in the penal sum of \$100,000.00, with said United States Fidelity and Guaranty Company as his approved surety, likewise conditioned and payable according to law.

A Copy—Teste:

C. E. MORAN, D. C.

EXHIBIT "E".

"WHEREAS, the General Assembly of Virginia, Acts of 1932, Chapter 368, p. 727, enacted a law providing for new forms of organization and government of counties. Pursuant to the terms of that statute the qualified voters of Albemarle County at a special election held on the 2nd day of May, 1933, voted by a vote of 1,395 for and 710 against, to change the existing form of Government to the County Executive form of Government as shown by an order entered by the Circuit Court of Albemarle County May 8, 1933, and spread in Law Order Book 48, page 41, and,

WHEREAS, at the general election held November 7, 1933, the qualified voters of Albemarle County elected a Board of County Supervisors of Albemarle County for the term beginning January 1, 1934 and ending December 31, 1935, and,

WHEREAS, said Board of County Supervisors of Albe-

marle County at their first or organization meeting held January 1, 1934 elected H. A. Haden as County Executive and also as Director of Finance of Albemarle County as provided by law, and,

WHEREAS, H. A. Haden has duly quafied and given bond as Director of Finance as required by law, and,

WHEREAS, under said law the powers and duties of the Commissioner of Revenue for Albemarle County and of the Treasurer of Albemarle County are transferred to the Director of Finance, and,

WHEREAS, pusuant to said law, J. Fendal Garth, Commissioner of Revenue, whose office expired December 31, 1933, has turned over his office to H. A. Haden, Director of Finance of Albemarle County as required by law, and has accepted a position of assistant in the office of Director of Finance, and

WHEREAS, G. Stuart Hamm, former Treasurer of Albemarle County whose office expired December 31, 1933 as provided by said law, although demanded so to do in the presence of the Board by H. A. Haden, Director of Finance of Albemarle County refused to turn over his office or any of the County property in his possession, claiming that his office did not expire on December 31, 1933, but that he was entitled to hold until December 31, 1935.

NOW THEREFORE BE IT RESOLVED, that the County Attorney take such steps as may be proper to require G. Stuart Hamm to turn over and deliver to H. A. Haden, Director of Finance, all County property now in his possession and including especially all records relating to taxes, and cash on hand or on deposit in any Bank."

I, W. L. Maupin, Clerk of the Circuit Court of Albemarle County, Virginia, and as such Clerk of the Board of County Supervisors of Albemarle County, Virginia, do hereby certify that the foregoing is a true copy of a resolution adopted by the Board of County Supervisors of Albemarle County at a meeting held January 1st, 1934.

Given under my hand this 5th day of January, 1934.

W. L. MAUPIN, Clerk.

IN THE
SUPREME COURT OF APPEALS OF VIRGINIA,
AT RICHMOND.

H. A. HADEN, DIRECTOR OF FINANCE OF ALBEMARLE COUNTY,

vs.

G. STUART HAMM.

MOTION TO SPEED THE CAUSE.

Now comes the petitioner, H. A. Haden, Director of Finance of Albemarle County and moves this Honorable Court that in accordance with its Rule No. 6, it will set this cause to be heard on some particular date during its January term, 1934, and for his reasons for asking that this be done, he says:

This suit involves all the finances of the large and now prosperous County of Albemarle. Under the law for such cases made and provided the office of County Treasurer of Albemarle County has been abolished and all of the powers and duties of the former Treasurer have been transferred to H. A. Haden, Director of Finance of Albemarle County. It is uncertain to what extent the money now being collected by G. Stuart Hamm is covered by his bond as Treasurer of Albemarle County, since the duties of that office have been transferred by operation of law to H. A. Haden, Director of Finance.

H. A. Haden, Director of Finance, has no tax tickets or other records by which to collect the taxes now due. It is uncertain how much may be permanently lost to Albemarle County unless H. A. Haden is promptly put in a position where he can collect the taxes now due.

Therefore, since this suit involves an intensely important public matter, and since it in reality involves a regular on going of the business of one of the larger political sub-divisions of this State which will be hampered so long as this matter is pending, your petitioner believes that the circumstances

are sufficient as to warrant his motion hereinbefore set forth, and as to warrant this Honorable Court to grant the same.

Respectfully submitted,

H. A. HADEN,
Director of Finance of Albemarle County.
By JNO. S. GRAVES,
County Attorney for Albemarle County.
GEORGE GILMER,
Counsel.

Legal and timely notice that the motion will be made January 9, 1934, at ten o'clock A. M. or as soon thereafter as counsel may be heard, has been given.

ALLEN, WALSH & WADDELL,
Counsel for G. Stuart Hamm.

Supreme Court of Appeals of Virginia.

IN THE
SUPREME COURT OF APPEALS OF VIRGINIA,
AT RICHMOND.

H. A. HADEN

vs.

G. STUART HAMM.

JOINDER IN MOTION TO SPEED THE CAUSE.

Comes now the defendant, G. Stuart Hamm, Treasurer of Albemarle County, not admitting but specifically denying that the said County will suffer the loss of any funds by reason of his continued tenure of office, unites in the motion of the petitioner that this cause be set to be heard on some particular date during the January, 1934, Term of this Court, and states his reasons for uniting in said motion as follows:

It is true, as alleged by the petitioner, that the suit involves all the finances of the County of Albemarle and is a matter of the utmost importance to the people of said County and, while defendant says that he is performing the duties of his office as treasurer in a proper and lawful manner, it is manifestly to the interest of the public, as well as to petitioner and this defendant, that the uncertainty with respect to the lawful and proper organization of the County Government, which in its entirety is involved, be settled by an early decision in this cause.

Respectfully submitted,

G. STUART HAMM,
Treas. Albe. Co.

ALLEN, WALSH & WADDELL, p. d.

IN THE
SUPREME COURT OF APPEALS OF VIRGINIA,
AT RICHMOND.

HENRY A. HADEN

vs.

G. STUART HAMM, TREASURER OF ALBEMARLE
COUNTY.

The demurrer and answer of G. Stuart Hamm, Treasurer of Albemarle County, to a petition for a writ of mandamus filed in the Supreme Court of Appeals of Virginia.

Defendant demurs to said petition and says that the same is not sufficient in law, and for grounds of demurrer says:

(1) In so far as the Act of the General Assembly of 1932, Chapter 368, under which petitioner claims the right to take over the office of County Treasurer, has undertaken to cut short the term of office for which the officers named in the Constitution were elected, it is violative of §112 of the Constitution, and void;

(2) That the Constitution, in permitting the General Assembly to provide a form of county government and organization different from that provided in the Constitution, contemplated that such different form should affect the term of office of incumbents of offices named in the Constitution only at the end of the term for which they have been elected, and in so far as the Act of General Assembly of 1932, Chapter 368, undertakes to vacate the office of county treasurer or to transfer its duties from the incumbent, this demurrant, to another it is unconstitutional and void;

(3) That the office of county treasurer held by demurrant is created by the Constitution and may be vacated, abolished, or otherwise affected by act of the General Assembly only to the extent and in the manner provided or permitted by the Constitution, and the Constitution has not empowered the General Assembly to shorten the term of the incumbent

or vacate or abolish the office during the term of the incumbent;

(4) That the Act of the General Assembly of 1932, Chapter 368, is not an exercise of the authority granted to the General Assembly by §110 of the Constitution and is unconstitutional and void, in so far as it purposes to shorten the terms of office of officers named in the Constitution during the term of office of incumbents and in that it does not provide a form of government and organization, but alternative forms;

(5) That the Act of the General Assembly of 1932, Chapter 368, does not comply with §52 of the Constitution in so far as it operates to abolish or vacate the offices of the officers named in the Constitution during the term of office of incumbents.

And, not waiving his demurrer, for answer to said petition, this defendant says,

That he was elected Treasurer of Albemarle County at the regular November, 1931, election for county officers; that he has duly qualified as such Treasurer, a certified copy of the order of the Circuit Court of Albemarle County entered December 31st, 1931, is herewith filed marked "Defendant's Exhibit I", and prayed to be read as part hereof;

That he duly accepted the office of treasurer of Albemarle County and has performed the duties and functions of that office from January 1st, 1932, until this time, and continues so to function and perform the duties of that office;

That his term of office commenced January 1st, 1932, and expires December 31st, 1935.

Defendant is advised and charges:

That his term of office has not been shortened and that he is entitled to serve as county treasurer of Albemarle County until December 31st, 1935;

That the pretended election for County Supervisors held in November, 1933, was ineffective and without authority of law, and that the Supervisors of Albemarle County elected in November, 1931, have continued in office, and all acts of the so-called Board of County Supervisors elected as alleged in November, 1933, and particularly the appointment of a so-called Director of Finance, are invalid and of no effect;

That in so far as the Act of the General Assembly of Virginia of 1932, Chapter 368, operates to vacate the office of county treasurer during the term of incumbent, it is unconstitutional and void;

That said Act is invalid and ineffective to abolish or vacate

the office of county treasurer during the term of incumbent; in that it was not enacted in accordance with the provisions of §52 of the Constitution.

And defendant prays that the petition be dismissed.

G. STUART HAMM,
Treas. Albe. Co.

ALLEN, WALSH & WADDELL, p. d.

Virginia:—

In the Clerk's Office of the Circuit Court of the County of Albemarle, on Thursday, December 31, 1931.

G. STUART HAMM, TREASURER, QUALIFIED.

G. STUART HAMM, who was on the 3rd day of November, 1931, duly elected TREASURER of the County of Albemarle for the term of office commencing on the 1st day of January, 1932, this day appeared in the Clerk's office of the Circuit Court of the County of Albemarle and with the National Surety Company a corporation chartered under the laws of New York, his surety, entered into and acknowledged a bond in the penalty of Two Hundred, Fifteen Thousand dollars, conditioned according to law, which said bond is recorded, the said surety acting by Guy F. Via, its duly authorized agent and attorney in fact, who executed said bond on behalf of said corporation by signing thereto its corporate name and affixing thereto its corporate seal, and who duly acknowledged the same, and who also justified under oath as to the sufficiency of said surety.

And thereupon the said G. Stuart Hamm took and subscribed the oaths of office prescribed by law.

A Copy—Teste:

W. L. MAUPIN, Clerk.
By C. E. MORAN, D. C.

A Copy—Teste:

M. B. WATTS, C. C.

INDEX

	<i>Page</i>
Notice of Application for Mandamus.....	1
Petition for Writ of Mandamus.....	3
Motion to Speed Cause.....	12
Joinder in Motion to Speed Cause.....	14
Demurrer and Answer of Respondent.....	15