

JURY PANEL EXHAUSTED; BRUMFIELD TRIAL ADJOURNS UNTIL 9 A. M. TOMORROW

Tentative Jurors Are Secured—New Panel of Fifty Names Drawn In Court Today—Selection of Jury Continues Again Tomorrow.

TEN TENTATIVE JURORS.

The ten tentative jurors selected from the jury panel of 34 names which was exhausted this morning are as follows: Harry Larkins, Oakland; M. R. Payne, Yoncalla; Walter G. Coates, Olalla; Jesse Clayton, Tye; Amos B. Cripps, Riddle; C. W. Hartshorn, Riddle; Jim Marvin, Sutherlin; C. S. Hunt, Oakland; J. T. Roach, Tiller, and Walter Haines, Elkton.

VENUE OF 50 DRAWN

Exhausting the regular list of jurors, it became necessary today to draw 50 more names of men who will be examined for service on the Brumfield jury. Judge Bingham this morning issued an order for the drawing of a special venire and 50 names were drawn by the county clerk, the jurors to appear forthwith. These drawn were W. R. Neas, Oakland; George McHughill, Oakland; F. A. Curtis, Roseburg; W. S. Conine, Dixonville; John B. Wright, Glide; C. L. Hamilton, Oakland; Wm. Micham, Sutherlin; Henry Bainbridge, Oakland; Fred Parker, Sr., Canyonville; C. H. Clements, Elkton; Joe Smith, Oakland; J. F. McCanahan, Oakland; John W. Dodson, Oakland; Roy Bounds, Glide; A. E. Barber, Sutherlin; Elmer Thompson, Elkhead; J. I. Chapman, Wilbur; Henry Paulson, Umquaga; J. M. Gross, Canyonville; H. W. Jones, Myrtle Creek; Fred Saffey, Sutherlin; W. A. Landon, Sutherlin; Thomas E. Lawson, Glendale; George Eddy, Yoncalla; H. M. Knapp, Wilbur; Earl Ollivant, Olalla; Robert E. Teague, Drain; C. F. Blonfield, Riddle; J. O. Metz, Days Creek; E. P. Greiger, Glendale; J. A. Gillespie, Sutherlin; D. W. Hunter, Roseburg; John P. Thiel, Yoncalla; T. B. Johns, Glendale; Vincent Applegate, Yoncalla; Martin Bushnell, Olalla; Clay Elms, Days Creek; Lee Barker, Drain; Wm. M. Stock, Canyonville; S. R. Briabin, Looking Glass; Chris Pyritz, Gardiner; George Scott, Melrose; D. Hanan, Yoncalla; L. F. Davis, Drain; F. E. Bullock, Kellogg; M. K. Eby, Sutherlin; R. H. Springer, Glendale; Joe Winford, Umquaga; Smith De Muth, Sutherlin; Thomas Hancock, Elkton.

The circuit court adjourned at 11 o'clock this morning and will not reconvene until nine o'clock tomorrow morning, at which time the new venire of fifty men will appear. The old panel of 34 names was exhausted this morning when Walter Haines, the tenth tentative juror was selected. District Attorney Neuner stated that the state was willing to proceed with the examination this afternoon if the event only twenty or twenty-five of the new veniremen could be secured, but Attorney Rice for the defense refused to continue with the examination until the entire fifty had reported. This will delay the proceedings until tomorrow morning, the earliest possible moment that the veniremen can be brought here.

Had the examination continued throughout the day it is very possible that four permanent jurors would have been seated. In the event the new panel is ready by tomorrow morning, however, it is predicted that the twelve permanent jurors will be ready to hear the testimony by Monday morning. The selection of jurors is proceeding rapidly and the attorneys are losing very little time in the examination.

Waits for Husband. Mrs. Brumfield and Mrs. Charles H. Patrick of Willamina, Oregon, sister of Dr. Brumfield, stood at the outside of the county jail this morning awaiting the appearance of the prisoner when he would be escorted by the guards to the courtroom. At 9:45 a. m. Deputies Hopkins and Cooper entered the jail and entered from it with Dr. Brumfield in their custody. This doctor stood outside of the jail waiting for the deputies to lock the door after him. He

glanced in the direction of his wife and sister and quickly turned his head. In another moment he glanced back towards them and Mrs. Brumfield smiled cheerfully and nodded her head. Brumfield forced a grin and said, "hello." His gaze did not linger long in the direction of his wife, however, and as he passed by her with the two guards at his side, he simply nodded recognition. Mrs. Brumfield walked wearily behind the guards. She entered the courtroom at the rear of the procession and took a chair near her husband. She was dressed the same as yesterday and although she smiled at frequent intervals, her expression was tired and the strain and worry of the charge which hangs over the head of her husband has had its effect upon her.

Doctor is Dolled Up. Dr. Brumfield, wearing the blue suit, white linen, black shoes and white socks was spick and span as ever. As he sat in the courtroom waiting for court to convene he was evidently troubled with his glasses for he adjusted them often and blinked his eyes, indicating that the lenses were bothering him. In a few minutes before the opening of court he talked with his wife and they had a pleasant chat from all appearances. They both smiled, but were aware that the eyes of all in the courtroom were upon them, and as a result appeared self-conscious to some extent.

Mrs. Brumfield toyed with her gold band wedding ring and diamond engagement ring. The doctor watched her as she gazed at the rings which had bound them together as man and wife and smiled affectionately.

Small Crowd Attends. When the trial opened this morning only a dozen people were seated in the spectator's seats in the courtroom. As the morning progressed, however, the crowd increased and by eleven o'clock nearly every seat was taken.

Mrs. Brumfield smiled at many of the questions and answers during the jury examination and at one time became so amused that she grinned at the district attorney. Brumfield did not smile but sat erect in his chair with arms folded and did not change his posture during the entire morning. He is undoubtedly the "man with the iron nerve." When the court adjourned he was taken back to the jail and entered the bastille in a carefree manner, built a fire in the stove, picked up a book of fiction and started reading.

Relative of a Witness. Jesse Clayton, of Tye, one of the tentative jurors, is a cousin of Grant Clayton, one of the witnesses for the prosecution. Grant Clayton will testify during the trial concerning a pool of blood found on the Pacific highway in the Dillard section near the Booth orchard and also to finding bits of skull, shreds of hair and a black hat, the property of Dennis Russell, in the blood. Jesse Clayton, when examined and passed as a tentative juror yesterday afternoon, declared that his relation to the witness would have no bearing on his decision in the case.

H. E. Kruger, of Oakland, was examined and excused for cause as a juror. John O. Lystul, Glendale sawmill man, was drawn in his place.

John Herstine was excused on account of sickness in his family. C. S. Hunt of Oakland was drawn in his stead.

R. D. Way of Myrtle Creek was excused on account of having a fixed opinion. J. L. Roach of Tiller was drawn to serve in his place.

J. A. Jacques of Glendale was examined and excused by Judge Bingham for having an opinion in the case. Mr. Jacques stated he could not give the defendant a fair and impartial trial.

Walter Haines, of Elkton, was summoned to serve in the place of Mr. Jacques. At the conclusion of the court yesterday Jim Marvin and Q. W. Hartshorn were accepted as tentative jurors. The examination of jurors was taken up at once this morning when court convened.

ant a fair and impartial trial. The juror was warranted to take the newspaper articles to be true but he must be in the state of mind to lay such an opinion aside and hear the testimony introduced in the courtroom.

An argument resulted over this point of law. Hunt was challenged for actual bias and the state related the challenge. Judge Bingham overruled the challenge and qualified the juror. He was the eighth tentative juror secured.

J. T. Roach Retained. J. T. Roach, of Tiller, provided some amusement in the courtroom during his examination. Evidently the legal questions asked of him were not very clear. He was asked if he had a fixed opinion in the case and he said he had some slight opinion but nothing fixed. When asked if he was prejudiced against the prisoner because the grand jury had returned an indictment, Mr. Roach said: "Well, it appears as though he was implicated in it in some way."

He said that he had not discussed the case at home because his wife didn't like to hear of such things. In putting the "presumption of innocence" question to the man, Attorney Rice received the following answer: "Well, the law is just a little bit muddled on that point."

The law then was explained to the man and Mr. Roach agreed with the defense that the prisoner should be presumed innocent until proven guilty. Mr. Roach stated that the state would be required to prove all the material allegations in the indictment before the man could be found guilty. Both the defense and state passed the man as a juror.

Tenth Man Secured. Walter Haines of Elkton, was the tenth tentative juror secured. After close questioning the defense passed him and he was also accepted by the state.

The court adjourned until nine a. m. tomorrow morning.

Yesterday Afternoon Session. Both the state and defense in the Brumfield trial had accepted seven tentative jurors by 5 o'clock yesterday afternoon, but the entire panel was exhausted and a new panel of 34 names was used as the basis of today's examinations.

The seven tentative jurors were Harry Larkins, of Oakland; M. H. Payne, of Yoncalla; Walter G. Coates, Olalla; Jesse Clayton, Tye; Amos B. Cripps, Riddle; Q. W. Hartshorn, Riddle, and Jim Marvin, Sutherlin. It is very likely that very few of these men will be retained on the jury and will probably be excused when the defense exercises its twelve peremptory challenges and the state its six. The majority of the tentative jurors declared yesterday that they possessed a fixed opinion, so fixed that they would find it rather difficult to lay aside and disregard it entirely.

In view of the fine progress made during the first day in the examination of jurors, it is predicted that the jury will be completed by Saturday afternoon and the testimony in the case will probably start on Monday morning.

Judge G. G. Bingham complimented both the state and the defense attorneys last evening regarding their examination of jurors. The judge stated that the questions asked the prospective jurors were clear and straightforward.

Relative of a Witness. Jesse Clayton, of Tye, one of the tentative jurors, is a cousin of Grant Clayton, one of the witnesses for the prosecution.

Grant Clayton will testify during the trial concerning a pool of blood found on the Pacific highway in the Dillard section near the Booth orchard and also to finding bits of skull, shreds of hair and a black hat, the property of Dennis Russell, in the blood. Jesse Clayton, when examined and passed as a tentative juror yesterday afternoon, declared that his relation to the witness would have no bearing on his decision in the case.

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Mrs. Ed. Hinkle, accompanied by her son-in-law, Walter Watson, will arrive in Roseburg this evening by automobile from Portland. Mrs. Hinkle has been spending the winter in Portland with her daughter, Mrs. Walter Watson, and for the past few months has been in very poor health. She will enter Mercy Hospital on her arrival here, and will undergo a very serious operation in a few days.

Tax Bill to Be Revised

(By Associated Press.) WASHINGTON, Oct. 6.—A radical revision of the tax bill is in prospect as a result of the conferences between various Senate Republican factions with a view to the amendment of the bill as reported by the Senate Finance Committee. The agreement would provide repeal next January of all transportation taxes except possibly the tax on Pullman accommodations; an increase in sur-tax rates on incomes of over \$50,000 from the maximum rate of thirty-two percent to a maximum of fifty percent; the repeal of the majority of the luxury or so-called "nuisance" taxes, including those on soft drinks; an increase of the corporation tax rate fifteen percent as recommended by the committee and the continuation of the corporation capital stock tax.

Arbuckle's Lawyer Quits the Case

SAN FRANCISCO, Oct. 6.—Differences over fees caused the retirement of Frank Dominguez from the array of counsel retained to defend Arbuckle, it was announced today. Dominguez wanted fifty thousand, while Arbuckle thought five thousand better. The withdrawal created a great stir.

Sensations are expected in other notable trials in this state. Damaging evidence to the effect that Rev. John Spencer wished to do away with his wife so he could live with Mrs. E. B. Barber, is expected to be introduced at the Lakeport trial of Spencer, charged with the drowning of his wife in Clear Lake.

At Redwood City an expectant crowd filled the courtroom as the main witnesses for the state took the stand in the trial of William Hightower, charged with the murder of Father Patrick Heelan. The state expected to complete its case today, showing that Hightower kidnaped Father Heelan and killed him when Archbishop Hanna failed to "come through" with \$50,000 ransom money.

Emperor of Japan Seriously Ill

(By Associated Press.) TOKYO, Oct. 6.—Emperor Yoshihito, whose illness has been causing great alarm in Japan, is reported worse in an official statement issued today. His condition is declared to be most unsatisfactory. There are signs that he is suffering from a severe disease of the brain.

Doctor Claims to Have Seen Gardner

(By United Press.) LOS ANGELES, Oct. 6.—Roy Gardner has appeared from "nowhere" as dramatically as he disappeared, according to a copyrighted Record today. The Record published a letter from a "Dr. Leyden" in Newport, Washington, to the effect that Gardner appeared at his back door, suffering from lack of food, his resistance gone from hunger and malnutrition and a couple of unclean gunshot wounds. The doctor in his letter said that he dressed the wounds, gave Gardner a place to sleep and a lunch and watched him disappear again into the brush.

Coroner Ritter Attends Convention

M. E. Ritter, local undertaker, and county coroner, returned last evening from Portland, where he has been attending the Oregon Funeral Directors Association, which has been in session the past three days at the Multnomah hotel.

Monday evening, those attending were entertained with a big banquet and the session as a whole proved most interesting. The coroners held their convention also during these three days. A legislative committee was elected to take up the matter of the Senate bill 184 which was turned down at the last session. Mr. Ritter was appointed as one of a committee of three. He is also a member of the Board of Funeral Directors, which were appointed at this recent convention.

Baby's Body is Taken From River

(By United Press.) PORTLAND, Oct. 6.—City grapplers today located the body of little Myrtle Elizabeth, 18 months old, by girl dropped into the Willamette

river last night by Mrs. Joseph Larkin, her mother, aged 21 years. Mrs. Larkin is being held at the county hospital where physicians have her under observation for sanity. Mrs. Larkin told the police last night that the baby dropped into the water accidentally from the railing where she had placed the child while fixing her bonnet.

The woman's husband told the police that his wife has been ill for several weeks and that at times she appeared irrational. He collapsed when informed of the death of the baby. Mrs. Larkin recounted the incidents of her walk from her apartment to the bridge in a dull monotonous voice. Police think she intended to commit suicide but that the presence of bystanders prevented her.

ROAD CLAIM EXAMINED

The members of the county court went out early this morning for an inspection of the Coos Bay road. The residents of that section who are damaged by the new location are complaining about the amount of damages allowed and claim that their actual expense in making changes to allow the road to be built in the location desired is not covered by the amount allowed by the viewers. The county court is to make an extensive inspection and determine whether or not the claims are to be sustained.

DIVORCE DENIED

The divorce case of Frank E. Deardoff against Anna Deardoff was dismissed today by order of Circuit Judge Hamilton, the application for divorce being denied. In the findings of fact Judge Hamilton states that there is no doubt but that the husband and wife used unseemly language toward each other, but stated that the man was apparently responsible for this fact. The findings stated that the woman had conducted herself as a dutiful wife, but the husband was severely censured for giving his attentions to another woman when they should be given to his wife.

Boy Hero to Be Honored

BROOKLYN, Mass., Oct. 5.—A bronze tablet, depicting the death of Albert Edward Scott, a 15 year old boy who died beside his shu-sho gun in France after having killed and injured 21 Germans, will be dedicated here on October 28 with exercises at which William Jennings Bryan will make the principal address.

The memorial which has been placed on the Town Hall, is the gift of newboys of Greater Boston, of whom "Scotty" was one until he volunteered for service overseas. The tablet, reproduced from a painting by Gale Hopkins based on official photographs, cost the newboys \$2,000.

President Harding and Vice President Coolidge, expressing regret at their inability to be present for the dedication exercises, approved the memorial in letters made public today. The president, in a letter to Edward Keavin, director of the Roosevelt Newboys Association which had charge of raising the funds, expressed approval also of the plan to have Mr. Bryan make the principal address in his stead, adding that with the former secretary of state as speaker "a most appealing address" was assured.

Vice president Coolidge paid a tribute to boys who sell papers, saying: "Newboys go everywhere, see everything and know everybody. They do not have a part, and no life which they do not live. They are Americans. To their spirit, to their enterprise, to their courage, to their devotion, it is altogether fitting that a memorial should be erected bearing the name of one of the number who has become immortal."

A boy's band of 200 pieces from New York will have a part in the program.

"Scotty" dropped his newspapers one day to enlist, less than a month after he was graduated from grammar school. A few weeks later he was in France as a member of the 101st Infantry Regiment. At Eplesle July 22, 1918, a year later, the boy volunteered for extra hazardous service.

"See that path 'Scott,'" said his lieutenant. "That's your target, not a Hun must cross it." "Yes sir," said Scotty, saluted and took up his shu-sho gun. Single-handed he held the path while he killed or crippled 21 Germans, then died from his wounds.

LOCAL NEWS

Shopping Here—Miss Maude Matson, of Riddle, spent the afternoon here attending to matters of shopping.

Here on Business—R. W. Marsters, of Salem, is spending a few days in Roseburg attending to business matters.

Much Improved in Condition. Elmer McKahn, an employee of Lihuron's furnishing store, has been confined to his home, for the past few days, on account of serious illness. He is said to be much improved in condition today.

YANKEES BEAT GIANTS IN THRILLING GAME OF THE WORLDS BASEBALL SERIES

Second Contest Goes to Yankees by Score of Three to Nothing—Fighting American Leaguers Take Lead In Fourth Inning—Add Two In Eight.

ROAD CLAIM EXAMINED

(By Associated Press.) POLO GROUNDS, New York, Oct. 6.—Youngster Waite Hoyt came over from his home in Brooklyn today and beseamed the New York Giants with the well-known goose eggs, while the Yankees walked off the field with the second game of the world series with a three to nothing score.

The Yankees again distinguished themselves as base-runners, Bob Meusel stealing home in the eighth before the astonished gaze of John McGraw, manager of the Giants, while Babe Ruth, who got a base on balls three of his four appearances at bat, showed that he could do something besides home-run hitting by stealing second and third bases in the fifth inning and bringing in a run in the eighth.

Nehf pitched a good game, but his own error in the fourth and an error by Frisch in the eighth enabled the Yankees to win.

Crowd is Large. POLO GROUNDS, New York, Oct. 6.—Governor Miller of New York, escorted across the field by a band, threw the first ball and started the second game of the series. The crowd was much larger than yesterday, numbering over 35,000.

First Inning. Giants—Burns struck out, missing a drop curve for the third strike. Hoyt took Bancroft's bunt and threw him out at first. Ward threw out Frisch. No runs, no hits, no errors.

Yankees—Miller sent up a high foul which Smith muffed for the first error of the series. Miller walked. Peckinpaugh went out Nehf to Kelly. Miller going to second. Ruth walked and the crowd cheered Nehf. Meusel lined out to Frisch, who doubled Miller at second with a quick throw to Rawlings. No runs, no hits, no errors.

Second Inning. Giants—Young went out on a grounder to Pipp. Kelley struck out. Meusel went out on a grounder to Pipp. No runs, no hits, no errors.

Yankees—Pipp walked. Bancroft threw out Ward at first. Pipp going to second. Frisch took McNally's grounder and touched Pipp for second out. McNally reached first, but went out stealing. Smith to Rawlings. No runs, no hits, no errors.

Third Inning. Giants—Rawlings got a Texas leaguer into left. Smith popped to Peckinpaugh. Nehf struck out. Burns forced Rawlings at second. Peck taking Burns' grounder and touching second. No runs, one hit, no errors.

Yankees—Schang hit a high one, which Bancroft took; Hoyt got a Texas leaguer into right which Rawlings made a desperate effort to catch. Hoyt was nearly caught off first by Smith. Hiller flied out to Burns. Peckinpaugh walked. Ruth up; Smith and Nehf conferred at pitchers' box. Coach Leary made a complaint that Nehf was doctoring the ball, and Umpire Moriarty threw it out. Ruth walked, filling the bases. Meusel popped to Bancroft. No runs, one hit, no errors.

Fourth Inning. Giants—Bancroft struck out. Peck took Frisch's roller and threw him out at first. Pipp making a beautiful one-handed stop. McNally, Young out at first. No runs, no hits, no errors.

Yankees—Two sent a skyrunner out to Young. Ward got a lucky hit into right. He appeared to be dodging the ball but it struck his bat and flew over Rawlings' head. Nehf took McNally's grounder and threw wide to second and both runners were safe. Nehf was given an error. Schang walked, filling the bases. Ward scored while Rawlings was out at first. McNally also tried to score but was caught at the plate. McNally to Smith. One run, one hit, one error.

Fifth Inning. Giants—Kelley struck out. Schang throwing him out at first. Meusel walked. Rawlings flied out to Meusel. Miller came in fast and took Smith's fly. No runs, no hits, no errors.

Yankees—Frisch knocked down Miller's hot grounder and threw him out at first. Bancroft threw out Peckinpaugh. Ruth walked and stole second and third. Bancroft threw out Meusel at first. No runs, no hits, no errors.

Sixth Inning. Giants—Nehf walked. Burns flied to Ward. Hoyt threw out Bancroft at first. Nehf going to second. Frisch went out. Pipp unassisted. No runs, no hits, no errors.

Yankees—Nehf threw out Pipp at first. Kelley took Ward's grounder and beat the batter to the bag. McNally fouled out to Frisch. No runs, no hits, no errors.

Seventh Inning. Giants—Young walked. Kelley

forced Young at second, McNally to Ward. No play was made on Kelley at first. Meusel forced Kelley at second, Ward to Peck. Ward threw out Rawlings at first. No runs, no hits, no errors.

Yankees—Schang sent out a long one to Young. Hoyt up, was given a cheer. Hoyt flied out to Kelley. Nehf took Miller's hopper and threw him out at first. No runs, no hits, no errors.

Eighth Inning. Giants—Ward threw out Smith at the initial sack. Nehf was given a rousing cheer as he came to bat, but was thrown out by Ward at first. Burns was given a pass on balls and went out trying to steal second. Schang to Ward. No runs, no hits, no errors.

Yankees—Peck popped to Frisch, who dropped the ball. Ruth forced Peck at second, Kelley to Bancroft. Meusel singled into center, Ruth going to third. Meusel went to second and Ruth scored while Rawlings was throwing out Pipp at first. Meusel went to third and stole home. Ward fouled out to Kelley. Two runs, one hit, one error.

Ninth Inning. Giants—Ward threw out Bancroft. Frisch slashed a single into right. Young walked. Kelley hit into a double play. McNally to Ward to Pipp. No runs, one hit, no errors.

Score By Innings. 1 2 3 4 5 6 7 8 9 R.H.E. Giants 0 0 0 0 0 0 0 0 2 3 Yankees 0 0 0 1 0 0 2 3 3 0

Famous Orchestra Here Tomorrow

The armory will undoubtedly be crowded to capacity tomorrow night for the big dance and entertainment of Seattle's Original Broken Melody Syncopators. This famous orchestra will arrive here tomorrow afternoon from Eugene, where they play for a Elks dance tonight. Miss Mildred Filmer, Mack Sennott bathing beauty, will appear in Roseburg in song and dance with the orchestra. The dance will start promptly at nine o'clock and continue until one a. m. A general admission of twenty-five cents will be charged and gentlemen will pay one dollar to enjoy the dance. From every indication Friday night will be a big night locally and many from the north and south ends of the county are planning to attend.

August Blomquist, well known resident of Elgaros, spent the day in this city attending to business matters.

DIAMONDS ARE STOLEN.

PORTLAND, Oct. 6.—The police are seeking a burglar stealing forty-six diamonds valued at \$10,000 from the home of George Porges, wealthy Greek, while he was away from home. Porges left the stones on the top of a bureau near an open window. The police believe the burglar climbed the porch and entered the window, probably some person knowing the diamonds were there.

RESOLUTION ADOPTED.

(By Associated Press.) PORTLAND, Oct. 5.—After a heated debate the State Federation of Labor convention adopted a resolution to create a building trade department of the state federation by appointment of five members of the building trades unions to look after the building trades interests.

MAY FORCE CONSOLIDATION

(By United Press.) WASHINGTON, Oct. 5.—Should the railroads not voluntarily consolidate the systems of the country into nineteen competitive units, congress will be asked to make them do so. Senator Cummins declared today, in rewording the Peck-Cummins bill to put "teeth" into it. Cummins is considering compulsory consolidation as one of its provisions.