

MOVE LAUNCHED TO AVERT STRIKE

Government, Public and Some Unions Act.

HARDING CALLS MEETING

Labor Board and Heads of 5 Organizations Ordering Walkout to Gather.

FREIGHT RATE CUT IS ASKED

Farm Bureau Federation Petitions Commerce Commission to Reduce Scale.

DAY'S DEVELOPMENTS IN PROPOSED RAIL STRIKE.

Move to prevent strike is launched by government, public and some union agencies. Labor board's conference call is accepted by three of strike leaders. Meeting scheduled for tomorrow. Hub of union activities moves back from Cleveland to Chicago. Cut in freight rates is hinted at by President Harding, and hope for strike settlement is increased. Oregon rail officials declare trains will be moved despite strike. Rail labor board, facing acid test, will get full support of government. District meetings of rail executives called to discuss strike programme.

CHICAGO, Oct. 18.—(By the Associated Press.)—Effort to avert the nationwide rail strike scheduled for October 30 tonight found governmental agencies, representatives of the public and some railway labor unions taking action simultaneously which all three hope would prevent a tieup of the transportation system.

Foremost among moves being made was a meeting between the railroad labor board and heads of the five unions which have already authorized men to strike, called for Thursday by the board and at the request of President Harding, it was said by board members. Freight Rate Cut Asked. The first move by a public organization to avert a strike came when the American Farm Bureau federation, representing 1,250,000 farmers, sent petitions to the interstate commerce commission asking an immediate 10 to 20 per cent reduction in freight rates on necessities, and announced that it also would appeal to the labor board not to grant a new 10 per cent wage reduction which the roads have announced they will seek, but rather to revise wages generally in accordance with the cost of living. Concurrence in these requests should avert the strike, the federation said, and volunteered to meet with the union and rail representatives as a mediator. Meetings to Last All Week. Meetings to last all week will be started tomorrow by the 11 rail unions which have not yet issued strike calls, although most of them have voted for a strike. Leaders of several of these unions announced that at the meeting they will oppose a strike call in the hope a split between them and the five unions already authorizing a walkout may avert a strike. Union leaders called in by the labor board were W. S. Carter, president of the Brotherhood of Locomotive Firemen and Engineers; Warren S. Stone, president of the Brotherhood of Railroad Trainmen; L. E. Sheppard, president of the Order of Railway Conductors, and T. C. Cashen, president of the Switchmen's Union of North America. Aim Is to Prevent Strike. The conference was called for the avowed purpose of preventing a strike, according to Ben Hooper, vice-chairman of the labor board.

TRAINS TO CONTINUE TO RUN, IS PROMISE

OREGON RAIL OFFICIALS SAY RESERVE FORCE IS READY.

Men Now in Offices and at Other Work Are Declared Capable of Handling Situation.

Should the threatened railroad strike result in every union rail man leaving his post Portland and the northwest would have railroad service, limited at first, but with continuously increasing scope, according to railroad officials.

In addition to railroad service, there are available large numbers of motor busses, motor trucks and both river and ocean vessels. All of these means of transportation would be used to maximum capacity of service immediately the rail strike went into effect.

The first care of the railroads will be to look after the mail. After that, perishable freight will have attention, including foodstuffs. Then will come passenger service, and then movement of merchandise and fuel.

The railroad officials are not worrying much from the operation standpoint. The chief apprehension is over inconvenience to the public and the losses that must be sustained by many shippers at the railroads through the restricted service.

The railroads have an immense reserve force to fall back upon in case of a tie-up, it was declared. This reserve force was never better organized than at present. At every new threat of a general strike the last few years the railroad executives have improved this reserve force.

The nucleus of this reserve force is comprised of the men now holding office and sub-officer positions—men who have had experience in operation. All of them are catalogued and would be the first to go into the operating end in case of a strike. It has been the business of all railroads throughout the country for several years to catalogue every position an employe has filled.

Second in line of the reserve force are the men who have lost their positions through need of the railroads to curtail expenses since the return of the lines from the government and who are eager to find work. These men have had experience in every line of railroading. Large numbers of such men have been thrown out of employment in the last year.

They include engineers, conductors, firemen and brakemen. In addition, there are many men now employed who have been reduced from engine drivers and from other positions to brakemen and who would take the first chance available in better their lot through a strike, according to railroad officials.

The belief was expressed by railroad officials that many men will not answer the strike call. Although the rail service may be crippled badly, there is little chance that Portland will suffer from lack of transportation of foodstuffs, fuel and merchandise for reasonable distances.

Besides what the shipping board might do to help a general situation, there are a number of boats lying idle here, and they could be used during the emergency.

In the words of a railroad man: "Portland could be cut off entirely from railroad service forever without a train running into it and it would be able to exist with comparative comfort through use alone of ships to and from any part of the world and the coast of the United States and the use of motor transportation at least anywhere along the Pacific coast."

STAGE DIVES INTO RIVER

Three Passengers Hurt in Crash Near Gladstone, Or.

OREGON CITY, Or., Oct. 18.—(Special.)—Three persons were painfully injured about 9 o'clock tonight when an automobile stage, bound from Salem to Portland, dove over a 50-foot bank, leaped across a raft of logs and landed in the middle of the Clackamas river. The stage fell right side up and in only a few feet of water. The accident occurred at a jog in the road in front of the C. C. Garlick place. The driver, P. Van Deatta, evidently lost control of the big car. The injured, Mrs. Laura Breen of Salem, who sustained a broken arm, and two men who were badly cut, were sent to Portland in passing automobiles.

BERGDOLL PAPERS GONE

Official Documents Stolen From Desk in Washington.

WASHINGTON, D. C., Oct. 18.—A box containing many official papers relating to the congressional investigation of the escape of Grover C. Bergdoll, the draft dodger, and some private family documents, was stolen last night from the office of Representative Johnson, democrat, Kentucky. The office is on the main floor of the house office building.

DRY LAWS ARE SUSTAINED

Wets in Six Provinces Lose Cases Against Prohibition.

OTTAWA, Ont., Oct. 18.—Prohibition laws in six Canadian provinces adopted as a result of the dominion temperance act were held constitutional today in a test case. The Canadian supreme court dismissed a suit which Gold Seal Limited had brought against the dominion temperance company because of refusal to transport liquor.

RAIL LABOR BOARD FACES ACID TEST

Practicability of Agency at Stake in Strike.

FREE HAND IS PERMITTED

Defensive Plans Are Completed by Government.

NEW ACTION AWAITED

Mediation System to Be on Trial When Compromise Is Submitted to 2 Actions.

WASHINGTON, D. C., Oct. 18.—The threatened railroad strike was recognized in high official circles today as having developed into the first real test of the practicability of the railroad labor board. The outcome of the negotiations now in progress, it was declared, would determine whether an "entirely futile" agency has been created.

Prominent in the defense put forward by labor leaders in every controversy in the past, it was pointed out, was the plea that there was no legally constituted body before which they could lay their grievances, or to whose impartial judgment they could submit petitions for relief.

Free Hand Gives Board. With the labor board expressly created to fill this gap, assurance was given today it would be permitted to begin October 30 efforts to meet the initial test provided by the disagreement of the railroads and their employes over wage schedules and working conditions.

With practically every active effort toward averting the walkout scheduled to begin October 30 centered in Chicago, the government today had completed its defensive plans and was watching developments.

While authoritative information still was lacking as to the basis on which the labor board was to proceed, the impression was given that it involved some features, at least, of the suggestion put forward by the public members of the board Sunday as "one feasible plan" for preventing the tieup.

The probability that official sanction would be given the proposal that the July wage reduction be offset immediately by proportionate freight-rate decreases was discussed in official circles. In case this was adopted as the government's compromise plan the test of the railroad board's authority would arise immediately, it was pointed out, in the question of its acceptance by either or both of the parties to the controversy.

Apart from the suggestion of the (Concluded on Page 2, Column 2.)

JOHN L. RAND NAMED TO SUPREME BENCH

BAKER MAN CHOSEN TO SUCCEED LATE MR. BENSON.

Acceptance of Appointment Is Predicted in Salem—Funeral of Late Justice Is Held.

SALEM, Or., Oct. 18.—(Special.)—John L. Rand, prominent attorney of Baker, tonight was appointed by Governor Olcott as associate justice of the Oregon supreme court to succeed Justice Henry L. Benson, who died here early last Sunday. It was said here tonight that Mr. Rand will accept the appointment.

Mr. Rand was born October 28, 1861, at Portsmouth, N. H. He was educated in the public schools there and at Smith's preparatory school, also of Portsmouth. He also is a graduate of Dartmouth college, from which institution he graduated in 1883, receiving the degree of A. B.

Attorney Rand was admitted to the bar at Walla Walla, Wash., in May, 1885. He came to Oregon in July of that year and in May, 1886, was admitted to the bar in this state where he has been in active practice ever since at Baker.

He was elected district attorney of the sixth judicial district in 1888 and 1894 and was elected state senator from Baker, Malheur and Harney counties in 1902. Mr. Rand has been highly successful as a prosecuting attorney and prominent as a citizen. He is a member of the board of higher curricula, to which place he was appointed by Governor Olcott.

By the appointment of Mr. Rand the supreme court will retain two members from eastern Oregon, Justice Benson, at the time of his election to the supreme bench, was a resident of Klamath Falls, which is in the eastern Oregon district.

Funeral services for Justice Benson were held in the First Methodist Episcopal church this afternoon.

The funeral sermon was delivered by Dr. Carl G. Doney, president of Willamette university, while Judge Wallace McCamant of Portland, justice of the Oregon supreme court and a close friend of the jurist for more than 25 years, gave the eulogy. Mrs. W. Carlton Smith sang.

Dr. Doney discussed the life of Justice Benson from the angle of a Christian, educator and forceful character of better community interests, which Justice Benson was interested in, and the faculty of Willamette university were read by Dr. Doney. Justice Benson was a trustee of Willamette university and had given valuable service in that capacity. Dr. Doney said.

Judge McCamant spoke feelingly of his long acquaintance with Justice Benson. He referred to the jurist as a man of strong character, of sympathetic nature and a person who was admired and respected by all those with whom he came in contact.

The funeral was attended by a large crowd, including many friends (Concluded on Page 4, Column 3.)

PORTLAND IS CHOSEN FLEET SALES CENTER

HEADQUARTERS FOR IDAHO AND MONTANA ALSO.

Plan Is to Make It as Easy to Buy Supplies as It Is From Corner Grocery Store.

THE OREGONIAN NEWS BUREAU, Washington, D. C., Oct. 18.—Portland is to be headquarters for the Oregon district, comprising Oregon, Idaho and Montana, in a comprehensive policy for disposing of surplus supplies of the emergency fleet corporation, it was announced today.

For the purpose of selling surplus materials originally valued at \$125,000,000, but now appraised at \$45,000,000, the country has been divided in seven districts. Joseph W. Frowell, president of the emergency fleet corporation, said.

These districts include three of the Pacific coast, as follows: Northern Pacific, Washington and points in western Canada, headquarters, United States shipping board, Tacoma, Oregon; United States shipping board warehouse, St. Johns, Portland; southern Pacific, California, Utah, Nevada and Arizona, headquarters, United States shipping board warehouse, Alameda.

The new sales policy President Powell said: "The aim of the corporation, in outlining its policy, has been to remove all restrictions and limitations which have tended to make difficult the purchase of government-owned supplies by the general public corporations or others not thoroughly familiar with usual governmental requirements. Each of the district directors of sales will be authorized to make cash sales of property in amounts not exceeding \$5000, and we intend to make it just as easy to purchase from one of the fleet corporation's stores in quantities not exceeding this amount as it is from the usual corner grocery store. Where the materials run into values greater than \$5000, approval by the manager of the material sales division, located in Washington, will be necessary, but the organization will be such as to permit immediate action on such purchases.

"In developing the policy of sales the fleet corporation has made provision not only for sales to the public but of transfer to other government departments along the lines laid down by General Dawes, for in transfer of this character the amount of the sale is returned to the treasury, and in addition the government is advised of the difference between the sale value and the price that the purchasing department would have to pay if it went into the open market to meet its needs."

Only Three Republicans Vote No. Only three republicans, Borah of Idaho, La Follette of Wisconsin and Norris of Nebraska, who, absent on account of illness, was paired against ratification, voted against the treaties. Fourteen democrats supported the treaties while two more were paired in favor of ratification.

Prior to the final vote all attempts to amend the treaty or the reservations reported by the foreign relations committee were resisted.

The latter, which were adopted without a record vote, provide that the United States shall have representation on the allied nations' commission or on any other international agency without consent of congress.

NATIONAL SELLING PLAN

Farmers' Committee Working Out Livestock Marketing.

CHICAGO, Oct. 18.—The outline of a national co-operative livestock marketing plan was being whipped into shape today by the farmers' livestock marketing committee of 15 for presentation to a ratification conference in Chicago November 10. The committee is fostered by the American Farm Bureau federation, and has for its chairman C. H. Gustafson of Lincoln, Neb.

PREPARING FOR THE RAILROAD STRIKE.



SENATE RATIFIES 3 PEACE TREATIES

German, Austrian, Hungarian Pacts Approved.

VOTE ON TWO IS 66 TO 20

Three Senators Absent During Rollcall on Third.

FULL PEACE RATIFIED

Reservations Reported by Foreign Relations Committee Included in Action.

WASHINGTON, D. C., Oct. 18.—The administration's peace treaties with Germany, Austria and Hungary were ratified by the senate tonight, the vote on the first two being 66 to 20, or eight more than the necessary two-thirds and in the case of the Hungarian treaty, due to the absence of three senators, 66 to 17.

The action completed the administration's immediate peace program and brought a full state of peace with the principal enemy powers. Remaining now only are the formal exchanges of ratification except in the case of the Hungarian treaty, as that government alone has yet to complete parliamentary action.

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Substitute Is Rejected.

An effort to substitute the treaty of Versailles with the 12 Lodge reservations also was voted down, 59 to 25. The motion was made by Senator King, democrat, Utah, but Senator Lodge, republican leader, declared the substitute was not in order.

Another reservation proposed by Senator McKellar, democrat, Tennessee, providing that Germany should acknowledge and accept full responsibility for provoking the war, was defeated, 66 to 12.

An amendment offered by Senator King, declaring against confiscation of property of German citizens seized by the alien property custodian, was rejected without a rollcall.

The rollcall on ratification of the German treaty follows:

For Ratification: Republicans—Ball, Brandegee, Brumm, Calder, Cameron, Capper, Colt, Cummins, Curtis, Dillingham, Dupont, Edge, Elkins, Ernst, Fernald, France, Frelinghuysen, Gooding, Hale, Harrell, Johnson, Kellogg, Kenyon, Keyes, Lenroot, Lodge, McCormick, McCumber, McKinley, McLean, McNary, Moses, Nelson, New, Newberry, Nicholson, Norbeck, Oddie, Page, Penrose, Poindexter, Shortridge, Smoot, Spencer, Sterling, Sutherland, Townsend, Wadsworth, Warren, Watson (Indiana), Wheeler and Willis. Total 52. Democrats—Ashurst, Broussard, Dial, Fletcher, Gerry, Kendrick, Myers, Owen, Pomerene, Ransdell, Shields, Trammell, Underwood and Walsh (Massachusetts). Total 14.

Against Ratification: Republicans—Borah and La Follette. Total 2. Democrats—Caraway, Culberson, Glass, Harris, Harrison, Heiflin, Jones (New Mexico), King, McKellar, Overman, Pittman, Reed, Sheppard, Simmons, Stanley, Walsh (Montana), Watson (Georgia), and Williams. Total 18.

With the vacancy caused by the death of Senator Knox the total membership of the senate was 95. Nine senators were paired as follows: Hitchcock, democrat, Nebraska; Jones, republican, Washington; Ladd, republican, North Dakota; Phipps, republican, Colorado; Smith, democrat, South Carolina, and Stanford, republican, Oregon, for ratification, and Norris, republican, Nebraska; Robinson, democrat, Arkansas, and Swanson, democrat, Virginia, against ratification.

Senator Johnson, republican, California, an "irreconcilable" in the Versailles treaty fight, opened the day's discussion in the senate with a statement explaining his position on ratification.

Senator Johnson said he could not subscribe to the views of other "irreconcilables" that the treaty would be likely to involve this country in European entanglements, although recognizing the sincerity of those holding that view.

Rec Of Office Amendment. Senator Borah, republican, Idaho, declared he could not subscribe to the views of Senator Johnson that the (Concluded on Page 4, Column 4.)

TROOPS, ABLE TO RUN TRAINS, BEING LISTED

CANVASS OF EIGHTH ARMY CORPS AREA ORDERED.

Action Is Declared to Be Only in Accordance With Policy of Preparedness Always.

SAN ANTONIO, Tex., Oct. 18.—(By the Associated Press.)—Orders for a canvass of all military commands in the 8th army corps area, comprising five states, for soldiers experienced in the operation of railway trains and maintenance of ways, have been issued at area headquarters, Fort Sam Houston. It was learned today.

The report, it was said, would show the number of officers and enlisted men of each command who have had railroad experience in 24 lines of work. The men will be classified under five heads: Officials, train employes, yard and station employes, shopmen and maintenance of way and construction. Personnel officers have been instructed to compile the information from records of each soldier and submit the report to headquarters.

The list of railroad workers under which experienced men would be classified is as follows: Officials: Superintendents, master mechanics, trainmasters, roundhouse foremen, dispatchers.

Train employes: Conductors, locomotive engineers, locomotive firemen, brakemen.

Yard and station employes: Station agents, clerks, telegraph operators, yard clerks, switchmen.

Shopmen: Clerks, machinists, boilermakers, carmen, blacksmiths, acetylene welders, hostlers, roundhouse men.

Maintenance of way and structures: Bridge carpenters, pieldrivers and crane engineers, structural steel workers and trackmen.

States in the area are Texas, Oklahoma, New Mexico, Arizona and Colorado.

WASHINGTON, Oct. 18.—(By the Associated Press.)—The canvass ordered among military commands in connection with the threatened railroad strike was understood to be general staff in line with the general policy of always being prepared to act at a moment's notice in an emergency develops and also to be in a position to give information as to resources quickly should administration desire it.

Although no officials would comment on the orders issued at San Antonio, Lt. J. Underwood, secretary of the military committee, said that the canvass has been ordered as a matter of routine by officers. Other departments of the government, it was understood, had begun a canvass of the situation to be in a position to act at a moment's notice. It was made clear, however, that the situation was so nebulous as to make it practical to await developments before taking action.

MARINERS ARE WARNED

Storm Off Vancouver Island Moves Southeast Rapidly.

The weather bureau issued warning to coast shipping last night of a storm off Vancouver island, moving rapidly southeast bringing southeast gales through today.

The gales will be confined almost entirely to the coast it was said by Frank Gilliam, temporarily in charge of the station here.

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ALIENISTS HOLD BRUMFIELD SANE

Holes Torn Into Defense by Two Physicians.

CASE GOES TO JURY TODAY

Prisoner Keeps His Nerve in Face of Reverses.

STATE REBUTTAL STRONG

Witnesses to Offset Insanity Plea Declare Dentist Normal About Date of Russell Murder.

BY DON SKENE ROSEBURG, Or., Oct. 18.—(Special.)—The fate of Richard M. Brumfield, charged with murder, will be in the hands of the jury tomorrow night.

Attorneys for prosecution and defense rested their respective cases this afternoon and plans were made to present the closing arguments tomorrow. Judge Bingham announced that he would issue his instructions and send the jury out to deliberate on a verdict, even if a night session were necessary to reach this stage of the trial.

Pale and tense, Dr. Brumfield today heard two recognized experts on insanity answer a hypothetical question based on the testimony in the case, with the firm professional opinion that the defendant was not insane on the July night when he is alleged to have murdered Dennis Russell by methods of unusual brutality.

Holes Torn in Defense.

Dr. William House of Portland, an authority on the brain and nervous diseases, and Dr. George E. Houck of Roseburg were the physicians who tore holes in the insanity plea of the defense. Their testimony outweighed that of Dr. B. P. Scaife of Eugene, who testified that in his opinion the defendant had suffered from "a compound type of insanity which had some of the elements of several forms," but who gave only a vague explanation of what he meant by these terms.

The prosecution added to the advantage of expert medical testimony by calling nine other witnesses who had observed Dr. Brumfield on the day of the murder or a few days before, and whose general opinion was that they had noticed nothing unusual in the actions of the defendant at that time.

Defendant Keeps His Nerve.

In spite of the damaging testimony piled up by the state, the remarkable self-control of Dr. Brumfield did not waver. The accused slayer walked briskly to the jury box at adjournment tonight, before a crowd of girls and old women who had waited patiently on the courthouse lawn for his appearance, which was about 40 minutes behind his regular schedule because of a conference in court.

He entered the jail and told officers that he felt fine. He whistled gay, tuneless airs as he busied himself making a fire in his cell. His conduct killed the rumor that he had expressed the belief that he "had almost given up hope," and the unfounded report that tears had filled his eyes after the anxious today.

Dr. House testified that he had met and examined Dr. Brumfield, August 17, in the county jail at Portland, and that he had spent about 40 minutes talking to the defendant and observing him. "He answered all questions intelligently," said Dr. House. "He said he remembered nothing after July 10, but described the automobile ride he took on that morning.

Vague About Finances.

"He recalled the incidents of his visit to Portland and Blaine, Wash., shortly after the murder as well as he did yesterday on the witness stand. He talked vaguely of his finances, and told me that he had an income of \$700 or \$800 a month.

"Dr. Brumfield said he had a wife and three children whom he loved. His eyes dimmed with some emotion, but that was natural and not the result of a mental breakdown.

"The defendant was perfectly sane at that time." Dr. House was then asked the long hypothetical question involving a synopsis of all the testimony presented in the trial.

"Assuming these facts to be true, was the defendant sane or insane July 12?" asked Deputy Prosecutor Hammerly.

Prisoner Is Held Sane.

"He was not insane," answered Dr. House. "Did he have sufficient mental capacity on that date to distinguish right from wrong, and appreciate the nature and consequences of his act?" the doctor. "In my opinion," said the physician. "Although the act was not rational, no evidence of insanity was present."

The defense confined cross-examination of Dr. House to a few unimportant questions.