

[54] **CASE FOR CIGARETTES AND CIGARETTE SUBSTITUTE**

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[51] Int. Cl. .... **B65d 51/20**, B65d 79/00, B65d 85/10

[58] Field of Search. 206/41 D, 38 R, 38 A, 41.2 B, 206/41.2 R; 220/29, 20, DIG. 26, 41; 131/170 A, 8 A

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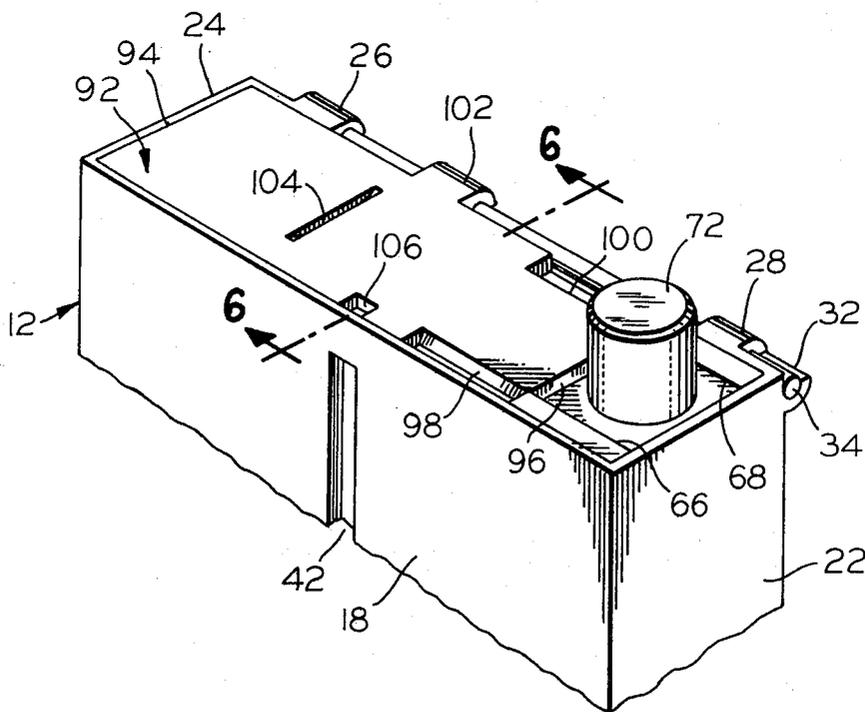
Primary Examiner—William T. Dixon, Jr.

[57] **ABSTRACT**

A cigarette case for carrying cigarettes and a substitute therefor comprises a housing having a sidewall, a bottom wall and partition means extending between portions of the sidewall to define a plurality of side-by-side open-topped compartments including at least one compartment for holding a plurality of cigarettes and a second compartment for holding a cigarette substitute or kicker. A cover is mounted on the housing for movement between a closed position and an open position and means are provided for preferentially exposing a kicker of the second compartment when the cover is moved from the closed position to the open position.

The preferential exposing means may include biasing means in the bottom of the second compartment for urging a kicker in the second compartment upwardly and/or selector means mounted on the housing beneath the cover for movement between a cigarette-accessing position and a kicker-accessing position, and means permitting movement of the cover to the closed position only when the selector means is in the kicker-accessing position, whereby upon movement of the cover to the open position from the closed position the kicker is preferentially exposed.

**11 Claims, 8 Drawing Figures**



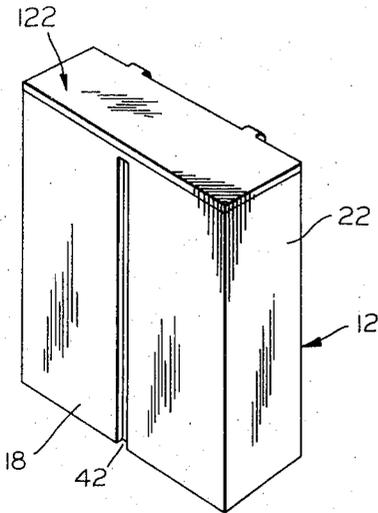


FIG. 1

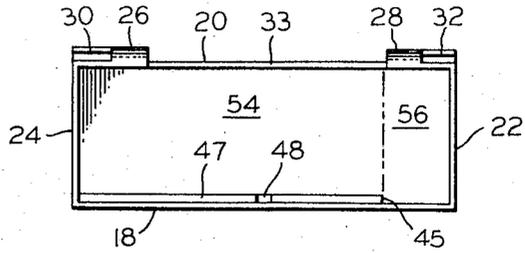


FIG. 3

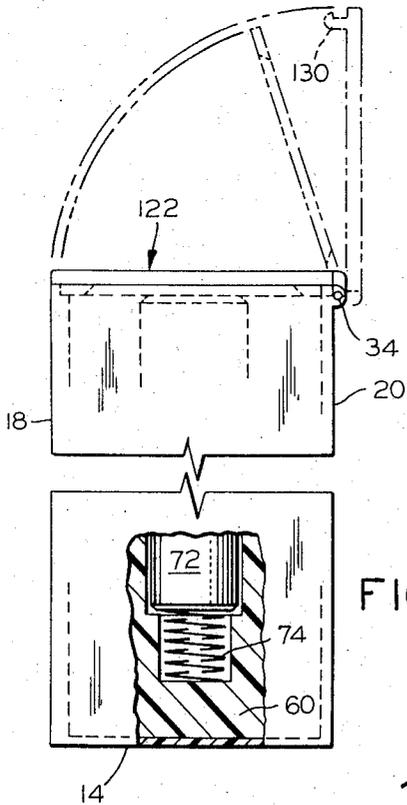
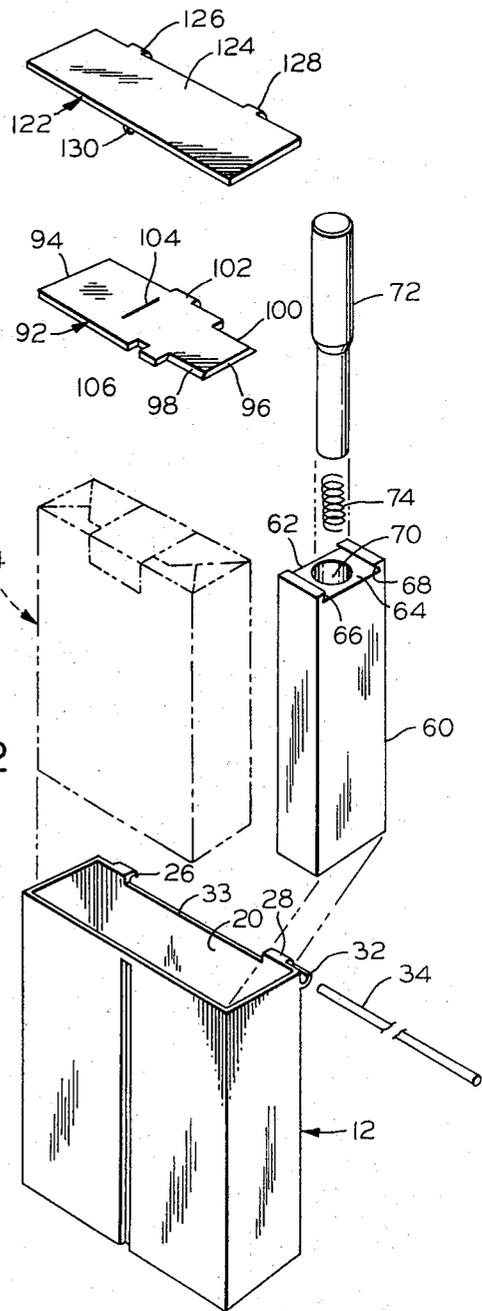


FIG. 2

FIG. 4



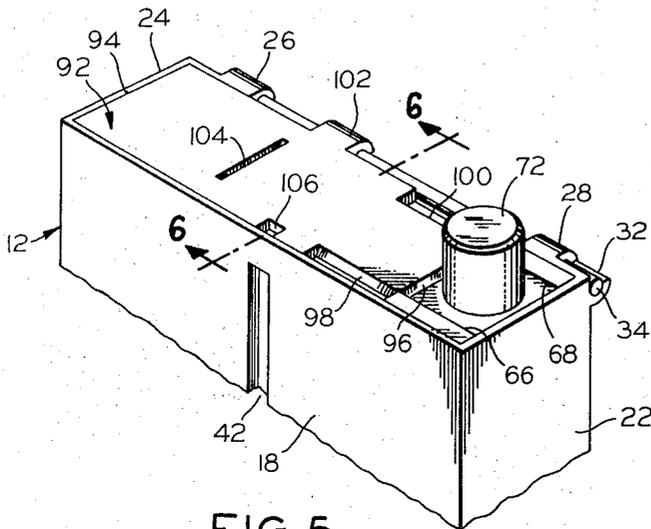


FIG. 5

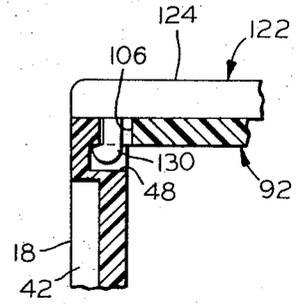


FIG. 6

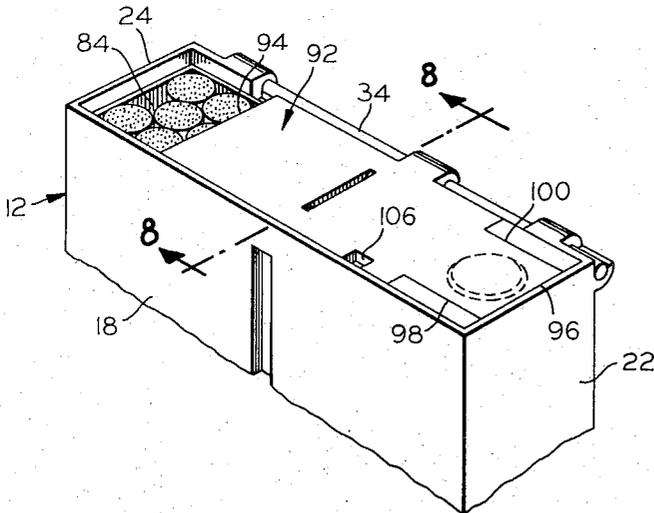


FIG. 7

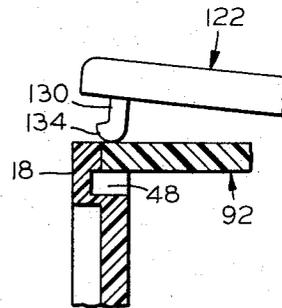


FIG. 8

## CASE FOR CIGARETTES AND CIGARETTE SUBSTITUTE

### BACKGROUND OF THE INVENTION

Especially in recent years it has become generally accepted that cigarette smoking is harmful to one's health, and there have been explored a wide variety of techniques to supplement the will power of the aspiring kicker of the habit. One of the more successful techniques has been the use of "kickers" which are nothing more than artificial cigarettes, composed of plastic or other material, which may be handled, sucked on and fiddled with, just as with an ordinary cigarette, to satisfy many of the psychological and nervous needs associated with smoking. A kicker may be a simple reproduction of a cigarette in plastic or other inert material, or, at the other extreme, a fancy, occasionally jeweled cigarette holder containing an artificial cigarette which is so shaped and colored as to give the appearance of being lit and even partially smoked.

The kicker technique is not without its faults. People deeply in the grip of the smoking habit are afraid to rely on kickers alone and therefore often carry cigarettes as well either for emergency cravings or merely because their goal is solely to taper off gradually or even just cut down on the quantity of cigarettes smoked. Thus, whenever the desire to smoke comes upon the person, he must make a choice between cigarette and kicker without any assistance. If the kicker is carried within the package of cigarettes, the choice is at least a fair one as the cigarette and the kicker are equally available; if the kicker is carried loose in the pocket or purse, the choice is often biased towards the cigarette as a cigarette package is easier to find in pocket or purse than a solitary kicker. In such instances where people desire to carry cigarettes as well as a kicker, what is required is a means of "assisting" the free will, a means of biasing the potential smoker towards the kicker rather than the cigarette in an effective yet rejectable manner.

Experience in the area teaches two things in particular. First, free will typically requires some fortification, some biasing towards the kicker as opposed to the cigarette. Second, the potential smoker must have a free choice or his resentment of the technique will undermine the efficacy of the technique. The latter point is best exemplified by the many smokers who carry "timer" cigarette cases which when properly wound permit access to cigarettes only at stated time intervals. In many cases the timer is simply never wound so that the cigarettes are always accessible, or, if it is wound, the user carries a "spare" pack of cigarettes to tide him through the intervals when he is not supposed to smoke. Thus, to be most effective in assisting a person to break the smoking habit, a technique must be utilized which cajoles and urges the user toward selection of the kicker rather than a cigarette, but still permits him the opportunity to exercise his free will and select a cigarette rather than the kicker if he should be so disposed at that instant.

Accordingly, it is an object of the present invention to provide a novel cigarette and kicker case which will afford a user the opportunity to select between two available alternatives: the cigarette and the kicker.

It is also an object to provide such a novel cigarette and kicker case which biases the user's choice by effec-

tively reminding him that he should in fact choose the kicker rather than a cigarette.

It is a further object to provide such a novel cigarette and kicker case which first proffers the user a kicker and which requires a positive rejection of the proffered kicker before a cigarette is made available.

It is another object to provide such a novel cigarette and kicker case which is easily and economically fabricated, durable in use, and easily operated.

### SUMMARY OF THE INVENTION

A cigarette case for carrying cigarettes and a substitute therefor comprises a housing having a sidewall, a bottom wall and partition means extending between portions of the sidewall to define a plurality of side-by-side open-topped compartments including at least one compartment for holding a plurality of cigarettes and a second compartment for holding a cigarette substitute. A cover adapted to span the open top of the housing is mounted on the housing for movement between a closed position and an open position. Means are provided for preferentially exposing a cigarette substitute of the second compartment when the cover is moved from the closed position to the open position.

In one embodiment the preferential exposure means includes biasing means in the bottom of the second compartment for urging a cigarette substitute in the second compartment upwardly whereby upon movement of the cover from the closed position to the open position a length of the cigarette substitute of the second compartment is exposed above the second compartment. In another embodiment the preferential exposure means includes selector means mounted on the housing beneath the cover for movement between a first position wherein the contents of the cigarette compartment are exposed in the open position of the cover and a second position wherein the contents of the second compartment are exposed in the open position of the cover and repositioning means permitting movement of the cover to the closed position only when the selector means is in the second position, whereby upon movement of the cover to the open position from the closed position a cigarette substitute of the second compartment is exposed.

Preferably the selector means and housing are cooperatively dimensioned and configured to close the second compartment in the first position. Also provided are means for releasably retaining the cover in the closed position when the selector means is in the second position, the cover retaining means being inoperative when the selector means is in the first position.

In a preferred embodiment the preferential exposure means includes both the biasing means and the selector means/repositioning means combination.

In another preferred embodiment a cigarette case for carrying smokable tobacco products and non-tobacco substitutes therefor comprises a housing having a sidewall, a bottom wall, and partition means extending between portions of the sidewall to define a plurality of compartments with an open end including a first compartment for holding smokable tobacco products and a second compartment for holding non-tobacco substitutes. Cover means adapted to span the open compartment ends is mounted on the housing for movement between a closed position and an open position. Means are also provided for preferentially exposing the contents of a predetermined one of the compartments

when the cover is moved from the closed position to the open position.

The preferential exposure means comprises in one aspect selector means mounted on the housing beneath the cover for movement between a first position wherein the contents of the predetermined compartment are exposed in the open position of the cover and a second position wherein the contents of another compartment are exposed in the open position of the cover, and means permitting movement of the cover to the closed position only when the selector means is in the first position, whereby upon movement of the cover to the open position from the closed position, the contents of the predetermined compartment are exposed. The preferential exposure means comprises in another aspect biasing means disposed in the bottom of the predetermined compartment for urging the contents thereof upwardly, whereby upon movement of the cover from the closed position to the open position such contents are exposed above said predetermined compartment.

#### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of a cigarette case embodying the present invention;

FIG. 2 is an exploded view of the structural elements of the case with a cigarette package suitable for use therewith being shown in phantom line;

FIG. 3 is a plan view of the housing of the case to a slightly enlarged scale with the partition wall between compartments being outlined in phantom;

FIG. 4 is a fragmentary front elevational view of the case to a slightly enlarged scale with portions of the wall broken away to reveal internal construction and with the cover being shown by phantom line in an open position and the selector means being shown by phantom line in a refill position;

FIG. 5 is a fragmentary perspective view to a greatly enlarged scale of the case with the cover removed to reveal internal construction and the selector means in the kicker-accessing position;

FIG. 6 is a fragmentary cross sectional view to a further enlarged scale of the case taken along line 6—6 of FIG. 5 and with the cover being shown in the closed position;

FIG. 7 is a fragmentary perspective view of the case similar to FIG. 5 with the cover removed to reveal internal construction and with the selector means in the cigarette-accessing position; and

FIG. 8 is a fragmentary cross sectional view of the case taken along line 8—8 of FIG. 7 and with the cover being shown blocked from the closed position by the selector means.

#### DETAILED DESCRIPTION OF THE ILLUSTRATED EMBODIMENT

Referring now in detail to the drawings, therein illustrated is a cigarette case embodying the present invention and comprised of a housing generally designated by the numeral 12, a cover generally designated by the numeral 122 and a selector generally designated by the numeral 92.

The housing 12 is integrally formed with a bottom wall 14 and an upstanding sidewall composed of the front wall 18, the rear wall 20 and two end walls 22, 24. Adjacent the upper end of its outer surface, the rear wall 20 has a pair of hinges formed by downwardly arcuate lips 26, 28 and upwardly arcuate lips 30, 32. The

hinge lips are disposed in adjacent, but non-overlapping pairs 26, 30 and 28, 32 with the upwardly arcuate hinge lips 30, 32 of each hinge being disposed adjacent a corner of the housing. The upper edge of rear wall 20 is provided with a notch 33 between the downwardly arcuate hinge lips 26, 28 so that it extends below the level of the hinge pin 34 which has its ends seated in the barrels defined by the hinge lips 26, 28, 30, 32.

The outer surface of the front wall 18 has a deep centerline groove 42 extending vertically from the bottom wall 14 and terminating at a point somewhat below the upper edge thereof. The groove 42 is U-shaped in cross section and extends to a depth of about one-half the thickness of the front wall 18. The inner surface of front wall 18 has a recess of similar depth extending the full height thereof adjacent end wall 22 to provide a vertical shoulder 45 facing the end wall 22. The inner surface of the front wall 18 has a recess extending downwardly from the upper edge to the level of rear wall notch 33 to provide a front support shoulder 47 parallel to the rear wall notch 33. At the centerline, the inner surface of the front wall 18 is provided with a deeper notch 48 below the front support shoulder 47 to provide a latch shoulder as will be described hereinafter.

Referring now in detail to FIGS. 2-4, the housing 12 is divided into two open-topped, side-by-side, vertical compartments — a cigarette compartment 54 and a kicker compartment 56 — by means of the receptacle member 60 providing a partition wall 62 extending between front wall 18 and rear wall 20. The receptacle member 60 is of rectangular cross section and dimensioned to fit snugly within the housing 12 between the shoulder 45 and the end wall 22. A dovetail notch 64 is provided in the top surface of the receptacle member 60 and forms two opposed tapered shoulders 66 and 68 for a purpose which will be described hereinafter. A generally vertical aperture 70 is provided in the receptacle member 60 and opens at the top surface thereof, and its upper portion is of a diameter which slidably seats the cigarette substitute or kicker 72 and the lower portion thereof is of reduced diameter and seats the coil spring 74. The lower end of the coil spring 74 is securely affixed to the bottom wall of aperture 70 by any suitable means and the other end bears upon the kicker 72 to bias it outwardly of the aperture 70 and the housing 12.

The cigarette compartment 54 is configured and dimensioned to receive a cigarette package generally designated by the numeral 84 with the top surface thereof disposed below the plane of the front support shoulder 47 and the rear wall notch 33.

As best seen in FIGS. 2, 5 and 7, the selector 92 is substantially planar and elongated with one end portion 94 dimensioned to effectively close the open top of cigarette compartment 54 and the opposite end portion 96 of lesser width and provided with beveled front and rear edges 98, 100 adapted to slide along the shoulders 66, 68 of the notch 64 in the receptacle member 60 against end wall 22 to thereby effectively close the open top of kicker compartment 56. The rear edge of the selector 92 is provided with a hinge barrel 102 (only the downwardly arcuate hinge lip being shown) which provides both slidably and rotatably mounting of the selector 92 upon the hinge pin 34 for movement along a length intermediate the hinge lips 26, 28 of the

housing 12. The front portion of selector 92 extends over and is slidably supported upon the shoulder 47 formed in the inner surface of the front wall 18. The length of selector 92 is less than the length of the housing 12 between the end walls 22 and 24 by approximately the width of kicker compartment 56. An elongated recess or groove 104 is provided in the upper surface of the selector 92 for insertion of a fingernail or other means to facilitate sliding of the selector 92 between the cigarette-accessing and kicker-accessing positions. A notch 106 is formed in the front edge of the selector 92 for alignment when the selector 92 is in the kicker-accessing position directly above the notch 48 in front wall 18 as shown in FIGS. 5 and 6.

Accordingly, the selector 92 is movable to three extreme positions. As shown in FIG. 4, in the refill position the selector 92 has been pivoted upwardly about hinge pin 34 to permit removal of the used cigarette package and insertion of a fresh one. In both the kicker-accessing and cigarette-accessing positions shown in FIGS. 5 and 7, respectively, the selector 92 has been pivoted downwardly about hinge pin 34 until it is supported in the rear by hinge pin 34 and in the front by front support shoulder 47 and is slid back and forth thereon between housing end walls 22, 24. The lower edge of the notch 33 of the rear wall 20 provides additional slide support for the selector 92. As shown in FIG. 5, in the kicker-accessing position the selector end portion 94 abuts housing end wall 24, thereby covering the cigarette compartment 54 and exposing the kicker compartment 56. As shown in FIG. 7, in the cigarette-accessing position the selector end portion 96 is in close or abutting relationship with housing end wall 22, with the beveled surfaces 98, 100 seated in the dovetail notch 64 against the shoulders 66, 68, thereby covering the kicker compartment 56 and exposing a portion of the cigarette compartment 54 sufficiently large for removal of a cigarette.

The housing cover 122 has a generally planar and substantially rectangular body portion 124 and is pivotably mounted on the hinge pin 34 by means of a pair of spaced hinge barrels 126, 128 (only the downwardly arcuate hinge lips being illustrated) which are disposed between the housing hinge lips 26, 28 and the selector hinge 102. This sequential arrangement of the hinge elements along the hinge pin 34 is also dimensioned to enable a sufficient length of travel for the selector hinge 102 between the cigarette-accessing and kicker-accessing positions.

The cover 122 spans the top of the housing 12 and is pivotable about hinge pin 34 between an open position and a closed position, as shown in FIGS. 4 and 1, respectively. In the closed position, the cover 122 blocks access by the user to both cigarette compartment 54 and kicker compartment 56, while in the open position the cover 122 does not block access to either compartment.

Depending from the bottom surface of the cover body portion 124 is a resilient latch finger 130 with a forwardly extending lip portion 134 which releasably retains the cover 122 in the closed position. As shown in FIGS. 6 and 8, when the selector 92 is in the kicker-accessing position as shown in FIGS. 5 and 6, the latch 130 passes through the selector notch 106 and the lip portion 134 extends into the notch 48 of the front wall 18 where its beveled surface engages against the shoulder formed by the upper surface of the notch 48. The

bevel on the abutting surface of lip portion 134 and the natural resiliency of the material from which the latch 130 is formed are such that the cover 122 is normally retained closed by the action of latch 130 against the upward pressure exerted by spring 74 through kicker 72 although the cover 122 may be opened readily by inserting a fingernail under the front edge thereof and pushing it upwardly. When an attempt is made to close the cover 122 when the selector 92 is in the cigarette-accessing position as shown in FIGS. 7 and 8, selector notch 106 is out of alignment with latch 130 and blocks passage of the latch 130 to notch 48, thereby preventing latching.

#### OPERATION

In use, the cigarette case contains a kicker 72 in kicker compartment 56 and a cigarette package 84 in cigarette compartment 54. Assuming the cover 122 to be in the closed position, the selector 92 is in the kicker-accessing position and the coil spring 74 is compressed due to the action of the closed cover 122 on the top of kicker 72. The latch 130 extends through selector notch 106 and front wall notch 48, with latch lip portion 134 engaging the underside of a portion of front wall 18 to resist the spring action. To open the case, finger pressure is applied upwardly to the front of the cover 122 to cause the resilient latch 130 to retract and disengage from the front wall notch 48 and pass upwardly through the selector notch 106. As the cover 122 moves to the open position, the kicker 72 will be exposed preferentially, relative to cigarette package 84, both because the selector 92 is in the kicker-accessing position wherein it closes the cigarette compartment 54 and because kicker 72 springs upwardly above the top of kicker compartment 56 and the housing 12 due to the biasing action of spring 74.

Because the kicker 72 is preferentially exposed in the sense of both visibility and accessibility, the user will hopefully be influenced to utilize the preferred kicker. If so, the user need only remove the kicker 72 from aperture 70 and lower the cover 122. Should the user decide to have a cigarette, he must take the positive kicker-rejecting steps of depressing the kicker 72 and simultaneously sliding the selector 92 into the cigarette-accessing position. Then, after he has obtained his cigarette, the user must first return the selector 92 to the kicker-accessing position to enable subsequent movement of the cover 122 to the closed position and operation of the latch 130. (Although the return of the selector 92 to the kicker-accessing position could be effected automatically through the use of either springs or matingly contoured cover and selector surfaces to provide camming action, it is felt that there are psychological advantages to having the user intentionally and positively manually return the selector 92 to the kicker-accessing position, thereby symbolically rededicating himself to use of the kicker the next time he opens the case.)

To refill the cigarette case with a fresh cigarette package 84, the cover 122 is moved to the open position, and the selector 92 is moved to the kicker-accessing position and then rotated upwardly about hinge pin 34 to expose the entire contents of the cigarette compartment 54, as shown in FIG. 4. After the removal of the used cigarette package and insertion of a fresh one into the cigarette compartment 54, the cover 122 is moved to the closed position, thereby bringing

the selector 92 automatically back into the kicker-accessing position.

The cigarette case is both simple and economical to manufacture and assemble. With the exception of the coil spring, all parts may be inexpensively molded of synthetic resin and a different spring configuration may be employed to permit use of synthetic resin therefor. The housing may be of a length to accommodate all popular lengths or housings of various lengths may be provided for different models to accommodate the several popular cigarette lengths. The spring is easily cemented into position in the base of the aperture or it may be hooked onto a lug provided for the purpose. The receptacle member may have variously configured and dimensioned apertures for different models to accommodate popular kicker configurations.

After insertion of the receptacle member into the housing, the selector and cover are next placed in proper assembly position and then locked therein by inserting a hinge pin through the various sets of hinges.

Although the biasing means or spring in the kicker compartment and the selector cooperately function to preferentially expose a kicker when the cover is moved from the closed position to the open position and as such are desirably used together, it is evident that the selector and the spring may also be utilized separately and independently of one another. Thus, even in the absence of a spring, the selector in the kicker-accessing position preferentially exposes the kicker by revealing the top of the kicker to the user and inviting access thereto while precluding immediate access to the contents of the cigarette compartment. Similarly, even in the absence of the selector, the spring preferentially exposes the cigarette substitute or kicker by causing the kicker to be at least partially ejected from the kicker compartment and housing and hence be extremely visible and accessible while the cigarettes remain within the cigarette compartment.

Instead of a kicker, smokable non-tobacco products may be contained within the kicker compartment. For example, there is a "cigarette" made from lettuce which contains no nicotine and little, if any, tars. The use of such smokable non-tobacco products as a smokable kicker is recommended by doctors to those who do not have the willpower to cut down on smoking. Unfortunately, however, users tend to find the non-tobacco product considerably less satisfying than the tobacco product, and the instant case would be useful therefore in providing means for preferentially exposing the non-tobacco product to urge the user to utilize the non-tobacco product in preference to the tobacco product.

The partition wall need not be an integral portion of a receptacle member as shown, but instead may be a separate partition wall molder between the front and rear walls of the housing. If so desired, the selector need not be slidable between the cigarette-accessing position and the kicker-accessing position, but instead the cigarette and kicker compartments may be of the same length and one end of the selector may be pivotally mounted on the housing upon the partition wall and pivotable from one position to the other. The upper surface of the selector and the lower surface of the cover may be cooperatively configured with projections and depressions which will only mesh sufficiently to allow operation of the latch when the selector is in the kicker-accessing position. Moreover it will be appreciated that the principles of the present invention

may be adapted to operate in conjunction with a bill-fold type of cigarette case wherein the sides of the case open down a centerline to expose a layer of cigarettes associated with each side.

Thus, it can be seen from the foregoing description and drawing that the present invention provides a novel cigarette and kicker case which affords the user an opportunity to select between two available alternatives, the cigarette and the kicker. Furthermore, the novel case biases the user's choice by effectively reminding him that he should in fact choose the kicker rather than a cigarette and requiring a positive rejection of the preferred kicker before a cigarette is made available. The remainder is provided by the automatic action of the case which upon opening preferentially exposes a kicker. The case is easily and economically fabricated and assembled, is durable in use and is easily operated.

Having thus described the invention, we claim:

1. A cigarette case for carrying cigarettes and a substitute therefor comprising:

a. a housing having a sidewall, a bottom wall and a partition means extending between portions of said sidewall to define a plurality of side-by-side open-topped compartments including at least one compartment for holding a plurality of cigarettes and a second compartment for holding a cigarette substitute;

b. a cover adapted to span the open top of said housing mounted on said housing for movement between a closed position and an open position; and

c. means for preferentially exposing a cigarette substitute of said second compartment when said cover is moved from said closed position to said open position, said preferential exposure means comprising selector means mounted on said housing beneath said cover for movement between a first position wherein the contents of said cigarette compartment are exposed in the open position of said cover and a second position wherein the contents of said second compartment are exposed in the open position of said cover, and means permitting movement of said cover to said closed position only when said selector means is in said second position whereby upon movement of said cover to said open position from said closed position a cigarette substitute of said second compartment is exposed.

2. The case of claim 1 including means pivotably mounting said selector on said housing.

3. The case of claim 1 including means slidably mounting said selector means on said sidewall of said housing for movement across the open top of said compartments.

4. The case of claim 3 wherein said selector means and said housing are cooperatively dimensioned and configured to close said cigarette compartment in said second position and to close said second compartment in said first position.

5. The case of claim 1 wherein said cigarette compartment is dimensioned to hold a cigarette package and said selector means is dimensioned to span the open end of said cigarette compartment, and wherein said selector means is movable to a position wherein the entire top of said cigarette compartment is accessible for placing a refill package therein.

6. The case of claim 1 further including means for releasably retaining said cover in said closed position

when said selector means is in said second position, said cover retaining means being inoperative when said selector means is in said first position.

7. The case of claim 1 further including a single cigarette substitute, and wherein said cigarette compartment is dimensioned to hold a cigarette package and said second compartment is dimensioned to hold said cigarette substitute.

8. The case of claim 1 wherein said cover is pivotably secured to said sidewall of said housing.

9. The case of claim 1 wherein said preferential exposure means further comprises biasing means in the bottom of said second compartment for urging a cigarette substitute upwardly, whereby upon movement of said cover to said open position from said closed position an end of a cigarette substitute of said second compartment is exposed and urged upwardly in said second compartment to thereby expose a length thereof above said second compartment.

10. A cigarette case for carrying smokable tobacco products and non-tobacco substitutes therefor comprising:

- a. a housing having a sidewall, a bottom wall and a partition means extending between portions of said sidewall to define a plurality of compartments with an open end including a first compartment for holding smokable tobacco products and a second compartment for holding non-tobacco substitutes;

b. cover means adapted to span said open compartment ends mounted on said housing for movement between a closed position and an open position; and

c. means for preferentially exposing the contents of a predetermined one of said compartments when said cover is moved from said closed position to said open position, said preferential exposing means comprising selector means on said housing beneath said cover for movement between a first position wherein the contents of said one compartment are exposed in the open position of said cover and a second position wherein the contents of another of said compartments are exposed in the open position of said cover, and means permitting movement of said cover to said closed position only when said selector means is in the said first position whereby upon movement of said cover to said open position from said closed position the contents of said one compartment are exposed.

11. The case of claim 10 wherein said preferential exposing means further comprises biasing means disposed in the bottom of said one compartment for urging the contents thereof upwardly whereby upon movement of said cover from said closed position to said open position said contents are exposed above said one compartment.

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