

# sec news digest

Issue 81-140

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July 22, 1981

U.S. SECURITIES AND  
EXCHANGE COMMISSION

## NOTICE OF COMMISSION MEETINGS

Following is a schedule of Commission meetings which will be conducted pursuant to provisions of the Government in the Sunshine Act. In general, the Commission expects to follow a schedule of holding closed meetings on Tuesdays, and open meetings on Thursday morning. Meetings on Wednesday, and if necessary on Thursday afternoons, will be either open or closed according to the requirements of agenda items under consideration. The Commission will not normally meet on Mondays or Fridays.

Visitors are welcome at all open meetings, insofar as space is available.

Meetings will be held in the Commission Meeting Room on the eighth floor of the Commission's headquarters building at 500 North Capitol Street, Washington, D.C. All visitors are required to sign in and obtain passes at the Reception Desk in the lobby. Persons wishing to photograph or videotape Commission meetings must obtain permission in advance from the Secretary of the Commission. Persons wishing to tape record a Commission meeting should notify the Secretary's office 48 hours in advance of the meeting.

### CLOSED MEETING - TUESDAY, JULY 28, 1981 - 10:00 A.M.

The subject matter of the July 28 closed meeting will be: Formal orders of investigation; Settlement of administrative proceedings of an enforcement nature; Settlement of injunctive action; Regulatory matter bearing enforcement implications; Administrative proceeding of an enforcement nature; Institution and settlement of administrative proceedings of an enforcement nature; Institution of injunctive action; Freedom of Information and Privacy Act appeals; Regulatory matters regarding financial institution; Opinion.

### OPEN MEETING - THURSDAY, JULY 30, 1981 - 10:00 A.M.

The subject matter of the July 30 open meeting will be:

- (1) Consideration of whether to grant the appeal of Donald B. Lewis for access to internal staff documents and Commission Minutes pertaining to the Commission's determinations regarding the initiation, prosecution and/or termination of the Commission's enforcement effort against the Firestone Tire & Rubber Co. FOR FURTHER INFORMATION, PLEASE CONTACT Theodore S. Bloch at (202) 272-2454.
- (2) Consideration of whether to affirm action, taken by the Duty Officer, granting access to non-public documents to John M. Fedders, Esquire, in connection with his assuming the position of Director of the Division of Enforcement. FOR FURTHER INFORMATION, PLEASE CONTACT Myrna Siegel at (202) 272-2430.
- (3) Consideration of whether to issue a proposed release which would amend the Commission's rules governing the delegation of authority to Regional Administrators to grant requests for changes of dates for annual audited reports filed by brokers and dealers. FOR FURTHER INFORMATION, PLEASE CONTACT Robert A. Love at (202) 272-2781.
- (4) Consideration of whether to approve the proposal of Colonial Gas Energy System, an exempt holding company subject to the financing sections of the Public Utility Holding Company Act pursuant to a stipulation, to merge with its two operating gas subsidiaries, Lowell Gas Company and Cape Cod Gas Company. The proposed transactions would combine Lowell and Cape Cod into one operating utility company and eliminate the holding company. FOR FURTHER INFORMATION, PLEASE CONTACT Mary Ann Oliver at (202) 523-5685.

(5) Consideration of whether to issue a series of eight releases which propose (or repropose) for comment the following rulemaking actions designed to implement the integrated disclosure system (the name and phone number of the persons to contact for further information on each release is in brackets following the description of the release):

(1) reproposal of Forms S-1, S-2, and S-3 (originally denominated Forms A, B, and C) to establish a three tier system for the registration of securities under the Securities Act of 1933 [William H. Carter at (202) 272-2604];

(2) reproposal of revised and expanded Regulation S-K in its entirety and reproposal of rescission of the Guides for the Preparation and Filing of Registration Statements and Reports (the Guides) other than the Guides relating to specific industries [Linda C. Quinn at (202) 272-2589];

(3) proposal of amendments to conduct a "sunset" review of and generally revise the procedural requirements of Regulation C (17 CFR 230.400 through 230.494) under the Securities Act and Regulation 12B under the Securities Exchange Act of 1934 [W. Scott Cooper at (202) 272-2589];

(4) reproposal of new Rule 462A under the Securities Act governing the registration of securities to be sold in delayed or continuous offerings [Beverly K. Rubman at (202) 272-2604];

(5) proposal of a new Rule 176 under the Securities Act relating to the responsibility of persons subject to Section 11 of the Securities Act in an integrated disclosure system [Gregory H. Mathews at (202) 272-2589];

(6) proposal of new Rule 436(g) under the Securities Act and publication of a release concerning the Commission's policy with respect to the disclosure of security ratings [Beverly K. Rubman at (202) 272-2604];

(7) proposal of amendments to certain existing Securities Act registration forms to coordinate those forms with revised Regulation S-K and other aspects of the integrated disclosure system and proposed rescission of certain other Securities Act registration forms [William H. Carter at (202) 272-2604]; and

(8) proposal of amendments to Exchange Act rules, forms and schedules to coordinate with revised Regulation S-K and other aspects of the integrated disclosure system; reproposal without change of amendments to Schedule 14A relating to business and other relationships between a director and an issuer and the vote required for the election of directors; and proposal of amendments to Rule 175 under the Securities Act and the corresponding safe harbor rules relating to projections under the other federal securities laws to broaden and clarify the scope of protection provided thereunder [Susan Davis at (202) 272-2390].

AT TIMES CHANGES IN COMMISSION PRIORITIES REQUIRE ALTERATIONS IN THE SCHEDULING OF MEETING ITEMS. FOR FURTHER INFORMATION AND TO ASCERTAIN WHAT, IF ANY, MATTERS HAVE ADDED, DELETED OR POSTPONED, PLEASE CONTACT: Bruce Mendelson at (202) 272-2091.

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## COMMISSION ANNOUNCEMENTS

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### WEEKLY CALENDAR

The following is a schedule of speaking engagements, Congressional testimony, Commission hearings and other public events involving the Commission for the week of July 26, 1981. (Commission Meetings are announced separately in the News Digest)

#### Tuesday, July 28

- \* Commissioner Philip A. Loomis, Jr. will testify before the House Subcommittee on Monopolies and Commercial Law concerning the operation of the Bankruptcy Code with respect to the securities industry. The hearing will be held at 9:30 a.m. in Room 2141 of the Rayburn House Office Building.

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## ADMINISTRATIVE PROCEEDINGS

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### STOP ORDER PROCEEDINGS INSTITUTED IN THE MATTER OF CGA COMPUTER ASSOCIATES, INC.

The Commission announced that it has instituted public administrative proceedings pursuant to Section 8(d) of the Securities Act of 1933 to determine whether a stop order should be issued suspending the effectiveness of a Form S-1 Registration Statement filed by CGA Computer Associates, Inc., a Delaware corporation engaged in the computer consulting and software marketing business, which currently is in effect. It is alleged that the Registration Statement in question contains false and misleading statements with respect to the accounting treatment as a pooling of interests of a business combination between CGA and another corporate entity, under circumstances where such accounting treatment was contrary to generally accepted accounting principles and had a materially misleading effect on, among other things, CGA's earnings as reported in the Form S-1 Registration Statement for the fiscal periods over which the business combination was given effect. A hearing has been set for 10:00 a.m. on July 30, 1981, in Room 2416, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. (Rel. 33-6328)

### RICHARD W. SUTER CITED

The Commission announced the institution of public proceeding against Richard W. Suter, doing business as National Investment Publishing Co. (Suter), a registered investment adviser located in Chicago, Illinois. The Order for Public Proceedings (Order) alleges that Suter wilfully violated the antifraud provisions of the Investment Advisers Act of 1940 (Advisers Act) in connection with his solicitation of subscriptions to his newsletters. Moreover, the Order alleges that Suter wilfully violated Section 204 of the Advisers Act in that he refused to allow the staff of the Commission to examine certain of his books and records required to be kept in connection with his registration with the Commission.

In addition, the Order alleges that Suter wilfully violated Section 5 of the Securities Act of 1933 (Securities Act) in connection with a nation-wide offer of unregistered securities, in the form of "investment units" in his newsletters, to at least 4,000 persons and sale of these securities to a number of persons. The Order also alleges that Suter wilfully violated the antifraud provisions of the Securities Act and the Securities Exchange Act of 1934 in connection with material misrepresentation and omissions made in the offer, purchase and sale of these securities.

A hearing will be scheduled to determine whether the allegations against the respondent are true and, if so, to decide what, if any, remedial action should be ordered by the Commission. (Rel. IA-762)

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## CIVIL PROCEEDINGS

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### WILLIAM GEORGE CARRINGTON 3D NAMED IN COMPLAINT AND CONSENTS TO A JUDGMENT OF PERMANENT INJUNCTION

The New York Regional Office announced that on July 8 a complaint was filed in the U.S. District Court for the Southern District of New York against William G. Carrington 3d, a registered representative and general securities principal of Jersey City, New Jersey. The complaint charges Carrington with violating anti-fraud provisions of the securities laws by converting customers funds to his own benefit and fabricating false confirmations and account summaries. On July 9 the Commission obtained a Judgment of Permanent Injunction against Carrington. The Judgment, consented to without admitting or denying the allegations in the Commission's complaint, permanently restrains Carrington from future violations of the securities laws cited in the complaint. (SEC v. William George Carrington 3d, S.D.N.Y., 81 Civil 4243 [MP]). (LR-9399)

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## CRIMINAL PROCEEDINGS

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### FUTRELL ENTERS PLEA OF GUILTY

The Fort Worth Regional Office announced that on July 9, at Shreveport, Louisiana, the Honorable Tom Stagg, U.S. District Judge for the Western District of Louisiana, accepted a plea of guilty from Robert Louis Futrell of Shreveport to one felony count of securities fraud. The remaining counts of the 12-count indictment, returned on June 19, 1981, will be dismissed at the time of sentencing, which has been set for August 14, 1981.

The count to which Futrell entered a plea of guilty arose out of the sale in 1976 of at least \$79,909 in fractional undivided working interests in an oil and gas lease issued by W.D.L. Enterprises, Inc. of Shreveport to investors residing in nine states. (U.S. v. Robert Louis Futrell, CR 81-50036-01, U.S.D.C. W.D. La.). (LR-9398)

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## INVESTMENT COMPANY ACT RELEASES

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### MUNICIPAL FUND FOR TEMPORARY INVESTMENT

An order has been issued on an application filed by Municipal Fund for Temporary Investment (Applicant), registered under the Investment Company Act of 1940 as an open-end, diversified, management investment company, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Sections 2(a)(41) and 12(d)(3) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant to acquire rights to sell its portfolio securities to brokers or dealers and, under its existing amortized cost order, to value such rights (acquired from banks, brokers or dealers) in the manner described in the application. (Rel. IC-11867 - July 21)

### MASSACHUSETTS FINANCIAL HIGH INCOME TRUST

An order has been issued on an application filed by Massachusetts Financial High Income Fund Trust, Massachusetts Investors Trust, Massachusetts Investors Growth Stock Fund, Inc., Massachusetts Income Development Fund, Inc., Massachusetts Capital Development Fund, Inc., Massachusetts Financial Development Fund, Inc., Massachusetts Financial Bond Fund, Inc., Massachusetts Cash Management Trust, MFS Managed Municipal Bond Trust, MFS Tax-Exempt Money Market Trust (formerly Massachusetts Cash Management Trust II), Massachusetts Financial International Trust (formerly MFI Trust), and Massachusetts Financial Services Company (Applicants), each of which (with the exception of Massachusetts Financial Services Company, MFS) is registered under the Investment Company Act of 1940 as an open-end, diversified, management investment company, pursuant to Section 6(c) of the Act, declaring that Charles W. Schmidt shall not be deemed to be an "interested person", as that term is defined in Section 2(a)(19) of the Act, of the Applicants, or of MFS, their investment adviser and principal underwriter, by reason of his positions as director of The Boston Company, Inc. and of Boston Safe Deposit and Trust Company. (Rel. IC-11868 - July 21)

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## LISTING, DELISTING AND UNLISTED TRADING ACTIONS

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### UNLISTED TRADING SOUGHT

A notice has been issued giving interested persons until August 6 to comment on the applications of the Midwest Stock Exchange, Incorporated for unlisted trading privileges in five issues which are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system. (Rel. 34-17952)

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## SELF-REGULATORY ORGANIZATIONS

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### NOTICE AND APPROVAL OF A PROPOSED RULE CHANGE

The Commission has approved a proposed rule change filed by the Pacific Stock Exchange, Incorporated (SR-PSE-81-10) which amends its rule concerning the resolution of uncompered options transactions. (Rel. 34-17956)

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## TRUST INDENTURE ACT RELEASES

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### LIFEMARK CORPORATION

An order has been issued under the Trust Indenture Act of 1939 on an application from Lifemark Corporation that the trusteeship of Manufacturers Hanover Trust Company under four indentures of Lifemark, three of which are qualified under the Act, is not so likely to involve a material conflict of interest as to make it necessary to disqualify Manufacturers from acting as trustee under any such indenture. (Rel. TI-644)

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## SECURITIES ACT REGISTRATIONS

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The following registration statements have been filed with the SEC pursuant to the Securities Act of 1933. The information noted below has been taken from the cover page and the facing sheet of the prospectus and registration statement and will appear as follows: Form; Name, address and phone number (if available) of the issuer of the security; Title and the number or face amount of the securities being offered; Name of the managing underwriter (if applicable); Whether the offering is a rights offering; File number and date filed; Assigned Branch; and whether the registration statement is a New Issue.

- (S-18) SYCON, INC., 3040 Scott Blvd., Santa Clara, CA 95050 (408) 727-2751 - 2,500,000 shares of common stock. Underwriter: First Colorado Investments & Securities, Inc., First National Bank Bldg., 621-17th St., Suite 1801, Denver, CO 80293. The company intends to develop, manufacture and market personal signature verification products but has not yet commenced production of such products. (File 2-73230-LA - July 14) (Br. 9 - New Issue)
- (S-2) PETRO-GOLD CORPORATION, 7100 Grapevine Highway, Suite 105, Fort Worth, TX 76118 (817) 284-0166 - 20,000,000 shares of common stock. Underwriter: International Securities, Inc., 1020 15th St., Brooks Towers, Suite 4 H, Denver, CO 80202 (303) 892-9644. The company was formed for the primary purpose of engaging in the acquisition, exploration, development and operation of oil and gas properties. (File 2-73282 - July 20) (Br. 5 - New Issue)
- (S-8) FIRST VIRGINIA NONQUALIFIED STOCK OPTION PLAN, One First Virginia Plaza, 6400 Arlington Blvd., Falls Church, VA 22046 (703) 241-3655 - 50,000 shares of common stock. (File 2-73292 - July 20) (Br. 1)
- (S-8) NORTHROP CORPORATION, 1800 Century Park East, Los Angeles, CA 90067 (213) 553-6262 - 700,000 shares of common stock. (File 2-73293 - July 21) (Br. 2)
- (S-6) THE FIRST TRUST OF INSURED MUNICIPAL BONDS, SERIES 68, 300 West Washington St., Chicago, IL 60606 - an indefinite number of units. Depositor: Clayton Brown & Associates, Inc. (File 2-73295 - July 21) (Br. 18 - New Issue)
- (S-15) MERCANTILE TEXAS CORPORATION, 1500 Mercantile Bank Bldg., Dallas, TX 75201 (214) 698-5000 - 883,918 shares of common stock. (File 2-73296 - July 21) (Br. 2)
- In a separate statement the company seeks registration of 236,100 shares of common stock. (File 2-73297 - July 21)
- (S-15) FIRST INTERNATIONAL BANCSHARES, INC., First International Bldg., 1201 Elm St., Dallas, TX 75270 (214) 744-7100 - 277,696 shares of common stock. (File 2-73298 - July 21) (Br. 1)

- (S-16) NABISCO BRANDS, INC., 9 West 57th St., New York, NY 10019 (212) 888-5100 - 2,000,000 shares of common stock. (File 2-73299 - July 21) (Br. 4)
- (S-1) RIGCO, LTD.-I, 308 West Broadway, Hobbs, NM 88240 - \$10,250,000 of limited partnership interests. Underwriter: Rauscher Pierce Refsnes, Inc. (File 2-73300 - July 21) (Br. 10 - New Issue)
- (S-1) KELDON OIL COMPANY, 314 East Thayer Ave., P.O. Box 1294, Bismarck, ND 58502 - 600,000 shares of common stock. Underwriter: Boettcher & Company. The company is engaged in oil and gas exploration, development and production, among other things. (File 2-73301 - July 21) (Br. 1)
- (S-7) ACAPULCO Y LOS ARCOS RESTAURANTES, 2690 E. Foothill Blvd., Pasadena, CA 91107 (213) 449-5467 - \$10 million of  $\frac{3}{4}$  convertible subordinated debentures, due 1996 and 200,000 shares of common stock. Underwriter: Bateman, Eichler, Hill Richards Incorporated. The company operates 22 restaurants specializing in Mexican food. (File 2-73302 - July 21) (Br. 3)
- (S-16) ADAMS-RUSSELL CO., INC., 1380 Main St., Waltham, MA 02154 (617) 890-2540 - 442,191 shares of common stock. (File 2-73303 - July 21) (Br. 8)
- (S-11) CENTENNIAL GROWTH EQUITIES REAL ESTATE PARTNERSHIP 1981 FUND, 3270 East Virginia Ave., Denver, CO 80209 - 50,000 units of limited partnership interest. (File 2-73304 - July 21) (Br. 6 - New Issue)
- (N-1) PRINCIPAL CASH MANAGEMENT FUND, INC., 3022 Principal Plaza, 10303 Jasper Ave., Edmonton, Alberta, Canada T5J 3N6 (403) 421-2020 - an indefinite number of securities. (File 2-73305 - July 21) (Br. 16 - New Issue)
- (S-6) E. F. HUTTON TAX-EXEMPT TRUST, NEW YORK SERIES 17, One Battery Park Plaza, New York, NY 10004 - 7,500 units. Depositor: E. F. Hutton & Company Inc. (File 2-73306 - July 21) (Br. 18 - New Issue)
- (S-1) MIDWAY AIRLINES, INC., 5700 South Cicero Ave., Chicago, IL 60638 (312) 471-4700 1,353,196 shares of common stock. Underwriters: The First Boston Corporation and Shearson Loeb Rhoades Inc. The company provides scheduled, single class, low fare, passenger service between Chicago's Midway Airport and eight cities within approximately two hours flying time of Chicago. (File 2-73307 - July 21) (Br. 9)
- (S-8) NL INDUSTRIES, INC., 1230 Avenue of the Americas, New York, NY 10020 (212) 621-9400 - 194,150 shares of common stock. (File 2-73308 - July 21) (Br. 4)
- (S-7) MISSISSIPPI POWER & LIGHT COMPANY, P.O. Box 1640, Jackson, MI 39205 (601) 969-2311 - 300,000 shares of  $\frac{3}{4}$  preferred stock, cumulative, \$100 par value. (File 2-73309 - July 21) (Br. 8)

#### REGISTRATIONS EFFECTIVE

- July 16: Hadson 1981-A Oil and Gas Program, 2-72766; Pico Products, Inc., 2-72318-NY.  
July 17: Bancorp Hawaii, Inc., 2-72032.  
July 20: Rohm and Haas Co., 2-73109; The Tenneco 1981 Drilling Fund, 2-72843.

#### REGISTRATION WITHDRAWN

- July 8: Crown Zellerbach Corp., 2-69129.

## ACQUISITIONS OF SECURITIES

Companies and individuals must report to the Commission within 10 days on Schedule 13D if after the acquisition of equity securities of a public company their beneficial interest therein exceeds 5%. Persons eligible to use the short form (Schedule 13G) may in lieu of filing a Schedule 13D file a Schedule 13G within forty-five days after the end of the calendar year in which the person became subject to Section 13(d)(1). The following companies or individuals filed Schedule 13D's during the period June 22, 1981. The number of shares of the security which are beneficially owned, and the number of shares concerning which there is a right to acquire are set forth for each beneficial owner. \*Amended Acquisition Reports.

<u>REPORTING COMPANY OR INDIVIDUAL</u>	<u>ISSUER &amp; NUMBER OF SHARES</u>	<u>DATE FILED</u>
* Deltec Panamerica S.A. (Panama)	American Realty Trust (Arlington, VA) Common Stock - 135,455 shs.	6-22-81
* Cheryl Chase Freedman David T. Chase Arnold L. Chase	Armstrong Rubber Company (New Haven, CT) Common Stock - 206,500 shs. (12.26%)	6-22-81
* Stephen Adams Associated Bankers Corp. Burke Beverage Co. Wayne A. Boysen, et al	Bank of Montana System (Great Falls, MT) Common Stock - 240,882 shs. (31.2%) Common Stock - 135,892 shs. (17.7%) on exercise of options	6-22-81
Joseph Stemler John F. Bishop Daniel R. Hay J. Bert Morgan, et al	Bentley Laboratories, Inc. (Irvine, CA) Common Stock - 428,320 shs. (11.4%)	6-22-81
* Asher B. Edelman	Bull Run Gold Mines Ltd. (Spokane, WA) Common Stock - 776,320 shs.	6-22-81
* Marvin L. Warner Combanks Corporation Home State Financial Services, Inc.	Century Banks, Inc. (Fort Lauderdale, FL) Common Stock - 1,286,903 shs. (20.6%) Common Stock - 55,675 shs. on conversion of Debentures	6-22-81
* Providers Benefit Life Insurance Co.	Gem State Securities Corp. (Boise, ID) Common Stock - 87,888 shs.	6-22-81
* Transco Realty Trust	HMG Property Investors, Inc. (No. Miami, FL) Shares of Beneficial Interest - 368,000	6-22-81
* Deltec Panamerica S.A. (Panama)	Hamilton Investment Trust (Elizabeth, NJ) Common Stock - 237,695 shs. (10.8%)	6-22-81
* Washington Holding, Inc.	International Bank (Washington, DC) Class A Common Stock - 1,440,410 shs. (17.8%)	6-22-81
* Raymond A. Weigel	Kysor Industrial Corp. (Cadillac, MI) Common Stock - 184,816 shs. Common Stock - 3,099 shs. on exercise of options	6-22-81
* Louisiana Land & Exploration Co.	Louisiana Land Offshore Exploration Co., Inc. (New Orleans, LA) Common Stock - 7,864,900 shs. (81.1%)	6-22-81
SAFECO Corporation	Minnesota Power & Light (Duluth, MN) \$7.36 Preferred Stock - 9,500 shs.	6-22-81
* Reliance Financial Services Corp. (Reliance Group, Inc., Parent)	Nexus Industries Inc. (NYC) Common Stock - 190,000 shs.	6-22-81
* Deltec Panamerica S.A. (Panama)	Property Investors of Colorado (Denver, CO) Shares of Beneficial Interest - 191,008 (11.8%)	6-22-81

NOTICE

Many requests for copies of documents referred to in the "SEC News Digest" have erroneously been directed to the Government Printing Office. Copies of such documents, registration statements, and other filings may be ordered by writing to the Public Reference Branch, Securities and Exchange Commission, Washington, D.C. 20549. When you are ordering more than one, we prefer that the documents be listed in alphabetical order by registrant name to expedite service. Cost estimates are given on request. Two types of service are available through the Public Reference Branch, one of which (priority service) is also available directly from the SEC's service contractor.

**REGULAR SERVICE** – The regular service reproduction cost is 10c per page, including applicable sales taxes, plus postage (\$5.00 minimum order). Regular service orders will be shipped within seven calendar days of the receipt by the SEC's service contractor of your request, forwarded from the Public Reference Branch. Slight delays may occur if the materials to be copied are not already in the contractor's master files.

**PRIORITY SERVICE** – Copies of documents may be ordered by telephone directly from the SEC's service contractor by calling 301/951-1350. The priority reproduction cost is 35¢ per page plus postage and applicable sales taxes (\$10.00 minimum order). Priority service orders will be shipped by 4:00 PM of the working day following the day of your telephoned request for materials already in the contractor's master files. Cost estimates are given on request.

All other reference material is available in the SEC Docket.

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