

# sec news digest

Issue 85-21

U.S. SECURITIES AND EXCHANGE COMMISSION  
January 31, 1985

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## COMMISSION ANNOUNCEMENTS

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### AMENDMENT TO RULES OF GENERAL ORGANIZATION

The Commission adopted amendments to its rules of general organization to reflect the dissolution of the Office of Public Utility Regulation and the transfer of the administration of the Commission's responsibilities under the Public Utility Holding Company Act of 1935 to the Division of Investment Management. (Rel. 35-23585)

FOR FURTHER INFORMATION CONTACT: John Komoroske at (202) 272-2700

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## ADMINISTRATIVE PROCEEDINGS

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### SAMUEL J. BENNETT BARRED; OTHERS SUSPENDED

Administrative Law Judge David J. Markun issued an initial decision barring Samuel J. Bennett from association with a broker or dealer, suspending Butcher & Singer, Inc., Bennett's former employer, for 30 days from engaging in market making transactions as principal in over-the-counter equity securities, and suspending Thomas A. Grey, a trader at Butcher & Singer, Inc., for 30 days from association with any broker or dealer.

The decision found that Bennett violated various antifraud provisions of the Exchange and Securities Acts as well as the registration provisions of Sections 5(a) and 5(c) of the Securities Act in the offer and sale of unregistered common stock of I.G.E., Inc. from 1977 to 1981. Much of the unregistered stock, Judge Markun found, was never authorized or issued by the issuer, and purported signatures on such stock certificates were either forged or caused to be forged by Bennett.

The sanction against Butcher & Singer is based, inter alia, upon findings of violations of the registration requirements of Sections 5(a) and 5(c) of the Securities Act and upon a finding of failure to properly supervise. Grey's sanction is based upon a finding of violation of Sections 5(a) and 5(c) of the Securities Act.

### EVANS & COMPANY INCORPORATED AND WILLIAM G. WALTERS CITED

The Commission instituted an administrative proceeding against Evans & Company Incorporated and William G. Walters. Simultaneously with the institution of these proceedings, Evans & Company and Walters consented to the Commission's Order without admitting or denying any of the facts or findings. The proceeding arose as the result of purchases and sales of the unregistered stock of XRG International, Inc. by the respondents. The Order censured Evans & Company, restricted its activities for 120 days, and required it to retain someone to review its compliance procedures. Walters is suspended for ten days and his activities are restricted for the following 270 days. (Rel. 34-21696) [see Rel. 34-21697 and LR-10662]

### EVANS LLEWELLYN SECURITIES, INC. AND ANDREW L. EVANS CITED

The Commission instituted an administrative proceeding against Evans Llewellyn Securities, Inc. and Andrew L. Evans. Simultaneously with the institution of these proceedings, Evans Llewellyn and Evans consented to the Commission's Order without admitting or denying any of the facts or findings. The proceeding arose as the result of a sale of a 100,00 share block of unregistered stock of XRG International, Inc. The Order censured Evans Llewellyn, restricted its activities for 180 days, and required it to retain a special person to review its compliance procedures. Evans is suspended for 30 days. (Rel. 34-21697) [see Rel. 34-21696 and LR-10662]

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## CIVIL PROCEEDINGS

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### CIVIL ACTION FILED AGAINST XRG INTERNATIONAL, INC., OTHERS

The Commission filed a civil action on January 30 in the U.S. District Court for the Southern District of Florida against XRG International, Inc., Michael A. Krebsler, Bryan E.W. Gransden, Manfred M. Kienzlen, Hans J.A. Reinecker, Pandata Anstalt, also known as Pandata Establishment, Anthony W. DeFeo, Jan A. Onderdijk, Frank Brown and Kenneth P. Ray. The complaint alleged that: the defendants violated the registration provisions of the Securities Act by either selling, participating in the sale, purchasing and reselling, or participating in the resale of unregistered XRG common stock; certain of the defendants violated the antifraud provisions of the Securities and Exchange Acts; and that certain of the defendants violated various reporting requirements under the Exchange Act. Without admitting or denying the complaint's allegations, XRG, Gransden, Kienzlen, DeFeo, Onderdijk and Brown consented to Final Judgments of Permanent Injunction enjoining them from violating the above provisions and ordering XRG to retain securities counsel in certain securities transactions. (SEC v. XRG International, Inc., et al., USDC FL, West Palm Beach Division, 85-8081). (LR-10662) [see Rel. 34-21696 and 34-21697]

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## INVESTMENT COMPANY ACT RELEASES

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### CARILLON FUND, INC.

An order has been issued granting Carillon Fund, Inc. exemptions from the provisions of Sections 13(a)(2), 18(f)(1), 22(f), and 22(g) of the Investment Company Act and to permit the Fund to adopt a deferred compensation plan for certain of its directors. (Rel. IC-14339 - Jan. 29)

### VAN KAMPEN MERRITT INSURED TAX FREE INCOME FUND INC.

An order has been issued exempting Van Kampen Merritt Insured Tax Free Income Fund Inc. (Fund) and its distributor, Van Kampen Merritt Inc., from Section 22(d) of the Investment Company Act to permit unitholders of certain unit investment trusts for which Van Kampen is the sponsor to reinvest their distributions from such unit trusts in shares of the Fund at net asset value plus a reduced sales load. (Rel. IC-14340 - Jan. 29)

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## SELF-REGULATORY ORGANIZATIONS

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### NOTICE OF PROPOSED RULE CHANGE

The Midwest Securities Trust Company filed a proposed rule change (SR-MSTC-85-2) to require participants to accept book-entry delivery of bearer securities. Publication of the proposal is expected to be made in the Federal Register during the week of February 4. (Rel. 34-21698)

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## SECURITIES ACT REGISTRATIONS

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The following registration statements have been filed with the SEC under the Securities Act of 1933. The reported information appears as follows: Form, Name, address and phone number (if available) of the issuer of the security; Title and the number and/or face amount of the securities being offered; Name of the managing underwriter or depositor (if applicable); File number and date filed; Assigned Branch; and a designation if the statement is a New Issue.

5-1 AMERICARE HEALTH CORP, 2600 V ST, SACRAMENTO, CA 95818 (916) 456-7000 - 335,730 (\$3,693,030) COMMON STOCK. (FILE 2-95160 - JAN. 23) (BR. 6)

5-18 MARGATE VENTURES INC, 10200 E GIRARD AVE, DENVER, CO 80231 (303) 755-1991 - 4,000,000 (\$80,000) COMMON STOCK. 4,000,000 WARRANTS, OPTIONS OR RIGHTS. 4,000,000 (\$600,000) COMMON STOCK. (FILE 2-95274-D - JAN. 11) (BR. 11 - NEW ISSUE)

5-18 DALTON COMMUNICATIONS INC, 1123 BROADWAY, NEW YORK, NY 10010 (212) 675-0531 - 3,000,000 (\$3,000,000) COMMON STOCK. 3,000,000 WARRANTS, OPTIONS OR RIGHTS. 300,000 (\$360,000) COMMON STOCK. (FILE 2-95370-NY - JAN. 18) (BR. 12 - NEW ISSUE)

- S-3 KANSAS GAS & ELECTRIC CO /KS/, 201 N MARKET ST, WICHITA, KS 67201 (316) 261-6611 - 2,500,000 (\$42,187,500) COMMON STOCK. (FILE 2-95386 - JAN. 18) (BR. 8)
- S-11 QUINN L PENSION INVESTORS LTD PARTNERSHIP, 3003 KNIGHT ST, C/O QUINN L EQUITIES, SHREVEPORT, LA 71105 (318) 865-8493 - 30,000 (\$30,000,000) LIMITED PARTNERSHIP CERTIFICATE. (FILE 2-95389 - JAN. 22) (BR. 5 - NEW ISSUE)
- S-11 EQUITEC REAL ESTATE INVESTROS FUND XVI, 7677 OAKPORT ST, PO BOX 2470, OAKLAND, CA 94614 (415) 430-9900 - 300,000 (\$150,000,000) LIMITED PARTNERSHIP CERTIFICATE. UNDERWRITER: EQUITEC SECURITIES CO. (FILE 2-95394 - JAN. 22) (BR. 5 - NEW ISSUE)
- S-8 DATA GENERAL CORP, 4400 COMPUTER DR, WESTBORO, MA 01580 (617) 366-8911 - 1,000,000 (\$59,250,000) COMMON STOCK. (FILE 2-95402 - JAN. 22) (BR. 9)
- S-8 DATA GENERAL CORP, 4400 COMPUTER DR, WESTBORO, MA 01580 (617) 366-8911 - 1,500,000 (\$88,875,000) COMMON STOCK. (FILE 2-95403 - JAN. 22) (BR. 9)
- S-6 HUTTON E F TAX EXEMPT TRUST CALIFORNIA INSURED SERIES 8, ONE BATTERY PARK PLZ, C/O E F HUTTON & CO INC, NEW YORK, NY 10004 - 12,000 (\$12,360,000) UNIT INVESTMENT TRUST. DEPOSITOR: HUTTON E F & CO INC. (FILE 2-95405 - JAN. 22) (BR. 18 - NEW ISSUE)
- S-8 TEXTRON INC, 40 WESTMINSTER ST, PROVIDENCE, RI 02903 (401) 421-2800 - 645,000 (\$21,607,500) COMMON STOCK. (FILE 2-95413 - JAN. 22) (BR. 12)
- S-14 CENTRAL JERSEY BANCORP - 4,284,399 (\$88,901,279.25) COMMON STOCK. (FILE 2-95414 - JAN. 22) (BR. 2 - NEW ISSUE)
- S-6 MUNICIPAL INVESTMENT TRUST FUND MULTISTATE SERIES X, ONE LIBERTY PLZ 165 BROADWAY, C/O MERRILL LYNCH PIERCE FENNER & SMITH, NEW YORK, NY 10080 - INDEFINITE SHARES. DEPOSITOR: DEAN WITTER REYNOLDS INC, MERRILL LYNCH PIERCE FENNER & SMITH INC, PAINWEBBER INC, PRUDENTIAL BACHE SECURITIES INC, SHEARSON LEHMAN AMERICAN EXPRESS INC. (FILE 2-95415 - JAN. 22) (BR. 17 - NEW ISSUE)
- S-8 RIVER OAKS INDUSTRIES INC, BOAZ INDUSTRIAL PARK, BOAZ, AL 35957 (205) 593-9240 - 700,000 (\$4,266,096) COMMON STOCK. (FILE 2-95423 - JAN. 18) (BR. 9)
- S-6 CORPORATE INCOME FUND ELEVENTH COLLATERALIZED BOND SERIES, ONE LIBERTY PLZ 165 BROADWAY, C/O MERRILL LYNCH PIERCE FENNER & SMITH, NEW YORK, NY 10080 - INDEFINITE SHARES. DEPOSITOR: DEAN WITTER REYNOLDS INC, MERRILL LYNCH PIERCE FENNER & SMITH INC, PAINWEBBER INC, PRUDENTIAL BACHE SECURITIES INC, SHEARSON LEHMAN AMERICAN EXPRESS INC. (FILE 2-95427 JAN. 22) (BR. 17 - NEW ISSUE)
- S-6 MUNICIPAL INVESTMENT TRUST FUND THIRTEENTH CALIF INSURED SER, ONE LIBERTY PLZ 165 BROADWAY, C/O MERRILL LYNCH PIERCE FENNER & SMITH, NEW YORK, NY 10080 - INDEFINITE SHARES. DEPOSITOR: DEAN WITTER REYNOLDS INC, MERRILL LYNCH PIERCE FENNER & SMITH, PRUDENTIAL BACHE SECURITIES INC, SHEARSON LEHMAN AMERICAN EXPRESS INC. (FILE 2-95428 - JAN. 22) (BR. 17 - NEW ISSUE)
- S-6 MUNICIPAL INVESTMENT TRUST FUND FIFTH NEW YORK PUT SERIES, ONE LIBERTY PLZ 165 BROADWAY, C/O MERRILL LYNCH PIERCE FENNER & SMITH, NEW YORK, NY 10080 - INDEFINITE SHARES. DEPOSITOR: DEAN WITTER REYNOLDS INC, MERRILL LYNCH PIERCE FENNER & SMITH INC, PRUDENTIAL BACHE SECURITIES INC, SHEARSON LEHMAN AMERICAN EXPRESS INC. (FILE 2-95429 - JAN. 22) (BR. 17 - NEW ISSUE)
- S-6 MUNICIPAL INVESTMENT TRUST FUND MULTISTATE SERIES M, ONE LIBERTY PLZ 165 BROADWAY, C/O MERRILL LYNCH PIERCE FENNER & SMITH, NEW YORK, NY 10080 - INDEFINITE SHARES. DEPOSITOR: DEAN WITTER REYNOLDS INC, MERRILL LYNCH PIERCE FENNER & SMITH, PAINWEBBER INC, PRUDENTIAL BACHE SECURITIES INC, SHEARSON LEHMAN AMERICAN EXPRESS INC. (FILE 2-95430 - JAN. 22) (BR. 17 - NEW ISSUE)
- S-6 MUNICIPAL INVESTMENT TRUST THIRTY FIRST INSURED SERIES, ONE LIBERTY PLZ 165 BROADWAY, C/O MERRILL LYNCH PIERCE FENNER & SMITH, NEW YORK, NY 10080 - INDEFINITE SHARES. DEPOSITOR: DEAN WITTER REYNOLDS INC, MERRILL LYNCH PIERCE FENNER & SMITH, PRUDENTIAL BACHE SECURITIES INC, SHEARSON LEHMAN AMERICAN EXPRESS INC. (FILE 2-95431 - JAN. 22) (BR. 17 - NEW ISSUE)
- S-6 MUNICIPAL INVESTMENT TRUST FUND NINETY SECOND NEW YORK SERIE, ONE LIBERTY PLZ 165 BROADWAY, C/O MERRILL LYNCH PIERCE FENNER & SMITH, NEW YORK, NY 10080 - INDEFINITE SHARES. DEPOSITOR: DEAN WITTER REYNOLDS INC, MERRILL LYNCH PIERCE FENNER & SMITH INC, PAINWEBBER INC, PRUDENTIAL BACHE SECURITIES INC, SHEARSON LEHMAN AMERICAN EXPRESS INC. (FILE 2-95432 JAN. 22) (BR. 17 - NEW ISSUE)

- S-14 MERCHANTS BANCORP INC/PA/, 702 HAMILTON MALL, ALLENTOWN, PA 18101 (215) 821-7215 - 741,698 (\$32,646,180) COMMON STOCK. (FILE 2-95434 - JAN. 22) (BR. 1)
- S-11 NATIONAL REALTY INCOME FUND LP, 8320 OIL COURTHOUSE ROAD, STE 200, VIENNA, VA 22180 - 15,000 (\$15,000,000) LIMITED PARTNERSHIP CERTIFICATE. (FILE 2-95435 - JAN. 22) (BR. 8 - NEW ISSUE)
- S-3 HOMAC MORTGAGE SECURITIES CORP, 15TH & M STS NW, WASHINGTON, DC 20005 (202) 955-810 - 500,000,000 (\$500,000,000) MORTGAGE BONDS. (FILE 2-95439 - JAN. 23) (BR. 11 - NEW ISSUE)
- S-8 AMERICAN MEDICAL BUILDINGS INC, 735 N WATER ST, MILWAUKEE, WI 53202 (414) 276-2277 - 2,532,099 (\$3,165,124) COMMON STOCK. (FILE 2-95444 - JAN. 23) (BR. 10)
- S-6 FIRST TRUST OF INSURED MUNICIPAL BONDS SERIES 134, 300 W WASHINGTON ST, CLAYTON BROWN & ASSOCIATES INC, CHICAGO, IL 60606 - INDEFINITE SHARES. DEPOSITOR: CLAYTON BROWN & ASSOCIATES INC. (FILE 2-95445 - JAN. 22) (BR. 18 - NEW ISSUE)
- S-8 COLLABORATIVE RESEARCH INC, 128 SPRING ST, LEXINGTON, MA 02173 (617) 861-9700 - 500,000 (\$2,690,000) COMMON STOCK. (FILE 2-95446 - JAN. 22) (BR. 8)

## RECENT 8K FILINGS

Form 8-K is used by companies to file current reports on the following events:

- Item 1. Changes in Control of Registrant.
- Item 2. Acquisition or Disposition of Assets.
- Item 3. Bankruptcy or Receivership.
- Item 4. Changes in Registrant's Certifying Accountant.
- Item 5. Other Materially Important Events.
- Item 6. Resignations of Registrant's Directors.
- Item 7. Financial Statements and Exhibits.

The companies listed below have filed 8-K reports for the date indicated and/or amendments to 8-K reports previously filed, responding to the item(s) of the form specified. Copies of the reports may be purchased from the Commission's Public Reference Section (in ordering, please give the date of the report). An invoice will be included with the requested material when mailed.

COMPANY	ITEMS NO.	DATE	
AMERITRUST CORP	2,7	11/27/84	AMEND
ARIZONA PUBLIC SERVICE CO	5	01/24/85	
BLUEWATER OIL & GAS LTD	5	01/11/85	
BMC INDUSTRIES INC/MN/	2,7	11/30/84	
BURNHAM AMERICAN PROPERTIES	2,7	01/08/85	
BURNHAM SLEEPY HOLLOW LTD	2,7	01/17/85	
CAROLINA POWER & LIGHT CO	7	01/03/85	
CHARTER CO	2,7	01/10/85	
CONTINENTAL HOME FINANCE CORP	5	01/25/85	
FLORIDA POWER & LIGHT CO	5	01/07/85	
FPL GROUP INC	5	01/07/85	
GRANT INDUSTRIES INC	5,7	12/04/85	
GREAT EASTERN INTERNATIONAL INC	5	01/21/85	
INTERCONTINENTAL LIFE CORP	1	01/02/85	
MASCO CORP /DE/	5,7	01/13/85	
MASCO INDUSTRIES INC	5,7	01/13/85	
MICHIGAN NATIONAL CORP	5	01/22/85	
MIDDLE SOUTH UTILITIES INC	5	01/17/85	
MISSISSIPPI POWER & LIGHT CO	5	01/17/85	
MONARCH INFORMATION SERVICES INC	5	01/12/85	
PAGE AMERICA GROUP INC	5,7	01/10/85	
SCRIPPS HOWARD BROADCASTING CO	2,7	01/10/85	
SEALED POWER CORP	2,7	01/10/85	
SYBRON CORP	5	01/23/85	
SYMBION INC	5	01/16/85	
TOP BRASS ENTERPRISES INC	5	01/18/85	
UNICORP AMERICAN CORP /DE/ /NEW/	2,7	12/31/84	
WELLS FARGO & CO	5	01/15/85	
WESTERN ENERGY DEVELOPMENT CO INC	7	11/15/84	AMEND