

on a form prescribed by the Commission. The deputy commissioner may, however, excuse the failure to furnish such report within twenty days when he finds it to be in the interest of justice to do so, and he may, upon application by a party in interest, make an award for the reasonable value of such medical or surgical treatment so obtained by the employee. If at any time during such period the employee unreasonably refuses to submit to medical or surgical treatment, the deputy commissioner may, by order, suspend the payment of further compensation during such time as such refusal continues, and no compensation shall be paid at any time during the period of such suspension, unless the circumstances justified the refusal.

"(e) Whenever in the opinion of the deputy commissioner a physician has not impartially estimated the degree of permanent disability or the extent of temporary disability of any injured employee, the deputy commissioner shall have the power to cause such employee to be examined by a physician selected by the deputy commissioner and to obtain from such physician a report containing his estimate of such disabilities. If the report of such physician shows that the estimate of the physician has not been impartial from the standpoint of such employee, the deputy commissioner shall have the power in his discretion to charge the cost of such examination to the employer, if he is a self-insurer, or to the insurance company which is carrying the risk.

Degree of disability.

"(f) All fees and other charges for such treatment or service shall be limited to such charges as prevail in the same community for similar treatment of injured persons of like standard of living, and shall be subject to regulation by the deputy commissioner.

Fees. Limitation.

"(g) The liability of an employer for medical treatment as herein provided shall not be affected by the fact that his employee was injured through the fault or negligence of a third party not in the same employ, or suit has been brought against such third party. The employer shall, however, have a cause of action against such third party to recover any amounts paid by him for such medical treatment in like manner as provided in section 33(b) of this Act."

Employer liability.

33 USC 933.

Approved September 13, 1960.

Public Law 86-758

AN ACT

September 13, 1960
[S. 1545]

To amend the Federal Aviation Act of 1958 so as to authorize elimination of a hearing in certain cases under section 408.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 408(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1378(b)) is amended by inserting immediately before the period at the end thereof a colon and the following: "Provided further, That, in any case in which the Board determines that the transaction which is the subject of the application does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly, and does not tend to restrain competition, and determines that no person disclosing a substantial interest then currently is requesting a hearing, the Board, after publication in the Federal Register of notice of the Board's intention to dispose of such application without a hearing (a copy of which notice shall be furnished by the Board to the Attorney General not later than the day following the date of such publication), may determine that the public interest does not require a hearing and by order approve or disapprove such transaction".

Air carriers, merger, hearings. 72 Stat. 767.

Publication in F. R.

SEC. 2. The amendment made by the first section of this Act shall apply only with respect to applications submitted to the Civil Aeronautics Board on or after the date of enactment of this Act.

Approved September 13, 1960.

Public Law 86-759

September 13, 1960
[S. 1663]

AN ACT

Directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, North Dakota

Bismarck, N.
Dak., land convey-
ance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to clear the title to the property hereinafter described the Secretary of the Interior is authorized and directed to convey by quitclaim deed, without consideration, to the city of Bismarck, North Dakota, all right, title, and interest of the United States in and to the following described tract of land, together with all buildings and other improvements thereon, situated in the city of Bismarck, North Dakota:

Part of the southeast quarter of section 5, township 138, range 80, beginning at the southeast corner of such section, thence due west for 1,786 feet, thence north 25 degrees and 46 minutes west a distance of 1,122.5 feet, thence north 66 degrees and 39 minutes west a distance of 454.9 feet, thence north 33 degrees and 22 minutes west a distance of 679 feet, thence north 25 degrees and 24 minutes west a distance of 610 feet, thence around a 30-degree 49-minute curve to the right a distance of 374.4 feet, thence due east 66 feet south of the quarter line of such section 5 a distance of 1,103 feet, thence due south a distance of 1,214 feet, and thence due east a distance of 1,220 feet, and thence due south a distance of 1,360 feet to the point of beginning.

Approved September 13, 1960.

Public Law 86-760

September 13, 1960
[S. 3771]

AN ACT

To amend certain provisions of the Trust Indenture Act of 1939, as amended.

Trust Indenture
Act of 1939, amend-
ment.

53 Stat. 1153.
15 USC 77ddd.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 304 of the Trust Indenture Act of 1939, as amended, is amended to read as follows:

"(c) The Commission shall, on application by the issuer and after opportunity for hearing thereon, by order exempt from any one or more provisions of this title any security issued or proposed to be issued under any indenture under which, at the time such application is filed, securities referred to in paragraph (3) of subsection (a) of this section are outstanding or on January 1, 1959, such securities were outstanding, if and to the extent that the Commission finds that compliance with such provision or provisions, through the execution of a supplemental indenture or otherwise—

"(1) would require, by reason of the provisions of such indenture, or the provisions of any other indenture or agreement made prior to the enactment of this title, or the provisions of any applicable law, the consent of the holders of securities outstanding under any such indenture or agreement; or

"(2) would impose an undue burden on this issuer, having due regard to the public interest and the interests of investors."

Approved September 13, 1960.