

EXHIBIT 7

TO

MEMORANDUM IN SUPPORT OF MOTION IN LIMINE TO ESTABLISH THE UNITED STATES' LEGAL ENTITLEMENT TO A FEDERAL RESERVED WATER RIGHT AND TO LIMIT THE SCOPE OF EVIDENCE NECESSARY AT TRIAL

Civil No. 05-cv-49053

(U. S. C. Title 19, sec. 3), the limits of the customs port of entry of Chester, Pennsylvania, in Customs Collection District No. 11 (Philadelphia), are hereby extended, effective thirty days from the date of this order, to include the following territory:

- Lower Chester Township
- Marcus Hook Borough
- Trainer Borough
- Upland Borough
- Parkside Borough
- Eddystone Borough
- Ridley Township

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 11, 1937.

[No. 7766]

[P. R. Doc. 37-2754; Filed September 15, 1937; 10:44 a. m.]

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

California

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 947, as amended by the act of August 24, 1912, ch. 269, 37 Stat. 497, it is ordered as follows:

Section 1. Executive Order No. 8910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain states for classification and other purposes, is hereby revoked in so far as it affects the following described tracts of land in California:

SAN BERNARDINO MERIDIAN

- T. 10 N., R. 7 W., secs. 7 to 11, inclusive, and N $\frac{1}{2}$ sec. 12.
- T. 9 N., R. 8 W., secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
- T. 10 N., R. 8 W., sec. 6, N $\frac{1}{2}$ and SW $\frac{1}{4}$ sec. 7, SW $\frac{1}{4}$ sec. 9, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 10, secs. 11, 12 and 16, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 17, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ sec. 18, secs. 19 to 21, inclusive, NW $\frac{1}{4}$ sec. 30.
- T. 8 N., R. 9 W., secs. 1 to 6, inclusive.
- T. 9 N., R. 9 W., secs. 1 to 33, inclusive.
- T. 10 N., R. 9 W., secs. 1 to 12, inclusive, NW $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 13, SW $\frac{1}{4}$ and N $\frac{1}{2}$ sec. 14, secs. 15 to 20, inclusive, N $\frac{1}{2}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ sec. 23, SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ sec. 24, SW $\frac{1}{4}$ sec. 25.
- T. 8 N., R. 10 W., secs. 1 and 2.
- T. 9 N., R. 10 W., secs. 1, 2, 11 to 14, inclusive, 23 to 26, inclusive, 33 and 36.
- T. 10 N., R. 10 W., secs. 12, 13, 24, 35 and 36.

Section 2. Subject to the conditions expressed in the above mentioned acts and to all valid existing rights, the tracts of land described in section 1 of this order are hereby temporarily withdrawn from settlement, location, sale, or entry, and reserved for use of the War Department for military purposes.

Section 3. The reservation made by section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 11, 1937.

[No. 7767]

[P. R. Doc. 37-2755; Filed, September 15, 1937; 10:44 a. m.]

EXECUTIVE ORDER

EXEMPTING ROGER JOHN TRAYNOR FROM THE PROVISIONS OF THE EXECUTIVE ORDER OF JANUARY 17, 1873

By virtue of the authority vested in me as President of the United States, it is ordered that the provisions of the Executive Order of January 17, 1873, prohibiting Federal employees from holding office under any state, territorial or municipal government, be, and they are hereby, waived to permit Roger John Traynor, a Consulting Tax Counsel,

State Board of Equalization of the State of California, to hold a position of Consulting Expert in the Office of the Secretary of the Treasury.

This order is issued on the recommendation of the Acting Secretary of the Treasury.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 11, 1937.

[No. 7768]

[P. R. Doc. 37-2756; Filed, September 15, 1937; 10:44 a. m.]

WAR DEPARTMENT.

REGULATIONS TO GOVERN THE USE, ADMINISTRATION, AND NAVIGATION OF SOUTH RIVER FROM THE STATE HIGHWAY BRIDGE ON STATE ROUTE No. 2, AT EDGEWATER, MARYLAND, TO ITS HEAD, AND THE TRIBUTARIES EMPTING THEREIN, INCLUDING BEARDS CREEK, BROAD CREEK, GINGERVILLE CREEK AND WAREHOUSE CREEK

THE LAW

Section 7 of the River and Harbor Act of August 8, 1917, provides as follows:

That section four of the river and harbor Act of August eighteenth, eighteen hundred and ninety-four, as amended by section eleven of the river and harbor Act of June thirteenth, nineteen hundred and two, be, and is hereby, amended so as to read as follows:

"Sec. 4. That it shall be the duty of the Secretary of War to prescribe such regulations for the use, administration, and navigation of the navigable waters of the United States as in his judgment the public necessity may require for the protection of life and property, or of operations of the United States in channel improvement, covering all matters not specifically delegated by law to some other executive department. Such regulations shall be posted in conspicuous and appropriate places, for the information of the public; and every person and every corporation which shall violate such regulations shall be deemed guilty of a misdemeanor and, on conviction thereof in any district court of the United States within whose territorial jurisdiction such offense may have been committed, shall be punished by a fine not exceeding \$500, or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court."

THE REGULATIONS

In conformity with the above law the following navigation regulations are prescribed for the South River from the State Highway bridge on State Route No. 2 at Edgewater, Maryland, to its head, and for the tributaries emptying therein, including Beards Creek, Broad Creek, Gingerville Creek and Warehouse Creek, to take effect and be in force on and after the date of approval hereof:

No boat shall proceed at any time at a greater speed than eight (8) miles per hour at any time between May 1st and September 15th, inclusive, on these waterways.

Approved, September 3d, 1937.

[SEAL]

LOUIS JOHNSON,
Acting Secretary of War.

FRANK C. BURNETT,
Brigadier General,
Acting The Adjutant General.

[P. R. Doc. 37-2745; Filed, September 15, 1937; 9:57 a.m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Order No. 44]

AN ORDER LIMITING THE TERM OF CONTRACTS AND ORDERS HEREAFTER TO BE ENTERED INTO AND ACCEPTED BY THE MEMBERS OF THE BITUMINOUS COAL CODE; DEFINING THE STATUS OF CONTRACTS AND ORDERS ENTERED INTO AND ACCEPTED PRIOR TO THE DATE OF THIS ORDER AND RESTRICTIONS ON CODE MEMBERS AS TO MAXIMUM DISCOUNTS OR PRICE ALLOWANCES TO DISTRIBUTORS

The Bituminous Coal Act of 1937 provides:

Section 4, Part II, Marketing, Subsection (e)—

No coal subject to the provisions of this section shall be sold or delivered or offered for sale at a price below the minimum or