

# BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting  
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

Incorporated

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

January 10, 1931

## THE VESTAL BILL

The Vestal Bill (H.R. 12549), proposing a consolidation and revision of the copyright laws, is expected to come up for consideration in the House early next week. Indications are that the bill will be passed and sent to the Senate before the end of the week.

The National Association of Broadcasters has conducted a vigorous fight against fundamental features of the measure on the grounds that interests of broadcasters would be adversely affected were the bill to become law. All broadcasting stations and all members of the House have been advised of the arguments against the bill.

There is still hope. If the bill succeeds in the House it will still have to be acted upon by the Senate. The bill will be referred to the Senate Patents Committee, in the event it passes the House. The members of this Committee are Senators Waterman of Colorado, Norris of Nebraska, Goldsborough of Maryland, Hobert of Rhode Island, Smith of South Carolina, Broussard of Louisiana, and Dill of Washington. The bill must be reported by this Committee before it can come up in the Senate. Failure of a report would mean death to the bill. It would then have to be reintroduced next December in the new Congress.

The Association is asking that the Senate Patents Committee hear the broadcasters' case before reporting the bill. If you are called upon for assistance you should respond willingly and promptly.

## EQUALIZATION ORDER ADOPTED

The Commission on January 8 adopted General Order No. 102 "in order to bring about an equalization of radio facilities as among the States in the zones".

The order provides as follows:

1. Where a zone has already in use its pro rata share of facilities, the Commission will not allocate any further radio facilities to that zone, which would increase its quota.
2. Applications from under-quota States in zones which have already allocated to them their pro-rata share of radio facilities should be for a facility already in use in that zone by an over-quota State.
3. Likewise, where a State is already over quota, the Commission will not allocate any further radio frequencies to that State, which would increase its quota.
4. Applications from States which now have their quotas, or from states which are over quota, should be for facilities already in use in that State.
5. Applicant from an under quota State in an under quota zone may apply either for facilities in use in an over quota state in that zone or an over quota state in an over quota zone.

The order undoubtedly refers to the quota system set up by General Order No. 92. Under this order the Commission regards the total number of units in the United States as 400. Eighty units are assigned to each of the five zones. On this basis the first and second zones are the only ones under quota. The third, fourth and fifth are over and are directly affected by the order.

In adopting the order the Commission has provided that existing kilocycle and mileage separations shall not be compromised.

It is difficult to foresee the practical effect of the order. It changes to some extent the theory of the Davis Amendment which provides for a "fair and equitable" distribution of facilities among the states within a zone as compared with the mathematical precision declared in the order.

The following states, now over quota, are in danger of losing facilities: (Figures after each state indicate present number of units over quota)  
FIRST ZONE---Units over quota---New York, 3.80; New Jersey, 0.22; Delaware, 0.03;  
SECOND ZONE---Kentucky, 0.08; Virginia, 2.56; THIRD ZONE---Texas, 6.55; Tennessee, 2.67; Florida, 4.26; FOURTH ZONE---Illinois, 10.00; Missouri, 1.28; Minnesota, 1.42; Iowa, 5.32; Nebraska, 1.72; South Dakota, 1.37; North Dakota, 0.40; FIFTH ZONE---California, 1.68; Washington, 5.76; Colorado, 2.88; Utah, 3.33; Nevada, 0.21, Alaska, 0.62; Oregon, 2.22.

## EQUALIZATION ORDER ADOPTED (CONTINUED)

The following states, now under quota, may gain facilities: (Figures after each state indicate present number of units under quota) FIRST ZONE---Massachusetts, 1.77; Maryland, 0.46; Connecticut, 0.84; Porto Rico, 3.72; Maine, 0.22; Rhode Island, 0.51; Dist. Col., 0.03; New Hampshire, 1.11; Vermont, 0.50; Virgin Islands, 0.06; SECOND ZONE---Pennsylvania, 7.95; Ohio, 0.60; Michigan, 2.68; West Virginia, 1.35; THIRD ZONE---North Carolina, 1.01; Georgia, 0.49; Alabama, 2.89; Mississippi, 2.70; Arkansas, 0.77; South Carolina, 3.12; FOURTH ZONE---Indiana, 3.35; Wisconsin, 0.91; Kansas, 0.65; FIFTH ZONE---Montana, 0.58; Idaho, 0.29; Arizona, 0.23; New Mexico, 0.40; Hawaii, 0.79; Wyoming, 1.26

---

## SUPREME COURT DISMISSES CASES

The Supreme Court of the United States dismissed certificates from the Circuit Court of Appeals for the Seventh Circuit in the cases of Clinton R. White v George E. Q. Johnson and H. D. Hayes (No. 29) and American Bond and Mortgage Company et al v United States (No. 210). In both cases the Circuit Court had certified questions on the subject of property rights of broadcasting stations and the determination of these questions by the Supreme Court was anxiously awaited by the entire broadcasting industry. It was the second time within a year that the court refused to take jurisdiction over radio cases after hearing argument. The WGY case was the first.

The court, in opinions handed down on January 5, held that the questions were too "broad and indefinite" and admitted of "one answer under one set of circumstances and a different answer under another." The substantive law involved in the cases was not discussed in either opinion.

The effect of the court's ruling returns the cases to the Circuit Court where they will have to be argued on their merits.

---

## WWJ WANTS KYW CHANNEL

The Commission has received an application from WWJ at Detroit seeking authority to change its present assignment from the regional frequency of 930 kc to the clear channel of 1020 kc. Under the terms of General Order No. 40, this frequency is assigned to the Second Zone, but is now used by KYW at Chicago. WWJ also asks permission to increase power from 1 to 50 kw.

---

## WEVD EXCEPTS TO REPORT

G. August Gerber, Executive Secretary of Debs Memorial Radio Fund., Inc., operators of WEVD, New York, has filed exceptions to the report of Examiner Pratt, which recommended that the license renewal of WEVD be denied. The report of the Examiner contended that WEVD admitted 29 violations of the Radio Act and Commission Regulations. This is denied in the pleading and it is declared that the report was based solely on Commission affidavits, and did not consider the testimony or statements of WEVD.



## EDUCATION BILL BY FESS

Senator Fess, Republican, Ohio, on January 8 introduced in the Senate a bill (S. 5589) to have set aside 15 per cent of the broadcasting facilities available to the United States for educational purposes.

The text of the bill follows:

"Not less than 15 per cent, reckoned with due weight to all factors determining effective service, of the radio broadcasting facilities which are or may be subject to the control of or allocation by the Federal Radio Commission, shall be reserved for educational broadcasting exclusively, and allocated when and if applications are made therefor, to educational agencies of the Federal or State governments and to educational institutions chartered by the United States or by the respective States or Territories."

The National Association of Broadcasters, at its Cleveland convention, unanimously adopted a resolution opposing the reservation of broadcasting channels exclusively for educational purposes.

The measure is supported by the Advisory Committee on Education by Radio which was appointed by Secretary Wilbur and groups affiliated with the committee have been active in securing support for the Fess Bill. Undoubtedly a drive will be made to have the bill considered at the present session of Congress.

---

## RADIO DIVISION TRANSFER OPPOSED

The resolution to transfer the activities of the Radio Division of the Department of Commerce to the Radio Commission (S. J. Res. 176) came up for consideration in the House on January 5. Congressmen Jenkins, Sabath and Ramspeck objected and the resolution went over.

## DILL WOULD AMEND RADIO ACT

A bill to correct certain irregularities in the present Radio Act of 1927 was introduced in the Senate on January 5 by Senator Dill, Democrat, Washington. The bill is S. 5583.

The measure would make several necessary minor changes in the existing law and among other things would set up a system of procedure for hearings before the Commission modeled substantially after that in General Order No. 93.

Section 16 of the present act would be amended to permit appeals from denial of construction permits which is questionable under the existing law. Broadcasting licenses would be limited to one year.

The bill also includes a provision for the transfer of the Radio Division to the Commission similar to that in the House resolution.

Broadly speaking, the measure embodies the corrective features which have been suggested by the National Association of Broadcasters. Senator Dill will make an effort to have the bill passed during the present session.



## EXAMINERS' REPORTS

In re application of Benson Polytechnic School (KBPS) for renewal of license on 1420 kc, 100 w sharing with KXL, Docket No. 925, Report No. 46 by Chief Examiner Yost recommends granting of application.

In re application Electric and Radio Corporation (~~WIPQ~~-WABO) for renewal of license on present frequency of 1440 kcs with 500 watts, sharing time with WOKO, Docket 955, Report 49 of Examiner Pratt recommends that application be granted.

In re application of Olympic Radio Company, Hoquiam, Wash. for construction permit to erect new station to operate on 1320 kcs with 100 watts. Docket 1035 Report 45 by Examiner Pratt recommends denial as in case of defaults.

In re application of E. A. Holmes, Jr. and Idris J. Jones, as Bessemer Broadcasting Association, Bessemer, Ala. for construction permit to erect new station to operate on 1500 kcs with 50 watts. Docket 932. Report 48 by Chief Examiner Yost recommends denial as in case of defaults.

---

## NEWSPAPER DETAILS PROGRAMS

The Washington Daily News, a Scripps-Howard newspaper, believes that radio programs are news and that it is the duty of newspapers to print such programs in some detail.

The News bought and paid for time over three Washington stations which was utilized by Ralph Palmer, city editor of the paper, in telling the radio audience of his paper's policy.

"We believe these programs constitute news; that publishing them is a service to our readers, and that it is not a real service unless the programs are given with sufficient completeness to indicate to radio owners what they actually will hear, if they tune in," he said.

"If Babe Ruth is playing left field for the Yankees, our sports editor doesn't tell you merely that an outfielder is playing that position. If Secretary Wilbur were to resign, our political reporter wouldn't write merely that a cabinet member had quit. And so if it is the Lucky Strike orchestra, our radio editor doesn't simply say 'orchestra'."

The Daily News is a successful afternoon tabloid newspaper. Copies of Mr. Palmer's talk may be secured by writing to NAB headquarters.

---

## BUTCHER IS CONVALESCING

Harry C. Butcher, Columbia's Washington representative, is convalescing from an operation at the Garfield Hospital in Washington. Not being able to leave his bedroom, Butcher insisted that a dictating machine be installed for his use. He'll be back on the job soon, he says.

## WFLA-WSUN TO GET HEARING

The Commission on January 5 adopted a motion offered by Commissioner Sykes ordering that the renewal applications of WFLA-WSUN, Clearwater, and WDAE, Tampa, Florida, be designated for hearing with the view to determining if the present interference with WTMJ, Milwaukee, Wisconsin, on 620 kc, may be minimized or obviated by an exchange of frequencies between WDAE and WFLA-WSUN. The motion declared that interference was not present when WDAE and WTMJ operated simultaneously on 620 kc.

---

## RADIO LAW JOURNAL PROPOSED

The editorial advisory board of the proposed Journal of Radio Law was announced this week by Louis G. Caldwell, former general counsel of the Commission and editor of the publication. The board follows: Col. Thad H. Brown, general counsel of the Commission; Ralph Colin, New York, general counsel, Columbia Broadcasting System; Stephen Davis, New York, former solicitor, Department of Commerce; William C. Green, Washington, special counsel, Senate Committee on Interstate Commerce; Dr. Willy Hoffman, editor, Archiv fur Funchrecht, Leipzig, Germany; Robert Homburg, editor, Revue Juridique internationale de la Radio-electricite, Paris, France; Philip G. Loucks, managing director, National Association of Broadcasters; Ira E. Robinson, Washington, Member Federal Radio Commission; Paul M. Segal, Washington, former assistant general counsel of the Commission; Dr. Irvin Stewart, treaty division, Department of State; William R. Vallance, assistant to solicitor, Department of State; John W. Van Allen, general counsel, Radio Manufacturers' Association; Dr. Alfred Wegerdt, ministerial counselor at the ministry of Communications of the Reich, Berlin, Germany; Wallace H. White, Washington, Member of Congress; Carl Zollman, Milwaukee, Wisconsin, lecturer, Marquette University.

---

## SHORT WAVE CASES DECIDED

The Court of Appeals of the District of Columbia on January 6 handed down an opinion in the separate appeals of the Intercity Radio Telegraph Company, Wireless Telegraph and Communications Company, R.C.A. Communications Company, Incorporated and Mackay Radio and Telegraph Company (Nos. 4987, 4988, 4990 and 4991) from a decision of the Commission granting 40 high frequency channels to the Universal Wireless Communications Company. The decision modifies the stay order previously granted by the court to permit Press Wireless and Western Radio Telegraph Company to utilize their grants but continues the appeal insofar as it relates to the frequencies granted to Universal. The Commission is directed to take such steps as it "deems necessary and proper" with respect to grants to the Universal and Intercity and is authorized to make a new allocation among the appellants. The court retained jurisdiction over the cases and ordered the Commission to report its proceedings to the court. Justice Robb in a separate opinion declared that the channels should be allocated to the R.C.A. and Mackay companies.

---



## WHAS AND WHAM WIN APPEALS

General Order No. 87, proposing shifts in the frequencies of certain clear channel stations, was declared void by the Court of Appeals of the District of Columbia in opinions handed down in the cases instituted by the Courier-Journal Company and the Louisville-Times Company (WHAS), No. 5190 and the Stromberg-Carlson Telephone Manufacturing Company (WHAM), No. 5278. Station WHAS appealed to the court under Section 16 of the Radio Act while WHAM sought injunctive relief in the Supreme Court of the District of Columbia and was before the higher court on appeal by the Commission from the order of the lower court granting a preliminary injunction.

In the WHAS case the court, reversing the Commission, ordered the Commission to "renew appellants' license from time to time, to operate as heretofore upon the frequency of 820 kc until such time as it may be determined as the result of a hearing, after due notice, upon issues clearly defined, that such continued operation is not in the public interest, convenience or necessity."

In the WHAM appeal the court upheld the lower court's order granting a preliminary injunction restraining the Commission "until final determination of this case from effectuating any order changing the frequency assignment of station WHAM without prior notice and hearing or from changing it as a result of any hearing wherein it is required that appellee show cause why said change be not made."

These decisions, read in connection with previous decisions of the courts, substantiate the right of a station to have its license renewed from time to time in the same terms as long as it continues to serve the public interest. The Commission may not, without notice and hearing, change any of the material terms of a license and at such hearing, it would appear, the burden of proof is upon the Commission to show affirmatively that the change proposed would be in the public interest. In the past the Commission has always maintained that the burden of proof was upon the licensee (except in revocation proceedings).

The Commission, at such hearings, is required to prove its side of the controversy affirmatively. Ex-parte findings, such as reports of the engineering and legal divisions, are not sufficient to constitute a prima facie case and do not in and of themselves shift the burden to the applicant licensee. "The provision for hearing implies that the applicant is entitled to hear all of the evidence and examine and cross-examine the witnesses as in other cases."

Properly construed, these decisions will prevent the Commission from effecting any general shift in a class of stations, if as a result of such shift the interests of a licensee are adversely affected, unless there be a hearing in the legal acceptance of the term.

## KOMO APPEALS COMMISSION DENIAL

KOMO, Seattle, Wash. has filed an appeal with the District of Columbia Court of Appeals, against the order of the Commission, denying the station authority to operate on 970 kcs with power of 5 kw. The requested frequency is now assigned to KJR, Seattle, Wash. operated by Northwestern Broadcasting System, Inc.



## REGIONALS ~~SEE~~ 5 KW POWER

WCSH, Portland, Maine, WFIW, Hopkinsville, Ky., WDAY, Fargo, N.D. and KOIN, Portland, Oregon have made application to the Commission for authority to increase their power to 5 KW. No change in frequency is involved. These stations are now assigned to the regional frequency of 940 kc. The applicants claim that there will be no increase in interference, nor will the stations themselves or the listeners be adversely affected by the granting of these applications. Under the terms of General Order 40, the maximum night power licensed on any regional frequency is 1 KW.

---

## FOUR APPEALS ARGUED

The following cases were argued in the District of Columbia Court of Appeals, during the past week - WHAD, Milwaukee, Wis., Marquette University, Docket 5253; WGBS, New York, General Broadcasting System, Inc. Docket 5196; KYW, Chicago, Ill. Westinghouse Electric & Manufacturing Company, Dockets 5104-5107-5150-5192; KFKB, Milford, Kan. KFKB Broadcasting Station, Docket 5240.

---

## ASSOCIATION IN NEW HOME

The National Association of Broadcasters is now established in its new quarters in Suite 970, National Press Building, Washington, D. C. The telephone number is DISTRICT 9497. The office will be open from 9 a.m. to 5 p.m. daily. Members are invited to make the new offices their headquarters when in Washington. You will find the Managing Director, his assistant, Eugene V. Cogley, and his secretary, Miss Olivine Fortier, on the job and ready to aid you in every manner consistent with the policies of the Association.

## HIGH POWER REPORT HELD UP

Chief Examiner Yost is expected to return from the Pacific Coast, where he heard testimony in connection with the application of Station KGLF, operated by Rev. Bob Schuler, early next week but it is not expected that he will have his reports in the high power cases ready for consideration by the Commission until next month. Chief Examiner Yost on December 15 proposed a report to the Commission in which he recommended that 50 kw power be permitted on all clear channels. The Commission ruled that this report was not in accordance with General Order No. 42 as amended and remanded it for further consideration and report. In the meantime Station WJZ, operated by the National Broadcasting Company, filed exceptions to the report, alleging, among other things, that the examiner had failed to take into consideration that WJZ was now licensed for 30 kw and therefore belonged to that class of stations having more than 25 kw power.

---

## LONGER LICENSE TERMS DELAYED

The Commission on January 6 ordered that "licenses of all broadcasting stations expiring January 31, 1931, (except those which have been or may be cited for alleged violations of the Radio Act of 1927 as amended, and/or rules and regulations of the Commission) be extended by General Order for a period of 90 days beginning 3 a.m. January 31, 1931 and that the applications for renewals which are now being received be accepted as applications for the new period beginning 3 a.m. April 30, 1931." If the previous order had become effective, the license period would have expired on July 31, while the Commission is in recess. The recent action will fix the expiration periods on April 30 and October 31.

---

## GENERAL ORDER NO. 97 POSTPONED

The effective date of General Order No. 97, affecting power output and modulation, has been postponed from January 31 to April 30, 1931, by action of the Commission on January 6.

---

## APPEALS JUSTICES NAMED

President Hoover on January 5 sent to the Senate the nominations of D. Lawrence Groner of Virginia and William Hitz of the District of Columbia to be associate justices of the Court of Appeals of the District of Columbia. Justice Hitz is now serving as a justice of the Supreme Court of the District of Columbia and wrote that court's opinion in the WELM case which was upheld by the appeals court this week. The addition of these two justices, provided for by Congress last session, will make the court having jurisdiction over radio appeals a five-judge court. Their confirmation by the Senate is expected daily.

---

# APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

CALL	NAME OF APPLICANT	NATURE OF ACTION
WGCP	May Radio Broadcast Corp. Newark, N. J.	Granted C. P. to make changes in eqpt.
WHOM	N. J. Broadcasting Corporation Jersey City, N. J.	Granted C. P. to change eqpt. increasing max. rated power from 250 to 500 watts.
KJR	Northwest Brdcastg. System, Inc. Seattle, Washington	Granted C. P. to make changes in eqpt.
WSYR- WMAC	Clive B. Meredith Syracuse, N. Y.	Granted Mod. of C. P. to change transmitter location from Salina to Syracuse, N. Y.
WLS	Agricultural Broadcasting Co. Chicago, Illinois	Granted Mod. of C. P. extending completion date to Feb. 6, 1931.
WSMX	Stanley M. Krohn Jr. Dayton, Ohio	Granted Mod. of Lic. to operate simultaneously with KQV at Pittsburgh, Pa. during daylight hours and divide time equally thereafter with Pittsburgh station. (1380 kc, 200 w.)
WELK	WELK Broadcasting Station Inc. Philadelphia, Penna.	Granted Lic. 1370 kc, 100 watts night 250 watts LS. Unlimited.
WEDH	Eric Dispatch Herald Brdcastg. Corporation Eric, Penna.	Granted License 1420 kc, 100 watts, unlimited.
WJBO	Valdemar Jensen New Orleans, La.	Granted Authority to install automatic frequency control.
KGFV	Otto F. Sothman & Roy H. McConnell Ravenna, Nebraska	Granted Consent to Vol. Assignment of License to Central Nebraska Broadcasting Corporation.
W6XG	General Electric Company Portable - California	Granted Consent to Voluntary Assignment of License to the National Broadcasting Company.
W6XG	General Electric Company Portable	Granted Renewal of License, 790 kc, 10 KW.
WBCM	Bay City Broadcasting Assoc. Bay City, Michigan	Granted Mod. of Lic. specifying power of station be determined by direct measurement of antenna input as specified in G.O. 91.



# APPLICATIONS GRANTED (Continued)

W2XE	Atlantic Brdcastg Corp. Long Island, N. Y.	Granted Mod. of C. P. extending completion date to June 1, 1931.
WRNY	Aviation Radio Station Inc. New York City	Granted C. P. to make changes in eqpt. increasing rated max. power of transmitter from 250 to 700 watts, including automatic freq. control and high percentage modulation.
KTAP	Alamo Brdcastg. Co. Inc. San Antonio, Texas	Granted C. P. to make changes in eqpt. including automatic freq. control and high percentage modulation.
WABC- WBOQ	Atlantic Brdcastg. Corp. New York City	Granted Mod. of C. P. extending completion date to Feb. 1, 1931.
KFI	Earle C. Anthony Inc. Los Angeles, California	Granted Mod. of C. P. extending completion date to April 17, 1931 and commencement date to Jan. 17, 1931.
WGCM	Great Southern Land Co. Gulfport, Miss.	Granted License, 1210 kc, 100 watts, unlimited.
WHP	WHP, Incorporated Harrisburg, Penna.	Granted License 1430 kc, 500 watts night, 1 KW LS, shares with WBAK and WCAH.
KWG	Portable Wireless Tel. Co. Stockton, California	Granted License 1200 kc, 100 watts, unlimited time.
WIAS	Morris W. and James F. Poling D/B as Poling Elec. Co. Ottumwa, Iowa	Granted Vol. Assign. of Lic. to Iowa Broadcasting Company.
KGKB	E.M.C.T. & E. E. Wilson D/B as Eagle Publishing Company Brownwood, Texas	Granted authority to extend time off air to conform to appl. for C.P.

# SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its meetings this week:

CALL	NAME OF APPLICANT	NATURE OF REQUEST
WDRC	The Doolittle Radio Corporation Hartford, Conn.	Requests Mod. of Lic. to increase daytime power from 500 w. to 1 KW.
New	Marius Johnson Prop. Johnson Music Store Ironwood, Mich.	Requests C. P. 1420 kc, 25 watts, daytime until 7 P.M.
WTFI	Toccoa Falls Institute Toccoa, Ga.	Requests C. P. to move transmitter and studio; increase operating power from 500 w. to 1 KW, and change eqpt. in- creasing max. rated power to 1 KW.
New	Herbert A. Morris Clarksdale, Miss.	Requests C. P. 1420 kc, 100 watts, day- time and to use portable to test for location.
KMLB	J. C. Liner Monroe, La.	Requests C. P. to make changes in eqpt. increasing max. rated power from 75 to 100 watts, and increase operating power from 50 to 100 watts.
KGKL	KGKL Incorporated San Angelo, Texas	Requests C. P. to make certain changes in transmitter and incr. of operating power from 100 to 250 w. day and 100 w. night.
WDGY	Dr. George W. Young Minneapolis, Minn.	Requests C. P. to make changes in eqpt. increasing max. rated power from 1 KW to 2500 watts; change freq. from 1180 to 920 kc, and increase power from 1 KW to 1 KW night and 2½ KW day, and change hours to unlimited.
New	Jack E. Stranger Coeur d'Alene, Idaho	Requests C. P. 1070 kc, 100 watts daytime, and to use portable to test for location.
WHK	Radio Air Service Corp. Cleveland, Ohio	Requests Mod. of Lic. to increase operating power from 1 KW to 2½ KW day and 1 KW night
WDBO	Orlando Brdcstg. Co. Inc. Orlando, Fla.	Requests Mod. of Lic. to increase hours of operation from half time on channel to unlimited.

## APPLICATIONS DISMISSED

KOY, Phoenix, Ariz., Mod. of L. 940 kc, 500 w.; New, Hardin, Mont., C.P. 600 kc, 10 watts; New, Vicksburg, Miss., C.P. 550 kc, 100 w; New, Wellsboro, Pa., C.P. 580kc, 10 w; KID, Idaho Falls, Idaho, C.P. 1320 kc, 500 watts; New, So. Hampton, N.Y., C.P. 1190 kc, 150 watts, unlimited time; KMEB, Medford, Ore., C.P. 580 kc, 500 w; New, Brownsville, Tex., C.P. 1330 kc, 15w; WTFI, Toccoa Falls, Ga., C.P. 1450 kc. 500 w; New, Parma, Mo., C.P. 1370 kc, 50w; New, Carlsbad, N.Mex., C.P. 1420 kc, 25 watts.

## HEARINGS SCHEDULED

The following hearings are scheduled for the week commencing Monday, January 12. All hearings commence at 10 a.m.

MONDAY, January 12, 1931

New F. B. Wilson & Richard C. P. 1210 kc. 37 w.  
Dearing - Jamestown Broadcasting To share with WOCL  
Company, Jamestown, New York

NOTIFIED: WOCL - Jamestown, N. Y.

New Earle H. Barton C. P. 920 kc. 50 w D  
Lake Placid, N. Y.

WODA Italian Educational Broadcasting C. P. 1350 kc. 1 KW  
Company, Incorporated To share with WKBQ, WMSG & WBNY  
New York, N. Y.

Present assignment: 1350 kc 250 watts  
Shares with WKBQ, WMSG and WBNY

NOTIFIED: KWK, St. Louis, Mo.; WFBL, Syracuse, N.Y., WDRC, New Haven,  
Conn.; WFOE, Patchogue, N. Y.

New Tingley, Roy & Larimore, C. P. 1200 kc. 7½ w D  
Leroy, Minn.

NOTIFIED: KFJB, Marshalltown, Iowa; WCLO, Janesville, Wisconsin; WJBC,  
La Salle, Ill.; KGDE, Fergus Falls, Minn.; WBY, W. DePere,  
Wisconsin; KGDY, Oldham, South Dakota.

TUESDAY, January 13, 1931.

WNYC City of New York, Mod. L. 570 kc. 500 w.  
Dept. of Plant & Structures Unlimited time  
New York City

Present Assignment: 570 kc 500 w.  
Shares with WJCA

NOTIFIED: WJCA, New York City

Knickerbocker Broadcasting Mod. L. 570 kc 500 w.  
Company Incorporated Unlimited time  
New York City

Present Assignment: 570 kc 500 watts  
Shares time with WNYC

NOTIFIED: WNYC, New York City



## APPLICATIONS RECEIVED

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
WLBL	State of Wisconsin Department of Agriculture & Markets 201 Strong's St. Stevens Point, Wisconsin	900	-----	Cons. permit to change equipment.
KLPM	John B. Cooley 26 E. Central Avenue Minot, North Dakota	1420	-----	License to cover cons. permit for change in equipment which was issued 11-25-30
KPPC	Pasadena Presbyterian Church 535 East Colorado Street Pasadena, California	1210	-----	Cons. permit to change equip- ment and increase power from 50 watts to 100 watts on 1210 kilocycles.
KPCB	Westcoast Broadcasting Company 3rd & Pine Streets Seattle, Washington	650	-----	Cons. permit to change equip- ment.
WELL	Enquirer-News Company 74 W. Michigan Street Battle Creek, Michigan	1420	-----	Construction permit to change equipment and install auto- matic frequency control.
NEW	J. Milton Guyton West Main Street Uniontown, Penna.	-----	620	Cons. permit resubmitted to request 250 watts day and night instead of 250 watts day and 100 watts night, on 620 kc, daytime and 3 even- ings per week.
WABZ	Coliseum Place Baptist Church 1376 Camp Street New Orleans, La.	1200	-----	Request for authority to install Automatic Frequency Control.
WABZ	Coliseum Place Baptist Church 1376 Camp Street New Orleans, La.	1200	-----	Request for authority to voluntarily assign license to SAMUEL D. REEKS.
NEW	J. A. Hugh & Son KTL BROADCASTING COMPANY 106 South First Street Lufkin, Texas	-----	1460	Cons. permit to erect a new station to use 1460 kc. 7½ watts unlimited.
WGST	Macon Junior Chamber of Commerce 220 Second Street Macon, Georgia	890	-----	Cons. permit to change equip- ment and install automatic frequency control.
KEFW	John Brown Schools 1213 Garrison Street Fort Smith, Arkansas	1340	-----	Cons. permit to change equip- ment and install automatic frequency control, also to increase hours of operation from Daytime to Unlimited.

## APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
NEW	Weber Jewelry & Music Co. Inc. 714 St. Germain Street St. Cloud, Minnesota	-----	1370	Cons. Permit to erect a new station to use 1370 kc., 7½ watts, and Daytime hours. (2 hours per day.)
KNX	Western Broadcast Company 5555 Marathon Blvd. Hollywood, California	1050	-----	Mod. of Cons. Permit to extend completion date on Cons. Permit to 3/31/31.
KGIQ	Radio Broadcasting Corporation 262 - 3rd Avenue, West Twin Falls, Idaho	1320	-----	Mod. of cons. Permit to increase power on C.P. from 250 W. night and 500 W. day to 500 W. day and night and extend completion date to January 3, 1931.
KXL	KXL Broadcasters 269 Pine Street Portland, Oregon	1420	-----	Cons. Permit to change equipment.
KGIR	KGIR Incorporated 121 West Broadway Butte, Montana	1360	-----	Cons. Permit application amended to request 1360 kc. (their present frequency) instead of 1470 kc., and 1 KW. instead of 5 KW. with Unlimited hours of operation. (said changes to be made at present location, 121 West Broadway, Butte, Montana.)
NEW	Kirby Lee Horton & Leo Colvin McConnell 403 Main Street Clovis, New Mexico	-----	1310	Cons. Permit application amended to request 1310 kc. instead of 1110 kc. with 7½ watts.
WWJ	The Evening News Association, Inc. 615 West Lafayette Blvd. Detroit, Michigan	920	1020	Cons. Permit to move transmitter from 810 W. Lafayette Blvd., Detroit, Mich. to a location to be determined, install new equipment, change frequency from 920 kc. to 1020 kc., and increase power from 1 KW. to 50 KW.
NEW	Martin C. Newman 104 East Chicago Street Sturgis, Michigan	-----	1310	Cons. Permit application amended to request 1310 kc. instead of 950 kc. with 100 watts and Unlimited hrs.

## APPLICATIONS RECEIVED (CONTINUED)

CALL	NAME OF APPLICANT	PRESENT FREQUENCY	FREQUENCY SOUGHT	NATURE OF APPLICATION
KFJB	Marshall Electric Company Inc. 1603 West Main Street Marshalltown, Iowa	1200	-----	Cons. permit to change equipment and install automatic frequency control.
WJAR	The Outlet Company 176 Weybosset Street Providence, Rhode Island	890	620	Mod. of licence to change frequency from 890 kc. to 620 kc., and increase power from 250 W. night and 400 W. day to 500 watts day and night, with Unlimited hours.
WHEC- WABO	Hickson Electric & Radio Corp. 40 Franklin Street Rochester, New York	1440	-----	Mod. of License to increase hours of operation from sharing with WOKO to Unlimited on 1440 kc.
WOCL	A. E. Newton Eagle Temple Jamestown, New York	1210	-----	Cons. Permit to install new equipment, increase power from 25 W. to 50W., and change location of mainstudio from Eagle Temple to Main and Richmond Sts., Jamestown, N.Y.
WIBR	George W. Robinson 141 North 4th Street Steubenville, Ohio	1420	-----	Request for authority to install Automatic Frequency Control.
WAIU	American Insurance Union Deshler-Wallick Hotel Columbus, Ohio	640	-----	Cons. Permit to move transmitter from Sharon Road to Robinwood Road $7\frac{1}{2}$ miles East of Columbus, Ohio, install new equipment, and increase power from 500 W. to 1 KW. on 640 kc.
KGFF	D. R. Wallace, owner KGFF Broadcasting Company Barnes & 5th Streets Alva, Oklahoma	1420	-----	Request for authority to voluntarily assign license and construction permit to the KGFF Broadcasting Co. Incorporated.
WTAW	Agricultural & Mechanical College of Texas College Station, Texas	1120	-----	Cons. Permit to install a new transmitter.
KGNF	Herbert Logan Spencer 1621 West 12th Street North Platte, Nebraska	1430	-----	Request for authority to voluntarily assign license to the Great Plains Broadcasting Company.(a corp.)



January 12, 1931

### THE VESTAL COPYRIGHT BILL

---

The Vestal Copyright Bill (H.R. 12549) in the form in which it comes before the House might well be entitled "a bill to encourage copyright racketeers," according to H. A. Bellows of Minneapolis, Chairman of the legislative committee of the National Association of Broadcasters, who is in Washington seeking amendments to the bill.

"The measure as it stands simply throws open the whole field of musical performance to be exploited by copyright racketeers," said Mr. Bellows. Under the present law, users of copyright material have at least the reasonable protection afforded by the requirement of registration and of publication of the copyright notice. The pending bill would create copyright from the inception of a work, before publication, and without compliance with any formalities whatsoever.

"Every broadcaster uses dozens of musical compositions daily, and for these he is entirely willing to pay a fair royalty. All he asks is to know where he stands. Under the pending bill, he could know neither which compositions are covered by copyright, nor who owns such copyrights. Despite his most conscientious diligence, he would be an innocent infringer, and thus liable to heavy damages, many times every day.

"The copyright racketeer, the author, composer or publisher who encourages public performance with the intention of subsequently threatening action for violation of copyright, is today restrained only by the fact that the law requires him to give public notice of his claim. The proposed law denies to the public even this measure of protection.

"Copyright law is so highly technical in its method of protecting the public from exploitation that it has been possible to create a considerable sentiment in favor of the Vestal bill, changing the entire basic principle of American copyright legislation, among people who have no clear notion of what it is all about. Nobody confronted with the actual language of the bill can fail to see that it sacrifices the rights of the American people in favor of a small group of special interests.

"The broadcasters of America have gone on record unanimously as opposing certain features of this bill. They ask no special favors, nor would they in any way deny the right of authors or composers to fair rewards for their work. They do, however, claim that the American people have a right to know the ownership of property in which they have a definite and lasting interest, and to be protected against the unscrupulous practices of copyright racketeers."

January 12, 1931

### THE VESTAL COPYRIGHT BILL

---

The Vestal Copyright Bill (H.R. 12549) in the form in which it comes before the House might well be entitled "a bill to encourage copyright racketeers," according to H. A. Bellows of Minneapolis, Chairman of the legislative committee of the National Association of Broadcasters, who is in Washington seeking amendments to the bill.

"The measure as it stands simply throws open the whole field of musical performance to be exploited by copyright racketeers," said Mr. Bellows. Under the present law, users of copyright material have at least the reasonable protection afforded by the requirement of registration and of publication of the copyright notice. The pending bill would create copyright from the inception of a work, before publication, and without compliance with any formalities whatsoever.

"Every broadcaster uses dozens of musical compositions daily, and for these he is entirely willing to pay a fair royalty. All he asks is to know where he stands. Under the pending bill, he could know neither which compositions are covered by copyright, nor who owns such copyrights. Despite his most conscientious diligence, he would be an innocent infringer, and thus liable to heavy damages, many times every day

"The copyright racketeer, the author, composer or publisher who encourages public performance with the intention of subsequently threatening action for violation of copyright, is today restrained only by the fact that the law requires him to give public notice of his claim. The proposed law denies to the public even this measure of protection.

"Copyright law is so highly technical in its method of protecting the public from exploitation that it has been possible to create a considerable sentiment in favor of the Vestal bill, changing the entire basic principle of American copyright legislation, among people who have no clear notion of what it is all about. Nobody confronted with the actual language of the bill can fail to see that it sacrifices the rights of the American people in favor of a small group of special interests.

"The broadcasters of America have gone on record unanimously as opposing certain features of this bill. They ask no special favors, nor would they in any way deny the right of authors or composers to fair rewards for their work. They do, however, claim that the American people have a right to know the ownership of property in which they have a definite and lasting interest, and to be protected against the unscrupulous practices of copyright racketeers."