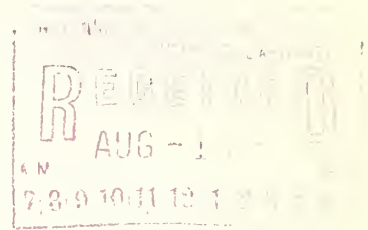
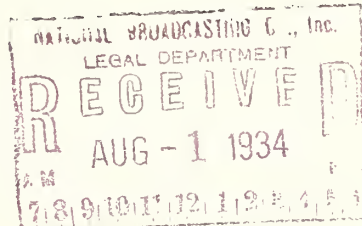


# HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

**CONFIDENTIAL — Not for Publication**



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No. 745.

## COMMISSION TO HEAR OHIO-MICHIGAN STATIONS APPLICATIONS

The applications of several Ohio and a Michigan station to change their frequencies have been deemed of such importance that the entire Communications Commission will hear the arguments September 24th.

The stations seeking relocation are: WKBN Youngstown, which asks to change its frequency from 570 to 610 kilocycles, with 500 watts power nighttime and 1000 watts daytime, WAIU Columbus, from 640 Kilocycles to 570 kilocycles with increase of power from 500 to 750 watts night, 1,000 watts daytime to share with WUSU, Columbus; and WJAY, Cleveland from 610 to 640 Kilocycles with increase in power of 500 watts to 1,000 watts and specified hours.

In connection with the proposed shift WXYZ, the Kunsky Trendle Broadcasting of Detroit has applied for a new station to operate on 640 kilocycles, 10,000 watts, and the Portland Broadcasting System of Portland, Me. has applied for a new station to operate on 640 kilocycles with 500 watts power.

After disposing of the above matter the Broadcasting Division granted the following applications:

Beard's Temple of Music, Jonesboro, Ark. Granted Mod. of CP to extend completion Date to October 1, 1934. Montgomery, Ala. Montgomery Broadcasting Co. Inc., Granted Auth to determine operating power by direct antenna measurement. Orlando, Fla. Orlando Broadcasting Co., Granted Spec Temp Auth to operate with additional power of 750 watts at night for a period ending 3 AM Sept 1. Joplin, Mo. Joplin Broadcasting Co. granted Spec Temp Perm to operate from 9:30 PM to 12 midnight CST August 7th. Iowa City, Ia granted Spec Temp Auth to operate from 9:30 PM to midnight CST Aug 3rd.

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## EDUCATIONAL AND RELIGIOUS STATIONS HEARING OCT 1

The Broadcasting Division of the Federal Communications Commission has set Monday October 1st for a hearing in the question of allocating fixed percentages of broadcasting facilities to religious, educational and other types of non-profit stations. Written notice of those who intend to appear must be furnished to the Commission by September 20.

The Commission is required to submit its recommendations to Congress in this matter February 1st.

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## WJSV ANNOUNCER BELIEVES CRITIC POISON PEN WRITER

Always desirous of stating the facts and never of intentionally doing an injustice to anyone, it is a pleasure to present here a self-explanatory letter received from Arch McDonald, announcer of station WJSV in Washington.

"In your Radio News Service of July 17th, you reprinted a letter written to the Washington Post by an unsigned listener and published by that paper a few days earlier." Mr. McDonald writes, "I feel that the re-publication of the Post letter was unfair to me since I was not asked to present my side of the controversy at the time; the letter merely being reprinted without comment."

"I have been adverse to criticism over the air and have tried to benefit by the suggestions offered. On the other hand, I have never read over the air, one single communication in which I was praised by a listener and I think you will agree that every person in radio gets one of these letters occasionally.

"The writer of the letter referred to, made a false statement when he said, - - 'The letter was read over the air by McDonald and was ridiculed by him. Mr. McDonald, in addressing the radio audience, stated 'Ladies and gentlemen and Mr. Van Sant,' indicating that the writer of the critical note was no gentleman.'

"What actually happened was this. I read the letter of criticism and then followed it with this lone comment. 'Ladies and gentlemen and especially Mr. Van Sant. Whether this man is right or wrong, I'll have to admit he certainly got me TOLD.' - and this statement can be verified by any person who was listening to the baseball broadcast that afternoon.

"May I also add that this letter was not the only one sent by this person who signed the name Van Sant. This station, myself personally and two newspapers, all received letters of the same nature but signed with different names. We compared five of these letters and found that every one was written on the same stationery, using the same phrases, misspelling the words and signed in the same handwriting and typed on the same typewriter.

"What malice or hate this anonymous poison pen writer has against me, I do not know. But I do know this. I have always shot straight from the shoulder, done my own thinking and conducted my broadcasts without fear or favor, simply 'calling them as I see them', - to use a baseball expression. This I shall continue to do and I have no fear of the outcome. May I thank you in advance for the same courtesy extended the other letter, in the presentation of my side of this matter?"



July 31, 1934.

BELIEVES NEW AMATEUR REGULATION UNENFORCEABLE.

It is the belief of Col. Clair Foster, W6HM, prominent West Coast amateur radio operator that the Communications Commission's regulation that copies of amateur radio operators messages must be made and filed would be held "unreasonable" by the courts and therefore unenforceable.

The new regulation, a part of Rule 386, reads as follows: "Message traffic handled. If record communications are handled in the regular message form a copy of each message sent and received shall be entered in the log or retained in file for at least one year."

"Some amateurs handle many hundreds of messages a month for the public," Colonel Foster declared. "Of course all on their own time and at their own expense. I myself have handled as high as 687 separate radiograms in one month, many of them of over 100 words; and mine are all trans-Pacific. We have no time to be making and preserving copies of messages. If we do that then we simply must cut down the service and handle only about half as many."

"Many amateurs will stop their service altogether rather than conform to this new pronouncement. And that is the purpose of this commercially inspired regulation. There is no earthly reason for applying commercial practice to an amateur service that is costing the beneficiaries not one penny."

Colonel Foster, who has been at odds with the American Radio Relay League, a national amateur organization sharply criticizes Kenneth B. Warner, secretary and general manager of the organization, in the July issue of Radio Magazine published in San Francisco.

Mr. Warner was hired as a Secretary of the American Radio Relay League in April 1919, at \$30 a week, plus a bonus of 25 cents on each yearly dues from members, plus again 25 per cent of the net monthly profits of QST, the ARRL Magazine."

Colonel Foster writes, "At that time the members were licensed amateurs, in accordance with the fundamental purpose of the ARRL - a league of transmitting amateurs. There were subscribers to QST who were not members, including commercial radio people and other non-amateurs. From these subscribers, of course, there were no "yearly dues" on which Warner could levy. At that time the "net monthly profits" of QST were little or nothing. Nevertheless, Warner's extra money above his salary up to November 1 of that year amounted to \$898. Keep in mind



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that at this time all of the ARRL's assets, including QST, were the property solely of the amateurs. By the beginning of 1920 Warner had a plan under way for switching things around so that everybody who subscribed to QST should become thereby a "member" of the ARRL and the subscription money of each should become "yearly dues" and thus subject to the yearly levy under the wording of Warner's contract.

"Then the switch made subscription money "yearly dues" and the scheme worked so well that Warner took from the treasury in 1920 in addition to his salary, \$3,715. And it worked so well that the next year, 1921, he took out, in addition to his salary, \$5,972. And it worked so well that in the following year, 1922, in addition to his salary, he took out \$10,255. And it worked so well that the next year, 1923, he took out, in addition to his salary, \$10,322. And it worked so well that in the first six months of the next year, 1924, in addition to his salary, he took out \$5,699.

The new deal, effective July 1, 1924, prescribed a salary of \$600 a month plus 10% of the net profits of the whole organization.

"Warner's additional perquisites for the first half of 1924 were \$5,699. His commissions for the second half under the new arrangement were \$1,035. His total salary and all, for the year amount to \$11,114.

The next two years there were no profits, so Warner had to struggle along on \$600 a month. But in 1927 he drew down a total of \$9,364 and in 1928 a total of \$9,978.

"At the 1929 meeting of the board Director Babcock moved to give Warner a straight salary to begin January 1 of that year with no commissions. Counsellor Segal, who was then a director, jumped up and moved to amend by striking out the \$10,000 and making it \$12,000. Nobody bit, so it had to stay at \$10,000 for that year. At the 1930 meeting somebody moved to make it \$11,000, together with a boost of \$500 a month for A.A. Hebert, Treasurer of the ARRL. The depression was well under way and thousands of fine radio men with families were walking the streets with no jobs at all, so Paul Segal, Counsel of the organization, no doubt felt that Hebert could make out on \$500 a month; but he moved to amend by giving Warner \$12,000.

"Throughout the past four blighting years, 1930-1933, most of those fine radio men with families are still hunting jobs while during that time Warner drew out of the ARRL treasury just \$44,206.03! I hate to make myself niggardly by mentioning those 3 cents but I must do so in the name of accuracy."

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## ENTIRE COMMISSION MAY CONSIDER APPEAL CASES ONLY

Although the divisions are now scheduled for regular meetings, the Broadcasting division, Tuesday, the Telegraph division Wednesday, and the Telephone division, Thursday, there have thus far been two meetings of the entire Communications Commission and these were largely for the purposes of organization.

Evidently, at present at least, it is the intention of only assembling the full Commission in the case an applicant desires to appeal from the decision of a division chairman. As yet no case considered by the new divisions has reached the point of an appeal and until then it is believed the Commission as a whole will not be called together unless other matters demand its attention.

Commissioner Paul Walker, Chairman of the Telephone division, is still in Oklahoma and is not expected to return to Washington until about August 15th.

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## CHARGING RADIO TALK BANNED, CANDIDATE SUES

Charging censorship of a campaign speech, Paul Stewart, publisher of the Antlers (Okla) American, state senator and candidate for corporation commissioner, Monday filed suit in district court in Oklahoma City for \$30,022.40 damages.

Stewart made WKY Radiophone Co., Mistletoe Express Service and the Oklahoma Publishing Company, publishers of the Daily Oklahoman and Times, joint defendants.

The suit resulted from action of WKY authorities Saturday night in requesting Stewart to delete portions of a radio address scheduled for 9 P.M. When Stewart refused to make changes, station officials gave him a refund on his contract for the fifteen minute broadcast.

He charged in his suit that WKY "unwarrantly, without justification or any lawful authority" sought to strike from his speech "certain references to the Oklahoma Publishing Company."

In publishing a statement by Stewart as a "Letter to the Editor", the Oklahoman Monday said Stewart was "asked to delete certain phrases regarding his opponent held to be libelous," and that when he refused, WKY refunded his money. Stewart declared this as untrue. He said the objectionable phrases concerning his opponent were cut out and that the station's real objection was to his reference to the Oklahoma Publishing Company.

He said the dispute was over this paragraph:

"The Oklahoma Publishing Company, a foreign Corporation, which owns WKY, the Oklahoma Farmers-Stockman, the Daily Oklahoman, the Times, and the Mistletoe Express, have opposed me through their newspapers in their editorials. A few years ago the Federal Trade Commission made the utilities go out of the newspaper business and it is my humble judgment that the Oklahoma legislature and the state corporation commission should make the newspaper go out of the utility business. I pledge an earnest effort to this end."

His suit asked for \$2,240 which he said paid for newspaper advertising to advertise the speech. He asked \$5,000 for "irreparable damage" for "being deprived of his right of public address," and charged that "multiplied thousands of people who would have listened were deprived of their right of hearing his remarks."

He asked \$25,000 punitive damages "on account of the unwarranted, unjustified, unlawful and malicious acts of said defendants."

"I have no statement to make," Edgar T. Bell WKY radio station manager and business manager, Oklahoman and Times, told Editor & Publisher when asked for a statement on the Stewart suit.

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#### ANOTHER SHAKEUP IN COMMISSION OFFICE ARRANGEMENT

Just about the time visitors were beginning to be able to find their way about the Federal Communication's Offices, in the immense new Post Office Building, without the aid of a guide there has been another shakeup in the location of the Commission offices. The Legal Division has been moved to Room 5321, the Engineering Division to Room 7213, and the Press Division to Room 4207. Commissioner Case has been moved to Room 6241, but the offices of the other Commissioners are unchanged, Judge Sykes in 6207, Colonel Brown 6209, Dr. Stewart 6235, Mr. Walker 6235, Mr. Gary 7240, and Mr. Payne 7241.

The new arrangement scatters the Commissioners over four floors, the fourth, fifth, sixth and seventh, with the License Division in the Interstate Commerce Building, which may be reached from a hallway of the Post Office Department building on the seventh floor. It is a very inefficient arrangement as some of the offices in addition to being on different floors are almost a city block apart.

The latest story having to do with the size of the two-block square Post Office Department building is about a stenographer who went out to lunch, couldn't find her way back to the office, and finally went across Pennsylvania Avenue to a pay telephone and called up her division chief for instructions



how to locate her office. To add to complications on one of Washington's hottest days, the air-cooling system failed to work, for a time the water supply was cut off and to complete the jinx the elevators began to act up.

The air-cooling failure caused particular discomfort because the building is not ventilated like buildings which are not air-cooled and employees sweltered. It is reported that it costs the Government \$900 a day to operate this system.

One of the elevators which jammed caught Judge E.O. Sykes, Chairman of the Federal Communications Commission half-way up as he was ascending to his office on the sixth floor.

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#### REDUCED RATES GRANTED TO CINCINNATI CONVENTION

A record attendance at the National Association of Broadcasters Convention has been assured by the railroads granting a reduced rate, according to Philip G. Loucks, Managing Director of the Association.

"We had about 300 at St Louis in 1932, about 350 at White Sulphur Springs in 1933" Mr. Loucks said, "but inasmuch as Cincinnati is in the center of the heaviest station population in the United States, with the South, East and middle West to draw from, I believe the attendance in the Ohio City in 1934 will be close to 500."

It is believed that the new WLW 500,000 watt station will be a drawing card for many broadcasters who will feel that it is worth a trip to Cincinnati to see this station alone.

The 50,000 watt WLW transmitter which we once thought was a giant looks like a midget" Mr. Loucks declared, "I really believe you could put old WLW transmitter in one of the panels of the new station."

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#### R. C. A. PUBLIC RELATIONS EXPERT TURNS MILITARY WRITER

In last Sunday's Washington Post appeared the first of a series of vividly descriptive and historically accurate articles on military engagements in which the city of Washington was the prize to be won or lost. The writer was none other than Glenn I. Tucker, director of Public Relations of the Radio Corporation of America.

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Mr. Tucker was formerly with the New York World and his hobby is military strategy and history.

Tucker's initial article dealt with 1814 when following the Battle of Bladensburg the National Capital was defenseless. He told how the victorious British swarmed into the City and pillaged and fired its public buildings. Also how scarcely two hours before Dolly Madison had fled to the protecting hills of Virginia, and in the deserted White House, Admiral Cockburn dined sumptuously by the flickering lights of the blazing City.

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#### GEOGRAPHIC OFFICIAL PRAISES RADIO'S PART IN STRATOSPHERE

Regarding the radio broadcast of the National Geographic Society-Army Air Corps Stratosphere Flight, Dr. John Oliver LaGorce, vice president of the National Geographic Society said to-day:

"The short-wave radio broadcast arranged by the National Broadcasting Company for the National Geographic Society-Army Air Corps Stratosphere Flight was one of the most noteworthy examples of radio engineering it has been my good fortune to hear."

"Officials of the Geographic and Army Air Corps were afforded the unusual privilege of hearing the entire handling of the broadcast through special lines, which were run by the NBC into the auditorium of the National Geographic Society and into offices of the Chief of the Army Air Corps in Washington. In Rapid City, representatives of The Society, The Army Air Corps and the wives of Major Kepner and Captain Anderson were able to listen in by means of a similar hookup.

"I am sure that radio communication with the stratosphere flyers was of value to them because they were constantly able to obtain accurate weather reports and the velocity of ground wind along their course. They were also in a position to consult their superiors in the Army Air Corps office, and to ask for advice or aid, if needed.

"Personally I have never heard a more intensely dramatic broadcast than that last three-quarters of an hour when the flyers were in trouble and none of us on the ground knew what might happen. No professional "thriller program" ever was able to achieve a greater measure of agonizing suspense.

"The cheer that greeted the brief announcement that the flyers had jumped and were safe was a genuine expression of the joy we all felt that the drama had ended happily for the three men concerned."

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::::: BUSINESS LETTER NOTES :::::  
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A public hearing on a code of fair competition proposed by the advertising agency trade will be conducted in the Hall of Nations of the Washington Hotel, Tuesday November 7. William P. Farnsworth, Acting Division Administrator will be in charge.

The proposed code has been submitted by the American Association of Advertising Agencies.

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Gen. Warner L. Wilkerson of the Confederate Army, a resident of this city more than 65 years, died yesterday at the home of his daughter, Mrs William D. Terrell of Livingston Heights, Va., where he had lived since becoming ill three months ago. Mrs Terrell is the wife of the Chief of the Field Division of the Communication's Commission.

General Wilkerson was 88 years old. As a boy of 14 he ran away from home enlisting as a private, served during the entire Civil War and subsequently arose to the command of General.

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WDAE, the Tampa Daily Times radio station has completed the installation of new equipment and is operating on the increased power recently granted. The station now has 2,500 watts during the day and 1,000 at night

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Appeals have been filed in the D.C. Court of Appeals by T.G. Roberts against a grant to KWKH, Shreveport, La., allowing it to change its frequency from 850 to 1100 kilocycles and against granting Station WWL, New Orleans, La., unlimited time on 850 kilocycles.

Mr. Roberts was at one time interested in KWKH, but since no longer connected with the station, it is likely that the Commission will ask that the Appeals be dismissed.

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The President is very persuasive in such matters and should he really want Senator Dill to run again he may, of course, do so. I am confident, however, if Senator Dill follows his own inclinations he will not seek re-election."

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BOGUS JOHN B. KENNEDY PRESENT HIMSELF

The NBC Press Department has sent the following:

CONFIDENTIAL NOTICE TO RADIO EDITORS:

"We are informed that an individual representing himself as "John B. Kennedy of Collier's editorial staff" has victimized a writer in an Ohio City by passing a worthless check. This man talks familiarly about well known newspaper and radio people, and claims to be writing a series of articles on midwestern cities on which he is consulting newspaper men and historical authorities in these cities. He has no connection whatever with John B. Kennedy, former editor of Collier's, and now special news commentator for the National Broadcasting Company. This notice is given you for your information and assistance in apprehending the imposter."

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MUTUAL BROADCASTING CHAIN FOR CHICAGO AREA?

In announcing its decision not to affiliate with the new American Broadcasting System network at the present time, the management of WGN revealed that a number of advertisers, as well as several outside radio stations, have sought to get WGN to join in a mutual chain broadcasting operation. Such an arrangement has good program possibilities, with resultant low costs for advertisers, it was stated. This plan of mutual operation is in the foreground for further consideration.

"The only thing WGN can be interested in from a chain standpoint," the management said, "is in additional sustaining and a few commercial programs of exceptional quality. Extensive chain programming will not offer to WGN at this time as much as it is able to make from its own programming activities. WGN is not opposed to good net-work broadcasts, but during its past affiliations with both of the major net-works they have always wanted to give WGN more programs than it wished to take."

Frederick H. Weber, formerly stations relations director for NBC, is vice-president in charge of operations and station relations of the new network.

## NEW GILLIAM VIRGINIA STATION CALL LETTERS WSWA

The new daytime station authorized by the old Radio Commission to be operated by M.K. Gilliam at Staunton, Virginia, will be known as WSWA. It will operate on 500 watts on a frequency of 550 kilocycles. Mr. Gilliam, formerly part owner of WMCA, New York, now resides in Washington.

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## TEXAS EDITORS BAR ELECTION BROADCASTS

The Texas Election Bureau, operated by the Texas Managing Editors Association for more than twenty years as a cooperative agency for gathering election returns for newspaper use, has announced that hereafter returns supplied by it may not be broadcast or placed on bulletin board in or outside of Texas.

The announcement of the bureau, which was incorporated on July 10, said:

"In the past few years election news gathered by the bureau has been used so largely by persons who contributed nothing to the expense as to destroy its value to the papers which do contribute.

"This election news has been obtained from bulletin boards and from broadcasts. Attorneys advise that when news is broadcast or put on bulletin boards it becomes public property. Hence, to protect its rights in this news, the bureau has prohibited the use of its returns on bulletin boards, and incorporated so that it may assert in court its property right in whatever news it supplies to its members.

"The ban on broadcasts and bulletin boards is merely a move to preserve the only agency we have for gathering returns at all on election night."

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## DECLARES DILL MEANS BUSINESS AND WILL NOT RUN

Notwithstanding the report that Senator Dill of Washington, co-author of the Communications Act, might decide to seek re-election despite his declaration that he would retire, a friend of the Senator's in the Capitol said he felt certain Mr. Dill would not make the race.

"While Senator Dill has until August 11 to formally file his intentions, I am of the opinion that he will not run again despite considerable pressure which is being brought to bear upon him to do so," this friend said. "It is expected that Senator Dill will discuss the situation with President Roosevelt, while the latter is on the west coast and of course