

HEINL RADIO BUSINESS LETTER

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INDEX TO ISSUE OF DECEMBER 15, 1936

Educational Parley Adjourns With Plans Indefinite.....	2
A.P. Loses "News Piracy" Suit On A Technicality.....	5
Who Scooped Whom On King's Abdication Flash?.....	7
"Cheerio" At Last Tells Own Story.....	8
Lafount, Ex-Commissioner, To Become Broadcaster.....	9
Hints On Short Wave Reception Issued By Commerce Department...	10
BBC Protests Against NBC Recording of Edward's Talk.....	11
National League Split On Broadcast Policy For Games.....	11
Lohr Labels 1936 Radio's Biggest Year.....	12

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December 15, 1936.

EDUCATIONAL PARLEY ADJOURNS WITH PLANS INDEFINITE

The First National Conference on Education Broadcasting, which held a three-day meeting in Washington last week, adjourned Saturday without adopting a definite program, resolutions, or without scheduling another meeting.

C. S. Marsh, Executive Secretary, stated, however, that the delegates from the 18 sponsoring organizations felt that much good had been accomplished by the broad discussions and that another parley should be held.

Because of the lack of a definite program, either for allocation of existing broadcasting facilities to educational or non-profit-making interests or for a demand of time upon commercial outlets, it is not expected that any organized movement will be made in behalf of radio education legislation at the next Congress.

The conference ended with a plea from David Sarnoff, President of the Radio Corporation of America, for maintenance of the American Plan of Broadcasting and a warning against government operation or ownership.

The American Plan, he said, has made possible:

1. Nation-wide facilities capable of delivering programs to practically every man, woman and child in the United States.
2. A system that has induced the people of the United States to equip themselves with nearly 30,000,000 radio receiving sets with the economy made possible by mass production.

At no cost to the listener, he pointed out, it has brought into the living room of the average American home the Metropolitan Opera, educational programs of a high order, good music, and news and other features.

The only other address of the final session was made by Dr. William Mather Lewis, President of Lafayette College.

Radio possesses revolutionary potentialities in the field of education, said Dr. Lewis, foreseeing the day it will bring the best teachers simultaneously into thousands of one-room school houses scattered over the land.

"The radio will in the near future exert a profound influence upon teaching procedure", according to the college president. "In many of the best schools today there are radio connections in the classrooms and the teacher supplements her instruction with stimulating material gathered for radio transmission from all parts of the earth."

He spoke favorably of Government supervision but urged avoidance of "those hampering elements which would be inevitable were broadcasting to become a Federal function."

"The fine results already accomplished in radio education", said Dr. Lewis, "demonstrate clearly how the machine properly used may become the willing and helpful servant of man, now humanity may be emancipated not manacled, by mechanical progress."

"Leaders in the field of formal education joining forces with those who have so rapidly and skilfully developed the influence of the radio can adequately meet the claims of education."

Some of the highlights of other addresses not previously reported follow:

William Dow Boutwell, Director of Educational Radio Project, U. S. Office of Education, predicting that "the major future developments in broadcasting lies in local broadcasting service rather than in the field of national broadcasting service", added:

"Stations seeking distinctly local interest programs will depend heavily on educational agencies for what they want, and they will want many programs. Such stations in the future will undoubtedly provide extremely satisfactory hours to educational institutions which can provide good programs."

"Here is the opportunity for educational institutions! If the present American plan of radio is maintained by the Federal Communications Commission, then there will be ample opportunity for schools to use these local outlets. Then the problem becomes one of whether educational institutions can build programs able to compete with national programs for listener interest."

Gilbert Seldes, author and newspaperman - "A certain freedom and a high degree of variety in American broadcasting are due to a large extent to the same commercial system which must also take credit for a vast amount of stupidity and dullness."

Samuel E. Gill, Research Director, Crossley, Inc. - "We have discovered that the average radio listener is, like the average individual in any classification, primarily an extreme egocentric. He must be shown what benefit he will derive

from a radio program, whether it be pleasure, entertainment, knowledge or relaxation. He must be catered to."

Mrs. Ruth Haller Ottaway, President, National Council of Women - "Thousands of professional musicians and the millions of club members have endeavored to raise the musical standard of programs. When great artists give serious programs in the concert hall then, facing the microphone, make a chameleon-like change and pander to the general public, both the public and the musically elite feel cheated."

W. Cabell Greet, editor, American Speech - "I doubt whether the speech influence of a year of radio is equal to that of a week's automobile trip in a distant State. After four years of the excellent radio speech of President Roosevelt, is his speech imitated by the youth of the land? It might be good if it were, but I have seen no signs of it."

H. L. Ewbank, University of Wisconsin - "Last year 100 juniors and seniors insisted on enrolling in my course in radio speaking and writing. There were football players, journalists, students of advertising, people who would not, under any circumstance, be found in a course in interpretative reading."

E. N. Nockels, Station WCFL, Chicago - "There lies ahead of us a definite danger of an attempt on the part of the same type of broadcasters who have heretofore endeavored to obtain a strangle hold on the channels of the air to extend their monopolistic attempts to include educational broadcasting and to so control it as to appropriate its benefits in the way of increased and constant listening audiences to their own selfish gain."

Ernest La Prade, National Broadcasting Company - "I believe that when ways can be found for the listener to participate in broadcast programs, the educational possibilities of broadcasting are greatly enlarged."

Pierre V. B. Key, editor Musical Digest - "What needs attention, it seems to me, is greater care in the making of programs. Some of our good music comes from the so-called popular class. And much of what is labeled classic is not good music at all."

Davidson Taylor, Columbia Broadcasting System - "Some stations look on Bach with fear and trembling; other stations feel, there is no audience for radical contemporary composers."

Julius F. Seebach, Mutual Broadcasting Company - "Intelligent people should cease to treat popular music as a thing to be deplored and begin to look at it as an integral part of our national life to be encouraged and from which to expect better things than are currently demanded of it."

The radio has "almost miraculous possibilities as an instrument of international peace and better understanding among nations," Ambassador de Laboulaye, of France, declared at the conference banquet.

"Better understanding among nations", said Ambassador de Laboulaye, "is the wisest and most secure road toward international peace. By mutual understanding, secular hatreds may fade away, new friendships may be formed and old ones strengthened. Individuals will realize that they were not born to fight against each other in destructive wars, but to take part, under the rule of peace, in constructive universal cooperation."

Prof. James T. Shotwell, of Columbia University, also stressed the part radio is playing in bringing about more widespread international understanding.

The radio, Professor Shotwell added, will develop in the years to come a business technique in international diplomacy to replace the empty formalities of the present. Already, he said, statesmen must be careful of their language in addressing their constituents for fear the citizens of a neighboring land may be listening in.

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A.P. LOSES "NEWS PIRACY" SUIT ON A TECHNICALITY

The Associated Press in effect lost its fight to penalize Station KVOB, Bellingham, Wash., for alleged news piracy when the United States Supreme Court on Monday declined to assume jurisdiction of the case.

The Supreme Court ordered the lower courts to dismiss the A.P.'s action on the ground that it had failed to show damage of more than \$3,000, the minimum amount that must be in controversy if the Federal courts are to assume jurisdiction.

Because of the technicality of the ruling, broadcasters generally are not expected to interpret the decision as giving them the right to use published news freely. However, it is expected to protect radio stations from petty suits in cases of disputed news sources.

Justice Roberts, in an unanimous opinion, did not go into the merits of the controversy, although he incidentally remarked that KVOB "has no organization of its own for gathering news, but adopts the practice of 'pirating' news gathered by The Associated Press and its members."

John W. Davis, counsel for The Associated Press, noting that the Supreme Court did not discuss the basic issues of "news piracy", said after the opinion was delivered that, if

necessary, The Associated Press could now attempt another suit in the Federal courts, with an amended complaint as to damages, or begin a suit in the Washington State courts.

KVOS was accused of pirating news from The Seattle Post-Intelligencer, Seattle Times and Bellingham Herald, all subscribers to The Associated Press. The news items were broadcast several times daily in the station's "Newspaper of the Air."

The Associated Press sought an injunction but the District Court dismissed the bill, holding that KVOS and The Associated Press were not in competition, and that KVOS derived no profit from its operation. KVOS also pleaded that the court lacked jurisdiction because the amount in controversy did not exceed \$3,000. The District Court did not agree, even though it ruled that the radio station was not actually in competition on the news.

The Ninth Circuit Court reversed the lower court and ordered an injunction against use of the news items until eighteen hours after publication.

Justice Roberts held, in his opinion, that The Associated Press had the burden of proving it was damaged \$3,000 and failed to carry that burden. No facts were shown, he said, which tended to prove the value of the right to conduct the A.P. enterprises free of unlawful interference by KVOS.

The complaint, Justice Roberts stated, contained nothing but a "general statement" that the damage was more than \$3,000 and this, he added, was not enough in the face of denials by KVOS. The only attempt to "meet the burden", he commented, was the statement that the three A.P. newspapers paid the association \$8,000 monthly, which "is being imperilled and jeopardized" by KVOS.

This statement, he continued, must be read along with the allegation by KVOS that the A.P. is a non-profit organization, dividing its expenses among its members.

"The association cannot therefore lose the \$8,000 in question", Justice Roberts said. "If the three newspapers in the affected territory cease to pay the sum, they will save it, not lose it, and, as to any other damage they may suffer from petitioner's competition, the affiant is silent.

"Assuming, without deciding, that in the circumstances disclosed, the respondent has standing to maintain a suit to redress or prevent damage caused its members by petitioner's conduct, the allegation of possible damage to them is wholly inadequate, because the asserted danger of loss of members is a mere conclusions unsupported by even a suggestion that withdrawal has been threatened by any newspaper, and no intimation is given of the character or extent of the damage they would suffer by such withdrawal. The respondent having failed to support the allegations as to amount in controversy, the District Court should have dismissed the bill."

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WHO SCOOPED WHOM ON KING'S ABDICATION FLASH?

The abdication of King Edward VIII caused almost as much consternation among broadcasters in this country as it did among loyal patriots of the British empire. The source of the trouble, however, was different.

Scarcely before listeners had time to tune off the broadcasts which announced the British ruler's action, press agents of leading radio stations and networks were typing out press releases boasting that they had a "scoop" on the flash. Radio editors, as a result, soon were swamped with such claims and, needless to say, confused although some of them had gone ahead and used the first claim that reached their desks.

Larry Nixon, WMCA news editor, later sent a "note to radio editors" which soothed their minds somewhat although it did not settle the controversy. His note, however, was labelled "not for publication".

The sense of the statement was that the Press-Radio Bureau had done an excellent job of bringing the flash promptly to the subscribing broadcasters and that no station nor news service had a right to brag very loud over a "beat".

The Mutual Broadcasting System and WOR were among the first to lay claim to a scoop. In cooperation with the British Broadcasting Corporation and the Canadian Broadcasting Corporation, Mutual broadcast Prime Minister Baldwin's speech to Parliament.

"WOR was the first metropolitan station to broadcast a news flash which officially announced that King Edward VIII had abdicated", a press release stated.

Regardless of what Nixon called "the conflicting claims" by broadcasters, American listeners probably heard the news of the abdication before British subjects.

The United Press so stated, explaining that "American news agencies worked faster than the English."

NBC, United Press stated, was set at 10:30 A.M. (EST) to rebroadcast the BBC story of the abdication. BBC, however, was sending nothing but music.

At 10:47 NBC received and broadcast a press radio flash that Prime Minister Baldwin had announced the abdication. Fully 10 minutes later a BBC announcer began reading the King's statement, which the American company picked up and rebroadcast.

CBS, broadcasting its own reports from London, also scored a beat for American audiences by relaying the same flash. Sir Frederick Whyte, author and commentator, told the running story for CBS from London. He was interrupted for the flash from the CBS New York studios.

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"CHEERIO" AT LAST TELLS OWN STORY

Although there have been many conflicting versions, the truth about America's most famous anonymous humanitarian radio program is told in a new book, "The Story of Cheerio - By Himself" (Garden City Publishing Company, Inc., Garden City, New York).

In a chapter captioned, "The Way It Began", Cheerio writes:

"Once upon a time there was a man who walked down to his office every morning and dropped in for a few minutes to say 'Cheerio!' to a friend convalescing from an operation. After those few minutes of greeting he went on to his office, conscious of a glow of quiet satisfaction at having left a cheery word with his shut-in friend. He felt that he could not have started his own busy day in a better manner than to leave that morning 'Cheerio!' behind him.

"The friend to whom that magic word was spoken each morning recovered and went back to business. One day, as the two men were lunching at their Club, the talk turned to radio. 'Radio is a wonderful thing for shut-in folks', said the man who had recently been one himself. They talked on for some time about the possibilities of the new invention.

"Suddenly, sitting there, the thought came to the one who had made the morning calls on his sick friend that the radio might give an opportunity of broadcasting that same friendly impulse which had prompted him to drop in to say 'Cheerio!' on his way downtown. For the first time he saw what broadcasting may really mean. The radio would make it possible for him, as an individual, not only to obey his own impulse of kindness but actually to represent an untold host of friendly sympathetic people who would gladly say 'Good morning!' to others less fortunate than themselves in the matter of being up and about. They'd like to do it if they only had the opportunity, he was sure.

"Right there and then, the man decided he would like to be, for a while at least and as far as his personal affairs would let him, such a messenger of sympathy and good will, starting his own day right trying to help others face their day with courage and good cheer. It happened that this man was in a position to bring his idea to official attention. The idea was receiving as having the potentialities of real human service over radio and the National Broadcasting Company said it would cooperate with him, allowing no commercial element whatever in the feature. It would give the radio facilities, he would give the programs without compensation to himself, either in money or in personal publicity, and others would give what they could. Such a service would fail to realize its purpose unless the sincerity of that purpose could be impressed upon the listeners

to such a program. Therefore, not only must it be understood that the service was rendered without pay, except in the joy of the work, but it must not be given under the real name of the broadcaster. This would make it apparent, to those who cared to know the facts, that the only reward which could come to him who desired to use the radio in this manner would be the consciousness of a loving purpose achieved and possible acknowledgment by others to an unknown friend."

There are introductory words by two distinguished friends of the Cheerio broadcasts, former President Herbert Hoover, and Owen D. Young.

"Here is a use of the radio dedicated wholly to altruism", Mr. Hoover says. "Over these many years it has brought daily cheer, courage and hope to millions who need just that. And no other man than Cheerio had the genius of invention and the traits of sympathy that so fitted him to adapt the radio to so kindly and altruistic a purpose."

"Amid the many programs on the air, necessarily diverse to meet all tastes, there stands out one of such distinction in its universal appeal, in its simple, unselfish word, that its story deserves to be recorded as a glorious achievement in radio history", Mr. Young adds.

"'Give me to see, and Ajax asks no more' was the prayer the great poet put on the lips of his hero, in the darkness that overspread the Grecian camp.

"In the dawn, even the great hero would have said, as millions since have done: 'Give me cheer, and I ask no more.'

"So we thank you, Cheerio!"

"The Story of Cheerio" is beautifully written, contains many illustrations, and furthermore, probably the first two photographs ever printed of Cheerio. These, however, are in groups and the task of identifying him is left to the reader.

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LAFOUNT, EX-COMMISSIONER, TO BECOME BROADCASTER

Harold A. Lafount, former member of the old Federal Radio Commission, is about to become a broadcaster. In cooperation with Arde Bulova, New York watch manufacturer, Mr. Lafount has purchased WCOP, Boston, and is awaiting approval of the deal by the Federal Communications Commission. The purchase price is understood to be around \$60,000.

WCOP operates on 1120 kc., daytime, with 500 watts. It is an applicant for full time and a change in frequency.

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HINTS ON SHORT WAVE RECEPTION ISSUED BY COMMERCE DEPT.

To simplify the somewhat different operations of the short wave feature of the modern all-wave radio set, as well as to explain in popular language just how the short waves differ from the more familiar broadcast frequencies, the Electrical Division, Bureau of Foreign and Domestic Commerce, this week made available "A Guide to Reception of Shortwave Broadcasting Stations."

The publication was written by Lawrence C. F. Horle, a prominent radio engineer, working in cooperation with the Engineering Division of the Radio Manufacturers' Association for this purpose.

This booklet, the foreword states, provides a simple exposition of the basic phenomena involved in the transmission of short wave radio signals as used by broadcasting. It will assist the users of short wave radio receivers to receive such programs as are available with minimum effort and greatest satisfaction and will aid the avoidance of futile searching for programs not available because of location or other factors.

Since there are available throughout the nation competent radio service experts, it makes no attempt to instruct the user of short wave radio receivers in the intricacies of the servicing of receivers. And since the design and production of the modern short wave receivers require the highest type of scientific and engineering skill, it attempts to provide no constructional detail whatsoever except such suggestions as will assist the user in providing himself with a suitable receiving antenna, it was stated.

By studying the contents of this booklet and following the brief instructions therein the user of the short wave receiver will assure himself of getting the most out of his receiver and enjoying to the utmost a choice of the world's radio broadcasting.

Sections are devoted to installation of the set, to the characteristics of short waves, difference in time, a list of the principal short wave broadcasting stations of the world, a list of the international assignments of call letters, and instructions as to tuning receivers. A time zone map of the world and a chart of the world showing great circle distances and azimuths from Washington, D. C., are also given, both by courtesy of the Navy Department's Hydrographic Office.

The publication will be sold through the offices of the Bureau of Foreign and Domestic Commerce in Washington and in other principal cities at 25 cents a copy.

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BBC PROTESTS AGAINST NBC RECORDING OF EDWARD TALK

The British Broadcasting Corporation, through its American representative, protested to the National Broadcasting Company after several of its associated stations had rebroadcast the abdication address of the former King Edward VIII via transcription.

An NBC official in Washington said that it was the understanding of the network that, though it was prohibited by a BBC agreement from transcribing and rebroadcasting British programs over the network, individual affiliated stations were not so restricted.

The BBC representative, however, insisted that the ban was applicable to stations as well, and NBC accepted his interpretation. As a consequence a rebroadcast later the same night over NBC stations consisted of a reading of the erstwhile monarch's speech.

In the case of Station WMAL, Washington, which rebroadcast the transcription address at 5:30 P.M. EST, the NBC official said that the transcription was made locally. The program was not carried on the network or any hook-up of stations, he said.

NBC, like the Columbia Broadcasting System, has a general policy against broadcasting electrically transcribed programs over its networks.

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NATIONAL LEAGUE SPLIT ON BROADCAST POLICY FOR GAMES

The National League is sharply divided on the question of whether its baseball games should be broadcast, according to John Drebing, sports writer of the New York Times. Writing last week on a meeting of the League's owners, he said:

"The National Leaguers, according to President Ford Frick, discussed at considerable length the question of radio broadcasting, but because of its manifold ramifications, entailing long-term contracts and the like, soon found themselves in a hopeless tangle and dropped the matter without reaching any decision. Apparently radio, on which several clubs in the circuit are sharply divided, will continue as heretofore, with each club treating the matter as it sees fit."

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LOHR LABELS 1936 RADIO'S BIGGEST YEAR

The year 1936 will go down in history as the biggest year in radio, according to Lenox F. Lohr, President of the National Broadcasting Company.

In reviewing the activities of broadcasting during the past 12 months, Mr. Lohr pointed out that the period was one in which all existing records were broken in the number of stations affiliated with NBC networks, the number of broadcasting hours and appearances by talent, the amount of audience mail received from listeners, and the number of international broadcasts brought from abroad.

From the standpoint of special broadcasts, the year was marked by NBC coverage of such events as the death of King George; the accession of King Edward VIII and his subsequent abdication; the maiden crossings to America of the Zeppelin "Hindenburg" and the Liner "Queen Mary"; the military campaign in Ethiopia and the revolution in Spain; the presidential conventions, campaigns and elections; the Winter and Summer Olympics; the Inter-American Conference for the Maintenance of Peace; the inauguration of regular NBC broadcasts to Latin-America, and many others notable in the headlines of the year.

A survey of NBC activities during 1936 showed that the most important technical progress of the year occurred in the field of television and ultra shortwave broadcasting. On June 29, 1936, the National Broadcasting Company and its parent company, the Radio Corporation of America, began the first organized television experiments in America between a regular transmitting station and a number of homes.

Another technical advance during 1936 was the development in NBC laboratories of the micro-wave transmitter, a tiny self-contained radio station weighing only a few pounds.

NBC's coast-to-coast networks, with radio outlets in Hawaii and Canada, were increased during the year by 25 new stations, with the total to number 110 by the end of the year. Eight others will join NBC on January 1, or shortly thereafter, bringing the total to 113. NBC executives declared that an even greater expansion is contemplated for 1937.

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Columbia Broadcasting System, Inc., last week announced a special dividend of \$1.30 a share on the class "A" and "B" stocks and the regular quarterly dividend of 50 cents on the same shares. Payment will be made December 21 to stock of record December 15.

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