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Robert D. Heinel, *Editor*

## INDEX TO ISSUE OF APRIL 21, 1948.

"Mayflower" Hearings Reopen; Free Speech Curb On Radio Assailed....	1
Armed Forces Communications Assn. To Meet At Wright Field.....	4
RCA Seeks To Exclude Television Patents In Zenith Suit.....	5
New York Appoints Video Committee.....	5
Gammons, CBS V.P. Urges Uniform Time For U.S.....	6
Microwave Relay Chains Authorized By FCC; Grants TV Applications..	7
FCC Closes Three Unlicensed Radio Stations.....	7
WJBK, WJBK-FM, WTVO, Detroit, Lease Space In Masonic Temple.....	8
Sen. Reed To Preside At Liquor Ad Hearings.....	9
Complete List Of George Peabody Radio Awards.....	9
FTC Accepts Electronic Lab. Stipulation-Agreement.....	10
One Of Mark Sullivan's Very Few Slip-ups.....	10
RMA Announces June Convention Program.....	11
Robert Magidoff, NBC Moscow Correspondent, Due In N.Y. Apr. 22...	11
Editors Favor AP, UP Furnishing "Voice Of America" With News.....	12
Scissors And Paste.....	13
Trade Notes.....	15

April 21, 1948

"MAYFLOWER" HEARINGS REOPEN; FREE SPEECH CURB ON RADIO ASSAILED

The Federal Communications Commission on Monday, April 19th, resumed the review hearings on the controversial "Mayflower" rule which would prohibit freedom for the broadcasting of editorial opinions by station licensees just as the publication of editorial is permitted to newspapers. Last March in a five-day session, the FCC heard views of some 30 witnesses on the "Mayflower" decision under which the rule was laid down that a broadcaster "cannot be an advocate".

In the opening gun fired on Monday, Justin Miller, President of the National Association of Broadcasters, told the FCC that he would welcome an opportunity for Supreme Court review of the question.

"I would be delighted if you would decide a case squarely on this point", he said in questioning which interrupted his formal statement. "I hope you will deny a license flatly on this ground, so that we can get it into the Court."

Judge Miller's assertion, called forth by a question from FCC Chairman Wayne Coy as to the number of cases of FCC violation of the First Amendment to the Constitution which have gone into the courts, came in the middle of a closely reasoned statement of the legal aspects of NAB's opposition to the "Mayflower rule".

The NAB President, in his formal statement, after examining the First Amendment's prohibition of laws abridging freedom of speech, turned to the testimony of witnesses against editorializing, in previous sessions.

"Much of the argument - both in public discussion and in this hearing - has assumed that the First Amendment is unsound in principle", he said, "that its results have been unfortunate - so far as press editorializing is concerned, for example - and that this Commission should now step in and correct the errors of our forefathers.

"Much of such argument would be appropriate to a proposal for repeal of the First Amendment, or of that part of it which covers radio broadcasting. But it is not only incompetent, here and now, but impertinent, as well."

Neither, according to Mr. Miller, is there any constitutional justification for the further stated requirement of the Commission that equal opportunity be afforded for expression of opinion on all sides of controversial issues, or even, as provided in the act, for equality of treatment for political candidates.

"Whatever moral ground there may or may not be for providing such an opportunity for all people, and however, desirable general broadcasting policy, there is not the slightest support for it in the First Amendment, or for a contention that Congress has power to make laws abridging the freedom of speech of radio station licensees, for any purpose.

The NAB President cited the Communications Act of 1934, into which Congress wrote a prohibition against censorship by the FCC.

"It is significant", he said, "that Congress, recognizing the limitation imposed on itself by the Constitution, expressly re-imposed the limitation upon the Commission."

Judge Miller listed the four points the FCC is allowed to consider in granting or renewing licenses, as outlined by the Supreme Court: available frequencies, tested by good engineering standards; competency; adequacy of equipment; and financial ability.

Speaking as a practical broadcaster with 20 years of experience, A. D. Willard, Jr., Executive Vice President of the National Association of Broadcasters, told the Commissioners that "the most absurd effect" of the rule is to allow all people freedom of speech by radio except the broadcasters, who is held "inescapably responsible for the programming of the station."

Attacking the opposition argument that the licensee's position as a broadcaster of popular programs would weigh in favor of his point of view, Mr. Willard said he was "profoundly amazed by this argument."

He argued also that removal of the restrictions imposed by the Mayflower ruling would "encourage more discussion of public issues on radio stations, make it possible for broadcasters to present a greater diversity of opinion, and place the responsibility for such opinion where it rightfully belongs, upon the shoulders of the broadcaster himself."

Rex Howell, Manager and co-owner of KFXJ, Grand Junction, Colo., another witness, told the Commission flatly that he has been broadcasting editorial opinions throughout the seven years of the "Mayflower rule", and that he brought to Washington with him transcriptions of some of them, which he would be glad to play for the Commissioners. He further said that licensees could not serve their communities properly without freedom to advocate certain causes and to oppose others.

"Communities, especially small communities, depend on us and are better judges than the Commission can possibly be of their special needs and the quality of service they receive from us", he said.

William J. Scripps, Director of Radio for The Detroit News, which owns and operates a combined alternating-modulation and frequency-modulation radio station WWJ and WWJ-FM, and a television station, upheld the right of the broadcaster to speak out on any issue.

He added that in his 20 years of managing radio stations, he could remember no attempt by any large or small advertiser to influence presentation of news or opinion on the air and he contended that as a matter of practical business policy broadcasters generally always had and always could be depended upon to deal fairly with their audiences in regard to public issues by presenting programs with fairness and impartiality.



Commander T.A.M. Craven, Vice President and General Manager of WOL, Washington, a Cowles station, who appeared as a witness on the second day of the FCC hearings, in opening his testimony Tuesday brought out the point that he "was a member of the Federal Communications Commission at the time the so-called Mayflower Decision and Order was promulgated. It is this decision in which the limitation upon the right of a broadcast licensee to be an advocate first became the policy of the FCC. While the minutes of the Commission show that the Final Order and Decision was handed down by only four members of the Commission, namely, Fly, Walker, Case and Payne, I wish this record to show that I do not recall raising any protest against the Mayflower Decision at any time I was a member of the FCC. As I recall, and I believe the record will support me, the licensee in the case had voluntarily surrendered such rights as he might have had in return for the renewal of his license."

Commander Craven, a Director-at-Large for medium power stations on the Board of the National Association of Broadcasters which elective office he has held since 1944, testified that he felt the Mayflower Decision "is not one in which radio broadcast licensees beseech the Commission for permission to editorialize. It is not one in which the broadcaster seeks to lessen the impact of law or of lawful regulation. It is more in the nature of a protest against the confusion created by the Mayflower Decision of the Commission. It should be apparent that the Mayflower Decision, remaining on the books of the Commission as it does, serves to confuse those who may not interpret the language in any way other than by what is said literally in the decision."

Commander Craven said that it was difficult to interpret the Mayflower Decision of the Commission except in one way, namely:

"1. A radio licensee cannot be an advocate under any circumstances.

"2. A radio licensee must provide full and equal opportunity for the presentation of all sides of public issues. He must present all sides of important public questions fairly, objectively and with bias. He even must be the Voice of Government.

"3. The FCC will punish him if his course of conduct does not conform to the yardstick of the Commission's own making."

"The effect of a broad pronouncement such as is contained in the Mayflower Decision can easily develop into a condition where licensees are not free from fear of Government reprisal for either expressing their own view on matters of interest to the public or for failure to present some other person's views", he went on to say.

"The broadcast licensee does not seek authority from the Commission to broadcast his personal opinions to the radio audience", the Commander set forth. "While the broadcaster may have no greater right than anyone else to broadcast his opinions, the Commission has no legal power to grant, limit or deprive anyone of the right legitimately to express opinions by any method of mass communication."



Former Chairman of the FCC James Lawrence Fly, on the other hand, defended the ruling on editorializing. He contended that far from abridging the freedom of speech guaranteed by the Constitution, the intent and effect of the ruling was to implement the First Amendment by requiring opportunity for the widest possible expression and exchange of divergent points of view on controversial questions of public interest.

Mr. Fly further argued that failure of the Commission to "safeguard" the right of the public to "hear all sides" would contribute to the "monopoly" in the dissemination of news and opinion that was, he declared, the real "menace" to the "freedom" sought and approved by all.

He characterized as "pathetic" the argument of Judge Miller and others that station licensees should be permitted to exercise, equally with newspaper editors, the right of selection in the presentation of news. That contention, according to Mr. Fly, amounted to an argument in favor not only of "abridgment" but "suppression" of free speech by a station licensee, "a pitiful argument indeed", he commented.

Dr. Frederick Siebert, Director of the School of Journalism, University of Illinois, testifying as "an educator and student of communication systems", told the Commission that "This (the Mayflower) ruling comes closer to the area staked out by the framers of the Constitution than any other that has come to my attention."

"Legislators and administrators finally abandoned all attempts to control opinion and left whatever regulating was needed to the courts", he said.

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#### ARMED FORCES COMMUNICATIONS ASSN. TO MEET AT WRIGHT FIELD

David Sarnoff, President of Armed Forces Communications Association, and also President and Chairman of the Board of RCA, has announced that the second annual meeting of the Association will be held on May 10 and 11 at Dayton and Wright Field, Ohio. Principal speakers at the banquet in Dayton on the 10th will be Secretary of the Air Force, W. Stuart Symington, and Munitions Board Chairman, Thomas J. Hargrave. An exhibition of the latest in Air Force communications equipment and procedures and photographic equipment will be held at Wright Field the following day.

The Association, made up of civilian and military members, is dedicated to the purpose of insuring that our fighting men in the Air Force, the Army and the Navy will have the best in communications and photography if they ever again are called upon to fight for America.

When he made the announcement, Brigadier General Sarnoff alluded to the critical world situation, asserting that at no time in history has science been so woven into the pattern of our lives and that every country is aware that, in order to survive, it must cultivate science.

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## RCA SEEKS TO EXCLUDE TELEVISION PATENTS IN ZENITH SUIT

There has been a new development in Zenith Radio Corporation's suit for declaratory judgment to invalidate patents held by the Radio Corporation of America which is being tried in the District Court of the United States for the District of Delaware at Wilmington, Delaware.

On April 19, 1948, RCA filed an affidavit seeking to exclude television patents from the case. If successful, this move would save RCA's television patents from adjudication should Zenith's petition for a declaratory judgment be granted. RCA's affidavit seeking to exclude television patents was signed by A. F. Van Dyke. Van Dyke's affidavit states that Zenith has not built television receivers, therefore television patents should be excluded from the declaratory judgment suit.

Today (Wednesday, 21) Zenith filed an affidavit signed by its President, E. F. McDonald, Jr., stating that Zenith has been building television receivers since 1938; that they have built many of them but they have not sold these Zenith television receivers to the public. The affidavit states they sold one to the Massachusetts Institute of Technology but the rest of Zenith television receivers have been loaned to competent observers. The affidavit further states that Zenith has refused to sell television receivers to the public for two reasons. First, that Zenith felt the public could not get their money's worth in high cost entertainment until a box office was found which would permit the presentation of first run movies on home television receivers. Second, Zenith stated in the affidavit that the Federal Communications Commission had admitted that the present frequencies assigned to television were inadequate for a national service and that as soon as FCC opens the frequencies above 500 mc for the permanent home of television, this will automatically obsolete all present television receivers that have been purchased by the public. For these two reasons, Zenith has refrained from selling television receivers to the public.

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## NEW YORK APPOINTS VIDEO COMMITTEE

Edward C. Maguire, Commerce Commissioner of New York City, has appointed a permanent Advisory Committee on Radio and Television, to assist in formulating plans that will aid both the city and the broadcasting industry.

The Committee includes Niles Trammell, President of the National Broadcasting Company; Frank Stanton, President of the Columbia Broadcasting System; Theodore C. Streibert, President of the Bamberger Broadcasting Service; J. R. Poppele, President of the Television Broadcasters Association, Inc.; Lawrence Phillips, Director of the Du Mont Television Network, and Ira M. Herbert, commercial manager of WNEW, New York.

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## GAMMONS, CBS V.P. URGES UNIFORM TIME FOR U.S.

Uniform time in the United States means better service to farmers, the President and Senators and Representatives who broadcast, and all the listening public. The Columbia Broadcasting System is "heartily in favor" of a uniform time system in the U.S.

Earle H. Gammons, Vice President in charge of Washington Operations for CBS, cited these points yesterday (Tues. April 20) when he appeared before the Senate Interstate and Foreign Commerce Committee.

In a statement prepared for the committee, Mr. Gammons said the practice of "individual communities shifting from standard to daylight time . . . while other communities continued to observe standard time, has disrupted the broadcasting industry and has inconvenienced the listening public."

He pointed to local programs, such as farm service shows, designed to meet the special needs of listeners in each area which must be broadcast "at particular times of the day in order to provide the maximum effectiveness."

In addition, he said, "when the President, Senators or Representatives make use of network broadcasting to address the people of this country, it is frequently desirable that they be heard simultaneously throughout the entire nation."

Mr. Gammons described the "exceedingly complex" CBS plan, costing \$200,000, whereby the network will buy additional lines and services to set up, in effect, two networks during Summer months. One serves 58 communities in daylight saving time zones, the other serves 108 communities in standard time areas. Programs will be recorded and played back one hour later on the standard time network.

But this "does not by any means solve all the problems", the CBS executive said.

"We believe that the only solution to the problem of the broadcasters, advertisers, and listeners is the uniform observance of the same time system throughout the entire nation - either the uniform observance of standard time during the Fall, Winter and Spring months and the uniform observance of daylight saving time during the Summer months as is proposed by S.2226, or the uniform observance of standard time throughout the entire year", Mr. Gammons concluded.

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A radio program designed to bring listeners into close contact with the morning newspaper, the Seattle Post Intelligencer, has been gaining popularity since its inception a little over a month ago.

Called "Sunrise Preview" for the P.-I.'s Sunrise edition, it is broadcast by Jerry Morris, well known Seattle news analyst. Every broadcast is designed to whet the listener's appetite for news and features he can read only in the sponsoring newspaper.

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## MICROWAVE RELAY CHAINS AUTHORIZED BY FCC; GRANTS TV APPLICATIONS

The American Telephone and Telegraph Co. was authorized by the Federal Communications Commission to construct two experimental microwave relay chains - one between Chicago and Milwaukee and the other linking Detroit and Toledo - to provide common carrier service including television transmission. The cost of the two projects is estimated at \$1,400,000. The Chicago-Milwaukee chain will include relay stations near Lake Zurich, Illinois, and Wilmot and Prospect, Wisconsin. Relay sites between Detroit and Toledo have not yet been determined. Equipment and services proposed are similar to those now in effect in the New York-Boston microwave chain. Construction is to be completed by June 15, 1949.

The Commission also granted applications of the A. T. & T. and certain Bell System associated companies for television facilities to connect Detroit, Toledo and Buffalo with proposed wire or microwave networks. It authorized two coaxial units in the Cleveland-Buffalo cable, and television terminals at Buffalo, Toledo, South Bend and Danville (Illinois). The estimated cost is \$350,000 and construction is expected to be completed this year. These supplemental facilities will permit, for example, the televising of programs (including football) originating at Notre Dame and Illinois universities. One television station is in operation and two more are authorized at Detroit, and one is building at Buffalo and another at Toledo.

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## FCC CLOSES THREE UNLICENSED RADIO STATIONS

On April 17th, engineers of the Federal Communications Commission in Los Angeles and Portland, Oregon, closed down three unlicensed radio stations operating in the 7 mc amateur band. The three stations were heard by the FCC Monitoring stations using amateur calls which have not been licensed by the Commission. Long-range direction finder bearings obtained at Commission offices in over ten different states indicated that two of the stations were located in the Los Angeles area and the other was located in the Portland, Oregon, area. Specially-equipped direction finding cars were then dispatched to the areas in question and located the unlicensed stations. When the locations of the stations were determined, watches were synchronized and one of the stations in Los Angeles and the station in Portland, Oregon, located over a thousand miles away, were closed simultaneously. The third station was closed a few minutes later. The station in Oregon, which was using the call W7MIL, was operated by William Miller, age 40, 1305 S.E. Lombard St., Beaverton, Oregon; the second station was operated by a brother of Miller and used the call W6BHX. The operator of this station was Harry Miller, age 39, 4204 Folsom St., East Los Angeles, Cal. The operator of the third station using the call W6EZR was John Moreno, age 37, 4111 Folsom St., East Los Angeles, California.

The three illegal operators were informed that the penalty for violation of the Communications Act, as amended is a fine of \$10,000 and two years in prison, or both. The case is receiving further attention.

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## WJBK, WJBK-FM, WTVO, DETROIT, LEASE SPACE IN MASONIC TEMPLE

Most drastic change in Detroit's "radio row" in many years is in the making, according to an announcement released yesterday (Tues. April 20) by George B. Storer, President of the Fort Industry Company and the Detroit Broadcasting Company of Detroit.

The two top floors of the west tower of the Masonic Temple, one of Detroit's largest and most picturesque buildings, have been leased by these companies for installation of elaborate television studios for WTVO and studios and offices of WJBK and WJBK-FM, in addition to headquarters executive offices of the Fort Industry Co.

"The Masonic Temple is considered one of the best sites in the motor city for such a radio and television center from a technical, cultural and business standpoint", declared Ralph G. Elvin, Vice President and Managing Director of WJBK, WJBK-FM and WTVO. He added: "Exceptional speed will be applied to the construction of what we believe will be one of the country's finest television plants."

The extra large amount of floor space, heretofore unfinished, he indicated, will allow the television sound stages to be extremely spacious; a factor found to be essential in video programming. A hitherto unfinished theatre, with room for 1,200 seats, in the west wing of the Temple, provides ideal facilities for large studios, dressing rooms, scenery shops, projection booths, etc. A roof garden atop the west tower also offers a location for outdoor recreation and rest facilities for employees of the broadcasting and television stations.

With installation of radio equipment in the building, WJBK and television station WTVO will have ideal facilities for picking up a wide variety of productions, events and activities originating within the walls of the building. It is planned that special cables will connect the stages of the various auditoriums with the master control of radio headquarters.

More than \$280,000 worth of General Electric Television apparatus, one of the largest orders ever placed by a station with a single manufacturer, was negotiated last November and a majority of the equipment has already arrived, with the balance expected within a few weeks. The equipment is of the very latest in design and will list WTVO as one of the most powerful commercial television stations yet licensed by the FCC.

The site for the transmitter and antenna tower has been selected and it is expected that programs will be projected for a radius of 45 miles from mid-town Detroit. It will operate on #2 Channel.

The Fort Industry Company operates seven AM stations, six FM stations, and has construction permits for three television stations with applications pending for other video outlets.

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SEN. REED TO PRESIDE AT LIQUOR AD HEARINGS

Hearings on Liquor Advertising Bills (S. 265, S.2352 and S.2365) started today before the Senate Interstate Commerce Committee. Senator Charles Tobey, Acting Chairman of the Committee, designated Senator Reed to preside at the hearings which will be before the full committee.

S. 265 by Senator Arthur Capper (R), of Kansas, is a revised carry-over from last year and would completely outlaw all liquor and beer advertising in interstate commerce.

S. 2365 by Senator Edwin Johnson ( D), of Colorado, would permit only a picture of a bottle plus a few simple descriptive or illustrative words.

S. 2352 by Senators Johnson and Clyde M. Reed (R.), Kansas, provides that an advertisement would be termed misleading if it stated that a beverage (1) is beneficial to health, (2) will increase social or business standing or (3) is traditional in American family life. It would also give the FTC full supervision over all liquor advertising, transferring the powers from the Alcohol Tax Unit of the Treasury Department.

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COMPLETE LIST OF GEORGE PEABODY RADIO AWARDS

The complete list of the George Foster Peabody Radio Awards which received recognition last week (April 15) as being judged the best radio programs and personalities by the Peabody Advisory Board follow. The presentations were made by Edward Weeks, editor of the Atlantic Monthly, Chairman of the Board, and John E. Drewry, dean of the University of Georgia's Henry W. Grady School of Journalism.

William S. Hedges, Vice President of the National Broadcasting Company and President of the Radio Executives Club who were host at the luncheon meeting, presided.

The awards in detail are:

1. Outstanding public service by a regional station: "Report Uncensored", program series of WBBM, Chicago, CBS affiliate, of which Leslie Atlass is Vice-President.

Special Citation of Honor: "As the Twig Is Bent", program series of WCCO, Minneapolis, CBS affiliate.

2. Outstanding public service by a local station: "Disaster Broadcast from Cotton Valley", crisis services by KXAR, Hope, Ark., MBS affiliate.
3. Outstanding reporting and interpretation of the news: "CBS Views the Press."



Special citation for drama: "Studio One." CBS.

4. Outstanding reporting and interpretation of the news: Elmer Davis, ABC.
  5. Outstanding entertainment in drama: "Theater Guild on the Air", ABC.
  6. Outstanding entertainment in music: "The Boston Symphony Orchestra, ABC.
  7. Outstanding educational program: CBS Documentary Unit series.
  8. Outstanding children's program: "The Children's Hour", series by WQOW, Washington, D.C.
- Special citation: "United Nations Today", a series of the United Nations Network for Peace.

The award to Elmer Davis was his second, a Peabody citation having been presented to him in 1940 for his work in reporting and interpreting the news in 1939.

The Peabody Awards are designed to recognize the most disinterested and meritorious public service rendered each year by the broadcasting industry, and to perpetuate the memory of George Foster Peabody, successful New York banker, and benefactor and life trustee of the University of Georgia. The University of Georgia Henry W. Grady School of Journalism, with the assistance of the National Association of Broadcasters, administers the prizes. They were first given in 1940.

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#### FTC ACCEPTS ELECTRONIC LAB. STIPULATION-AGREEMENT

The Federal Trade Commission today (Wednesday, April 21) accepted from Electronic Laboratories, Inc., Indianapolis, a stipulation-agreement to cease and desist from representing that any radio receiving set is of a designated tube capacity when one or more of the tubes referred to are devices which do not perform the recognized and customary functions of radio receiving set tubes in the detection, amplification and reception of radio signals. The stipulation of facts sets forth that the corporation has included rectifiers in the tube count of the radios they sell, these rectifiers serving the auxiliary function of changing alternating current to direct current.

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#### ONE OF MARK SULLIVAN'S VERY FEW SLIP-UPS

"I dropped in to see political columnist Mark Sullivan who's in bed with a severely injured back. He slipped while taking a bath. Lying in bed as a result of the accident, he said that his experience points a moral: 'Don't take a bath.' Maybe the Bedoins of the desert have the right idea. They bathe by rubbing themselves or rolling in the sand." - CBS' Lowell Thomas.

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## RMA ANNOUNCES JUNE CONVENTION PROGRAM

A preliminary program for the twenty-fourth annual RMA convention, June 14 to 17 inclusive, at the Stevens Hotel, Chicago, has been issued by the RMA Convention Committee, of which RMA Treasurer and past President, Leslie F. Muter is Chairman.

The four-day session of industry leaders, with President Max F. Balcom presiding, will include meetings of all division and major committees of the Radio Manufacturers' Association and a membership luncheon on Thursday, June 17, but the usual industry banquet will not be held. For the 1949 convention, the silver anniversary of the Association's founding, a gala industry conclave, banquet and many industry features are planned. The convention this year will conclude with the annual RMA golf tournament, Calumet Country Club.

Two meetings of the RMA Board of Directors and election of officers for 1948-49 are scheduled during the June convention. Speakers and other features of the convention will be announced later.

Coincident with the RMA convention the annual convention and trade show of the National Association of Music Merchants will be held at the Palmer House. Exhibits, including those by RMA members, with possibly joint events between the RMA and NAMM sessions, are planned.

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ROBERT MAGIDOFF, NBC MOSCOW CORRESPONDENT, DUE IN N.Y. APR. 22

Robert Magidoff, NBC correspondent who was forced to leave Moscow after being accused of espionage against Russian military installations, arrived in Berline with his wife last Sunday and is due in New York tomorrow (Thursday, Apr. 22), according to Willifm F. Brooks, NBC Vice President in charge of News and International Relations.

In a broadcast from Berlin Sunday, Magidoff said, "There is no sense in my saying that I am not a spy. The Russians know it as well as I do."

The accusation which resulted in Magidoff's expulsion from Russia was contained in a letter to the Russian newspaper Izvestia from Magidoff's American-born secretary, Cecilia Nelson. She said that she had discovered letters in the correspondent's desk from the McGraw-Hill Publishing Company requesting information on secret Russian military installations.

In his broadcast Sunday, Magidoff stated that he was "convinced that she did not take the action on her own initiative. As a Soviet citizen with a Russian husband and Russian parents, she couldn't help doing what she was forced to do by ... the Russians..."

Both NBC and McGraw-Hill have denied any knowledge of the alleged espionage activities. Magidoff has represented NBC in Moscow since July 21, 1941. He was the only American newsman to cover the entire war from Russia, and made many trips to the fighting fronts. Since last April, when the Moscow conference of foreign ministers ended and the Russians reinvoked their ban against foreign broadcasts, Magidoff has not broadcast to the U.S. He has cabled reports and obtained films for NBC television.

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EDITORS FAVOR AP,UP FURNISHING "VOICE OF AMERICA" WITH NEWS

The American Society of Newspaper Editors, winding up its business sessions in Washington last Saturday (April 17) adopted resolutions bearing on the propaganda war and censorship and elected officers.

After a prolonged and lively debate, the Nation's editors adopted a resolution expressing hope that the Associated Press and the United Press would "furnish factual and adequate news summaries" to the State Department.

The resolution to make AP and UP news so available was debated at the afternoon session.

The Department's office of Information and Education Exchange has long wanted AP and UP news for use in its propaganda battle with Soviet Russia. In preparing its "Voice of America" broadcasts and its wireless bulletin, the OIE has had the use of only one American press service - the International News Service.

The AP and UP, it was explained during the debate Saturday have withheld their news reports for two reasons: first, they wanted clients abroad to know that they had no connection with the U.S. Government, and second, they did not want the State Department to broadcast news free that otherwise might be sold abroad.

The resolution, as finally adopted, read:

"Because of the special circumstances arising out of the present crisis in Europe, the American Society of Newspaper Editors expresses the hope that without any sacrifice of principle the Associated Press and the United Press will furnish factual and adequate news summaries to the State Department's Office of Information and Education Exchange. ("Voice of America") We do not suggest a permanent arrangement, but rather one which will endure as long as the crisis lasts."

A resolution concerning censorship which was finally adopted was offered by David Lawrence of the United States News, Washington, and read as follows:

"The ASNE opposes all forms of censorship. To the end that the security of the United States may not be endangered, voluntary cooperation is urged between press and Government covering the publication of information related to the development or use of new military weapons.

Another resolution requested the State Department and the Attorney General to issue visas for entry into the United States of "all bona fide correspondents from other countries who apply for such visas and are established to be legitimate professional reporters engaged solely in news-gathering activities."

The resolution said that the U. S. Government should not "ask more from other governments in the way of freedom of information than it is willing to grant."

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... SCISSORS AND PASTE ...  
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Senator Capehart's Letters Called "War Scare"

(By Robert P. Vanderpoel, Financial Editor, "Chicago Herald American")

For some years there has been a great deal of talk to the effect that businessmen should take a more active part in politics. To this end many businessmen have run for office and some have been elected. The results have not always been fortunate. In fact, we should say that the average has been poor. Instead of becoming statesmen, more of whom are badly needed, many of these businessmen-turned-politicians continue to be businessmen, selfish, grasping for profits, pretty much regardless of the country's welfare.

As a horrible example we would cite Homer E. Capehart, jukebox and phonograph king, who was elected Senator from our neighboring state of Indiana.

Recently it developed that Senator Capehart had no taste for fighting the syndicate of vice and crime that controls the distribution of jukeboxes in this territory.

Yesterday (April 9) two letters were printed in this newspaper signed by William H. Krieg, president of the Packard Manufacturing Corporation (no connection with the Packard Motor Car Company). This is Capehart's company. His name appears at the top of the company's letterhead as chairman of the board.

The letters reflected business at its worst -- a war scare attempt to hurry people into buying the company's products. That would, at best, represent contemptible business practice. The Senator's name at the top of the letter made it a great deal worse. The implication could not be clearer. Here was a tip right from the horse's mouth, from the august United States Senate.

More than 13,000 people throughout the United States were to get this "personal", war-scare letter with its "confidential" information. There were hints about tanks, war, materiel and what the government would do "in about 60 days".

Congressional committees had held hearings and experts had offered testimony that the foreign aid and contemplated rearmament programs could be accomplished without upsetting the domestic economy, provided we acted like grownup, patriotic citizens of a democracy and there was no hysteria and hoarding. The Hoosier businessman-turned-senator, however, would have none of that. He wanted quicker profits, higher prices.

It might be interesting for some of Capehart's colleagues in the Senate who really have the interest of the country at heart to get the jukebox manufacturer on the stand and find out under oath whether he was the one who was giving the president of his company all of this "inside information" and also whether or not the Packard Manufacturing Corporation (no relation to the automobile company) was or was not stuck with a lot of inventories which these war-scare letters were aimed at cleaning up?

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The Senators Were Not Indiscreet  
(Marie McNair in the "Washington Post")

There was a beautiful finale to the rededication of the Greenbrier Hotel at White Sulphur Springs at a champagne ball, with West Virginia's Governor, Clarence W. Meadows, present to give the toast to his State; the Duke and Duchess of Windsor among the dancers and Bing Crosby to sing. \* \* \* \* \*

The Duke, bronzed from his Florida Winter, was on the golf course early, the Duchess joined him later in the day and the two were dinner guests of Robert Young, Chairman of the Board of the Chesapeake & Ohio Railroad, and Mrs. Young before the ball. \* \* \*

Former Senator Burton K. Wheeler, of Montana, claimed the Duchess for a dance while the Duke danced with Mrs. Robert Young, whose gown of cream satin made with a full skirt was encrusted with jewels.

Proving that he's still a good drummer, the Duke of Windsor provided the highlight of the evening, and caused the Duchess to roar with laughter when Meyer Davis presented him with two sets of drum sticks in memory of an occasion 29 years ago. It was Mrs. H. H. Rogers' dance at the Greenbrier when the Duke, then the handsome boyish Prince of Wales, was visiting in this country, and was guest of honor at the dance. During the evening, he borrowed the drummer's sticks to play.

Before a battery of cameras, he took up the sticks again last night and to a burst of applause kept a rhythmic beat to "How Are Things in Glochomora." \* \* \* \* \*

Senator Charles W. Tobey, of New Hampshire and Mrs. Loretta Rabenhorst who recently announced their engagement, had eyes only for each other, taking movies of each other.

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Check Your Powder!  
("Variety")

The Hatfields and the McCoys had nothing on the feud currently in progress between broadcast-publisher Edward Lamb and two Ohio publishers the Federal Communications Commission has declared unfit to become licensees. Each side is using its newspaper to wage war on the other.

Last week, Lamb used the entire front page of his Erie (Pa.) Dispatch to print FCC's decision denying S.A. and Isadore Horvitz licenses in their home town of Mansfield, O. The decision lashed out at the Horvitz brothers for insisting on exclusive advertising contracts in their Mansfield and Lorain, O., Journals, and carrying on open warfare with the town's only radio station WMAN. Lamb printed a special Mansfield, O. edition of his paper which he claimed was distributed through the courtesy of the Mansfield chief of police. Both Lamb and WMAN were awarded FM permits in Mansfield.

The Horvitzes have already gone to court to appeal the WMAN grant and are waiting for a final FCC turndown to go to court against Lamb..

Meanwhile, the Mansfield Journal has been carrying daily two-column frontpage articles for the past three weeks vilifying Lamb as a radical and Russian sympathizer, turned Republican for "opportunistic reasons".

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::: TRADE NOTES :::  
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"New Tower--High Power" was the byword which launched Crosley Broadcasting Corporation's WLWT last Saturday (April 17) with 50,000 watts and a tremendous entertainment and promotional campaign.

Saturday opened a broad programming schedule of local and NBC features and a week of intensive promotion, accompanied by daily open house at the transmitter site. Special shows, displays and exhibits will be on view during the entire week April 17-23. 7,600 persons visited WLWT at its first open house on Sunday.

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J. P. Seeburg Corporation, Chicago, juke box makers, are offering a Select-O-Matic non-stop phonograph which will play 14 hours continuously and without repeating a record.

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The Federal Communications Commission last week granted a license to the International Ladies Garment Workers Union and it is expected the new radio station will start operating from temporary quarters in September - in time for the election.

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A hearing on the Port Huron Broadcasting Co. (WHLS) proposed decision, which held that broadcasting stations may not delete libelous and slanderous remarks from political broadcasts and are not liable for them under State laws, was set last week for May 7 by the Federal Communications Commission, in response to petitions from the National Association of Broadcasters and others.

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The American Broadcasting Company has entered into a working agreement with television station WATV, in Newark, N. J., providing for the use of that station for the telecasting of ABC-produced programs to the New York area. WATV, owned and operated by the Bremer Broadcasting Corp., will go on the air May 15 and until WJZ-TV launches its operations in August, will serve as an ABC outlet in the Metropolitan area.

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Program managers representing over 475 affiliates of the Mutual Broadcasting System, will convene for a two-day "Program Clinic" at the Hotel Astor, New York City on Thursday and Friday, April 22 and 23, at the invitation of Phillips Carlin, MBS Vice President in charge of programs. "The Clinic" will precede by less than a month the meeting of MBS affiliate owners and operators at the new \$3,000,000 Mutual-Don Lee radio-television studios in Hollywood on May 19. The purpose of the two-day closed meeting is to discuss all phases of programming for the radio network.

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Ray L. Hoeffler, former District Sales Manager, has been appointed Manager of Distribution for Zenith Radio Corporation. Mr. Hoeffler joined Zenith in 1941 as a member of the factory field sales organization, and in 1944 was appointed General Manager of Zenith Radio Distributing Corporation in Chicago. He was named District Sales Manager for the eastern seaboard in 1945.



Governor Clarence W. Meadows, of West Virginia, head of the Logan Broadcasting Corporation at Logan, West Va., has applied to the Federal Communications Commission for a construction permit for a new standard broadcast station to be operated on 1290 kc., power of 1 KW night, 5 KW day and unlimited hours of operation with directional antenna.

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An Associated Press dispatch from Manila, advises that the radio jamming of "Voice of America" broadcasts to the Far East comes from the high power Russian station at Khabarovsk, 400 miles north of Vladivostok, United States ships reported Tuesday (April 20).

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Robert M. McGredy, for two years a member of the WTOP sales staff, was appointed Sales Manager on Monday (April 19) by Maurice Mitchell, General Manager of the 50,000 watt CBS outlet in Washington. Before and after his service in the U. S. Navy, Mr. McGredy was associated with the Washington Post as a salesman. He joined WTOP April 1, 1946. His new position becomes effective immediately.

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A total of \$1,736,721 will be spent this year throughout the country by the 700 locals of the American Federation of Musicians to provide free music for veterans' hospitals and similar institutions. This sum exceeds by nearly \$300,000 the amount spent in 1947. The money comes from a fund created by royalties paid on records and transcriptions under an agreement with recording companies. This agreement was terminated last Dec. 31 in compliance with the Taft-Hartley Act.

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Play-by-play baseball broadcasts will be carried this year by more than 200 FM radio stations, the FM Association announced yesterday (April 20) as the baseball season opened. A survey of the 482 stations now on the air and those planning to begin operations shortly disclosed that 192 stations currently are broadcasting baseball according to J. N. Bill Bailey, FMA executive director, who supervised the survey.

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Barbara Ward, member of the British Broadcasting Company's Board of Governors and foreign editor of the London Economist, arrived in New York on the Queen Mary yesterday (April 20) to attend the Second Annual Magazine Forum in the Waldorf-Astoria, April 27-28.

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Award of a contract for construction of a new building as part of a million-dollar expansion program at the Lancaster plant of the RCA Tube Department for stepping up the production of cathode-ray television picture tubes, has been announced by Frank M. Folsom, Executive Vice-Pres. of the Radio Corporation of America in charge of the RCA Victor Division.

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Irving H. Herriott, Jr., salesman for the Zenith Radio Distributing Corporation for ten years, has been appointed a District Sales Manager of Zenith Radio Corporation. He will serve the Lower Michigan and most of Indiana territories. Mr. Herriott joined Zenith Radio Distributing Corporation, wholly owned sales subsidiary of Zenith Radio Corp. as a salesman in 1938 and worked in that position until he entered naval service in April, 1941, after which he returned to Zenith to resume his duties as a radio salesman.

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