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LEGAL DEPARTMENT

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FCC (FEARING DEWEY WHACK?) DOESN'T STICK NECK OUT FOR TRUMAN

If the Democratic members of the Federal Communications Commission have exerted themselves unduly in behalf of President Truman in the latter's desperate fight for re-election apparently no one around the Commission has heard of it. Many high administration officials have gone on the stump for the President but the members of the FCC having at their beck and call the world's greatest radio networks, television, etc. have been conspicuous by their silence. It might be argued that it would be taking an advantage if the Commission Democrats availed themselves of these facilities. Correct, unless the time were paid for the same as any other political time in which case the Republican members of the FCC or anyone else representing the party would have an equal opportunity to reply. That's the law.

Nevertheless a request from any member of the FCC doesn't usually go unheeded by the radio people.

Even a comparative newcomer such as Paul Hoffman, Economic Cooperation Administrator, has been called upon to help Mr. Truman and former Secretary of State Cordell Hull has been asked to do what he can from his sick bed at the Naval Hospital in Washington but nothing has been heard from the powerful voice of the FCC a whisper from which has been known to make broadcasters tremble from coast to coast.

Wayne Coy, erstwhile Indiana New Dealer has been delivering plenty of speeches lately - probably more than any other FCC Chairman - but all have been non-political. He hasn't said a thing that would get him into trouble with Governor Dewey. From Miss Frieda Hennock, the first woman Commissioner, understood to be a purely political New York Democratic appointee, there hasn't been a peep except to tell some business women how much she had to learn about her new job. A looker, Miss Hennock would seem to be made to order to woo the women voters.

What Governor Dewey, if elected, may do, if anything, about the FCC is not known any more than what Dewey would do about anything else. One writer travelling on the Dewey train says that no one on earth, including the candidate himself, knows what the New York Governor would do if he got into the White House. Another writer said what Dewey did in Albany should be a clue as to what he would do as President. Answering this, the writer said Dewey did not fire a single Civil Service employee for political reasons and he did not launch into a wide scale dismissal of Democratic officials.

In direct contradiction to this, still another writer on the Dewey train, declared that Dewey promised to bring about "the biggest and best housecleaning this Government has had in 160 years."

You can take your choice of any of these predictions. Wayne Coy is reported to be ready to hand in his resignation if Governor Dewey gets in.

The following list shows the political affiliation of the Commissioners and the time they have yet to serve:

F.C.Commissioner	Term Expires				
Chairman Coy Hyde Webster Walker Sterling Jones Miss Hennock	(D) (R) (Independent) (D) (R) (R) (D)	June !! !! !! !! !! !!	30, 11 11 11 11 11	1951 1952 1949 1953 1950 1954 1955	

One name which has already been mentioned for a Commission-ership if Dewey is elected, is that of Thad Brown, Jr., a young lawyer and a Republican. Mr. Brown is the son of a former FCC Commissioner whose widow is now a correspondent for an Ohio news-paper and a Republican National Committeewoman from the District of Columbia (Washington, D. C.), who is reported as standing high with Senator Taft and the Ohio Congressional delegation.

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NEW ZENITH TV SET REPORTED USING LOW, ULTRA HIGH FREQUENCIES

There is an answer to the Federal Communications Commission television freeze, according to a front-page story in the Washington Post Tuesday, which reads:

"Television receivers that will operate on low frequencies now in use and on ultra-high frequencies being considered for telecasting are already being produced by Zenith Radio Corporation, it was learned here Monday night.

"The new sets will be one manufacturer's answer to the freezing order which the Federal Communications Commission issued on September 30. While the Commission studies the allocation of frequencies to TV, no additional licenses are to be issued. No one knows whether the Commission, at the end of the freeze period, will authorize new channels for TV or continue the old ones.

"Zenith's new sets are made to operate in the 54-216 megacycle band now in use, and in the 475-890 megacycle band being considered for TV. J. E. Brown, Assistant Vice President and Chief Engineer for Zenith told the Commission on September 20 that his company had designed and was now producing for sale the new receivers. He said the price would be 'strictly competitive'.

"Announcement of the new receivers will be made on November 18 and sets will start moving to distributors by that date, it was learned Monday. Exact price of the table and console models could not be learned. Nor are any figures available on the volume of production the corporation will reach.

"Eugene F. MacDonald, Jr., President of Zenith, would make no comment on the new receivers beyond quoting Brown's testimony

before the Commission. 'He was telling the truth', the manufacturer said.

"Existing television receivers can be modified so as to receive ultra high frequency signals by 'converters' some manufacturers told the FCC during the 'freeze' hearings. The efficiency of the 'converters' was debated by witnesses. RCA is known to have constructed converters for demonstration purposes but does not have any in commercial production. Dumont spokesmen said Monday that this company had neither converters or high-frequency receivers in production.

"The freezing order, so far, has had little influence on the radio trade. TV manufacturers have continued to operate at full production and generally have found it difficult to supply demand,

"Only 12 channels can be fitted into the entire spectrum space now available to TV. The ultra high frequency field would provide some 69 more 6-megacycle channels if it were all made available for commercial television."

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NOTABLES AT WASHINGTON TELEVISION CORNER-STONE LAYING

The cornerstone was laid for still another Washington, D.C. television station last week - WOIC-TV, the outlet of Bamberger & Company.

Wayne Coy, Chairman of the Federal Communications Commission acted as master of the trowel, assisted by Eugene S. Thomas, General Manager of the station. Mr. Thomas, a former Washingtonian, began his radio work in the Capital with Atwater Kent and at that time was associated with William D. Hassett, secretary to Presidents Roosevelt and Truman.

Mr. Coy was assisted in the ceremonies by Maj. Gen. U. S. Grant III, Chairman of the National Capital Park and Planning Commission; George Kindley, President of the Sales Executives Club of Washington; Theodore C. Streibert, President of Bamberger; Eugene S. Thomas, General Manager of WOIC; J. R. Poppele, Vice President of Bamberger, and District of Columbia officials.

WOIC will be a member of Columbia Broadcasting System's television network as well as Washington key of Mutual. With Bamberger's WOR-TV, New York, also under construction, it will form the nucleus of Mutual's Eastern regional network. It is slated to begin operations in January, on Channel 9.

Before the cornerstone ceremonies, Treasury Secretary John W. Snyder and other civic and national leaders welcomed WOIC to the Capital during a luncheon at Mayflower Hotel.

WAGA-TV, FORT INDUSTRY, CBS, ATLANTA, ADVANCES DEBUT TO OCT. 24

Broadcast debut of WAGA-TV, Fort Industry Company, television station in Atlanta, Ga., signed last month by the Columbia Broadcasting System as a primary affiliate for its Television Network, has been advanced to Sunday, October 24.

George B. Storer, President of Fort Industry, which owns and operates the Atlanta station, this week informed Herbert V. Akerberg, CBS Vice President in Charge of Station Relations, that construction work on the WAGA-TV plant had progressed so rapidly that the original estimated opening date of December 1 had been advanced five weeks.

October 24 thus becomes a twin opening day for Fort Industry stations linking into the steadily expanding CBS Television Network. As announced earlier, that also is the date on which WJBK-TV, also a Fort Industry station (formerly known as WTVO), in Detroit, Mich., also a CBS-TV primary affiliate, makes its broadcast debut.

Both openings will be celebrated with elaborate ceremonies. Prominent civic and industrial leaders and outstanding stars of the entertainment world will join CBS executives in welcoming the two stations to the network.

WSPD-TV, a third Fort Industry station to sign last month as a CBS-TV affiliate, last week signed a contract to receive the full sustaining service of the CBS Television Network. WSPD-TV, only video station in Toledo, joins CBS-TV on October 15.

The CBS Television Network now has outlets in 14 major markets throughout the country. In addition to Atlanta, Detroit, Toledo and Schenectady, the video network has affiliates in Boston, New Haven, New York, Philadelphia, Baltimore, Washington, Milwaukee, Cleveland, Houston and Los Angeles.

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RCA TO REVEAL ULTRAFAX PROGRESS AT CONGRESSIONAL LIBRARY

The Librarian of Congress in Washington, D. C., has sent invitations for the first public demonstration by the Radio Corporation of America of RCA Ultrafax, a new high speed radio-television communication system, tomorrow (Thursday) morning, October 21st.

The demonstration will be made in the Coolidge Auditorium of the Library.

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WQXR, WQXR-FM TO BE HOUSED IN NEW N.Y. TIMES PLANT

Space has been provided in the new 11-story building of the New York Times on 44th Street off Broadway, adjoining the present Times building, 43rd Street. The new and old buildings have been joined throughout.

Regarding the new building, Arthur Hays Sulzberger says in Editor & Publisher:

"No department was redone merely for the sake of redoing. New furniture was bought only when needed, but old desks, chairs, etc. are being repaired and refinished by our regular carpenters and painters. * * *

"The building has taken much too long to complete and cost far too much, but blame in that respect is not to be laid at the doors of the architects or builder. Working conditions in many of the building trades have been little short of scandalous and much of the added cost of construction can be laid to strikes, dawdling and feather bedding.

"But despite it all, we've got a great plant in the heart of the Times Square district."

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EDUCATORS! RADIO GUIDE ISSUED BY OFFICE OF EDUCATION AND RMA

To help improve the use of radio in schools throughout the United States, a joint committee of educators and manufacturers last week released a set of standards to guide school administrators in selecting appropriate radio equipment. "Classroom Radio Receivers" - a 40-page brochure published by the Radio Manufacturers' Association in cooperation with the Office of Education, Federal Security Agency - is available without charge from the Radio Manufacturers' Association, 1317 F Street, N.W., Washington, D. C., or the Radio Section of the Office of Education, Federal Security Agency.

In an explanatory foreword to the booklet, the joint committee states: "The classroom radio receiver serves many purposes. It is the rural student's airway path to recognized centers of urban learning, and it is equally the city student's opportunity to learn from his rural neighbor. The radio is more than a device for equalizing educational opportunity. It offers advantages to all students in the enrichment and vitalizing of instruction."

School authorities, confronted with the problem of selecting suitable classroom radio receivers, the Committee advises, should analyze four factors: first, the educational objectives of classroom audio activities; second, the specific broadcast programs that are or will be available for classroom use; third, the method of transmission (FM, AM, and shortwave) offering the desired programs; and, finally, the type of classroom radio receivers needed to tune these programs.

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A. T. & T. PROPOSES RADIO-TELEPHONE PLAN

The American Telephone & Telegraph Company recommended last week that a large portion of radio-telephone service be brought into the Nation's regular telephone systems.

The recommendation was made to the Federal Communications Commission by T. Brooke Price of New York, the company's General Counsel. His argument, in substance, was this:

A telephone is a telephone whether it employs wires or radio.

A radio-telephone should be looked upon, therefore, as a regular telephone.

The Nation has found that the best way to provide telephone service is through Government-regulated public utility telephone companies. Therefore, there will be more efficient use of
radio frequencies, more people will be served and there will be
better service if radio-telephone is operated through telephone companies than through scores of hundreds of private users.

The A. T. & T. proposal is contrary to that of numerous private companies which are seeking use of short-wave radio in businesses. It is also contrary to the Commission's proposed allocations of certain short-wave (high frequency) channels.

Mr. Price did not recommend that telephone companies take over all such radio communication. Certain groups have been set aside by the Commission for special treatment - such as police and fire departments, power and petroleum companies and timber cutting firms.

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WASHINGTON CO-OP FM OPENS; CLAIMS TO BE COUNTRY'S FIRST

Claimed to be the nation's first FM co-operative station, WCFM, advertising that "it's owned by 40,000 Washingtonians", will be opened in Washington, D. C. this (Wednesday, October 20) afternoon. Tonight some 500 citizens will mark the station's inauguration with a banquet in Hotel Washington. Speakers will include Sumner Welles, former Undersecretary of State; Thurman Arnold, former judge of the U. S. Court of Appeals; Marquis W. Childs, newspaper columnist, and Mrs. Raymond Clapper, author and wife of the late columnist.

A frequency modulation station operated by the Co-operative Broadcasting Association, a consumer cooperative, it will broadcast with a power of 20,000 watts on a frequency of 99.5 megacycles. Helmuth F. Kern, General Manager, said nine organizations representing some 40,000 persons hold the common stock while there are 2000 holders of preferred shares. The station has a transmitter in West Falls Church, Va.

FCC'S AUTHORITY QUESTIONED IN "GIVEAWAY" PROGRAMS

Radio's "give-away" programshad their first day in court yesterday (Tuesday). The Federal Communications Commission called the one-day hearing so that the men behind the "something for nothing" shows could tell why they thought their programs are not lotteries. The FCC believes many of them are, and it has proposed a set of rules which, if put into effect, would ban a large number from the air, those for and against the money.

Spokesmen for the radio industry argued that the FCC would be "usurping authority" if it eliminates such radio shows, and also contended that the FCC lacks the authority to issue the proposed rules. It was also felt that proposed Government action benning "giveaway" programs would violate constitutional guarantees of free speech.

All of the attorneys representing the broadcasting industry with the exception of Paul A. Porter, former FCC Chairman, who was representing the Maryland Broadcasting Company, operators of Station WITH in Baltimore, were unanimous in their opposition to the FCC carrying out its proposed rules and regulations.

Don Petty, General Counsel of the National Association of Broadcasters, said:

"If the Commission makes these proposed rules final, the refusal of an application or the revocation of a license pursuant thereto will in effect constitute the infliction of punishment without a judicial trial. The proposed rules declare that certain conduct is criminal and that licensees engaging in such conduct are guilty of crime. The denial of a license is the punishment inflicted. Since Congress could not enact legislation accomplishing that result, clearly the Commission, exercising delegated functions, cannot inflict such punishment."

Bruce Bromley, representing the American Broadcasting Company, asserted that the FCC has no power to adopt rules defining such contest programs as "Stop the Music" and "Mr. Hush" as lotteries. He said that if the Commission adopts its proposed rules aimed at the "giveaway" programs, broadcasters would be subject to standards different from those applicable to newspapers, magazines and other users of the mails.

Mr. Bromley declared the rules would "constitute a restraint upon radio program material and an impairment of the freedom of speech." He contended that the Postmaster General was the authority to define lotteries and to prohibit the use of the mails to persons conducting them. He remarked:

"In the last analysis, the question of whether a particular type of radio program shall continue to be broadcast in this country is for the listening public to decide, as it has consistently decided in the past.

The ABC representative compared the popular program "Stop the Music" with a spelling bee. He said:

"It can't be denied that chance plays a part in a spelling bee and 'Stop the Music' but predominantly they're both dependent on skill and knowledge."

FCC Chairman Wayne Coy commented:

"It seems to me that the only skill and knowledge required is the ability of a person to read. In the last several contests, the mystery tune was published in newspapers and given on the air by commentators which would seem to eliminate any great skill or knowledge."

Mr. Porter, in his testimony, told the Commissioners they were doing the right thing in moving to check this "cancerous growth on American broadcasting."

"Failure to act", he said, "is an invitation to shoot the works. If the Commission doesn't act, I can envision a program called 'you ain't seen nothing yet!."

The Commission, he declared, not only had the power to act but he said he feared that if the FCC is "intimidated by the legal arguments" of the counsel present, many radio stations would be forced by competitive pressure to put on give-aways. He urged the Commission to issue the rules so that a court test might be had of the FCC's authority.

Julius Brauner, attorney for the Columbia Broadcasting System, said that if the FCC felt a particular program was illegal, it should complain to the Justice Department.

Gustav B. Margraf, counsel for the National Broadcasting Company, Inc., also questioned the FCC's authority in this case but urged it to make up its mind as swiftly as possible "because broadcasters are at a loss as to which way to proceed."

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NO BAIL FOR "TOKYO ROSE"

Mrs. Iva Toguri D'Aquino, American-born Japanese awaiting trial on charges of treason, failed to obtain bail in Federal Court in San Francisco last week.

In an extraordinary ruling, the court held that Mrs. D'Aquino, known as "Tokyo Rose", must remain in custody but not in jail. Judge Louis E. Goodman ordered the Federal Attorney to find "a suitable place" for her confinement "regardless of expense" so that she would be readily available to interview witnesses and could prepare her defense.

In demanding bail, her attorney cited precedent and told the court that Jefferson Davis, President of the Confederate States, had

been admitted to bail pending trial.

WJBK, DETROIT, STORER-RYAN HOOKUP WITH DETROIT NEWS BROADCASTS

A public service for Detroiters is being launched this week by radio station WJBK and The Detroit Times. Recapitulations of the latest world-wide and local news, broadcast every hour on-the-hour, bring Detroiters the greatest series of up-to-minute newscasts heard in the motor city area.

An especially constructed broadcasting booth, located in the Editorial Department of the Times, directly adjacent to the city room, is the point of origin for all Detroit Times-WJBK newscasts. This dramatic new setting brings listeners directly to the busy newspaper scene where the great stories of the day are handled for publication in the Times.

In a joint statement, William E. Anderman, publisher of the Times, and George B. Storer, President of The Fort Industry Company, owners and operators of Station WJBK, said: "This service, we believe, will be a great convenience to the readers of The Detroit Times and the listeners of WJBK, as well as Detroiters in general. It will offer authentic, unbiased news from the wires of the Associated Press and United Press, as well as the Times editorial staff, at regular, dependable periods. In addition to these regular news broadcasts, it is our intention jointly to provide adequate coverage and support of all local events. We urge Detroiters to avail themselves of this up-to-minute service."

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RUSSIA ALSO GETTING BUSY MAKING RADIO, TELEVISION SETS

The Moscow (U.S.S.R.) radio works is now shipping "Mosk-vich T" television sets to various points in the domestic market. It is reported to the U.S. Commerce Department that 9,000 sets will be produced during 1948. The sets are already on sale in the state-operated electrical-equipment stores.

The Kiev radio plant has begun mass producation of the "Volna" receiver. The set is enclosed in a plastic case and can pick up all the broadcasts from the Ukraine and Moscow. The plant has undertaken to produce 40,000 of these receivers by October 31. The Kiev radio factory also has begun production of the Volna crystal receiving set for rural areas. The factory has reportedly produced 2,000 sets, and by the end of the year 40,000 sets will be shipped to Ukrainian villages.

The factory and state-farm central receiver system is being expanded during 1948. A total of 20,000 new receivers will be established in the city of Moscow and the remainder in the rural areas of the Moscow Province.

A miniature radio attracted considerable attention at the All-Union Exhibition of Radio Amateur Work, which was held recently in the House of Engineers and Technicians. This four-tube set can receive long- and short-wave broadcasts and is so small that it fits almost completely in the palm of the hand.

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SEN. JOHNSON, COLO., IN HOT FIGHT; RADIO HEAD IF RE-ELECTED

U. S. Senator E. C. Johnson, of Colorado, who if re-elected and the Senate should be Democratic might head the Senate Interstate Commerce (Radio and Communications) Committee, is in the hottest fight of his life. Whether or not he comes back might determine whether the Senate will be Democratic or Republican.

Palmer Hoyt, publisher of the Denver Post, recently had this to say of Johnson.

"Senator Ed C. Johnson of Colorado is one of the last of the hardshell, prewar isolationists to survive into the postwar era. In this age he is almost as out of place as a mastodon. But in Tuesday's primary election Colorado Democrats gave him one of the most overwhelming victories of his 26 years in politics. "Big Ed" carried every one of the State's 63 counties.

"Does this prove that Colorado indorses the Johnson record of obstinate foot-dragging against the present bipartisan policies

of internationalism?

"Some may rush to this conclusion without reckoning the personal and other factors in Johnson's campaign for renomination. There is a significant comparison to make between Big Ed Johnson and his fellow isolationish, the former Senator Burton K. Wheeler, whom

Montana repudiated in 1946.

"It would be mistaken to judge from Johnson's victory that Colorado is more lastingly isolationist than Montana. For there is one sharp difference between the two men. When Wheeler was thrown aside by Montana Democrats, it was not on the isolationist issue alone. More important was the fact that Wheeler had become a stranger to the people of his own State. That certainly is not true of Colorado's Johnson.

"Ed Johnson is what may be termed a 'personal politician'. Hs is probably more widely known and more personally popular than any political figure in Colorado history. He works hard at it. There is not a crossroads in the State which hasnot heard Big Ed's

friendly voice and felt the grip of his massive handshake.

"It is doubtful that any member of Congress can surpass him in volume of personal correspondence mostly handwritten in his own fine penmanship. Big Ed has worked hard for his constituents. Even those who are alarmed at his stubborn isolationism will give him credit for that. On domestic matters of particular interest to Colorado - farm and labor policy, reclamation and regional development - he is generally regarded as a good servant.

"Colorado, basically, is agrarian and conservative in its outlook. It is by inner nature Republican. While its neighbor States of the Rocky Mountain empire for the most part voted for Roosevelt four times running, Colorado went for Willkie in 1940 and

for Dewey in 1944.

"But that did not keep Coloradoans from reelecting Johnson against the strong Republican opposition of former Governor Ralph Carr in 1942. Johnson himself is the explanation for this anomaly. In outlook on domestic issues, he is at least a "bipartism" and at worst, as viewed by opponents in his own party, he is a "Republican running under the Democratic label." This accounts for Johnson's

tremendous personal following in Colorado and for the weakness shown

by his primary opponent, Gene Cervi.

"The latter, an explosive and brilliant former newspaperman, was, in short 'too New Dealish" for Colorado Democrats. The foreign policy record of Ed Johnson was kept constantly to the fore during the primary campaign, not only by his Democratic opponent but by the two contenders for the Republican nomination as well.

"In all likelihood, Johnson's isolationism will be the key issue of the general election, since on domestic matters his position is largely indistinguishable from that of his Republican colleagues

in the Senate.

"But Big Ed's opponents, especially those alarmed at his backward views on national security, recognize they are in for a hard pull. For Colorado, so far, has shown a willingness to forgive him his transgressions."

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RADIO CORPORATION SEEKS 1,000 TV WORKERS

Job orders for approximately 1,000 workers in the television field for installing and servicing have been obtained from the Radio Corporation of America by the Veterans Employment Service, it was announced last Sunday by Federal Security Administrator Oscar R. Ewing.

The workers will be recruited by local offices of the State employment services in cooperation with State Veterans Employment Service representatives for employment in connection with the installation and servicing of television sets, Mr. Ewing said.

Commenting on the RCA job order, Perry Faulkner, Chief of the Veterans Employment Service, said:

Maryland representative, an order for a substantial number of veterans and other workers who will be hired over the next twelve months for employment throughout the Nation in RCA service shops. The order for workers has been placed with the United States Employment Service and cleared with the State employment services. It is important that veterans or other types of workers interested in these job openings should understand that not all openings are to be filled at this time. From time to time during the year as RCA is ready to recruit at its various installations, it will send representatives to contact local offices where recruitment is to be made. These representatives will work with the local office personnel and representatives of the Veterans Employment Service in filling local orders.

"The list of cities where the workers are to be employed includes New York City, Newark, N.J., Louisville, Ky., Washington, D.C., Providence, R.I., Miami, Fla., Albuquerque, N.M., Atlanta, Ga., Bloomington, Ill., St. Louis, Mo., Memphis, Tenn., Columbus, Ohio, Charlotte, N.C., Dallas, Texas, Indianapolis, Ind., Lancaster, Pa., Omaha, Neb., Toledo, Ohio, Wilmington, Del., and Seattle, Wash.

"Veterans with experience in radio, electronics and related fields, or qualified for clerical work, will receive first considera-

tion."

NBC NEW PRACTICE STANDARDS DEFINE POLITICAL POLICY

In a booklet just published, authored by Ken R. Dyke, Vice-President, entitled "Responsibility - A Working Manual of NBC Program Policies", newly adopted standards of practice, the following appears regarding politics:

"NBC seeks to have presented to the radio public the various sides of political issues, and to have them presented fairly and

"Political news is handled with complete impartiality. When NBC facilities are used for political speeches on behalf of a legally qualified candidate for public office, equal opportunity in the use of such facilities is afforded to all other candidates for the same office.

"Groups or organizations seeking to purchase time for broadcast in support of a candidate must give assurance that the candidate or his campaign manager has no objection to receiving support from the

purchaser.

"Under the law, NBC may not and does not censor scripts of broadcasts by political candidates on the ground that they contain defamatory or other actionable material. If the script contains such material, that fact is called to the attention of the speaker, who is

warned that it is broadcast at his own risk.

"All sponsored political broadcasts are clearly identified as such and the name of the purchaser of the time as well as the name of the candidate is announced before and after each sponsored broad-NBC does not endorse any political candidate, platform or party. It does not permit sponsors of political broadcasts to put partisan speeches into the mouths of NBC announcers and it exercises every precaution to avoid introductions by NBC announcers which might appear to identify NBC with views expressed in political broadcasts."

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5 BALTIMORE RADIO STATIONS ARE CHARGED WITH CONTEMPT

Detailed charges were filed last week against five radio stations and a commentator cited for contempt of court for their handl-

ing of news about a murder case.

The newspapers also revealed that the action is based on the general powers of the courts as well as Baltimore's unique code which prohibits the publication of many details before a criminal case comes up for trial.

Complete transcripts of the broadcasts on the murder case were filed by J. Bernard Wells, the State's attorney. They were about the arrest of Eugene James, a Negro janitor who since had been convicted of first-degree murder in the knife-slaying of an ll-year-old white girl on July 6. (James is also under indictment at Washington for a similar knife-slaying of ll-year-old Carol Bardwell June 27.)

Each reference in the transcripts to James' past criminal record and to the fact he had given a statement of confession to pol-

ice was underlined by the prosecutor.

He said the underscored portions are considered contempt of court, and:

"The contempt proceedings are based on Rule 904 of the

rules of the Supreme Bench of Baltimore City.

"The said proceedings also are based on the general power and authority of the courts to issue citations for contempts for the protection of a prisoner's right to a fair trial."

Baltimore's Rule 904 is the special code which sets out what may not be published about a crime. It wasformulated in 1939.

In other jurisdictions, the courts rely on their general contempt powers and usually take action only when publication of details flagrantly jeopardizes a fair trial.

The Supreme Court of the United States has ruled there must be "a clear and present danger" of such prejudice.

Defendants are Stations WITH, WFBR, WCBM, WBAL, WSID and James P. Connolly, news editor of WITH. WSID, which is outside the city limits, has challenged the court's jurisdiction.

Steps have been taken to have the Maryland Court of Appeals adopt Rule 904 as a code for the whole State. The Maryland Press Association and several individual newspapers have made plans to oppose this, arguing it violates the freedom of the press.

The American Association of Broadcasters and the American Newspaper Publishers' Association have entered the case against the broadcasters as interested parties.

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BOB KINTNER, ABC, CHAIRMAN OF TBA AWARDS COMMITTEE

Robert E. Kintner, Executive Vice President of the American Broadcasting Company, and a Director of the Television Broadcasters! Association, has been named Chairman of the TBA Awards Committee for 1948.

Awards of Merit for outstanding contributions toward the development of commercial television will be presented again this year by the TBA. The presentations will be made at a luncheon session highlighting the annual television clinic of TBA, scheduled to be held at the Waldorf-Astoria Hotel in New York City on Wednesday, December 8.

The television clinic, a one-day session, will be held in conjunction with the annual meeting of the Association. E.P.H. James, Vice-President of the Mutual Broadcasting System, is General Chairman of arrangements for the clinic.

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ABC's Reported \$9,000,000 Stock Intake ("Variety")

Over and above the paying off. of bank loans, Ed Noble's ABC operation has realized upwards of \$9,000,000 from the recent floating of its stock issue. Most of the coin, of course, is being poured into television, it being estimated that the coast-to-coast ABC video operation will entail an expenditure of about \$8,000,000. Contrary to reports that ABC has been obliged to dig into its surplus to get its TV enterprises rolling, network execs say that's not the case; that the stock issue is carrying the full freight.

Latest chunk of ABC coin for television (\$350,000) has just

Latest chunk of ABC coin for television (\$350,000) has just been turned over to Warner Bros. for the acquisition of its old Vitagraph studios in Hollywood, with the web ear-marking a good percentage of its coin for its L.A.-Frisco TV operations, which will be link-

ed by co-axial cable by the end of the year.

ABC will also be ready to move its whole N.Y. tele operation into its new 66th Street hdqs. by Nov. 1, web execs revealed last week.

It's estimated that Noble's ABC setup today - AM, FM, TV - has a valuation of about \$20,000,000.

The "Juicy" Appointment Of FCC Commissioner Jones (Drew Pearson)

President Truman spoke sorrowfully about how the Republicans gutted Western reclamation projects at the last Congress - which they most certainly did. But he didn't remind the people that he rewarded the chief GOP enemy of reclamation - Congressman Robert Jones of Lima, Ohio - with a juicy appointment to the Federal Communications Commission.

Says Paul Porter! (Eddie Folliard in "Washington Post")

Governor Dwewy has always been confident since he got the Republican presidential nomination. He has been in the position of a man who, in former FCC Chairman Faul Porter's words, could only lose by snatching defeat from the jaws of victory. Now he thinks he can see anywhere from 300 to 350 electoral votes, far more than the 266 needed to win.

Lew Weiss Sprots A Portable TV Set ("Variety")

MES-Don Lee topper returned to the Coast tickled pink with a \$99 portable TV set given him by Jack Straus of Macy's and WOR.

Irked Ickes Announces Radio Talk (By Harold L. Ickes)

(The following dispatch in mimeographed form was delivered to newspaper and press association offices in Washington over the weekend)

Memorandum for the gentlemen of the great American press -

and their colleagues, the radio reporters:

Thursday night I made a speech about Thomas Elusive Dewey. I think that it was a good speech. You should have heard it. Among other things it had singing in it, a few remarks about my frustrated attempts to catch the elusive one's eye, a few questions on specific issues which I hoped the candidate in sneakers might get around to answering some time after he got through the cheer-leading "Team" "Team" duties! It had everything in it but dancing.

Friday morning I looked in vain through some of the great American press to find any mention of it. There was hardly any.

was not surprised.

I have reason to believe that there are certain segments of the American people who like to hear what I have to say about this campaign. I come to this conclusion from my mail, telegrams and telephone calls.

The great American press, except in rare instances, failed to mention sufficiently ahead of time that I was speaking on Thursday night. I am sure that there are all sorts of explanations for this.

The purpose of this memorandum is to inform you that I am speaking in Great Falls, Mont., on Friday evening, October 22, at 10:30 P.M., EST, over more than 400 stations of the Mutual Broadcasting System - again on the subject of Mr. Dewey.

Would you, therefore, be kind enough to convey this news to

the radio editors of your newspapers?

Frankly, I do not expect you to cover the speech or to reprint its substance in your columns the following day. Long public experience has convinced me of the mundane judiciousness of the press during election years. Long experience has also convinced me pleasantly - that these calculations never have the slightest effect on the final results.

I am thanking you in advance for notifying your radio columns. I do not expect anything else. Should I receive anything else, I would be overcome with shock.

Dixiecrats Fighting Truman By Helping Sen. Ball's Radio Time (Drew Pearson)

The Dixiecrats are secretly pouring money into Republican Senator Joe Ball's desperate campaign for re-election in Minnesota. The offer was made over the phone to Ball's office. Among other things it was suggested that the Dixiecrats quietly pay the extra charges to relay Mutual network's "Meet the Press" broadcast next Friday over a State-wide hookup of independent Minnesota radio sta-Ball is appearing on the program.

Reason for the Dixiecrats' support of Ball is that his Democratic opponent is Hubert Humphrey, Mayor of Minneapolis, who led the fight for civil rights at the Democratic Convention in Philadel-

phia.

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Gardner Cowles, President of the Des Moines Register and Tribune, and Cowles Broadcasting Company, has been chosen as Chairman of a subcommittee of the Committee of Economic Development, to study the subject, "Controls versus Prices for Allocating Resources in a Defense Economy". The policy statement will investigate the extent to which in the event of sharply increased defense expenditures we should rely on fiscal and monetary measures with free prices, versus direct controls, to channel resources to their most efficient uses.

The Columbia Broadcasting System announced Tuesday the signing of its 15th television network affiliate, Station KRSC-TV of Seattle. The station is expected to go on the air in late November or early December and will receive CBS programs on film recordings until network connections to the Pacific Coast are available.

At the Federal Communications Commission, there is speculation that Ray C. Wakefield will be reappointed to the Commission if the Republicans win the election. Wakefield, who was turned down for reappointment by President Truman, is a close friend of Governor Warren, the GOP vice presidential nominee.

Radio-receiving licenses in effect in the United Kingdom as of June 30, 1948, according to the U. S. Department of Commerce, numbered 11,320,996, of which 53,846 were for television. All of the television sets, as well as the majority of the other sets, were in England.

Admiral Corporation and Subsidiaries - Nine months to Sept. 30: Net earnings \$2,037,786 on sales of \$42,514,509, compared with \$1,185,449 and \$32,669,223, respectively, last year. September quarter: Record net, earnings of \$800,489, equal to 89cents a common share, compared with \$330,993 or 37 cents a share for third quarter of 1947; net sales \$15,128,165, against \$11,120,436.

Applications are now being accepted for research grants under the \$1,000,000 General Electric Education Fund for the scholastic year of 1949-1950.

For the 25th consecutive year, aid in grants up to \$1,500 annually will be awarded to college graduates who wish to continue individual study and research in scientific and industrial fields, W. W. Trench, Chairman of the G-E Education Committee, said.

The British Broadcasting Corporation decided in July, 1947, to form an annual lectureship, to be known as "The Sir John Reith Lectures", in honor of its first Director General. An acknowledged authority was each year to be invited to undertake some study or original research and to give listeners the results of this in half a dozen lectures.

It is now announced that the BBC has appointed a small panel of advisers to assist the Corporation in the selection of the speaker and subject for the Reith Lectures.