

The National Association of Broadcasters

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PHILIP G. LOUCKS, Managing Director

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BROADCAST HEARINGS OCTOBER 1

The Broadcast Division of the Federal Communications Commission on July 31 voted to commence a sweeping study of all proposals to set aside fixed percentages of broadcasting facilities to non-profit organizations on October 1.

This action is in line with Section 307 (c) of the Federal Communications Commission Act of 1934 which reads as follows:

"The Commission shall study the proposal that Congress by statute allocate fixed percentages of radio broadcasting facilities to particular types or kinds of non-profit radio programs or to persons identified with particular types or kinds of non-profit activities, and shall report to Congress, not later than February 1, 1935, its recommendations together with the reasons for same."

The order of the Commission provides:

"That any person or licensee (of a radio broadcast station) desiring to submit information to the Commission concerning any matter referred to in said section may do so by appearing in person or by attorney at a hearing to be held at the offices of the Federal Communications Commission beginning at 10 a. m. on October 1st, 1934, and continuing from day to day until completed. Written notice of intention to appear at said hearing should be furnished the Commission not later than September 20, 1934."

This action initiates the most important survey of the American system of broadcasting yet undertaken. It opens the door to every person and group of persons who have from time to time opposed commercial broadcasting and gives them an opportunity to make public record of their objections.

Upon the report made by the Commission, Congress in the next session undoubtedly will formulate a permanent policy with respect to the licensing of broadcast stations.

The National Association of Broadcasters will act as the coordinating agency through which the broadcasters will present their side of the case. But every station, large and small, network and non-network, must cooperate closely with the Association in assembling the vast amount of data which must be presented.

The National Association of Broadcasters as a body is opposed to the parceling out of channels to special groups and will present facts to substantiate this position.

This important hearing, which may last from four to eight weeks, calls for prompt action on the part of the Association and the Association must have the unstinted support of every station interested in the perpetuation of the American system of broadcasting. To collect the vast amount of data necessary, to coordinate the presentation of this data, and to meet the challenge which is thrown out to all broadcasters by this hearing, will require much time and effort. Most of all it will demand the closest cooperation from each and every broadcaster who is interested in a fair and adequate presentation of the broadcasters' case.

MAY DISCONTINUE SENDING SCRIPTS

The Federal Trade Commission on July 25 approved a letter to broadcast stations as follows:

"You may discontinue sending copies of commercial continuities upon receipt of this notice.

"We have sufficient to serve our present needs, but will ask you later, and from time to time thereafter, to send such continuities for short periods.

"We thank you for your splendid cooperation, and hope our efforts to purge radio advertising of false and misleading statements, claims, and representations will be a helpful service to you as well as protection for the buying public."

Nearly 100,000 continuities have been received by the Commission since the first request went out. E. J. Adams, chairman of the Special Board of Investigation, has expressed his appreciation for the splendid cooperation extended to the Commission in this work, and of the 112 stations which did not respond to the Commission's request only a handful were NAB members. The stations failing to respond are being listed and will receive an additional request for continuities or, perhaps, will be monitored.

In its effort to stop false and misleading advertising by radio the Federal Trade Commission is being given the staunch support of the Federal Communications Commission and there is a probability that delinquent stations will be reported to the Communications Commission by the Trade Commission.

In order that future requests can be complied with, it is suggested that stations keep extra carbon copies of all continuities. A system of staggering requests in the future is now being worked out.

The Special Board is carefully scrutinizing the continuities sent in and already a dozen advertisers have been summoned to informal hearings before the Board. No publicity is given to these cases unless there is a disagreement and a formal complaint issued. In that event the advertiser is given an opportunity to appear at a public hearing and present his facts and arguments.

The procedure followed is identical with that pursued with respect to newspaper and magazine advertising.

CONVENTION COMMITTEE APPOINTED

Appointment of a Convention Committee in connection with the twelfth annual meeting of the NAB to be held at the Netherland-Plaza Hotel, Cincinnati, Ohio, September 16, 17, 18 and 19 was announced this week by Ed. Spence, general chairman:

E. A. Hanover, Radio Station WHAM, Rochester, New York.

Edgar H. Twamley, Radio Station WBEN, Buffalo, New York.

LeRoy Mark, Radio Station WOL, Washington, D. C.

C. T. Lucy, Radio Station WRVA, Richmond, Virginia.

Warren P. Williamson, Jr., Radio Station WKBN, Youngstown, Ohio.

Roy F. Thompson, Radio Station WFBG, Altoona, Pennsylvania.

Make your plans now to attend the

TWELFTH ANNUAL NAB CONVENTION

NETHERLAND-PLAZA HOTEL . . . CINCINNATI, OHIO

SEPTEMBER 16, 17, 18 AND 19, 1934

E. K. Cargill, Radio Station WMAZ, Macon, Georgia.
Hugh A. L. Half, Radio Station WOAI, San Antonio, Texas.
George T. Bishop, Radio Station WAML, Laurel, Mississippi.
Glen Snyder, Radio Station WLS, Chicago, Illinois.
D. E. Kendrick, Radio Station WKBF, Indianapolis, Indiana.
Rev. James A. Wagner, Radio Station WHBY, Green Bay, Wisconsin.

Arthur F. Kales, Radio Station KECA, Los Angeles, California.
Philip G. Lasky, Radio Station KDYL, Salt Lake City, Utah.
Rogan Jones, Radio Station KVOs, Bellingham, Washington.

Plans for the convention are going forward and it is expected that a tentative program will be ready just as soon as speakers who have been invited respond to their invitations.

All indications are that there will be a record attendance at this year's meeting.

Railroads have granted the application of the NAB for reduced rates and a detailed announcement of this will go out shortly.

COMMISSIONERS NAME SECRETARIES

Col. Thad H. Brown, vice-chairman of the Broadcasting Division of the Federal Communications Commission, named Joseph H. Keller, of Dayton, Ohio, as his secretary, effective August 1, 1934. Mr. Keller has been a practicing attorney and newspaper man, and is a graduate of the University of Dayton.

Commissioner Hampson Gary, chairman of the Broadcasting Division, named T. L. Bartlett, of Washington, D. C., as his secretary, effective July 26, 1934. Mr. Bartlett has been engaged in the general practice of law in Washington during the past seven years.

MUSIC PUBLISHERS DEMAND CODE

Insistence of popular music publishers that the Code of Fair Competition for the Music Publishing Industry embrace music performing rights societies was interpreted in Washington to mean that music publishers are anticipating the dissolution or reorganization of the American Society of Composers, Authors and Publishers.

That all was not peace and harmony among music publishers became apparent also during the hearing before NRA Deputy Administrator John E. Williams when there was frequent disagreement between John G. Paine, chairman of the Board of Directors of the Music Publishers' Protective Association, and George Link, Jr., counsel for the Music Publishers' Association of the United States. Although the two groups, the first embracing the popular publishers, and the second the publishers of standard works, proposed the code jointly, differences between them developed throughout the discussion of the code provisions at the hearing.

Time and again Mr. Link, for the standard publishers, objected to his group being subject to the same code as the popular publishers. The standard publishers and the popular publishers disagreed on the labor provisions, the administrative provisions and the trade practice provisions.

Mr. Paine stated that if the NRA would approve the code as submitted, the Government could write its own wage and hour provisions. Later, in objecting to an amendment submitted by Oswald F. Schuette on behalf of the National Association and the Radio Program Foundation, which would curtail the monopolistic practices of the music publishers in the public performance field, Mr. Paine said that such amendment would take away from the publishers all of the privileges they would enjoy under the code.

There was conflicting testimony as to the number of music publishers in the United States. Mr. Link said there were about 60 standard publishers in the country of which 85 per cent, producing 85 per cent of standard published works, were affiliated with his organization. Mr. Paine said there were but 50 popular music publishers in the industry and that 25 of these did about 75 per cent of all of the popular music business in the United States. Later in the hearing, Emmanuel J. Rosenberg, who appeared for the Society of European Stage Authors and Composers, submitted the names and addresses of some 600 concerns who he said were engaged in the music publishing industry but not affiliated with the Paine organization.

Principal conflict revolved around the definition which would make all public performance rights organizations subject to the code; the proposed plan of administration which would place complete domination in the Music Publishers Protective Association; and the anti-monopoly provision.

Appearing for the NAB, Mr. Schuette offered an amendment to Article VI of the proposed code striking out the provision that the Code Authority shall be elected by the Board of Directors

of the Music Publishers Protective Association and substitute therefor the names of five members of the popular music publishing industry who shall be truly representative members of that industry, and not more than two of whom shall be members of the Music Publishers Protective Association.

Mr. Schuette pointed out "how the interlocking directors had been put together for the purpose of entrenching the monopoly of the publishers who organized on the one hand the Music Publishers Protective Association to exploit the mechanical reproduction rights, and on the other side the American Society of Composers, Authors and Publishers, which license the public performing rights.

"And we find," Mr. Schuette continued, "that the president of the Board of Directors of the Music Publishers Protective Association is Mr. Louis Bernstein. And Mr. Bernstein is a member of the Board of Directors of the American Society of Composers, Authors and Publishers.

Saul H. Bornstein of Irving Berlin, Inc., is vice-president and a director of the Music Publishers Protective Association and treasurer and a director of the American Society of Composers, Authors and Publishers.

Jerome Keit of Keit Music Company is secretary and a director of Music Publishers Protective Association and a director of the American Society of Composers, Authors and Publishers.

Robert Crawford of DeSylva, Brown & Henderson, is treasurer and a director of the Music Publishers Protective Association and assistant secretary and director of the American Society of Composers, Authors and Publishers.

Gustave Schirmer of G. Schirmer, Inc., is assistant treasurer and a director of Music Publishers Protective Association and a director of the American Society of Composers, Authors and Publishers.

E. F. Bitner of Leo Feist, Inc., is a director of the Music Publishers Protective Association and a director of the American Society of Composers, Authors and Publishers.

Walter Douglas of Donaldson, Douglas & Gumble is a director of MPPA and a director of ASCAP.

Walter Fischer of Carl Fischer, Inc., is a director of MPPA and a director of ASCAP.

Jack Mills of Mills Music, Inc., is a director of Music Publishers Association and a director of American Society of Composers, Authors and Publishers.

Ben Bornstein of Ager, Yeller and Bornstein and—

Edwin Morris of M. Witmark & Sons are the only MPPA directors who are not directors of ASCAP, and—

Max Dreyfus of the Harms-Warner group of Witmark, Harms, Remick, DeSylva, Brown & Henderson, Victoria Publishing Company and the New World Publishing Company,

George Fischer of J. Fischer & Bro., and—

Will von Tilzer of the von Tilzer Music Co., are the only ASCAP directors who are not directors of MPPA.

Now, this interlocking directorate I have read here for the purpose of showing our objections to this particular clause of the formation of the Code Authority, and we want to refer to it later when we come to the fair practice clauses in which this directorate is involved, and finally in the monopoly sections, because we feel that this code is written to entrench the monopoly which this small group of publishers, the formation of these two organizations, foisted upon the public to the destruction of their individual competitors, so far as we as consumers of music are concerned they compel us to accept contracts under which we are not able freely to do business with the independent competitor, who, so far as this picture is concerned, seems to have vanished now.

"We feel that they should write into this code provisions to prevent this group of members from compelling us by the power they have to make a contract, the effect of which is to prevent our dealing freely with other composers and other publishers," Mr. Schuette said. "But not because they say popular music is deteriorating sadly. Why? Because we have to play that. And if the audiences were free to pick the music, better music would be played. Why not open up the doors? Why not let the ten or twenty thousand composers in the country write music that can get on the air that can be heard. All the effort here is to keep somebody from going on the air with a great volume of the finest music written in the United States.

"In order to put that in words I would like to suggest the amendment of section 4 of Article VIII because section 8 seems to come nearest this particular difficulty. The amendment follows: 'Nor shall any member of the industry grant a license directly or indirectly or authorize the grant of a license for the public performance of copyrighted works, under terms, conditions, or agreements, the effect of which is to deny to other copyright owners the equal opportunity to obtain the public performance of their works,

through the facilities of such talking machine company, radio broadcasting or television station, electrical transcription company, motion picture company, or place of public entertainment.'"

The amendment was objected to by both the standard and popular publishers.

Mr. Schuette objected to suspension of the anti-trust laws with respect to the music publishing business.

"I tried not to raise the legality of the set-ups under consideration but merely to discuss their unfairness," he said. "The legality has been questioned and while Mr. Paine thinks they have been vindicated, we have brought the matter up to the Federal Trade Commission and the Department of Justice and we understand investigations are now in progress. In addition to that, we have taken this case under those anti-trust laws to the federal courts. We certainly do not want to see a Code Authority set up by the directors of an organization that we are attacking, with authority to take actions complying with this code that would nullify these anti-trust laws and we feel there could be no objection to adding to this anti-monopoly section, this provision:

"The immunity from the operation of the anti-trust laws, granted by Section 5 of the National Industrial Recovery Act, shall not be applicable to any practices of the Music Publishers Protective Association or the American Society of Composers, Authors and Publishers now under investigation by any governmental agency.'"

Objecting to inclusion of the amendment for the publishers, Mr. Paine said:

"You want to definitely set aside that provision of the NRA which is of benefit to us."

The hearing was adjourned until August 10.

NBC UPHELD IN COPYRIGHT SUIT

Judge Robert P. Patterson of the United States District Court for the Southern District of New York on July 20 handed down a decision in the copyright suit brought by Alfred Kreymborg against Jimmie Durante and the National Broadcasting Company dismissing the suit on the grounds that a poem, which was the subject of the litigation, does not come within the phrase "lecture, sermon, address or similar production" as used in the copyright law. The decision follows a previous ruling by the same court and was rendered after reargument on a motion to dismiss the complaint.

The text of the decision follows:

"On the original argument of the motion to dismiss, the plaintiff's contention was that his poems were dramatic compositions and that consequently he had the exclusive right, under subsection (d) of section 1 of the Copyright Act, 'to perform or represent the copyrighted work publicly if it be a drama.' I held that the poems were not dramas and that consequently the defendant Durante did not infringe the plaintiff's copyright by publicly reciting them. On reargument of the matter the plaintiff contends the poems are a 'similar production' to lectures, sermons or addresses, within the meaning of subsection (c). Under subsection (c) the author has the exclusive right:

"to deliver or authorize the delivery of the copyrighted work in public for profit if it be a lecture, sermon, address, or similar production."

"The history of copyright in the United States shows that an ever-broadening protection against the unauthorized use of their works has been given to authors. The original act of May 31, 1790, gave to the author or proprietor nothing but the exclusive right to print, publish and vend. There was no prohibition against other uses by strangers until the Act of 1856, which added to the author's monopoly the sole right to act, perform or represent the work in public in the case of copyrighted dramatic compositions. The next substantial extension came with the Act of March 3, 1891, which added the right to dramatize and the right to translate. By the Act of January 6, 1897, the protection against public performance of dramatic compositions was extended to cover musical compositions as well.

"Thus the matter stood until enactment of the present Copyright Act of 1909. By section 1, the author or proprietor has the right, exclusive in each case: (a) to print, publish and vend the work, which is the same right he has had since 1790; (b) to translate, dramatize or make other enumerated versions or arrangements of the work, a right which has been his since 1891; (c) to deliver the work in public for profit in the case of "a lecture, sermon, address, or similar production," which is an exclusive right not previously recognized; (d) to perform or represent the work publicly in the case of a drama, a right in existence since 1856;

and (e) to perform the work publicly for profit in the case of a musical composition, a right first given in 1897. It will be seen that while the exclusive rights mentioned in the first two subsections apply to all copyrighted works, those in the last three subsections are confined to particular classes of works, to a 'lecture, sermon, address, or similar production,' a drama and a musical composition.

"I am of opinion that the plaintiff's poems are not a 'similar production,' as those words are used in the phrase 'lecture, sermon, address or similar production.' A lecture, a sermon and an address have this feature in common, that they are intended primarily for oral delivery to an audience. In its mention of a production similar to or like a lecture, sermon or address, Congress plainly meant a production likewise intended in the first instance for oral communication. A speech, argument, debate, interview, perhaps even an informal talk, would be a 'similar production.' There may be cases where a poem would be a 'lecture, sermon, address, or similar production.' If a poem were first spoken or rendered at a gathering, as in the case of some of Lowell's poems, it would be an address in poetry and if copyrighted would be secure against unauthorized delivery later on by others. But usually a poem nowadays is first made public in printed form, through book, magazine or newspaper, and is in form to be read in the first instance, though of course it may later be recited or rendered vocally. It is made evident by the bill in this case that the plaintiff's poems were first published in book form. They do not therefore correspond to or resemble a lecture, sermon or address.

"The adoption of the plaintiff's argument would broaden the scope of this subsection so as to comprehend almost every form of literary composition, instead of the narrower class of works specified by Congress. If changes in the Copyright Act are called for because of abuses which have sprung up since the enactment of the law of 1909, it is for Congress rather than the courts to make them.

"The motion for reargument is granted. On further consideration the court adheres to its view that the bill does not state a cause of action and should be dismissed. The plaintiff will have leave to serve an amended bill."

CANADIAN REALLOCATION SEPTEMBER 1

A wholesale reallocation of Canadian stations will become effective on September 1 according to an announcement made by the Canadian Radio Commission and reported in *Broadcasting*.

The following frequency changes were announced:

MARITIMES

CFNB, Fredericton	1030 to 550
CHNS, Halifax	1050 to 930
CJCB, Sydney	880 to 1240
CHSJ, Saint John	1210 to 1120
CHGS, Summerside	1120 to 1500

QUEBEC

CRCQ, Quebec	930 to 1050
CRCS, Chicoutimi	1500 to 950

ONTARIO

CKLW, Windsor	840 to 1030
CKNC, Toronto	1030 to 1420
CRCT, Toronto	960 to 840

WESTERN PROVINCES

CJOC, Lethbridge	840 to 1230
CFQC, Saskatoon	1230 to 840
CKY, Winnipeg	780 to 960

BRITISH COLUMBIA

CJAT, Trail	1200 to 910
CKOV, Kelowna	1210 to 630
CFJC, Kamloops	1310 to 880

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KBTM—W. J. Beard (Beard's Temple of Music), Jonesboro, Ark.—Granted modification of C. P. to extend completion date to October 1, 1934.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted authority to determine operating power by direct antenna measurement.

- WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Granted special temporary authority to operate with additional power of 750 watts at night for a period ending 3 a. m., September 1.
- WMBH—Joplin Broadcasting Co., Joplin, Mo.—Granted special temporary authority to operate from 9:30 p. m. to 12 midnight, CST, August 7.
- WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate from 10 p. m. to 12 midnight, CST, August 3.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses on a temporary basis, subject to such action as the Commission may take on their pending applications for renewal:

- WNYC, New York; WOWO, Fort Wayne, Ind.; WWL, New Orleans; and WWVA, Wheeling, W. Va.
- WAU—Associated Radiocasting Corp., Columbus, Ohio—Present license extended for a period of 3 months subject to such action as may be taken on renewal application.
- WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Present license extended for period of 3 months subject to such action as may be taken on renewal application.
- WQDM—A. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Granted extension of license to September 1 on a temporary basis pending receipt and action on renewal application.
- KMMJ—The M. M. Johnson Co., Clay Center, Nebr.—Granted special temporary authority to operate station from 5 to 6 a. m., CST, for period August 1 and until this period is required by Station WSB, but not later than February 1, 1935.
- WJBV—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Granted special temporary authority to operate station for period of 10 days without approved frequency monitor.
- WWL—Loyola University, New Orleans, La.—Granted extension of special temporary experimental authority to change hours of operation from specified to unlimited for term beginning on notification from the Commission to the effect that station WKXH has ceased operation on 850 kc., and subsequent to August 1, 1934, and ending in no event later than 3 a. m., EST, February 1, 1935, subject to the condition that WWL agrees to and will revert to station's former assignment—850 kc., 10 KW power—at any time, without hearing, upon 10 days' notice to that effect by the Commission.
- WORK—York Broadcasting Co., York, Pa.—Granted extension of special temporary experimental authority to make changes in equipment, using directional antenna; change frequency from 1000 kc. to 1320 kc., and hours of operation from daytime to unlimited, for period August 1, 1934, to February 1, 1935. Protest of station WADC, Akron, Ohio, withdrawn.
- NEW—WJMS, Inc. (Portable)—Granted C. P. (temporary broadcast pickup); 2790 kc., 75 watts.
- NEW—Adiordack Broadcasting Co., Inc. (Portable-Mobile)—Granted C. P. (exp. gen. exp.), frequencies 31100, 34600, 37600, 40600 kc., 5 watts.

RATIFICATIONS

- KIGA—National Battery Broadcasting Co., St. Paul, Minn.—Granted temporary authority to operate broadcast pickup station from July 23 and ending at conclusion of strike, but not exceeding 15 days; 1602 and 2102 kc., 7½ watts.
- WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted temporary authority to remain silent for period of 24 hours pending repair of equipment.
- WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Granted special temporary authority to continue operation on 1370 kc., sharing time with WBTM for period ending not later than September 1, from July 29.
- WBTM—Piedmont Broadcasting Corp., Danville, Va.—Granted special temporary authority to continue operation on 1370 kc., sharing with WLVA for period ending September 1.
- WGST—Georgia School of Technology, Atlanta, Ga.—Granted special temporary authority to reduce power during daytime to 500 watts, for period not to exceed 10 days, in order to make field intensity survey of present transmitter.
- WJJD—WJJD, Inc., Chicago, Ill.—Granted special temporary authority to begin operation at 5 a. m., CST, for period beginning 3 a. m., August 1, and during that period of time

when Daylight Saving Time applies but not later than February 1, 1935.

- KPCB—Queen City Broadcasting Co., Seattle, Wash.—Granted extension of special temporary authority to operate station without approved frequency monitor for period August 1 to August 10.
- KGZE—City of San Antonio and State of Texas—Granted temporary authority covering temporary operation of KGZE on 2506 kc. for period of 30 days.
- WPTF—WPTF Radio Co., Raleigh, N. C.—Granted extension of special temporary authority to use RCA Crystal Control as standby oscillator for present licensed W. E. Type transmitter for period August 1 to October 1.
- WJAG—The Norfolk Daily News, Norfolk, Nebr.—Granted extension of special temporary authority to operate on 1060 kc. with 1 KW for period ending February 1, 1935.
- KWWJ—KWWJ Broadcast Co., Inc., Portland, Ore.—Granted special temporary authority to operate on 1040 kc., limited time, and resume operation from 9 p. m. to 2 a. m., PST, for period August 1 to February 1, 1935.
- WESG—Cornell University, Elmira, N. Y.—Granted special temporary authority to operate on 1090 kc. daily until sunset at Hot Springs, Ark., for period August 1 to February 1, 1935.
- WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted extension of special temporary authority to operate simultaneously with KRLD, unlimited time, on 1040 kc., for period August 1 to February 1, 1935.
- KRLD—KRLD Radio Corp., Dallas, Tex.—Granted extension of special temporary experimental authority to operate simultaneously with WTIC, unlimited time, for period August 1 to February 1, 1935.
- WBAL—WBAL Broadcasting Co., Baltimore, Md.—Granted extension of special temporary experimental authority to operate simultaneously with KTHS on 1060 kc. from 6 a. m. to sunset at Hot Springs, Ark.; to operate from sunset at Hot Springs, Ark., to 9 p. m., EST, on 1060 kc.; and to operate synchronously with WJZ on 760 kc., with power of 2½ KW, from 9 p. m., EST, for period August 1 to February 1, 1935.
- KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Granted extension of special temporary experimental authority to operate simultaneously with WBAL from 6 a. m. to LS, CST; remain silent from LS to 8 p. m., CST; and to operate from 8 p. m. to 12 midnight, CST, on 1060 kc., for period August 1 to February 1, 1935.
- NEW—School of Electrical Engineering, Cornell University, Ithaca, N. Y.—Granted temporary authority to construct and operate general experimental station on 40600 kc., power .5 watt.
- NEW—WDAY, Inc., Fargo, N. Dak.—Granted temporary authority to construct and operate broadcast pickup station, 2102 kc., 5 watts, to be used July 29 to August 2.
- NEW—Onondaga Radio Broadcasting Corp., Syracuse, N. Y.—Granted temporary authority to operate general experimental station for broadcast pickup; frequency 31100, 34600, 37600, 40600 kc., 5 watts.
- WJZ—National Broadcasting Co., Inc., New York City—Granted extension of special temporary experimental authority to operate with additional 20 KW power for term August 1, 1934, to February 1, 1935.
- WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted special temporary authority to reduce hours of operation to specified as follows: 8 a. m. to 9:30 a. m., 11 a. m. to 2 p. m., and 6 p. m. to 9:45 p. m., CST, for period of 30 days.
- WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate from 7 to 7:15 p. m., CST, during month of August.
- KPCB—Queen City Broadcasting Co., Seattle, Wash.—Granted extension of special experimental authority to operate on 710 kc., 100 watts, unlimited time, for period August 1 to February 1, 1935.
- WIEK—WIEL—Atlantic Broadcasting Corp., New York—Granted temporary authority to use broadcast pickup stations, 2190 and 1646 kc., 50 watts, July 30 to August 4.

MISCELLANEOUS

- WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Hearing set for August 2 cancelled and application for renewal of license granted. Alleged censoring of political speech adjusted to the satisfaction of complainant.

WSVA—Marion K. Gilliam, Staunton, Va.—Denied petition to strike from records the protest of KSD, St. Louis, against the grant of C. P. for new station to be located between Staunton and Harrisonburg, Va., to operate on 550 kc. with 500 watts power. Authority granted suspended, and application set for hearing because of protests by KSD and WEHC.

WBNX—Standard Cahill Co., Inc., New York—Denied petition to remove renewal application from docket and denied petition to grant regular renewal license.

KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Denied petition to strike its renewal application from the hearing docket and grant regular renewal license.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Denied petition of attorney requesting the Commission to amplify the hearing notices. Commission feels the issues are sufficiently clear as set forth in notices.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio—Application to change frequency from 570 kc. to 610 kc., with 500 watts night, 1 KW LS, unlimited time, and installation of new equipment, to be heard by the Commission en banc on September 24.

WAIU—Associated Broadcasting Corp., Columbus, Ohio—Application to change frequency from 640 kc. to 570 kc., with increase in power from 500 to 750 watts night, 1 KW LS, specified hours, to share with WOSU, Columbus, to be heard by the Commission en banc September 24.

WJAY—Cleveland Broadcasting Corp., Cleveland, Ohio—Application to shift from 610 kc. to 640 kc., with an increase in power from 500 watts to 1 KW, and specified hours, to be heard before the Commission en banc September 24.

NEW—Portland Broadcasting System, Inc., Portland, Me.—Application for new station to operate on 640 kc., 500 watts, to be heard before the Commission en banc September 24.

WXYZ—Kunsky Trendle Broadcasting Co., Detroit, Mich.—Application for new station to operate on 640 kc., 10 KW, unlimited time, to be heard before the Commission en banc September 24.

WDBO—Orlando Broadcasting Co., Orlando, Fla.—Denied application as amended for increase of night power to 1 KW, and application set for hearing.

NEW—Clarion Broadcasting Co., Inc., Clarion, Pa.—Denied petition to reconsider action in overruling application for C. P. for new station to operate on 850 kc., with 250 watts. Application retained on hearing docket.

APPLICATIONS RECEIVED

First Zone

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Extension of special experimental authorization to operate with an additional 250-watt power night for period 9-1-34 to 3-1-35.

WMAL—National Broadcasting Co., Inc., Washington, D. C.—License to cover construction permit authorizing installation of new auxiliary equipment.

NEW—Brown Radio Service and Laboratory (Gordon P. Brown, Owner), Rochester, N. Y.—Construction permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, unlimited time (part of facilities of WOCL).

WBAL—WBAL Broadcasting Co., Baltimore, Md.—Extension of special experimental authorization to operate on 1060 kc. from 6 a. m. to local sunset at Hot Springs, Ark., unlimited to 9 p. m., EST, and synchronize with WJZ on 760 kc., 2½ KW, from 9 p. m., EST, for period 8-1-34 to 2-1-35.

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Extension of special experimental authorization to operate unlimited time, simultaneously with KRLD, on 1040 kc., for the period 8-1-34 to 2-1-35.

WJZ—National Broadcasting Co., New York, N. Y.—Extension of special experimental authorization to use an additional 20 KW power for the period 8-1-34 to 2-1-35.

Second Zone

WEHC—Community Broadcasting Corp., Charlottesville, Va.—Construction permit to install new equipment, change frequency from 1350 kc. to 1420 kc., power from 500 watts to 100 watts night, 250 watts daytime, and hours of operation from daytime to unlimited.

WBCM—James E. Davidson, Bay City, Mich.—Modification of license to increase power from 500 watts to 500 watts night, 1 KW daytime.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—License to cover construction permit authorizing erection of auxiliary transmitter.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—License to cover construction permit authorizing erection of auxiliary transmitter.

WIBM—WIBM, Inc., Jackson, Mich.—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

WIBG—WIBG, Inc., Glenside, Pa.—Modification of license to increase hours of operation from daytime to daytime until sunset at Chicago, Ill.

NEW—The Evening News Assn. (on aircraft)—Construction permit to erect a new broadcast pickup station to operate on 2150 kc., 50 watts.

Third Zone

WQBC—Delta Broadcasting Co., Vicksburg, Miss.—Modification of license to change hours of operation from specified to daytime.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Modification of construction permit authorizing changes in equipment to extend date of completion from 7-27-34 to 9-1-34.

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

NEW—Guthrie Broadcasting Co., Guthrie, Okla.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, sharing time with WBBZ (part of facilities of WBBZ).

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Construction permit to install new equipment, change frequency from 1420 kc. to 1310 kc., and increase power from 100 watts to 100 watts night, 250 watts daytime.

WWL—Loyola University, New Orleans, La.—Extension of special experimental authorization to operate unlimited time for period 8-1-34 to 2-1-35.

WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Special experimental authorization to make changes in equipment and change frequency from 1310 kc. to 1050 kc., and increase power from 100 watts to 250 watts, amended to omit request for change in frequency and increase in night power.

WRDW—Musicove, Inc., Augusta, Ga.—Voluntary assignment of license to Augusta Broadcasting Co.

KRLD—KRLD Radio Corp., Dallas, Tex.—Extension of special experimental authorization to operate unlimited time, simultaneously with WTIC, for the period 8-1-34 to 2-1-35.

KTTH—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Extension of special experimental authorization to operate on 1060 kc., simultaneously with WBAL, from 6 a. m. to local sunset, suspend operation from local sunset to 8 p. m., CST, and operate from 8 p. m., CST, to midnight for period 8-1-34 to 2-1-35.

Fourth Zone

WMT—Waterloo Broadcasting Co., Waterloo, Iowa—Extension of special experimental authorization to install new equipment and operate with power of 1 KW night and 2½ KW daytime for the period 9-1-34 to 3-1-35.

KFJM—University of North Dakota, Grand Forks, N. Dak.—Special experimental authorization to make changes in equipment and increase daytime power from 100 watts to 250 watts.

WCAL—St. Olaf College, Northfield, Minn.—License to cover construction permit authorizing changes in equipment and increase in daytime power.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Modification of construction permit authorizing changes in equipment and increase in daytime power requesting further changes in equipment.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—License to use the present main transmitter as an auxiliary as C. P. has been authorized to use present auxiliary transmitter as the main transmitter.

Fifth Zone

KSEI—Radio Service Corp., Pocatello, Idaho—Modification of construction permit issued pursuant to court of appeals for 890 kc., requesting authority to increase power from 250 watts night, 500 watts daytime, to 500 watts, using direc-

tional antenna and move transmitter and studio to near Pocatello, Idaho.

KGIX—J. M. Heaton, Las Vegas, Nev.—Modification of construction permit authorizing changes in equipment and removal of transmitter, requesting change in transmitter site and extension of commencement and completion dates, amended to omit request for change of transmitter site.

NEW—J. H. Speck, Santa Fe, N. Mex.—Construction permit to erect a new broadcast station to be operated on **1310 kc.**, 100 watts, unlimited time.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Modification of construction permit authorizing changes in equipment and increase in power, requesting changes in equipment and change hours of operation from limited to unlimited and extension of commencement and completion dates.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Modification of construction permit authorizing changes in equipment and increase in power, requesting extension of commencement and completion dates.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Extension of special experimental authorization to operate on **710 kc.**, unlimited time, for the period 8-1-34 to 2-1-35.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit authorizing change in equipment and increase in daytime power to $2\frac{1}{2}$ KW, requesting authority to install new equipment and increase daytime power to 5 KW, amended to request power of 5 KW day and night.

NEW—Albert T. Roche and Harold Smithson, Chico, Calif.—

Construction permit to erect a new broadcast station to be operated on **850 kc.**, 100 watts, daytime.

KMO—KMO, Inc., Tacoma, Wash.—Modification of license to increase power from 250 watts to 250 watts night, 500 watts daytime.

KGEK—Elmer G. Beehler, Yuma, Colo.—Construction permit to move station from Yuma to Sterling, Colo., and make changes in equipment.

KWYO—R. E. Carroll, trading as Big Horn Broadcasting Co., Sheridan, Wyo.—License to cover construction permit authorizing erection of new broadcast station to be operated on **1370 kc.**, 100 watts, unlimited time.

APPLICATIONS RETURNED

WLWL—Missionary Society of St. Paul the Apostle, New York, N. Y.—Modification of license to change frequency from **1100 kc.** to **810 kc.**, and hours of operation from specified to unlimited time. (Jurat not complete.)

NEW—Mid-Central Broadcasting Co., Kansas City, Mo.—Construction permit to erect a broadcast station to be operated on **1370 kc.**, 100 watts, unlimited time (facilities of KWKC). (Application not signed and questionable transmitter site.)

KIEV—Cannon System, Ltd., Glendale, Calif.—Modification of construction permit authorizing changes in equipment and increase in daytime power, requesting further changes in equipment and extension of commencement and completion dates. (Incomplete.)