

The National Association of Broadcasters

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JAMES W. BALDWIN, Managing Director

NAB REPORTS

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DUFFY COPYRIGHT BILL

The Duffy Copyright Bill, S. 3047, is still pending before the Committee on Patents in the House of Representatives, to which it was referred after approval by the Senate. The chairman of the Committee has not called a meeting of the Committee members since the receipt of the bill.

FEDERAL TRADE COMMISSION ACTIVITIES

Cease and Desist Orders

No. 2258. American Shell Products Co., Muscatine, Iowa. The respondent is directed to refrain from the use of the word "oyster" on bags or containers in which it sells crushed shell or otherwise to represent, describe or designate crushed shell unless and until such crushed shell is composed entirely of the crushed shell of the oyster or unless and until, where such crushed shell is composed partly of oyster shell, the word oyster is accompanied by a word or words, in equally conspicuous form and color, aptly and truthfully describing the other material or materials of which such product is composed.

No. 2365. Armstrong Rubber Co., Inc., West Haven, Conn. The respondent is directed to stop representing in advertisements of automobile tires and tubes that the prices at which it sells its products to consumers are manufacturer's wholesale prices, or that it sells to the consumer under a plan of distribution by means of which all middlemen's costs, profits or other charges are eliminated, unless these representations are true in fact. The respondent is also ordered to stop representing in advertisements or assisting in the circulation of advertisements which have a tendency to indicate that the tires it sells contain more plies of fabric in their composition than is the fact.

No. 2382. Birmingham Automotive Jobbers Association, Birmingham, Ala. The respondent is required to desist from carrying out the terms of an agreement to fix and maintain uniform prices to be exacted by them from purchasers of automobile parts and accessories, and to refrain from certain other practices.

No. 2403. Wyoming Valley Jobbers Association, Inc., Wilkes-Barre, Pa. The respondent is directed to desist from certain practices tending to promote a monopoly and conspiracy in restraint of trade, to fix uniform prices, and other practices held by the Commission to constitute unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

No. 2433. Jones Brothers Publishing Co. of Cincinnati, Ohio. The respondent company is directed to desist from the sale of a set of history books by direct or indirect representation that the books are new and up-to-date and that the company is staging a special introductory offer limited as to time. The respondent is also ordered to cease asserting that a subscriber or prospective purchaser is to receive absolutely free an unbound set of the books and that the only cost is the payment of a purported wholesale contract price for the binding.

Complaints

The Commission has alleged unfair competition in complaints issued against the following companies. They will be given oppor-

tunity to appear at hearings to show cause why cease and desist orders should not be issued against them.

No. 2509. Dr. Arthur A. Rock, Milwaukee, Wis., tr/as Dr. Rock and Dr. A. A. Rock. The respondent is charged with misrepresentations in the sale of a treatment for goitre. Hearing Friday, September 13.

No. 2510. Pioneer Maple Products Co., St. Paul, Minn. The complaint charges the company, in newspaper and radio advertising, with using such terms as "tangy maple syrup," etc., in advertising its product, implying that said product is pure maple syrup when, in fact, it consists of approximately seventy per cent cane syrup. Hearing September 13.

No. 2511. World Library Guild, Inc., 1440 Broadway, New York City. The complaint charges that an encyclopedia sold by the Guild is not free and is not given away to customers who subscribe to the extension service, but that the price charged actually includes the regular price of the books and any additional service furnished. It is also alleged that the respondent does not publish the encyclopedia which it sells, that said encyclopedia is not new or up-to-date and that the respondent company does not maintain a research department for the service of its customers. Hearing September 20.

No. 2512. National Silver Co., 61-65 West 23d Street, New York City. The complaint charges misuse of the trade term "sectional overlay" in the selling of silverware. Hearing September 20.

No. 2513. Harry Neivert, tr/as Pigro Chamois Co., Gloversville, N. Y. The complaint alleges the respondent manufactures leather products represented to be chamois skins, when in fact they are not chamois skins. Hearing September 20.

No. 2514. Johnson Manufacturing Co., and John C. Johnson, Birmingham, Ala. The complaint alleges that pamphlets distributed by the respondent falsely represent that aluminum in cooking utensils is poisonous and that the pamphlets in question contain false statements purported to have been made by doctors in support of that contention. The complaint further charges that the respondent company falsely maintains as part of its corporate name the "manufacturing" when in fact it does not maintain a factory and does not manufacture the goods that respondents offer for sale. Hearing September 20.

No. 2515. B. H. Krueger, Inc., and Lightfoot Schultz Co., of New York and Hoboken. The complaint states that the Krueger Corporation is engaged in the business of manufacturing, compounding, selling, and distributing toiletries and cosmetics, while the Schultz company manufactures and sells toilet soaps. It is set out in the complaint that both of these corporations deliver part of their products to Worthal, Ltd., by which company they are distributed under the trade name of "Drury Lane English Lavender," and so marked as to indicate that Worthal, Ltd., maintains places of business in London, Montreal, and New York. The complaint says, in fact, the Worthal, Ltd., is not a limited corporation, is not an English company, and has no branch or office in London or Montreal. Hearing September 20.

No. 2516. Carey Salt Co., Hutchinson, Kansas. The respondent is charged with advertising its products as "smoke salt" and particularly adaptable for the curing of meat, when in fact it has not been and is not smoked salt or "smoke salt" as understood by the consuming public. Hearing September 20.

No. 2517. General Implement Company of America, Inc., and its subsidiary, the General Implement Manufacturing Co., Inc., Cleveland, Ohio. These respondents are alleged, among other things, to have represented themselves in advertisements, catalogues, pamphlets, price lists and other literature, as the manufacturers of a complete line of farm implements and tools under the trade name "Soil Fitter," when in fact they were not manufacturers of any complete line of farm implements and tools. Hearing September 20.

No. 2518. Crescent Shoe Co., Inc., 133 Duane St., New York City. The complaint alleges that the company, in the course of its wholesale business, stamps its shoes as "Dr. Copland's Arch-of-Air," and in other ways represents or implies that they are made in accordance with the design of or under the supervision of a doctor, when in fact they are not so made and do not contain special scientific or orthopedic features. Hearing September 20.

No. 2519. Miles L. Finch, tr/as Associate British Manufacturers, 200 Fifth Avenue, New York City. The complaint sets out that, in the course of respondent's business, he advertises and labels tweed which he sells as "Imported British Wool Harris Tweed Type" with the words "Imported" and "Harris Tweed" in capital letters and the word "Type" in small letters. In this and in other ways, the complaint charges, the respondent attempts to deceive the purchasing public into believing that his product is a genuine Harris Tweed imported from Scotland, when such is not the fact. Hearing September 20.

No. 2521. I. Teich and A. Makower, tr/as Tee and Emm Knitting Mills, New York City. The respondents are charged with advertising and in other ways representing that they are knitters and manufacturers, tending to deceive purchasers into believing that they save middlemen's profits by purchasing from the respondents, when in fact the said respondents do not own, operate or control any mill or plant in which the products they sell are manufactured. Hearing September 20.

Stipulations

Unfair competition of various types will be discontinued by the following companies under stipulations between the Federal Trade Commission and the concerns in question:

No. 1434. Walter H. Candler, Chicago, tr/as The Candler System Co. Candler will cease using in advertisements any false, misleading, disparaging or derogatory representations concerning a competitor, and will stop using the assertion that he has trained more than 45,000 telegraph and radio operators.

No. 1435. A. Vallina and Gerardo Vallina, Tampa, Fla., tr/as A. Vallina & Son, and Tampa-Havana, Inc. Co. Respondents agree to cease advertising cigars by means of the words "Havana," "Habana," "Vuelta Abajo" or "Cuba" when the products so designated are not made from tobacco grown on the island of Cuba or in the Vuelta Abajo district thereof.

No. 1436. J. P. Levy and A. L. Bauman, New York City, tr/as Levy and Bauman. Respondents agree to cease representing on labels or tags furnished to manufacturers that their interlinings are made of lambs' wool, when this is not true.

No. 1438. Louis Herman, New York City, tr/as Louis Herman & Co. Respondent agrees to cease branding or labeling products as "Pure Silk" or "100% Pure Silk" when in fact the product so labeled contains a substantial quantity of mineral salts and the material is known as weighted silk.

No. 1437. Mineral Science Laboratories, Inc., Sioux City, Iowa. The respondent agrees to refrain from the use of the word "Laboratories" in connection with its name, and to stop representing in advertisements that its products are the "chief need" for treatment of various human ailments listed by it.

No. 1439. M. Wittens, Chicago, tr/as the Printwell Co. Respondent agrees to stop the use in his advertisements of the words "Process Engraved" or "Engraving," either alone or with other words to describe his printed products, thereby tending to deceive buyers into believing that the products are made from ink engraved plates, when this is not true.

No. 1440. General Foods Corporation, General Foods Sales Co., Inc., and Maxwell House Products Co., Inc., New York City. Respondents have agreed to stop advertising by radio broadcasts that loose or bag coffee loses 45 per cent of its flavor 9 days after the roasting, and that the loss in flavor of bean coffee is only slightly less rapid, so that the buying of unground coffee offers little if any advantage to the consumer as far as the flavor goes.

NAB PROTESTS ENACTMENT OF H. R. 8927 AND H. R. 9045

The following letter was sent to the Chairman of the Committee on Immigration and Naturalization, House of Representatives, protesting the enactment of H. R. 8927 and H. R. 9045. These bills, if enacted, would practically prohibit musical performances by alien artists and reduce the opportunities for the employment of American musicians. The text of the letter follows:

Hon. Samuel Dickstein, Chairman,
Committee on Immigration and Naturalization,
House of Representatives,
Washington, D. C.

My dear Mr. Dickstein:

The National Association of Broadcasters protests the enactment of the following bills:

H. R. 8927, A Bill, To protect the artistic and earning opportunities of American musicians, both vocal and instrumental, including orchestral conductors, in the United States of America; and

H. R. 9045, A Bill, To protect the artistic and earning opportunities of American singers—operatic, concert, oratorio, and so forth—including orchestral conductors, in the United States of America.

These bills contain substantially the same provisions and therefore for the purpose of this communication will be treated as one. To summarize, these bills contain conditions that

(a) An alien musician may not be imported into this country unless it is conclusively proved that there is not at that time within the United States an unemployed musician of that class and equal ability, and

(b) It must be conclusively proved that the country of origin of such alien musician has made arrangement to engage an equal number of American musicians in employment of a similar nature.

A part of the first condition which must be observed is that of conclusively proving the "ability" of the foreign musician. This evidently has reference to musical ability, although it is not specifically so provided. "Ability" includes capacity, skill, power to perform, talent and proficiency, competency, aptitude, knowledge and artistic perception. It embraces both native and acquired capacity. How is it possible to meet this part of the condition? A well-known Polish conductor is engaged by an American musical organization. It is intended that he should conduct one performance of an *American* manned philharmonic orchestra in Boston. His appearance is desired not because he is a foreigner or the world's greatest conductor but because of his prominence in the musical world and because of his special appeal to the American musical public. Before he may enter this country these bills require that the American musical organization must conclusively prove the ability of the foreign conductor and then conclusively prove the ability of all American conductors not employed. Having done that, the musical organization must then conclusively compare the ability of the one against the ability of the other. What standard shall be employed to make this comparison? We submit that not even the roughest comparison of artistic ability of musicians of the same general class can be made. There simply is no yardstick by which one may prove musical ability beyond its meager fundamentals. The subject involves art, not mathematical science.

The second condition is equally restrictive. It requires conclusive proof of the actual employment of American artists in the homeland of the alien in order to offset the employment of the alien here. If Toscanini is engaged to conduct one Philharmonic performance in the United States then some American conductor must be employed to conduct one Philharmonic performance in Italy. This condition is obviously impossible of compliance except in unusual circumstances too rare to even require mention here, and will in effect banish from the American musical world every performance except that which is wholly American.

The enactment of either of these bills would not improve the employment condition of American musicians. The opportunity for greater employment here for American artists would not be added to by forbidding employment of foreign artists. To the contrary, some American instrumentalists contemplating labor with foreign impresarios here would discover that the engagement had necessarily been cancelled and nothing, American or foreign, added in its stead. It is a fallacious notion that for a planned performance by a given foreign artist there would be substituted a performance by an American artist. If, for example, Madam Flagstead is not permitted to exhibit her artistic talents in a concert scheduled here for a given time then no concert whatever will take place and American musicians will therefore lose rather than gain. In other words, it is our conviction that the enactment of either of these bills will defeat the purpose for which they are intended.

In the hope that it may be of some assistance to the members of your committee in their consideration of this proposed legislation, we offer the following data and observation on these bills as

they relate to a specific concert organization whose purpose is to arrange engagements for outstanding concert artists and symphony orchestra conductors. In this capacity the organization selected for this example acts for 107 outstanding concert artists and 53 orchestra conductors. Of such 107 concert artists, 65 are American-born, 15 are naturalized American citizens, and 27 are aliens. These artists include, among others, the following:

<i>American-born</i>	<i>Naturalized</i>	<i>Alien</i>
Helen Jepson	Lucrezia Bori	Lotte Lehmann
Grace Moore	Elizabeth Rethberg	Lily Pons
Jeannette Vreeland	Edward Johnson	Grete Stueckgold
Rose Bampton	Harold Bauer	Karin Branzell
Paul Althouse	Ossip Gabrilowitsch	Beniamino Gigli
Richard Crooks	Margaret Matzenauer	Nino Martini
Charles Hackett	Ernest Hutcheson	Frederich Schorr
Frederick Jagel	Jascha Heifetz	Alexander Brailowsky
James Melton	Toscha Seidel	Vladimir Horowitz
Richard Bonelli	Georges Barrere	Jose Iturbi
Paul Robeson		Serge Prokofieff
Lawrence Tibbett		Nathan Milstein
Yehudi Menuhin		Gregor Piatigorsky

Of the 53 symphony conductors, eight are American-born, 16 are naturalized American citizens, and 29 are aliens. These include, among others, the following:

<i>American-born</i>	<i>Naturalized</i>	<i>Alien</i>
Walter Damrosch	Otto Klemperer	Sir Thomas Beecham
Henry Hadley	Fritz Reiner	Albert Coates
Werner Janssen	Ossip Gabrilowitsch	Vladimir Golschaann
	Georges Barrere	Jose Iturbi
	Leopold Stokowski	Erich Kleiber
	Arthur Bodanzky	Molinari
	Frederick Stock	Hoogstraten
		Wilhelm Furtwangler
		Pierre Monteux
		Serge Koussevitzky
		Arturo Toscanini

It will be noted that, as to the concert artists, the American-born and naturalized artists outnumber the alien artists by over three to one. Included among the alien artists, however, are persons of outstanding attainments who have contributed immeasurably to the artistic enjoyment and cultural advance of the American people. It is unthinkable that a law should be enacted which would exclude these artists from this country and deprive the American people of the cultural benefits derived from their performances.

On the other hand, it is clear that the large majority of American artists in this group is conclusive proof that foreign competition does not interfere with the securing of engagements in this country by American artists of ability. It is common knowledge that artists of the first rank, whether American or alien, have no difficulty in securing engagements and that there exists at the present time a pronounced shortage of artists of this type.

The deleterious effect of these bills would be even more pronounced in the case of conductors. In order to develop artists of this type it is necessary to have a large number of symphony orchestras which will serve as training schools for conductors. The scarcity of symphony orchestras in this country, as compared with Europe, is well known, with the result that the outstanding symphony conductors have been those who were born in Europe or had extensive European training.

Many of these conductors (as in the case also with concert artists) have come to this country and have established themselves so firmly that they have become naturalized American citizens.

We, therefore, oppose the enactment of either of these bills on the grounds:

1. The condition which requires conclusive proof of musical ability of both the alien and all American musicians of the same class is equivalent in practice to a positive inhibition against any musical performance in this country by an alien artist.
2. Such legislation will effectively reduce the opportunities for the employment of American musical talent.

Cordially yours,

NATIONAL ASSOCIATION OF BROADCASTERS,
S/JAMES W. BALDWIN, *Managing Director*.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Monday, August 26, 1935

- NEW—St. Petersburg Chamber of Commerce, St. Petersburg, Fla.—C. P., 1310 kc., 100 watts, unlimited time.
NEW—Pat Whitaker, tr/as Tampa Broadcasting Co., Tampa, Fla.—C. P., 1370 kc., 100 watts, unlimited time.
NEW—D. B. Sutton, Miami, Fla.—C. P., 1210 kc., 100 watts, unlimited time.
NEW—Florida West Coast Broadcasting Co., Inc., Tampa, Fla.—C. P., 1370 kc., 100 watts, unlimited time.

Thursday, August 29, 1935

- WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license, 600 kc., 1 KW, unlimited time. Present assignment: 600 kc., 500 watts, 1 KW LS, unlimited time.
WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Modification of license, 610 kc., 1 KW, unlimited time. Present assignment: 610 kc., 500 watts (SA for 1 KW daytime), unlimited time.
WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special experimental authority, 610 kc., 1 KW exp., unlimited time.
WICC—Southern Connecticut Broadcasting Corp., Bridgeport, Conn.—Modification of license, 600 kc., 1 KW, specified hours. Present assignment: 600 kc., 500 watts night, C. P. for 1 KW day; specified hours.
NEW—E. L. Clifford, Pottsville, Pa.—C. P., 580 kc., 250 watts, daytime.
WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Modification of license, 560 kc., 1 KW, unlimited time. Present assignment: 560 kc., 500 watts (1 KW LS S. A.), unlimited time.

APPLICATIONS GRANTED

- WNRI—S. George Webb, Newport, R. I.—Granted modification of C. P. to move transmitter and studio from near Middletown, R. I., to Newport, R. I.; make changes in equipment; extend commencement date to 30 days after grant and completion date to 180 days thereafter.
KIUN—Jack W. Hawkins and Barney H. Hubbs, Pecos, Tex.—Granted modification of C. P. approving transmitter site, 11 miles from center of city on old Carlsbad Highway, Pecos, Tex., and make changes in equipment.
WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Granted modification of C. P. to make changes in equipment.
WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted modification of C. P. extending completion date to 3-8-36.
WISC—Milwaukee Broadcasting Co., Milwaukee, Wis.—Granted modification of C. P. approving transmitter and studio sites at Milwaukee; extend commencement date to 10 days after grant and completion date to 90 days thereafter.
KFSO (formerly KTAB)—Associated Broadcasters, Inc., San Francisco, Calif.—Granted renewal of license for the regular period.
KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Granted renewal of license for the regular period.
KFVS—Oscar C. Hirsch, d/b as Hirsch Battery and Radio Co., Cape Girardeau, Mo.—Reconsidered action in designating application for hearing, dismissed same from hearing docket, and granted renewal of license for regular period.
WPFB—Otis P. Eure, Hattiesburg, Miss.—Granted 30-day special temporary authority to operate unlimited time pending receipt and action on application for full time.
KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted extension of special experimental authority to use 1 KW night and day for the next license period.
WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Granted extension of special experimental authority to use 1 KW with directional antenna night, and 5 KW day, for the next license period.
WJAR—The Outlet Company, Providence, R. I.—Granted extension of special experimental authority to use frequency 890 kc. for the next license period.
WJIM—Harold F. Cross, M. B. Keeler, and L. A. Versluis, d/b as Capitol City Broadcasting Co., Lansing, Mich.—Granted renewal of license for the regular period; 1210 kc., 100 watts, with an additional 150 watts from local sunrise to local sunset only; unlimited.

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Granted renewal of license, 620 kc., 250 watts, with an additional 250 watts from local sunrise to local sunset; unlimited time.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted renewal of license, 920 kc., 250 watts, with an additional 250 watts from local sunrise to local sunset only. Shares with WPEN. Also granted renewal of license for auxiliary transmitter.

NEW—Northwestern Broadcasting, Inc., Minneapolis, Minn.—Granted C. P. (exp. gen. exp.) service, frequencies 31600, 35600, 38600, 41000, 86000-400000, 401000 kc. and above; 50 watts.

W2XDV—Atlantic Broadcasting Corp., New York City.—Granted modification of license to change frequencies to 31600, 35600, 38600, 41000, 86000-400000, 401000 kc. and above; 50 watts.

W6XAR—Julius Brunton & Sons Co., Portable-Mobile, San Francisco.—Granted modification of license for authority to use four frequencies assigned to general experimental broadcast pick-up stations—31100, 34600, 37600 and 40600 kc. Also granted renewal of license, as set out in modification, for the next license period.

SET FOR HEARING

NEW—Fred S. Rogers, Glens Falls, N. Y.—Application for C. P. for new station, 1210 kc., 100 watts, unlimited time; site to be determined.

NEW—The Attala Broadcasting Corp., Columbus, Miss.—Application for C. P., 1200 kc., 100 watts, unlimited time.

NEW—James R. Doss, Jr., Tuscaloosa, Ala.—Application for C. P. for new station, 1420 kc., 100 watts, daytime only.

NEW—W. L. Gleeson, Salinas, Calif.—Application for C. P. for new station, 1310 kc., 100 watts, unlimited time.

NEW—Mountain States Broadcasting Corp., Salt Lake City, Utah.—Application for C. P. for new station, 550 kc., 500 watts, unlimited time, site to be determined.

NEW—Wm. B. Smullin, Sacramento, Calif.—Application for C. P. for new station, 1310 kc., 100 watts night, 250 watts day, unlimited time, site to be determined.

NEW—American Broadcasting Co., Pittsburgh, Pa.—Application for C. P. for new station, 1420 kc., 100 watts, unlimited time.

NEW—Amended to read: The Voice of Labor Stations, Inc., Inglewood, Calif.—C. P., already in hearing docket, amended to read: 1210 kc., 100 watts, specified hours (daytime hours now used by KFXM and not used by KPPC). Site to be determined.

KUSD—University of South Dakota, Vermillion, S. Dak.—Application for renewal of license set for hearing, and present license extended on a temporary basis pending outcome of hearing.

KFUO—Evangelical Lutheran Synod of Missouri, Etc., St. Louis, Mo.—Application for renewal of license set for hearing, and present license extended on a temporary basis pending outcome of hearing.

MISCELLANEOUS

KGFG—Oklahoma Broadcasting Co., Inc., Oklahoma City, Okla.—Denied authority to operate unlimited time pending action on application requesting authority on a permanent basis.

WLW—Crosley Radio Corp., Cincinnati, Ohio.—Denied request for 30-day extension of special temporary authority to operate at night with 500 KW employing conventional non-directional antenna system.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Granted request to reinstate application requesting special experimental authority to operate with 250 watts additional night power.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Denied petition asking Commission to reconsider and grant without hearing application for increase in daytime power from 1 to 5 KW.

NEW—George B. Storer, Detroit, Mich.—Granted continuance of hearing scheduled for September 11, 1935, on application for new station at Detroit, to operate on 680 kc., 1 KW, daytime.

J. W. Birdwell and S. R. Jennings, Johnson City, Tenn.—Granted 10 days additional time within which to file appearance and facts to be proved at hearing scheduled for October 9, 1935.

WBNX—Standard Cahill Co., Inc., New York City.—Denied petition asking Commission to reconsider action in designating

application for hearing and "grant said application in part without hearing, so as to authorize the use of 500 watts day only, said application in so far as it requests 1 KW and a change in transmitter location to remain in hearing docket as now scheduled."

NEW—R. J. Nasser, Sacramento, Calif.—Denied petition requesting postponement of hearing of application for new station at Sacramento to operate on 850 kc., 250 watts, daytime. Hearing scheduled for October 8, 1935.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Denied petition requesting hearing on application to change frequency from 1500 kc. to 1240 kc., and to increase power from 100 watts, unlimited time, to 250 watts, 1 KW LS, unlimited time, be continued pending action on application of WNBK, Binghamton, N. Y. Hearing scheduled for September 5, 1935.

The Broadcast Division granted oral argument on Examiner's Reports Nos. 1-76, involving applications of National Battery Broadcasting Co., Minneapolis; Dr. Geo. W. Young, Minneapolis; Radio Chapel of the Air, Minneapolis; and Edw. Hoffman, St. Paul; Rept. No. 1-77 involving applications of Glass & Kirkland, Eustis, Fla.; Lake Region Broadcasting Co., Lakeland, Fla.; Robert Louis Sanders, Palm Beach, Fla.; Hazlewood, Inc., West Palm Beach, Fla. Rept. No. 1-78, application of Head of the Lakes Broadcasting Co., Virginia, Minn.; and Rept. No. 1-79, WNEW, Newark, N. J., said argument to be heard November 27, 1935.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—A. L. Chilton, Kilgore, Tex.—C. P., 990 kc., 500 watts, daytime.

NEW—Educational Radio, Inc., Spartanburg, S. C.—C. P., 1420 kc., 100 watts, unlimited time.

WBCM—James E. Davidson, Bay City, Mich.—Modification of license, 1410 kc., 500 watts, 1 KW LS, unlimited time.

NEW—Paul Sullivan Andrews, Lewiston, Maine.—C. P., 560 kc., 250 watts, nighttime only.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Modification of license, 1500 kc., 100 watts, unlimited time.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Special experimental authority, 560 kc., 1 KW, unlimited time.

APPLICATIONS RECEIVED

First Zone

WJAR—The Outlet Co., Providence, R. I.—Modification of construction permit (B1-P-333) for changes in equipment, to move transmitter from Outlet Co. Bldg., 176 Weybosset St., Providence, R. I., to junction Newport and Ferris Avenues (Rumford), East Providence, R. I., to further request increase in power from 250 watts, 500 watts day, to 1 KW day and night; install directional antenna, extend commencement and completion dates to 30 days after grant and 180 days thereafter.

W2XE—Atlantic Broadcasting Corporation, Wayne, N. J.—Modification of license to add frequencies 17800 and 21520 kc. Amended: Change frequency to 17760 and 21520 kc.

WIEW—National Broadcasting Company, Inc., Portable-Mobile.—Construction permit for broadcast pickup station to replace transmitter, and increase power to 20 watts.

Second Zone

NEW—Earle W. Brown, Elyria, Ohio.—Construction permit for 1500 new station to be operated on 1500 kc., 100 watts, daytime.

Third Zone

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—570 Authority to transfer control of corporation from Wichita Falls Broadcasting Co., J. J. Perkins, L. H. Cullum, F. P. Timberlake, C. M. Snider, S. A. Kahn, to Amon G. Carter, 350 shares of common stock.

KGKD—Wichita Falls Broadcasting Co., Fort Worth, Tex.—570 Construction permit to install new equipment; move transmitter from 9th and Indiana Avenues, Wichita Falls, Tex., to site to be determined, Fort Worth, Tex.; studio from Kemp Hotel, 8th and Scott Sts., Wichita Falls, Tex., to Worth Hotel, Fort Worth, Tex.

WREC—WREC, Inc., Memphis, Tenn.—Extension of special authorization to operate with power of 1 KW, 2½ KW day, for period from 9-1-35 to 3-1-36.

KPRC—Houston Printing Co., Houston, Tex.—Extension of special authorization to operate with power of 5 KW for period from 9-1-35 to 3-1-36.

NEW—A. L. Chilton, Dallas, Tex.—Construction permit for new station to be operated on 990 kc., 1 KW power, daytime operation.

NEW—Whittle Furniture Co., Inc., Brunswick, Ga.—Construction permit for a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

WMFD—Richard Austin Dunlea, Wilmington, N. C.—Modification of license to change hours of operation from daytime to specified hours (day, 6 a. m. to 9 p. m., EST), using 100 watts power.

NEW—W. A. Patterson, Chattanooga, Tenn.—Construction permit for a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time. Amended to change frequency from 1200 kc. to 1420 kc., time to daytime only.

NEW—Denton-Record Chronicle Company, Denton, Tex.—Construction permit for a new broadcast station to be operated on 1420 kc., 100 watts, daytime. Amended: Antenna to be determined.

NEW—C. W. Snider, Wichita Falls, Tex.—Construction permit for 1500 new station to be operated on 1500 kc., 100 watts, unlimited time.

Fourth Zone

WMT—Waterloo Broadcasting Company, Cedar Rapids, Iowa.—600 Extension of special authorization to operate with power of 1 KW, 2½ KW day, for period from 9-1-35 to 3-1-36.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Extension of 770 special authorization to operate synchronously with WBBM from local sunset at Lincoln, Nebr., to midnight, CST, from 9-1-35 to 2-1-36.

WBAA—Purdue University, West Lafayette, Ind.—Modification of 890 license to change specified hours from: daily except Sundays, 11 a. m. to 4 p. m.; daily except Saturdays and Sundays, 4 p. m. to 5 p. m.; Sundays, 2 p. m. to 4 p. m. Also daily, 6 p. m. to local sunset (when sundown occurs after 6 p. m.). To specified hours except Sundays, 10 a. m. to 2 p. m.; Saturdays, 2 p. m. to 5 p. m. Amended: Except Sundays, 10 a. m. to 2 p. m.; Saturdays, 2 p. m. to 5 p. m. Except November and December, 2 to 4:30 p. m.; January, 2 to 4:45 p. m.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—1250 Authority to determine operating power by direct measurement of antenna.

NEW—Daily News Corp., St. Paul, Minn.—Construction permit 1370 for new station to be operated on 1370 kc., 100 watts, unlimited time.

Fifth Zone

KFRC—Don Lee Broadcasting System, San Francisco, Calif.—610 License to cover construction permit (3-P-B-3200) as modified for new equipment, increase in power from 1 KW to 1 KW, 5 KW day.

KMPL—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—710 Special experimental authority to operate on 710 kc., 250 watts, 500 watts day, unlimited time. Amended: Request 500 watts day and night.

KFKA—The Mid-Western Radio Corp., Greeley, Colo.—Construction permit to move transmitter from Gunter Hall, State 880 Teachers College Campus, 1800 10th Ave., Greeley, Colo., to Rural U. S. Highway No. 85, Greeley, Colo.

NEW—Eagle Rock Broadcasting Co., Eagle Rock, Calif.—Construction permit for a new broadcast station to be operated on 1160 kc., 250 watts, daytime. Amended: Change frequency from 1160 kc. to 600 kc.

NEW—J. Laurance Martin, Tucumcari, N. Mex.—Construction permit for new broadcast station to be operated on 1200 kc., 100 watts, unlimited.

NEW—Royal Miller, Sacramento, Calif.—Construction permit for 1210 new broadcast station to be operated on 1210 kc., 100 watts, daytime.

NEW—Golden Empire Broadcasting Co., Redding, Calif.—Construction permit for a new broadcasting station to be operated on 1370 kc., 100 watts, unlimited time. Amended to change frequency from 1370 kc. to 1200 kc.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Coast Counties Gas & Electric Co., San Francisco, Calif. (2-1578, Form A-2)

Central Hudson Gas & Electric Corp., Poughkeepsie, N. Y. (2-1580, Form A-2)

Chain Store Investors Trust, Boston, Mass. (2-1581, Form A-1)

Greenwood Compress & Storage Co., Greenwood, Miss. (2-1582, Form A-2)

National Unit Corp., Boston, Mass. (2-1583, Form C-1)

Alabama Water Service Company, Birmingham, Ala. (2-1584, Form A-2)

KGW APPEAL WITHDRAWN

The United States Court of Appeals for the District of Columbia has dismissed the appeal of Station KGW, Portland, Ore., at the request of the station.

The station appealed against a decision of the Federal Communications Commission of February 26, granting KTAR, Phoenix, Ariz., a power increase of from 500 to 1,000 watts. KGW alleged that interference would be caused.

SUGGESTS UNLIMITED TIME FOR WNBX

Broadcasting Station WNBX, Springfield, Vt., applied to the Federal Communications Commission for unlimited time on the air. The station operates on a frequency of 1260 kilocycles, with 1,000 watts power and now operates daytime hours only.

Melvin H. Dalberg(e), in Report No. I-91, has recommended that the application be granted. The Examiner found that the granting of the application would expand the program service and "would result in a better grade of service within the station's present service area." He also found that the granting of the application would not cause any serious interference and that it would "cause a very slight deviation with respect to quota and would be in accordance with the public interest."

RECOMMENDS GRANTING WJTL APPLICATION

David Parmer applied to the Federal Communications Commission for a construction permit for a new broadcast station to be erected at Atlanta, Ga., to use the facilities of Station WJTL, Atlanta. Station WJTL asked for license renewal and also for leave to make voluntary assignment of its facilities.

John P. Bramhall(e), in Report No. I-90, recommended that the motion of David Parmer to withdraw his application be granted "with prejudice." He also recommended that the application of Station WJTL for license renewal be granted and that the application of the station to make voluntary assignment to the Atlanta Broadcasting Company be granted.