

# The National Association of Broadcasters

NATIONAL PRESS BUILDING \* \* \* \* \* WASHINGTON, D. C.  
JAMES W. BALDWIN, Managing Director

## NAB REPORTS

Vol. 3 - No. 45  
SEPT. 26, 1935

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### IN THIS ISSUE

	Page
NAB to Assist in Defense of WDAS.....	968
Notes for the Sales Staff.....	968
Requests for Musical Selections.....	969
Buick Transcription Announcement Required.....	969
Broadcast Advertising During August.....	969
Federal Trade Commission Activities.....	972
New Schedule for WWV.....	972
Recommends WLBC and WTRC Changes.....	973
Increased Power Recommended for KYA.....	973
Recommends WAAF and WWJ Changes.....	973
Recommends New Minnesota Station.....	973
Securities Act Registrations.....	973
Federal Communications Commission Action.....	974

### NAB TO ASSIST IN DEFENSE OF WDAS

A Bill in Equity has been filed in the local court in Philadelphia by Fred Waring against WDAS Broadcasting Station, Inc., praying that the station be restrained from the use for broadcasting purposes of any record made and created by Waring.

Because of the importance of the matter to a great number of members the NAB has offered to assist the attorneys for WDAS in the defense of the suit.

The text of the Bill follows:

FRED WARING VS. W.D.A.S. BROADCASTING STATION, INC.	} C. P. No. 4 JUNE TERM, 1935 No. 9053
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#### Bill in Equity

*To the Honorable the Judges of the said Court:*

Your orator, Fred Waring, brings this, his Bill of Complaint, against W. D. A. S. Broadcasting Station, Inc., defendant, and thereupon complains and says:

1. That your orator is an Orchestra Conductor and substantially the sole and exclusive owner and conductor of the orchestra known as "WARING'S PENNSYLVANIANS."

2. That your orator is and has been for a long time past a unique and individual artist and performer in his field as an orchestra conductor, and interpretive musical artist and has an established reputation, both national and international as such.

3. That your orator's interpretive performances are entirely unique and individual to himself and are generally so recognized by the public and that they are specifically recognizable as his own personal and individual interpretations and are, therefore, unique.

4. That your orator's orchestra, "WARING'S PENNSYLVANIANS" is a recognized unique body of musicians who, by reason of your orator's individual and unique talent and interpretation, perform musical works in such a manner as to make them recognizable by the general public, and have established for said "WARING'S PENNSYLVANIANS" both a national and international reputation.

5. That your orator and his orchestra has been in the past and is presently engaged for his exclusive services in and about broadcasting a weekly program, by a well known manufacturer at a very substantial fee.

6. The defendant, a Delaware corporation, owns a radio station and is engaged in operating the same for profit. That in the course of its business it features phonograph records to entertain the general public, and same are used both for sustaining and commercial programs.

7. That at divers and various times and more specifically on the 2nd day of July, 1935 between the hours of 2:00 p. m. and

### NOTES FOR THE SALES STAFF

August radio advertising trends hold out more promise of increased sales opportunities to broadcasters than have those of any recent month. (See Highlights of the Month, page 696).

Radio advertising in August declined less than half the usual seasonal amount as compared with July.

One portion of the medium, national non-network advertising, raised its August volume above that of the previous month. This is probably the first time that the usual seasonal trend has been completely reversed.

August gains over the corresponding months of 1934 and 1933 were the greatest of any month of the current year.

Advertising volume for the first eight months of this year was practically equal to the estimated total volume of the medium for the entire year of 1933, the depression year of radio.

With August national non-network business more than double that of last year, and with this increase taking place mainly on clear channel and regional stations, it would seem as if advertisers are attempting to secure the command of preferred time in anticipation of growing radio advertising activity this winter.

The marked growth of transcription business and even more of live talent volume, and the decided lag of announcements in the national field should indicate that programs can be sold, and that one need not be satisfied with announcement selling. Lagging local studio program volume should be a challenge. It is orthodox advertising forecasting to expect the local advertiser to follow the national lead wherever he can. (See Non-network Advertising by Type of Rendition, page 970).

Automotive, clothing, food, soap and kitchen supplies, tobacco and housefurnishing advertising have shown the greatest development, and probably will remain among the leading sales opportunities for some time. (See Sponsor Trends, page 970). The retail field also continues strong.

4 p. m. the said defendant has played, did play and give renditions of Victor phonograph records of your orator, entitled "I'm Young and Healthy," Victor Record #24214-A and "You're Getting To Be a Habit With Me," Victor Record #24214-B, as part of the defendant's regular broadcasting program, known as the "Merry-Go-Round Programme."

8. That the said record when sold by the RCA Victor Company, and as played by the said defendant, contained a notice to the effect that same could not be used for radio broadcasting purposes, and that the same was used without the consent of the complainant and without an accounting to him for the use of same.

9. That the said phonograph records above referred to are such individual interpretations of your orator and he, therefore, has a common law right of property in and to his individual interpretation on such records.

10. That your orator has never granted permission to the said defendant to broadcast the said records for commercial purposes nor has the said defendant ever accounted to your orator for the use of such records.

11. That the use by the defendant for broadcasting purposes of the said records is a serious menace to the business, interests, rights, contractual engagements and income of your orator.

12. That to permit the defendant to continue the illegal use for broadcasting purposes of your orator's broadcasts will seriously injure the contractual rights and property rights of your orator as a unique and individual interpreter of music, and will cause other irreparable damage to your orator's property rights.

WHEREFORE, your orator prays:—

1. That the defendant be restrained, temporarily until hearing and permanently thereafter, from the use for broadcasting purposes of any record made and created by your orator.

2. That the defendant be further restrained, temporarily until hearing and permanently thereafter, from the use of any phonograph record made and created by your orator, for commercial purposes.

SPEISER & SPEISER,  
(Sgd.) MAURICE J. SPEISER,  
*Attorneys for Complainant.*

STATE OF PENNSYLVANIA }  
COUNTY OF PHILADELPHIA } ss:

FRED WARING, being duly sworn according to law, deposes and says that he is the complainant named in the foregoing Bill in Equity, and that the facts set forth therein are true to the best of his knowledge, information and belief.

(Sgd.) FRED WARING.

Sworn to and subscribed before me this 7th day of August, A. D. 1935.

(Sgd.) DAVID BALAITY,  
*Notary Public.*

My commission expires March 10, 1931.  
(SEAL.)

## REQUESTS FOR MUSICAL SELECTIONS

Station managers are advised to exercise great caution in complying with requests for the performance of a given musical selection. Care should be exercised to determine whether the station is licensed to perform such selection; otherwise compliance with such requests may furnish a basis for a suit for infringement.

## BUICK TRANSCRIPTION ANNOUNCEMENT REQUIRED

Chairman E. O. Sykes of the Broadcast Division of the Federal Communications Commission, in replying to a request from the Managing Director of the NAB for information as to whether a fifteen second electrical transcription program such as that used by Buick must be announced as such, has given the following advice:

"Rule 176 requires that a mechanical reproduction shall be announced as such immediately preceding the use thereof unless its use is merely incidental as is the case when such electrically transcribed material constitutes an identification of a program or is used for background purposes. If in fact the proposed electrically transcribed material is not merely incidental to the main program it must be announced in conformity with the rule."

The announcement for which information was requested follows:

"Horn: (Sound of automobile horn).

"Flash! Here's the big automobile news for 1936—Buick's the buy!

"Horn: (Sound of automobile horn)."

The request for information was made at the instance of several members.

## BROADCAST ADVERTISING DURING AUGUST

### Highlights of the Month

Broadcast advertising during August showed less than the usual seasonal decline, while national non-network volume actually rose during the month. Gross time sales of the medium amounted to \$5,637,490 and were 3.5% below the level of the preceding month. National non-network advertising experienced a gain of 3.8% as compared to July.

August broadcast advertising was 48.6% greater than during the corresponding month of 1934, and 52.5% above the August 1933 level. This is the greatest gain over the corresponding period of previous years to be recorded since the establishment of the trade statistics. National non-network advertising showed the greatest gain, exceeding the August 1934 level by 128.2%.

Total non-network advertising rose 1.3% as compared to July, the heaviest gains being made in clear channel field. Local station volume declined slightly but remained materially above the previous year's level.

Rising volume of non-network advertising in the Middle West was the factor principally responsible for the upward trend in this field. Non-network volume in this section increased 19.0% as compared to July.

In the national non-network field, transcription and live talent volume remained materially ahead of the corresponding period of 1934, while transcriptions and announcements showed the greatest strength in the local field.

National network soap and kitchen supply advertising, local clothing volume, national non-network automotive, food, and tobacco advertising showed the greatest gains as compared to the preceding month.

Gains over the corresponding period of 1934 were fairly general. National network automotive advertising rose 33.5%. National non-network volume in this field increased from \$20,400 in August of last year to \$192,190. Network household equipment advertising rose more than threefold, while national non-network drug, food, beverage and household equipment advertising increased materially. Local clothing advertising increased 63.6%.

Retail store advertising of various types increased 1.8% as compared to July and was 55.9% above August 1934. Department store volume remained comparatively unchanged as against the preceding month and was 56.8% greater than during last August.

## Total Broadcast Advertising

Broadcast advertising over stations and networks is found in Table I:

TABLE I  
TOTAL BROADCAST ADVERTISING

Class of Business	1935 Gross Time Sales		
	July	August	Cumulative Jan.-Aug.
National networks .....	\$3,175,042	\$2,939,097	\$32,234,549
Regional networks .....	92,102	82,993	640,994
National non-network .....	1,297,065	1,347,440	11,235,558
Local .....	1,283,795	1,267,960	12,450,365
Total .....	\$5,848,004	\$5,637,490	\$56,561,466

August volume was 3.5% under the level of the preceding month, as compared to a 10.2% decline during the corresponding period in 1934 and one of 5.9% in 1933. National network advertising decreased 7.4% as against July, regional volume declined slightly, national non-network advertising rose 3.8% and local advertising remained comparatively unchanged.

## Comparison with 1933 and 1934

Total broadcast advertising was 48.6% greater during August than during the same month of 1934, and 52.5% above the 1933 level. National network advertising was 30.7% greater than during last August, and 54.2% ahead of the corresponding month of 1933. Regional network advertising was double its 1934 volume and two and one-half times that of 1933. National non-network advertising was 128.2% greater than in August of last year, and exceeded the 1933 level by about the same amount. Local volume exceeded the level of the corresponding period of 1934 by 22.0%, and the 1933 level by 5.4%.

## Comparison with Other Media

Advertising volume in major media for August is presented in Table II.



**TABLE II**  
**ADVERTISING VOLUME BY MAJOR MEDIA**

*1935 Gross Time and Space Sales*

<i>Advertising Medium</i>	<i>July</i>	<i>August</i>	<i>Cumulative Jan.-Aug.</i>
Radio broadcasting .....	\$5,816,064	\$5,637,490	\$56,561,466
National magazines <sup>1</sup> .....	8,086,053	7,378,939	83,419,812
National farm papers .....	340,300	305,231	3,618,756
Newspapers <sup>2</sup> .....	36,994,000	37,385,000	328,930,000

Total ..... \$51,236,417 \$50,706,660 \$472,530,034

<sup>1</sup> National magazine totals for 124 periodicals prepared by Publishers' Information Bureau, Inc., from which source national farm paper and a portion of national network figures also are taken.

<sup>2</sup> Estimated.

Newspaper advertising registered the usual seasonal upswing, slightly exceeding the normal rise at this period of the year. Total newspaper lineage was 2.6% above the August 1934 level. Retail advertising showed a gain of 2.7%, and general advertising one of 5.0%. Automotive advertising declined 18.9% and department store advertising decreased .6% as against the corresponding period of last year.

National magazine volume was 3.1% above August 1934 and 10.0% greater than in 1933. National farm paper advertising was 5.8% greater than during the same month of last year, and 20.0% above the 1933 level.

#### Non-network Advertising

General non-network advertising rose 1.3% as against July. August volume exceeded that of the same period of last year by 59.6%, and was 50.0% greater than in 1933. Gains during the month were restricted to clear channel and regional stations, local business decreasing 13.0% as against July.

Clear channel and high-powered regional station volume was nearly double its 1934 level and exceeded 1933 business by 10.2%. Regional station non-network advertising was 43.8% ahead of last August and was nearly double its 1933 level. Local station advertising was 22.4% greater than during the same month of 1934 and 78.5% ahead of August 1933. Non-network advertising by power of station is found in Table III.

**TABLE III**  
**NON-NETWORK ADVERTISING BY POWER OF STATION**

*1935 Gross Time Sales*

<i>Power of Station</i>	<i>July</i>	<i>August</i>	<i>Cumulative Jan.-Aug.</i>
Over 1,000 watts .....	\$1,160,000	\$1,201,000	\$11,169,965
250-1,000 watts .....	1,016,860	1,061,900	9,312,815
100 watts .....	404,000	352,500	3,203,153
Total .....	\$2,580,860	\$2,615,400	\$23,685,933

Slight declines in non-network volume occurred in all sections except the North Central States, where August advertising exceeded the July level by 19.0%. New England and Middle Atlantic non-network volume was 9.0% greater than during the corresponding month of 1934. Southern and Far Western advertising were nearly double last August, while Mid-western volume was 72.8% greater.

Non-network advertising by major geographical districts is found in Table IV.

**TABLE IV**  
**NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS**

*1935 Gross Time Sales*

<i>Geographical District</i>	<i>July</i>	<i>August</i>	<i>Cumulative Jan.-Aug.</i>
New England-Middle Atlantic Area .....	\$649,950	\$613,800	\$6,150,837
South Atlantic-South Central Area .....	428,580	342,280	3,671,568
North Central Area .....	926,740	1,103,520	9,005,967
Pacific and Mountain Area...	575,590	555,800	4,857,561
Total .....	\$2,580,860	\$2,615,400	\$23,685,933

#### Non-network Advertising by Type of Rendition

Gains were experienced in the national non-network field in both transcription and live talent business as compared with the preceding month. Announcement volume, however, dropped 19.9%. Local transcription volume declined 29.2% as against July, and live talent volume 2.7%. Announcement business increased 7.8% and the use of records 16.0%.

Particularly interesting trends are revealed by an examination of types of rendition during the current August and the corresponding month of the two preceding years. In the national field, transcription volume was 165.5% greater than during last August and 137.0% ahead of 1933. National live talent volume exceed August 1934 by 176.0% and August 1933 by 304.7%. National announcement volume was but 3.8% above August 1934, and 2.4% greater than during the corresponding month of 1933.

Local transcription volume exceeded that of August 1934 by 33.7% and was 68.3% greater than in August of the preceding year. Live talent business was 10.2% ahead of last August but 8.1% below August 1933. Recorded programs accounted for a 50.0% greater volume during the current August than during the same month of last year, and for 24.3% more volume than in 1933. Announcement volume was 28.7% greater than in 1934 and 14.2% ahead of 1933.

Broadcast advertising by types of rendition is presented in Table V.

**TABLE V**  
**NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION**

*1935 Gross Time Sales*

<i>Type of Rendition</i>	<i>National Non-network</i>		<i>Local</i>		<i>Total</i>		<i>Cumulative Jan.-Aug.</i>
	<i>July</i>	<i>August</i>	<i>July</i>	<i>August</i>	<i>July</i>	<i>August</i>	
Electrical transcriptions .....	\$439,170	\$474,600	\$146,090	\$103,800	\$585,260	\$578,400	\$4,969,398
Live talent programs .....	639,705	686,320	610,835	594,400	1,250,540	1,280,720	11,348,505
Records .....	4,325	6,540	51,355	59,710	55,680	66,250	557,081
Announcements .....	213,865	179,980	475,515	510,050	689,380	690,030	6,810,949
Total .....	\$1,297,065	\$1,347,440	\$1,283,795	\$1,267,960	\$2,580,860	\$2,615,400	\$23,685,933

#### Sponsor Trends in August

Gains during the month were relatively localized, some slight seasonal declines occurring throughout the major portion of the field. Amusement advertising increased 32.3%. National network automotive advertising rose 5.5% and national non-network volume increased 15.2%. Local clothing advertising increased 27.8%. National non-network food advertising rose 10.6%. National network soap and kitchen supply advertising gained 15.6%, while national non-network volume in this field rose 56.6%. National non-network tobacco advertising increased 13.0% during the month.

#### Comparison with Previous Years

August advertising volume in the various fields of sponsorship was generally ahead of that of the corresponding months of 1934 and 1933.

Compared to last August, national network automotive advertising was 33.5%, while national non-network volume rose from \$20,400 to \$192,190. Local clothing advertising showed an increase of 63.6%. Some gains occurred in national network drug advertising, the principal gain in this field being in national non-network business, which increased 117.2%.

Food advertising experienced a general increase. National network volume rose 41.3%, regional network business tripled and national non-network advertising increased 161.5%. National non-network beverage advertising experienced a gain of nearly 100% while local volume rose 56.1%.

National network household equipment advertising was 318.3% greater than during the same month of last year, and national non-network volume 175.0%. National non-network soap and kitchen supply advertising tripled. Marked gains also occurred in the tobacco field.

A number of interesting trends in the field of sponsorship are revealed by a comparison of the current August with the same month of 1933. National network automotive advertising was 30.0% below the 1933 level, while national non-network volume rose 326.6%. National network and non-network clothing advertising tripled, as did drug and pharmaceutical volume. Generally

similar increases were experienced in the national network cosmetic and food fields, and in national non-network food advertising. National non-network cosmetic advertising declined by nearly two-thirds.

National network beverage advertising decreased 17.0% while national non-network volume tripled and local business doubled. National network household and equipment declined somewhat, while marked gains occurred in the general non-network field. Soap and kitchen supply advertising gained materially in the national field. Network financial advertising declined materially. Department store advertising remained comparatively unchanged. National network tobacco advertising reached its 1933 level, while national non-network volume rose from \$1,295 in August 1933 to \$50,300 during the current August.

Broadcast advertising by various type of industries is found in Table VI.

**TABLE VI**  
**RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS**  
(August, 1935)

<i>Type of Sponsoring Business</i>	<i>Gross Time Sales</i>				<i>Total</i>
	<i>National Networks</i>	<i>Regional Networks</i>	<i>National Non-network</i>	<i>Local</i>	
1a. Amusements .....	—	—	\$7,640	\$51,620	\$59,260
1-2. Automobiles and accessories:					
(1) Automobiles .....	\$138,881	—	192,190	52,650	383,721
(2) Accessories, gas and oils .....	349,328	\$13,349	87,200	65,700	515,577
3. Clothing and apparel .....	19,432	3,470	22,360	179,200	224,462
4-5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals .....	299,347	3,661	139,350	32,510	474,868
(5) Toilet goods .....	684,804	—	32,520	18,100	735,424
6-8. Food products:					
(6) Foodstuffs .....	710,767	20,596	340,150	190,025	1,261,538
(7) Beverages .....	193,135	820	67,335	89,250	350,540
(8) Confections .....	27,800	200	11,700	13,485	53,185
9-10. Household goods:					
(9) Household equipment and furnishings .....	24,910	6,284	55,760	156,330	243,284
(10) Soap and kitchen supplies .....	154,816	4,941	153,500	6,500	319,757
11. Insurance and financial .....	26,608	464	26,700	44,840	98,612
12. Radios .....	42,966	—	10,800	7,750	61,516
13. Retail establishments .....	—	860	11,620	101,400	113,880
14. Tobacco products .....	182,944	20,820	50,300	6,450	260,514
15. Miscellaneous .....	83,359	7,528	138,315	252,150	481,352
<b>Total .....</b>	<b>\$2,939,097</b>	<b>\$82,993</b>	<b>\$1,347,440</b>	<b>\$1,267,960</b>	<b>\$5,637,490</b>

Details regarding trends in the various fields of sponsorship are found in the following summaries:

1a. **Amusements.** Local up 32.3% as against July. National non-network unchanged. Total volume 18.0% over last August. Local up 11.0%, and national non-network double.

1. **Automotive.** National network 5.5% above July and national non-network 15.2%. Local down 29.6%. National network 33.5% ahead of last August, and local 12.7%. National non-network increased from \$20,400 last year to \$192,190 this August.

2. **Gasoline and accessories.** National network volume down 11.2%, and local 7.1%. Regional volume unchanged compared previous month. National non-network business up 27.1%. Compared to August 1934, national network business up 26.4%, regional networks 18.0%, national non-network advertising 9.0%, and local 10.8%.

3. **Clothing.** Local volume up 27.8% compared to July, and national network business up 26.6%. Regional volume down 24.4% and national non-network 30.0%. Local business 63.6% over last August, regional network volume tripled, and national non-network business up 10.0%. National network business down 24.0%.

4. **Drugs and pharmaceuticals.** Compared to preceding month, national network business down 14.6%, regional networks 28.0%, national non-network 6.0%, and local 41.6%. National network business 34.8% above last August, regional volume double, and national non-network advertising up 117.2%. Local down 27.2%.

5. **Toilet goods.** National network volume down 12.0% during month, with other items unchanged. National network advertising 14.0% greater than in August 1934, and local up 20.0%. National non-network business unchanged.

6. **Foodstuffs.** National network down 6.0%, regional networks 10.0%, and local 8.7%. National non-network up 10.6%.

Compared to corresponding month of last year, national networks up 41.3%, national non-network 161.5%, local 28.6%, and regional network volume tripled.

7. **Beverages.** National and regional network volume unchanged from July. National non-network volume down 9.0% and local down 10.0%. National non-network advertising double last August, and local up 56.1%. National network volume down 19.1% and regional network business down materially.

8. **Confectionery.** National network volume 10.0% under July level. National non-network and local advertising down materially. Compared to August 1934, national network volume up 75.0%, national non-network volume doubled, and local advertising approximately tripled.

9. **Household equipment.** National non-network volume double July figures, with remainder of medium unchanged. National network advertising 318.3% above August of last year, regional network volume up materially, national non-network business 175.0% greater, and local advertising up 38.1%.

10. **Soaps and kitchen supplies.** National network business up 15.6% as against preceding month. Regional networks down 6.0% and national non-network 4.6%. Local up somewhat. National network business 38.4% greater than during the corresponding month of 1934, national non-network advertising tripled, regional networks up materially, and local volume unchanged.

11. **Insurance and financial.** National networks 10.0% under July, local unchanged, and national non-network up 47.4%. National network volume 33.3% under last August, regional volume down somewhat, national non-network business up 182.0%, and local up 74.0%.

12. **Radios.** National network volume 44.0% below preceding month, local down 40.0%, and national non-network up materially. National network business 8.0% greater than same month of 1934, local volume double, and national non-network down 35.0%.



13. **Department and general stores.** National non-network business triple preceding month's volume and local down 10.0%. Total unchanged. National business triple August 1934, and local up 45.4%. Total volume up 56.8%.

14. **Tobacco products.** National network volume unchanged as against July. Regional networks down 10.0% and national non-network up 13.0%. National network volume five times that of last August. Regional business grown from nothing to \$20,820. National non-network business up 162.5%.

15. **Miscellaneous.** National and regional network business up approximately 50.0%. National non-network volume down 19.4%, and local 8.0% as compared to July. National network advertising 72.8% greater than same month of last year, national non-network business up 55.7%, and local up 17.7%. Regional business down materially.

#### Retail Broadcast Advertising

Advertising by retail establishments of various types increased 1.8% during August as compared with the preceding month. Retail store volume was 55.9% greater than during the corresponding month of 1934.

Furniture and clothing store business experienced the greatest increases as compared to the preceding month while retail automotive advertising dropped off materially.

Marked gains, however, were shown in a variety of fields when August volume was compared with that of the corresponding period of 1934. Automotive advertising gained 30.1%, accessory and gasoline retail advertising 50.0%, clothing and apparel volume 66.3%, grocery store business 40.0%, housefurnishing retailers 76.6% and furniture stores 62.8%.

Retail broadcast advertising during August is found in Table VII.

TABLE VII

#### RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

Type of Sponsoring Business	1935 Gross Time Sales	
	July	August
Automobiles and accessories:		
Automobile agencies and used car dealers	\$91,275	\$49,980
Gasoline stations, garages, etc.....	48,570	45,860
Clothing and apparel shops.....	134,460	183,320
Drugs and toilet goods:		
Drug stores .....	10,910	17,090
Beauty parlors .....	8,240	7,270
Food products:		
Grocery stores, meat markets, etc.....	29,410	42,115
Restaurants and eating places.....	22,428	21,283
Beverage retailers .....	2,550	1,700
Confectionery stores .....	2,300	474
Household goods:		
Household equipment dealers.....	54,700	53,000
Furniture stores .....	74,800	88,810
Hardware stores .....	15,235	13,600
Radio retailers .....	13,328	9,310
Department and general stores .....	115,740	113,880
Tobacco shops .....	290	175
Miscellaneous .....	69,170	58,350
Total .....	\$693,416	\$706,217

#### FEDERAL TRADE COMMISSION ACTIVITIES

##### Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following companies. The respondents will be given opportunity to appear at hearings to show cause why cease and desist orders should not be issued.

No. 2547. **Brooks Rupture Appliance Co., Marshall, Mich.** According to the complaint, the respondent's appliance is a truss, the representations in its advertising are not true, the Brooks appliance will not relieve all types of rupture and has assisted in relieving or curing only a small percentage of cases of reducible hernia. Hearing October 18.

Nos. 2548 and 2549. **Consolidated Portrait & Frame Co., Ben Dial and Paul Broyle, trading as Deluxe Art Studio, and Daniel F. and Charles C. Orange, Chicago, Illinois.** Among unfair practices alleged are the selling of portraits by representing the actual value and usual prices as much greater than they are.

The complaint also alleges fraudulent inducement of customers to sign a contract upon false representation that the contract is merely a receipt for the small photographs from which enlargements are to be "painted," when in fact the document is a binding contract.

No. 2550. **Mutual Stores, Inc., Washington, D. C.** The complaint alleges unauthorized use of the names "Army" and "Navy" in selling merchandise.

##### Stipulations

No. 0899. **Coffield Protector Co., Dayton, Ohio.** Under the terms of the stipulation, the respondent agrees to discontinue misrepresentations in advertising as to the power and efficiency of a graphited motor lubricant (Graf-Ex).

No. 1444. **Planters Edible Oil Co., New York City and Suffolk, Va., and National Food Bureau, Inc., New York City (an advertising agency).** The respondents agree to abandon the following representations: Using the phrase "Ali D'Italia Olio" as a name for its product, unless it is clearly explained that the word "Olio" as used in such advertisements means peanut oil; use of Italian pictures or references to designate a domestic product; allegation that its peanut oil has been specially commended by the U. S. Department of Agriculture, and that the caloric value of peanut oil is greater than that of cottonseed oil or corn oil.

Nos. 1445-1448, inc. **Universal Merchandise Co., Carson Pirie, Scott & Co., Frankish Brothers Chemical Works of Indiana, and Wilson Drug Co., Chicago, Illinois.** Under the stipulations these companies agree, in the sale of rubbing alcohol compounds, to stop using on labels the phrase, "Alcohol I. P. No. 70," so as to tend to deceive buyers into believing that the product referred to contains 70% of ethyl alcohol or that its base is ethyl alcohol, when this is not true.

No. 1449. **Willow Shirt and Underwear Corporation, New Haven, Conn.** The respondent agrees to cease and desist, in the sale of its shirts, from using labels so worded as to tend to confuse buyers into believing that its shirts have all been tested and certified to by the United States Testing Co., Inc., when only a portion have been so tested.

No. 1450. **Kraft Paper Mills, Inc., New York City.** The respondent agrees to cease and desist from using the word "Mills" in its trade name or in other ways which may have a tendency to deceive buyers into believing that the corporation owns, operates and controls a mill or factory wherein the products which it sells and distributes are made, when this is not true.

No. 1451. **Worthall, Limited, New York City.** The respondent, selling at wholesale a line of perfumes, toilet soaps, powders and cosmetics manufactured in New York City under the trade name of "Drury Lane" and labeled "English Lavender," will discontinue using names which indicate manufacture in or importation from London or England or from Montreal, Canada, or that tend to deceive buyers into believing that the corporation is an English corporation engaged in the importation and sale of English manufactured products, when this is not true.

No. 1452. **William Gordon, tr/as Masterlite Manufacturing Co., also known as Masterlite Company, New York City.** The respondent, a dealer in electric light bulbs, stipulates that he will abandon the marking of bulbs with a "cold" or "dry" etching or by use of ink which is not permanent and liable to disappear, or in any way which will make it difficult or impossible for purchasers to determine the wattage of such bulbs.

No. 1453. **J. C. Welch, tr/as Welch Nursery, Shenandoah, Iowa.** The respondent agrees to cease and desist from using the word "wholesale" alone or in conjunction with other words to describe his catalogue so as to imply that the prices listed are wholesale prices, when this is not true.

No. 1454. **Animal Trap Company of America, Lititz, Pa.** The respondent agrees to cease and desist from using in advertisements assertions to the effect that its product eliminates the possibility of "wring-offs" or that it gets every muskrat that springs the trap or eliminated 99 per cent of the "wring-offs," when this is not true.

#### NEW SCHEDULE FOR WWV

The National Bureau of Standards, Department of Commerce, provides a standard frequency service which is broadcast by radio. Beginning October 1, 1935, this service will be given on three days each week, from the Bureau's station WWV, Beltsville, Md., near Washington, D. C.

The object of these radio emissions is to provide a standard for scientific or other measurements requiring an accurate radio or audio frequency or time rate. They are likewise useful to radio



transmitting stations for adjusting their transmitters to exact frequency, and to the public generally for calibrating frequency standards, it was stated.

On each Tuesday and Friday the emissions will be continuous unmodulated waves (CW); and on each Wednesday they will be modulated by an audio frequency. The audio frequency will be in general 1,000 cycles per second. (There will be no emissions on legal holidays.)

On all emissions three radio carrier frequencies will be transmitted as follows: noon to 1 p. m., Eastern Standard Time, 15,000 kc/s (kilocycles per second); 1:15 to 2:15 p. m., 10,000 kc/s; 2:30 to 3:30 p. m., 5,000 kc/s.

The emissions on 5,000 kc/s will be found particularly useful at distances within a few hundred miles from Washington, those on 10,000 kc/s will be useful for the rest of the United States and those on 15,000 kc/s will be useful in the western half of the United States and to some extent in other parts of the world.

During the first five minutes of the one-hour emission on each carrier frequency, announcements will be given. For the CW emissions, the announcements will be made by telegraphic keying and will consist of the station call letters (WWV) and a statement of the frequency; this announcement will be repeated every ten minutes. For the modulated emissions, the announcements will be given only at the beginning of the hour; they will be given by voice and will include the station call letters and a statement of the carrier frequency and the audio modulation frequency.

Except during the announcements, the CW emissions will consist of continuous, unkeyed carrier frequency, giving a continuous beat note in the telephone receiver in heterodyne reception. The radiated power in the CW emissions will be 20 kilowatts.

The modulated emissions, except during the voice announcements at the beginning of the hour, will consist of an uninterrupted audio frequency superposed on the carrier frequency. The radiated power will be only one kilowatt; reception is therefore not as reliable as for the CW emissions of Tuesdays and Fridays; it is hoped to increase the power later. The modulated emissions are somewhat experimental, and for this reason an audio frequency other than 1,000 cycles per second may be used on some occasions. The presence of the audio modulation frequency does not impair the use of the carrier frequency as a standard to the same high accuracy as in the CW emissions.

The accuracy of the frequencies as sent out from the transmitting station will be at all times better than a part in five million. Transmission effects in the medium (Doppler effect, fading, etc.) at times may result in slight fluctuations in the frequency as received at a particular place. However, these will practically never impair the reception of the carrier frequency to the accuracy stated. Under some conditions, momentary fluctuations as great as 1 cycle per second may occur in the modulation frequency. It will generally be found possible, however, to use the modulation frequency with an accuracy better than a part in a million by selecting that one of the three carrier frequencies which has the least fading. The use of automatic volume control on the audio frequency will be found helpful.

Information on how to receive and utilize the standard frequency service is given in a pamphlet obtainable on request addressed to the National Bureau of Standards, Washington, D. C. From any single frequency, using harmonic methods, any frequency may be checked.

The Bureau welcomes reports of use and comments upon the standard frequency service. As the modulated emissions will be somewhat experimental it is particularly desired that users report to the Bureau their experience in using them, including: description of method of use; statement of relative fading, intensity, etc., on the three carrier frequencies; and preference as to audio frequency to be furnished. Correspondence should be addressed National Bureau of Standards, Washington, D. C.

### RECOMMENDS WLBC AND WTRC CHANGES

Station WLBC, Muncie, Ind., and WTRC, Elkhart, Ind., both applied to the Federal Communications Commission to increase their power from 50 to 100 watts at night and from 100 and 250 watts day, without change in frequency or hours of operation.

Examiner Ralph L. Walker in Report No. I-107 has recommended that the application of WLBC be granted for increased day power but that the increased night power be denied. The Examiner also recommended that the application of WTRC be granted for daytime increase but that the nighttime power increase be denied.

The Examiner found that increasing the daytime power would not cause objectionable interference with other stations but that

a night time power increase would cause interferences with existing stations.

### INCREASED POWER RECOMMENDED FOR KYA

Broadcasting Station KYA, San Francisco, operating on a frequency of 1230 kilocycles applied to the Federal Communications Commission for a daytime power increase of from 1,000 to 5,000 watts. The station operates unlimited time.

Examiner Melvin H. Dalberg in Report No. I-110 recommended to the Commission that the application be granted "provided the applicant install an antenna system which complies with the recommendations of the Engineering Division or in lieu thereof, demonstrates by adequate measurements that the present antenna system has an efficiency which is acceptable to the Commission." The Examiner states that no objectionable interference will result if the proposed power increase is granted.

### RECOMMENDS WWJ AND WAAF CHANGES

Applications were filed with the Federal Communications Commission by Station WWJ, Detroit, Mich., asking authority to increase its power from 1,000 watts to 1,000 watts night and 5,000 watts to local sunset and by Station WAAF, Chicago, to increase its power from 500 watts daytime to 500 watts night time and 1,000 watts day.

Examiner George H. Hill in Report No. I-109 recommends that the Commission reaffirm its former decision granting the application of WWJ and that the application of WAAF be granted in part by authorizing its daytime power to be increased from 500 to 1,000 watts but that its application as to nighttime be denied. The Examiner states that "no evidence was offered in support of that part of the application of Station WAAF for nighttime hours of operation." He found that the granting of the suggested power increases would not cause any interference to either of the service areas or to any other existing service.

### RECOMMENDS NEW MINNESOTA STATION

Robert K. Herbst applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Moorhead, Minn., to use 1,310 kilocycles, 100 watts power and unlimited time on the air.

Examiner P. W. Seward, in Report No. I-108 has recommended that the application be granted "if and when Station KGFK is permitted to move from Moorhead, Minn., to Duluth, Minn.; otherwise that said application be denied."

The Examiner found that if Station KGFK is permitted to move from Moorhead that there will be a need in that area for additional service.

### SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act: Committee for S. F. Bowser & Co., Fort Wayne, Ind. (2-1639, Form D-1)

Oregon Terminals, Inc., Portland, Ore. (2-1640, Form E-1)

Jay Bowerman, Portland, Ore. (2-1641, Form F-1)

Mueller Brass Company, Port Huron, Mich. (2-1642, Form A-1)

Eberhardt & Company, Wilmington, Del. (2-1643, Form C-1)

Nugold Mining Corporation, Ltd., Toronto, Canada. (2-1644, Form A-1)

Missouri Telephone Company, Columbia, Mo. (2-1645, Form A-1)

Corporate Investors, Ltd., Toronto, Canada. (2-1646, Form A-2)

Worcester Gas Light Co., Worcester, Mass. (2-1647, Form A-2)

Western New York Water Company, Buffalo, N. Y. (2-1648, Form A-2)

Crough-Bolas Aircraft Company, Pawtucket, R. I. (2-1649, Form A-1)

W. S. Drozda Realty Company, St. Louis, Mo. (2-1650, Form D-1A)

Varnell Fruit Foods, Inc., Cleveland, Tenn. (2-1651, Form A-1)

Cusi Mexicana Mining Company, Duluth, Minn. (2-1652, Form A-1)

Eastern Racing Association, Inc., Boston, Mass. (2-1653, Form A-1)



# FEDERAL COMMUNICATIONS COMMISSION ACTION

## APPLICATIONS GRANTED

NEW—Clarence Scharbauer, Midland, Tex.—Granted C. P. for new station to operate on 1420 kc., 100 watts, daytime; site to be determined.

KWG—Portable Wireless Tel. Co., Inc., Stockton, Calif.—Granted C. P. to install new equipment.

KNEL—G. L. Burns, Brady, Tex.—Granted modification of C. P. approving transmitter and studio sites and antenna system; extend commencement date to 10 days after grant and completion date to 180 days thereafter.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Granted modification of C. P. to make changes in equipment.

KPRC—Houston Printing Co., Houston, Tex.—Granted modification of license to increase power from 1 KW night, 2½ KW day, to 1 KW night, 5 KW day.

WNEL—Juan Piza, San Juan, P. R.—Granted extension of present license for period of 60 days; 1290 kc., 500 watts, unlimited time.

KYA—Pacific Broadcasting Corp., San Francisco, Calif.—Granted extension of license for period of 60 days; 1230 kc., 1 KW, unlimited.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted extension of license for period of 60 days; 610 kc., 500 watts, unlimited.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted extension of license for period of 60 days; 930 kc., 1 KW, unlimited.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted modification of C. P. to make changes in equipment.

WKAR—Michigan State College, East Lansing, Mich.—Granted license to cover C. P. authorizing changes in antenna system; 1040 kc., 1 KW, day, S.H.

KNOW—KUT Broadcasting Co., Austin, Tex.—Granted license to cover C. P. authorizing change in transmitter site and in equipment; 1500 kc., 100 watts, unlimited.

WMFG—Head of the Lakes Broadcasting Co., Hibbing, Minn.—Granted license to cover C. P. authorizing new station at Hibbing, to operate on 1210 kc., 100 watts, unlimited time.

WFBE—Radio Station WFBE, Inc., Geo. M. Schott, Pres., Cincinnati, Ohio.—Granted voluntary assignment of license from Radio Station WFBE, Inc., to Continental Radio Co.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted authority to operate from 8:15 to 12 midnight on night of September 24, to broadcast prize fight.

KFBF—Buttery Broadcast, Inc., Great Falls, Mont.—Granted extension of present license for period of 60 days; 1280 kc., 1 KW night, 2½ KW day, unlimited time.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted renewal of license for the period ending January 1, 1936; 1500 kc., 100 watts night, 250 watts day, unlimited.

KFIO—Spokane Broadcasting Co., Spokane, Wash.—Granted extension of present license for period of 60 days; 1120 kc., 100 watts, daytime.

KDYI—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted extension of present license for period of 60 days; 1290 kc., 1 KW, unlimited.

KEHE—Evening Herald Publishing Co., Los Angeles, Calif.—Granted extension of present license for period of 60 days; 780 kc., 500 watts night, 1 KW day, S.H.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Granted renewal of license for the period ending February 1, 1936; 770 kc., 5 KW.

KOIN—KOIN, Inc., Portland, Ore.—Granted extension of present license for period of 60 days; 940 kc., 1 KW night, 5 KW day, unlimited.

KQW—Pacific Agricultural Foundation, San Jose, Calif.—Granted extension of present license for period of 60 days; 1010 kc., 1 KW, unlimited.

KLPM—John B. Cooley, Minot, N. Dak.—Granted extension of present license for period of 60 days; 1240 kc., 250 watts.

KCMC—North Miss. Broadcasting Corp., Texarkana, Ark.—Granted extension of present license for period of 60 days; 1420 kc., 100 watts, unlimited.

KPRC—Houston Printing Co., Houston, Tex.—Granted C. P. to make changes in equipment, increase day power to 5 KW, and move transmitter to Deepwater, Tex.; 920 kc., 1 KW night, unlimited.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—Granted modification of C. P. to change type of equipment.

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Granted authority to extend special authorization to operate with additional power of 750 watts at night for period beginning October 1, 1935, for 30 days.

WLBF—WLBF Broadcasting Co., Kansas City, Kans.—Granted renewal of license for the regular period; 1420 kc., 100 watts, unlimited time.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted renewal of license for the regular period; 1120 kc., 250 watts night, 1 KW day, unlimited.

WTNJ—WOAX, Inc., Trenton, N. J.—Granted extension of present license for period of 60 days; 1280 kc., 500 watts, shares WCAM and WCAP.

KTEI—Radio Broadcasting Corp., Twin Falls, Idaho.—Granted 30-day extension of special experimental authority to operate with power of 1 KW night. Also granted extension of present license for a period of 30 days.

KUMA—Albert S. Schermann, Flagstaff, Ariz.—Granted 60-day extension of present license; 1420 kc., 100 watts, S.H.

NEW—Southwest Broadcasting Co., Mobile (Fort Worth, Tex.).—Granted C. P. for temporary broadcast pickup service; frequencies 1646, 2090, 2190, 2830 kc., 75 watts.

NEW—Don Lee Broadcasting System, Portable-Mobile, San Francisco, Calif.—Granted C. P. for temporary broadcast pickup service; frequencies 1646, 2090, 2190, 2830 kc., 100 watts.

NEW—WPTF Radio Co., Portable-Mobile (Raleigh, N. C.).—Granted C. P. (exp. gen. exp.), frequencies 31100, 34600, 37500, 40600, 86000-400000 kc., 15 watts, unlimited.

NEW—National Broadcasting Co., Inc., Washington, D. C.—Granted C. P. and license for new general experimental broadcast pickup station; frequencies 31100, 34500, 37600 and 40600 kc., 100 watts.

W9XHJ—The Pulitzer Publishing Co., Portable-Mobile, St. Louis, Mo.—Granted license to cover C. P. for general experimental broadcast pickup station; 31100, 34600, 37600, 40300, 86000-400000 kc., 5 watts.

W9XHB—Anderson Broadcasting Corp., Portable-Mobile, Anderson, Ind.—Granted license to cover C. P. for general experimental broadcast pickup station; frequencies 31100, 34600, 37600 and 40600 kc., 7 watts.

WIEW—National Broadcasting Co., Inc., Portable-Mobile (New York City).—Granted modification of license to cover C. P. authorizing change in transmitter and increase in power to 20 watts.

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Granted renewal of license for the regular period; frequency 580 kc., 1 KW night, 5 KW day, shares with KSAC.

W3XAL—National Broadcasting Co., Inc., Bound Brook, N. J.—Granted special authorization for period of 60 days to communicate with special experimental station W10XFH (stratosphere balloon) as broadcast pickup station; 6100 and 17780 kc., 35 KW, unlimited time.

W9XF—National Broadcasting Co., Inc., Downer's Grove, Ill.—Granted special authorization for period of 60 days to communicate with special experimental station W10XFH (stratosphere balloon) as broadcast pickup station; 6100 and 17780 kc., 10 KW, unlimited time.

W10XF—National Broadcasting Co., Portable-Mobile, Rapid City, S. Dak.—Granted special experimental authority for period of 60 days to communicate with station W10XFH (stratosphere balloon) and experimental stations W9XF, W3XL and W3XAL for contact control service; frequency 6350 kc., 350 watts power.

W3XL—National Broadcasting Co., Inc., Bound Brook, N. J.—Granted 60-day special experimental authority to communicate with station W10XFH (stratosphere balloon) and supervisory ground control station in Rapid City, S. Dak., to provide prompt and adequate contact with balloon by NBC engineers in charge of technical organization of radio facilities as well as direct voice contact between U. S. Army officials and balloon crew during progress flight; frequencies 6425 and 17310 kc., 20 KW.

## RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KGCA, Decorah, Iowa; KGHL, Billings, Mont.; KLCN, Blytheville, Ark.; KVOA, Tucson, Ariz.; KWSC, Pullman, Wash.; WAAT,



Jersey City, N. J.; WDAY, Fargo, N. Dak.; WEBC, Superior, Wis., and auxiliary; WFBM and auxiliary, Indianapolis, Ind.; WHBI and auxiliary, Newark, N. J.; WIS, Columbia, S. C.; WOOD, Grand Rapids, Mich.; WTCN, Minneapolis, Minn.; WIBW, Topeka, Kans. KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted renewal of license for the period ending March 1, 1936.

KMA—May Seed and Nursery Co., Shenandoah, Iowa.—Granted renewal of license on a temporary basis subject to such action as the Commission may take upon licensee's pending application for renewal.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted renewal of license on a temporary basis subject to such action as the Commission may take upon licensee's pending application for renewal.

KMBC—Midland Broadcasting Co., Kansas City, Mo. (auxiliary).—Granted renewal of license on a temporary basis subject to such action as the Commission may take upon licensee's pending application for renewal.

KFSG—Echo Park Evangelistic Assn., Los Angeles, Calif.—Granted renewal of license on a temporary basis only subject to whatever action may be taken upon the application for renewal of license, and upon the application of Harry Prezant.

KFSG—Echo Park Evangelistic Assn., Los Angeles, Calif. (auxiliary).—Granted renewal of license on a temporary basis only subject to whatever action may be taken upon the application for renewal of license, and upon the application of Harry Prezant.

KGBZ—KGBZ Broadcasting Co., York, Nebr.—Granted renewal of license on a temporary basis subject to whatever action may be taken on application for renewal of this station now pending before it, and upon application of May Seed and Nursery Co. (Station KMA).

KXL—KXL Broadcasters, Portland, Ore.—Present license extended on a temporary basis only to November 1, 1935, subject to such action as may be taken upon renewal application pending before the Commission.

The following stations' licenses were extended on a temporary basis only to November 1, 1935, pending receipt and/or action on renewal applications:

KGGM, Albuquerque, N. Mex.; WASH, Grand Rapids, Mich.; WCAD, Canton, N. Y.; WHN, New York City; WNEW, Newark, N. J.

### SPECIAL AUTHORIZATIONS

WHIS—Daily Telegraph Printing Co., Bluefield, W. Va.—Granted extension of special temporary authority to operate composite temporary transmitter for period September 25 to October 24, 1935. Also to operate a 100-watt portable transmitter on 1410 kc. in vicinity of Bluefield, during such time as WHIS is not operating, but for a period not to exceed 30 days, provided WHIS remains silent from 3:10 to 4:10 a. m., EST, Wednesday, October 2, 1935.

WLB—University of Minnesota, Minneapolis, Minn., and WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted special temporary authority to conduct a joint program between 1:45 to 4:30 p. m., CST, September 28, 1935, October 12, 19, and 26, 1935, using the transmitter of WTCN, in order to broadcast University of Minnesota football games.

WKAR—Michigan State College, E. Lansing, Mich.—Granted special temporary authority to operate from 12:45 to 5 p. m., CST, September 28, in order to broadcast football game.

KWEA—International Broadcasting Corp., Shreveport, La.—Granted extension of special temporary authority to remain silent for the period beginning October 1 and ending in no event later than December 1, 1935.

WABI—Community Broadcasting Service, Bangor, Me.—Granted special temporary authority to operate from 2 to 6 p. m., EDST and EST, as such respectively applies, on September 28, October 5, 12, 19 and 26, 1935, in order to broadcast local high school and college football games.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate on 560 kc., 1 KW night, for period October 1 to October 31, 1935.

WNOX—WNOX, Inc., Knoxville, Tenn.—Granted extension of special temporary authority to continue to operate on frequency of 560 kc. for period October 1 to December 10, 1935, and pending commencement of program tests of Station WIS on frequency 560 kc.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Granted special temporary authority to operate without an approved frequency monitor for a period not to exceed 15 days.

WFAM—The South Bend Tribune, South Bend, Ind.—Granted special temporary authority to operate simultaneously with WWAE from 6 a. m. to local sunset, CST, for period September 24 to October 23, 1935, in order to broadcast special programs.

### SET FOR HEARING

WRVA—Larus & Bros. Co., Inc., Richmond, Va.—Application for C. P. to make changes in equipment and increase power from 5 to 50 KW.

WAIM—Wilton E. Hall, Anderson, S. C.—Application for C. P. to install new equipment; move transmitter to site to be determined in Anderson; increase power from 100 watts night, 100 watts day, to 250 watts night, 1 KW day; and change frequency from 1200 kc., to 590 kc.

WTFI—Liberty Broadcasting Co., Athens, Ga.—Application for C. P. to move transmitter and studio from Athens, Ga., to a site to be determined in Atlanta, Ga.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Application for C. P. to make changes in equipment; increase power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day.

KVI—Puget Sound Broadcasting Co., Inc., Tacoma, Wash.—Application for C. P. to move transmitter from King County, Wash., to site to be determined, Wash.; make changes in equipment; increase day power from 1 KW to 5 KW.

NEW—W. H. Kindig, Hollywood, Calif.—Application for C. P. for new station to operate on 1160 kc., 5 KW, unlimited, site to be determined. To be heard by the Broadcast Division.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Application for modification of C. P. to install new equipment, extend commencement date from 2-7-35 to date of approval, and extend completion date from 10-7-35 to 120 days thereafter.

NEW—Wilbur M. Havens, Chas. H. Woodward, Calomb B. Jones, Wilfred H. Wood, d/b as Petersburg Broadcasting Co., Petersburg, Va.—Application for C. P. to operate on 880 kc., 500 watts, daytime, site to be determined.

KFOX—Nichols & Warinner, Inc., Long Beach, Calif.—Application for renewal of license; temporary license granted pending hearing; 1250 kc., 1 KW, unlimited time.

KELW—Evening Herald Publishing Co., Los Angeles, Calif.—Application for renewal of license; 780 kc., 500 watts, shares time.

### MISCELLANEOUS

WNBC—William J. Sanders, New Britain, Conn.—Denied authority to operate from local sunset to 8 p. m., EST, for the period September 29 to October 28, 1935.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Reconsidered action of July 30, 1935, and granted renewal of license.

KTAT—KTAT Broadcasting Co., Inc., Fort Worth, Tex.—Dismissed application for special authority to operate on 570 kc., 500 watts night, 1 KW day.

KFRC—Don Lee Broadcasting System, San Francisco, Calif.; KNX—Western Broadcast Co., Los Angeles, Calif.; WTMJ—The Journal Co., Milwaukee, Wis.—Hearing on renewal of license continued from October 3 to October 14, 1935.

WAIU—Associated Radiocasting Corp., Columbus, Ohio.—Denied petition requesting Commission to reconsider and grant application for renewal of license.

KFUO—Evangelical Lutheran Synod of Missouri, Clayton, Mo.—Denied request to have application to operate broadcasting station at St. Louis, Mo., during day hours on 640 kc. dismissed without prejudice.

KFRU—KFRU, Inc., Columbia, Mo.—Reconsidered and granted application for transfer of control of KFRU, Inc., from Nelson R. Darragh to Luther L. Hill.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Reconsidered and granted application to transfer control of station to Amon Carter; also application to move station from Wichita Falls to Fort Worth.

WFBM—Indianapolis Power & Light Co., Indianapolis, Ind.—Denied petition requesting grant of application, designated for hearing, for authority to move studio locally, install new equipment, and increase day power to 5 KW.



- WHBU—Anderson Broadcasting Corp., Anderson, Ind.—Denied petition requesting grant of application, heretofore designated for hearing, for authority to change equipment and increase day power to 250 watts.
- WRMD—The Monocacy Broadcasting Co., Rockville, Md.—Reconsidered action in granting permit to erect and operate broadcasting station on 1140 kc., 250 watts, daytime, designated application for hearing on issues to be determined by Law Department, notices of proceedings to be sent to WOL and WCAU in addition to any other parties to be specified by Engineering Department. Proceedings scheduled for September 25 dismissed since WCAU withdrew protest.
- KFRC—Don Lee Broadcasting System, San Francisco, Calif.—Denied petition requesting Commission to grant application for renewal of license, heretofore designated for hearing.

### APPLICATIONS DISMISSED

- The following applications, heretofore set for hearing, were dismissed at request of applicants:
- WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—C. P., 1500 kc., 100 watts, 250 watts LS, unlimited time.
- WIL—Missouri Broadcasting Corp., St. Louis, Mo.—Special experimental authority, 1250 kc., 250 watts, 500 watts LS. S.H.
- NEW—Fred S. Rogers, Glens Falls, N. Y.—C. P., 1210 kc., 100 watts, unlimited time.
- NEW—American Broadcasting Co., Pittsburgh, Pa.—C. P., 1420 kc., 100 watts, unlimited time.
- NEW—The Life Builders, Dr. Alvin J. Corbell, Founder, Fort Worth, Tex.—C. P., 1200 kc., 100 watts, unlimited time.
- NEW—W. T. Knight, Jr., Savannah, Ga.—C. P., 1200 kc., 100 watts, unlimited time.

### APPLICATIONS RECEIVED

#### First Zone

- WNBZ—Earl J. Smith and Wm. Mace, d/b as Smith and Mace, 1290 Saranac Lake, N. Y.—License to cover construction permit (B1-P-200) to install new equipment and increase power.
- WCOP—Joseph M. Kirby, Boston, Mass.—Modification of license 1130 to change frequency from 1120 kc. to 1130 kc., hours of operation from daytime to specified hours (daytime and from local sunset to 8 p. m., EST), using 500 watts power.
- WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Modification of construction permit (1-PB-2940) as modified to extend completion date from 10-18-35 to 12-18-35.
- NEW—Oliver C. Harriman and Ralph Clark, New York, N. Y.—Construction permit for a new general experimental station on 31600, 35600, 38600, 41000 kc., 2 KW.
- W3XAD—RCA Manufacturing Co., Inc., Camden, N. J.—License to cover modification of construction permit for change in location.
- W1XAL—World Wide Broadcasting Co., Boston, Mass.—Construction permit to install an auxiliary transmitter operating on 3 KW. (All other terms of present license same.)
- W2XIM—General Electric Co., Portable-Mobile.—License to cover construction permit for a new general experimental station to be operated on 31100, 34600, 37600, 40600 kc., 2 watts.
- W2XIL—General Electric Co., Portable-Mobile.—License to cover construction permit for a new general experimental station to be operated on 31100, 34600, 37600, 40600 kc., 2 watts.

#### Second Zone

- WJAY—The Cleveland Radio Broadcasting Corp., Cleveland, Ohio. 610 —Authority to transfer control of corporation from Monroe F. Rubin and Ruth Rubin to U. B. Co., 666 2/3 shares common stock.
- WJAY—The Cleveland Radio Broadcasting Corp., Cleveland, Ohio. 610 —Construction permit to install new equipment; move studio from 1224 Huron Road, Cleveland, Ohio, to 1311 Terminal Tower, Cleveland, Ohio; and move transmitter from 2016 E. 9th Street, Cleveland, Ohio, to Seven Hills, Ohio.
- WJAY—The Cleveland Radio Broadcasting Corp., Cleveland, Ohio. 610 —Construction permit to install new equipment; move studio from 1224 Huron Road, Cleveland, Ohio, to 1311 Terminal Tower, Cleveland, Ohio; and move transmitter from 2016 E. 9th Street, Cleveland, Ohio, to Seven Hills Ohio. Amended: Transmitter site to be determined.

- WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Modification of construction permit (B2-P-148) authorizing changes in equipment and move of transmitter, requesting extension of completion date from 10-19-35 for 90 days.
- KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Modification of 1380 construction permit (B2-P-149) authorizing changes in equipment and move of transmitter, requesting extension of completion date from 10-19-35 for 90 days.
- WHK—Radio Air Service Corp., Cleveland, Ohio.—Authority to 1390 transfer control of corporation from The Plain Dealer Publishing Co. to U. B. Co., 1000 shares common stock.
- WCBA—B. Bryan Musselman, Allentown, Pa.—Modification of 1440 license to increase power of auxiliary transmitter from 250 watts to 500 watts.
- WSAN—WSAN, Inc., Allentown, Pa.—Modification of license to 1440 increase power of auxiliary transmitter from 250 watts to 500 watts.
- NEW—WCAU Broadcasting Company, Portable-Mobile.—Construction permit for a new general experimental station to operate on 31100, 34600, 37600, 40600 kc., 50 watts.
- NEW—Scranton Broadcasters, Inc., Portable.—Construction permit for a new general experimental station to operate on 31100, 34600, 37600, 40300, 86000, 406000 kc., 100 watts.

#### Third Zone

- WTAW—Agricultural & Mechanical College of Texas, College Station, Tex.—Modification of license to make changes in specified hours from: 12:20 to 12:50 p. m. daily, except Sundays; 8 to 9 p. m., Mondays and Fridays; 8:30 to 9:30 a. m., Sundays; to: 11:25 a. m. to 12 noon, daily except Sundays; 8 to 9 p. m., Mondays; 8:30 to 9:30 a. m., Sundays; 4:30 to 5:30 p. m., Fridays.
- NEW—Hunt Broadcasting Assn., Fred Horton, Pres., Greenville, 1310 —Tex.—Construction permit for a new station to be operated on 1310 kc., 50 watts, daytime. Amended to make changes in equipment.
- KELD—T. H. Barton, El Dorado, Ark.—License to cover construction permit (3-P-B-3216) to erect a new station on 1370 kc., 100 watts, unlimited time.
- NEW—John Perkins Rabb, Lenoir, N. C.—Construction permit for 1370 a new station on 1370 kc., 100 watts, daytime.
- WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.— 1410 Authority to determine operating power by direct measurement of antenna.
- WEED—William Avera Wynne, Rocky Mount, N. C.—Modification of license to move studio from 119 N. Washington St., 1420 Rocky Mount, N. C., to corner Nashville Highway (Route 64) and Stoney Creek Road, just outside of Rocky Mount city limits.
- NEW—Jack W. Hawkins and Barney H. Hubbs, Pecos, Tex.— 1420 License to cover construction permit (B3-P-308) as modified to erect a new station on 1420 kc., 100 watts, unlimited time.
- KVSO—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.— Construction permit to make changes in equipment; increase power from 100 watts daytime to 100 watts night, 250 watts day; and change hours of operation from daytime to unlimited.
- NEW—Havens & Martin, Inc., Portable-Mobile.—Construction permit for a new general experimental station to operate on 31100, 34600, 37600, 40600 kc., 20 watts.

#### Fourth Zone

- WAAW—Omaha Grain Exchange, Omaha, Nebr.—Voluntary assignment of license from Omaha Grain Exchange to Nebraska 660 Broadcasting Co.
- KFNF—KFNF, Inc., Shenandoah, Iowa.—Modification of license 890 to increase night power from 500 watts to 1 KW. Amended to change name from Henry Field Co. to KFNF, Inc.
- KFNF—KFNF, Inc., Shenandoah, Iowa.—Modification of license 890 to change hours of operation from ½ time, share-WILL and KUSD to share-KUSD, KFNF 7/8 time, KUSD ¼ time. Part of facilities of KUSD. Amended to change name from Henry Field Co. to KFNF, Inc.
- KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.— 1310 Modification of construction permit (B4-P-178) authorizing erection of a new station to be operated on 1310 kc., 100 watts, unlimited time, requesting installation of new equipment.
- WTAQ—Gillette Rubber Co., Eau Claire, Wis.—Voluntary assignment of construction permit (B4-P-369) to WHBY, Inc.

NEW—Fred A. Baxter, Superior, Wis.—Construction permit for a  
**1370** new station to be operated on **1370 kc.**, 100 watts, unlimited  
time.  
WCBS—WCBS, Inc., Springfield, Ill.—Modification of license to  
**1420** change hours of operation from specified hours to unlimited  
time.  
NEW—Northern Iowa Broadcasting Co., Inc., Mason City, Iowa.—  
**1420** Construction permit to erect a new station on **1420 kc.**, 100  
watts, 250 watts local sunset, unlimited time.  
KSO—Cedar Rapids Broadcast Co., Des Moines, Iowa.—Modifica-  
**1430** tion of construction permit (B4-P-611) for approval of trans-  
mitter site at north of Des Moines, Iowa, and extend com-  
mencement date to 60 days after grant and completion date  
to 180 days thereafter.  
WKBV—Knox Radio Corporation, Richmond, Ind.—Construction  
**1500** permit to move transmitter 279 feet, on U. S. Road No. 27,  
same address, approximately 2 miles north of Richmond,  
Indiana, on U. S. Road No. 27, and make antenna changes.  
WLEZ—The Norfolk Daily News, Portable, Norfolk, Nebr.—  
Modification of license to include frequencies **1622, 2060,**  
**2790 kc.**, in addition to **2150 kc.**  
NEW—WCBF, Inc., Portable-Mobile.—Construction permit for  
a new general experimental station to operate on **31100,**  
**34500, 37600, 40600 kc.**, 5 watts.

#### Fifth Zone

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Construc-  
**710** tion permit to make changes in equipment; move transmitter  
from Northwestern Mutual Ins. Bldg., 217 Pine Street,  
Seattle, Wash., to 2nd and Union, Seattle, Wash., and studio  
from Northwestern Mutual Ins. Bldg., 217 Pine Street,  
Seattle, Wash., to 4th and University, Cobb Bldg., Seattle,  
Wash.  
KFKA—The Mid-Western Radio Corp., Greeley, Colo.—License to  
**880** cover construction permit (B5-P-712) for move of trans-  
mitter.  
KVL—KVL, Inc., Seattle, Wash.—Construction permit to make  
**1070** changes in equipment, change frequency from **1370 kc.** to

**1070 kc.**, power from 100 watts to 250 watts, hours of op-  
eration from share-KRKO to daytime only.  
WDZ—James L. Bush, Tuscola, Ill.—Modification of construction  
**1070** permit (B4-P-8) for approval of antenna and transmitter  
site at 1½ miles north of Tuscola on U. S. 45 and 1 mile 600  
feet, RFD, Tuscola, Ill., and extend commencement date to  
30 days after grant and completion date to 180 days there-  
after.  
KFSG—Echo Park Evangelistic Assn., Los Angeles, Calif.—Modifi-  
**1120** cation of license to increase power from 500 watts, 1 KW  
local sunset, to 500 watts, 2½ KW local sunset; and for  
authority to use new transmitter of KRKD.  
NEW—Joseph G. Morrow, Oakland, Calif.—Construction permit  
**1150** for a new broadcast station to be operated on **1150 kc.**, 250  
watts, daytime.  
NEW—Struble, Strong & Fagan (Carl C. Struble, Curtis T. Strong,  
**1200** Jane M. Fagan), The Dalles, Ore.—Construction permit to  
erect a new station to operate on **1200 kc.**, 100 watts, un-  
limited time.  
NEW—B. A. Thompson, Santa Cruz, Calif.—Construction permit  
**1210** to erect a new station to operate on **1210 kc.**, 100 watts, 250  
watts local sunset, unlimited time.  
NEW—Ernest L. Finley, Santa Rosa, Calif.—Construction permit  
**1310** for a new broadcast station to be operated on **1310 kc.**, 250  
watts, daytime.  
NEW—Seattle Broadcasting Co., Everett, Wash.—Construction per-  
**1370** mit for a new broadcast station to be operated on **1370 kc.**,  
50 watts, share-KVL. Requests facilities of KRKO.  
KRKO—Lee E. Mudgett, Everett, Wash.—Voluntary assignment  
**1370** of license from Lee E. Mudgett to Pioneer Broadcasters, Inc.  
KORE—Frank L. Hill and C. C. Phillips, d/b as Eugene Broadcast  
**1420** Station, Eugene, Ore.—Construction permit to make changes  
in equipment and increase day power from 100 watts to  
250 watts.  
KIKK—S. H. Patterson, Portable.—License to cover construction  
permit for a new broadcast pickup station.  
NEW—Honolulu Broadcasting Co., Ltd., Portable-Mobile.—Con-  
struction permit for a new general experimental station to be  
operated on **31100, 34600, 37600, 40600 kc.**, 20 watts.