

# The National Association of Broadcasters

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

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### NAB BOARD MEETING

The Board of Directors of the National Association of Broadcasters will hold a meeting on the subject of ASCAP, Monday, December 9, in New York City.

### FTC OFFERS STIPULATIONS

The Federal Trade Commission this week sent out to certain radio stations stipulations with reference to products of the following concerns:

Freedol Remedy Company	Vervena Company
Clark Brothers Chewing Gum	Cleveland Regol
Esbencot Laboratories	Litino Laboratories.

### McNARY RESIGNS

Because of assumption of certain obligations not contemplated at the time he was granted a leave of absence, James C. McNary, Technical Director of the NAB, has tendered his resignation effective November 30. Mr. McNary will take over the business heretofore handled by T. A. M. Craven, newly appointed Chief Engineer of the Federal Communications Commission.

### RECOMMENDS NEW KANSAS STATION

The Joplin Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Pittsburgh, Kans., to use 1200 kilocycles, 100 watts power and unlimited time on the air. Also the Pittsburgh Publishing Company asked to erect a new station at Pittsburgh, Kans., and the Wichita Broadcasting Company asked authority to erect a station at Wichita, Kans. Both of the two latter applications were for 1500 kilocycles, 1100 watts power and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-141 recommended that the application of the Pittsburgh Broadcasting Company be granted but that the other two applications be denied. The Examiner found that no interference would be caused by granting the application of the Pittsburgh Company, that there is need for additional service in that area and that the station would be handled by residents of Pittsburgh.

### POWER INCREASE RECOMMENDED FOR WGST

Broadcasting Station WGST, Atlanta, Ga., operating full time on a frequency of 890, applied to the Federal Communications Commission to increase its power from 500 watts nighttime and 1,000 watts to local sunset to 1,000 watts all time.

Examiner P. W. Seward in Report No. I-145 recommended that the application be granted. He found that there is a substantial need in the area for additional radio service and that the interests of no existing station would be adversely affected by the granting of the application.

### NOTES TO SALES STAFF

Broadcast advertising continues to promise a banner year, as witness the \$70,626,000 gross time sales during the first ten months of 1935 as compared to \$72,887,000 for the entire year of 1934. (See Table I, page 1107.)

The advertising efficacy of radio continues to cause it to show the greatest upswing from previous years of any major advertising medium. Whereas radio volume rose 21.3% during the first ten months of 1935, newspaper volume rose but 4.6% and magazine 6.4%. (See Comparison with Previous Years, page 1107, and Comparison with Other Media, page 1107.)

Live talent programs are still being bought in considerable quantity by national advertisers, while local advertisers are showing increasing interest in transcriptions. (See Non-network Advertising by Type of Rendition, page 1108.)

The marked growth of automotive advertising—national non-network volume rose over six-fold as compared with October 1934—is indicative that radio can sell high-priced commodities as well as convenience goods. (See Comparison with 1934, page 1108.)

The continued growth of regional network advertising, the rise of national non-network drug, cosmetic, food and tobacco volume and the increase in local household equipment and clothing advertising are among developments worthy of note. (See Details as to Sponsor Trends, page 1108.)

### NEW SOUTH DAKOTA STATION RECOMMENDED

The Black Hills Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Rapid City, S. D., to use 1370 kilocycles, 100 watts power and unlimited time on the air.

Examiner John P. Bramhall in Report No. I-142 recommended that the application be granted on condition "that the applicant install a suitable antenna, and that the same be painted and/or illuminated in accordance with Section 303, Paragraph (q) of the Communications Act of 1934, and on a site which complies with the recommendations of the Engineering Department of the Commission." The Examiner found that there is need for additional radio service in the area proposed to be served.

### FTC REVIEWS ADVERTISING

The Federal Trade Commission in its annual report, just made public, has considerable to say regarding radio, newspaper and magazine advertising. Because of its importance to members we give the full statement of the Commission as follows:

False and misleading advertising matter as published in newspapers and magazines and as broadcast over the radio is surveyed and studied by a special board set up by the Federal Trade Commission in 1929. This board, known as the Special Board of Investigation, consists of three Commission attorneys designated to represent the Commission at preliminary hearings and specialize in this type of cases.

Misrepresentation of commodities sold in interstate commerce is a type of unfair competition with which the Commission has dealt under authority of the Federal Trade Commission Act since its organization in 1915. By 1929 it had become evident that



misrepresentation embodied in false and misleading advertising in the periodical field was of such volume that it should receive specialized attention from the Commission.

Since that time the Commission, through its special board, has examined the advertising columns of newspapers and magazines, noting misleading representations, and has received complaints of false and misleading advertising from competitors and consumers. Each instance has been carefully investigated, and where the facts have warranted, and informal procedure has not resulted in the prompt elimination of misleading claims and representations, formal procedure has been resorted to and the cases tried. While a number of orders have been issued requiring the respondents to cease and desist from advertising practices complained of, in a majority of cases the matters have been adjusted by means of the respondent signing a stipulation agreeing to abandon the unfair practices.

The Commission believes its work in this field has contributed toward the general improvement noticeable in the last few years in the character of newspaper, magazine, and radio advertising.

*Newspaper and magazine advertising.*—In its work of reviewing advertisements in current publications, the Commission, through its special board, has found it advisable to call for some periodicals on a continuous basis, due to the persistently questionable character of the advertisements published. However, as to publications generally, it is physically impossible to review, continuously, all advertisements of a doubtful nature; also, it is found unnecessary to review all the issues of publications of a high ethical standard where the publishers carefully censor all copy before acceptance.

With this situation in mind, the special board has found it of material value to procure periodicals in cognate groups as to type or class, volume of circulation, and character of field of distribution such as agricultural, fiction, information, movie fan, trade, sales promotion, and the like. Advertisements of similar character, purpose and appeal are thus assembled and reviewed to advantage in a related manner.

Between January 1 and June 30, 1935, magazines having a combined circulation of 27,220,061 copies were received. Up to June 30, 1935, a discerning preliminary scrutiny of 1,126 individual current advertisements had been performed, resulting in 284 being referred to the board members for special consideration as possibly false and misleading.

When the Commission receives complaints or notes the existence of apparently false and misleading representations in advertising, it initiates an investigation. A questionnaire is sent to the advertiser requesting samples of all advertising copy published or broadcast by radio during the year past, together with copies of all booklets, folders, circulars, form letters and other advertising literature, and, if practicable, a sample of the article advertised, and, if the article is a compound, the quantitative formula.

Upon receipt of the material, the sample, formula, and advertising claims and representations are submitted for medical or scientific opinion to such other Governmental agencies as the Public Health Service, Bureau of Standards, or Food and Drug Administration.

Upon receipt of such official opinions the Commission, through its special board, carefully examines all claims and representations, and makes such excerpts as appear to require justification or explanation. Copies of such excerpts and medical or other scientific opinions are then sent to the advertiser, and an opportunity given him to submit such evidence as he may desire to justify or explain the claims and representations scheduled.

If all such claims and representations are justified, the matter is closed without further procedure, and all the data filed for future reference, but if the claims or representations are not justified, the Commission may order the docketing of an application for complaint against the offending advertiser. The entire matter is then referred to the special board for negotiation of a stipulation wherein the advertiser agrees to cease and desist from making such claims and representations as are deemed misleading by the Commission. If such stipulation is executed by the advertiser and accepted by the Commission, the matter is closed, subject to reopening at any time by the Commission if occasion arises. If no stipulation is procured from the advertiser, the Commission institutes proceedings against the advertiser by the issuance of a formal complaint under the law.

In a large majority of cases, advertisers have entered into stipulations with the Commission to cease and desist from publishing the misleading statements. In only a relatively few cases do advertisers refuse to stipulate, making it necessary for formal complaints to be issued.

In many cases the advertiser immediately cancels all adver-

tising complained about upon receipt of the first communication from the Commission, and does not advertise again until his matter has been adjudicated.

*Radio advertising.*—The Commission began its review of advertising copy broadcast over the radio at the beginning of the fiscal year 1934-35. At the outset the Commission, through its special board of investigation, made a survey of all commercial continuities, covering the broadcasts of all radio stations during July 1934. The volume of returns received and the character of the announcements indicated clearly that a satisfactory continuous scrutiny of current broadcasts could be maintained with a limited force and at small expense, by adopting a plan of grouping the stations for certain specific periods.

Consequently, starting in September 1934, calls have been issued to individual radio stations according to their location in the five radio zones established by the Federal Communications Commission. These returns cover specified 15-day periods.

National and regional networks, however, respond on a continuous weekly basis, submitting copies of commercial continuities for all programs wherein linked hook-ups are used involving two or more affiliated or member stations.

To complete the observation of radio advertising, the producers of electrical-transcription recordings submit regular weekly and monthly returns of typed copies of the commercial portions of all recordings manufactured by them for radio broadcasts. As the actual broadcast of a commercial recording is not always known to the manufacturer of the commodity being advertised, the Commission's knowledge of current transcription programs is supplemented by special reports from individual stations from time to time, listing the programs of recorded transcriptions with essential data as to the name of the advertiser and the article sponsored.

The combined material received from the individual stations for specified periods, from the weekly returns on regional and national network broadcasts, and from the special transcription reports, furnishes the Commission with representative and specific data on the character of radio advertising which has proven of great value in its efforts to curb false and misleading trade representations.

Up to June 30, 1935, 439,253 radio continuities had been received by the Commission. Of these a preliminary review had been completed on 376,539, resulting in 38,873 being referred, as possibly false and misleading, to the members of the board and their legal assistants for further consideration and possible action.

In all cases where false and misleading advertising is detected in radio broadcasts, the Commission is applying substantially the same procedure as is followed in cases of false and misleading advertising in newspapers, magazines, or other periodicals. This scrutiny of radio advertising is being conducted with a minimum of expense to the Government as well as to the industry because of the cooperation of members of the industry and the system of procedure developed.

In its examination of radio continuities, as well as of newspaper, magazine, and other periodical advertising, the Commission's sole purpose is to curb unlawful abuses of the freedom of expression guaranteed by the Constitution. It does not undertake to dictate what an advertiser shall say, but rather indicates what he may not say. Jurisdiction is limited to cases which have a public interest as distinguished from a mere private controversy, and which involve practices held to be unfair to competitors in interstate commerce.

Effective cooperation has obtained throughout the last year, as for many years, with other departments of the Government. Cases involving what appear to be fraudulent schemes in violation of the postal laws are referred to the Post Office Department. Action by the Commission in such cases as are found to be under investigation by that Department is suspended pending the outcome of such proceedings. Valuable scientific opinions have been rendered by the Food and Drug Administration, Bureau of the Public Health Service, and the Bureau of Standards. Also analyses and comments regarding the therapeutic properties of various preparations have been furnished by the Food and Drug Administration. In a number of cases, Commission action against advertisers of medical preparations has been undertaken at the request of the Department of Agriculture.

## TWO DEFAULT CASES

The Steel City Broadcasting Company filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new station at Pittsburgh, Pa., to use 1420 kilocycles, 100 watts power and 250 watts LS with unlimited time on the air.

Also Station KFDM, Beaumont, Texas, applied to the Com-



mission to increase its power from 500 watts night and 1,000 watts LS to 1,000 watts at all time.

Examiner Ralph L. Walker in Report No. I-140 recommended that the application of the Steel City Company be denied "as in cases of default" for failure to attend the hearing and the Examiner made the same recommendation in Report No. I-144 in the case of Station KFDM for the same reason.

### RECOMMENDS KID POWER INCREASE

Broadcasting Station KID, Idaho Falls, Ida., applied to the Federal Communications Commission to increase its power from 250 watts night and 500 watts day to 500 watts night and 1,000 watts daytime, and to move its transmitter locally.

Examiner Ralph L. Walker in Report No. I-143 recommended that the Commission grant the station authority to move its transmitter and to increase its daytime power but that the application be denied insofar as nighttime power is concerned. The Examiner found that there is need for additional daytime service in the area and that it would not cause interference. However, he states that nighttime increase would cause interference and also the nighttime facilities of the state of Idaho and the Fifth Zone are now over quota.

### SECURITIES ACT REGISTRATIONS

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

Lockhart Power Company, Lockhart, S. C. (2-1770, Form A-2)  
Oil Run Purchase Corporation, Jersey City, N. J. (2-1773, Form A-1)

Tung Sol Lamp Works, Inc., Newark, N. J. (2-1774, Form A-2)  
Bliss & Laughlin, Inc., Harvey, Ill. (2-1775, Form A-2)

Corporate Leaders of America, Inc., New York City (2-1777, Form C-1)

May-Spiers Gold Mines Ltd., Toronto, Canada (2-1778, Form A-1)

Pennsylvania Glass Sand Corp., Lewiston, Pa. (2-1779, Form A-2)

Tri-States Natural Gas Corp., South River, N. J. (2-1780, Form A-1)

Brooklyn Negro Civic Corp., Brooklyn, N. Y. (2-1781, Form A-1)

The Byrndun Corporation, Brooklyn, N. Y. (2-1782, Form A-2)  
State National Securities Corp., Indianapolis, Ind. (2-1783, Form D-1)

Jewelrite Sales, Inc., Denver, Colo. (2-1784, Form A-1)  
G. C. Murphy Company, McKeesport, Pa. (2-1785, Form A-2)

Penn-Jersey Water Company, Wilmington, Del. (2-1786, Form A-1)

Wendigo Gold Mines Ltd., Toronto, Canada (2-1787, Form A-1)

### RECOMMENDATION AGAINST NEW PENNSYLVANIA STATION

William S. Thellman, filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at New Castle, Pa., to use 1420 kilocycles, 100 watts power, daytime operation.

Examiner Melvin H. Dalberg in Report No. I-146 recommended that the application be denied. He said that he did not believe "that the applicant is financially qualified to construct and operate the proposed station and there is obviously an insufficient showing that either the applicant or those with whom he would be associated are technically qualified by experience to warrant such operation."

### FEDERAL TRADE COMMISSION ACTION

#### Complaints

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

No. 2337. **International Latex Corporation, of Rochester, New York**, in a complaint is charged with unfair competition in the sale of products such as bathing caps, pad shields, crib sheets and tobacco pouches.

In advertising its products, the respondent company is said to have used the phrases: "Made of purest Latex (not rubber)," "They are made of purest Latex which looks like rubber but isn't," and "They prevent perspiration."

In truth and in fact, says the complaint, the products are composed of material consisting essentially of rubber hydrocarbon, and therefore are not properly designated as "not rubber". The complaint says the assertion regarding perspiration is misleading and deceptive.

No. 2638. **Sheffield Silver Company, Inc., of Jersey City, N. J.**, is charged with unfair methods of competition in the sale of silver-plated hollow-ware, in a complaint.

Use of the word "Sheffield" in its corporate name, letterheads and invoices, has a tendency to deceive purchasers into buying the respondent company's products in the belief that its representations are true, and that its product is "Sheffield," according to the complaint.

No. 2639. Alleging unfair competition in the sale of a correspondence course on diet and health, a complaint has been issued against **George Henry Brinkler**, of 458 Ocean Drive, **Miami Beach, Florida**, who has operated his business under various trade names, such as "Brinkler School of Eating," "Brinkler School of Food Science," and "Brinkler School of Nutrition," and is said now to operate under the name, "Brinkler Institute."

Among representations alleged are that the correspondence course provides a competent treatment for all diseases, and that the method of diet outlined is an adequate treatment for any of thirty-six diseases listed, including indigestion, bronchitis, tuberculosis, hardening of the arteries, and others.

No. 2640. **American White Cross Laboratories, Inc., of New Rochelle, N. Y.**, and **Cape Girardeau, Mo.**, has been served with a complaint charging unfair methods of competition in the sale of absorbent cotton. This company distributes its merchandise to chain and syndicate stores, retailers, drug stores, surgical supply companies, and hospitals in various states.

Labelling and advertising its products as "Sterilized Emergency Absorbent Cotton" and as "Best Hospital Quality Hygrade Absorbent Cotton," the respondent, according to the complaint, has not properly sterilized its absorbent cotton by scientific methods under the best sanitary conditions, and the product is not suitable for all surgical and household needs.

#### Stipulations

The Commission has announced the following cease and desist orders:

No. 6974. **The Bisodol Company, New Haven, Conn.**, selling "Bisodol" for use in treating stomach ailments, agrees to stop advertising that this preparation is an effective remedy for indigestion, halitosis, and other ailments, unless these representations are limited to the relief of these troubles when due to gastric hyperacidity. The Bisodol Company also agrees to stop asserting that its preparation "will banish" or "correct" any discomfort of the stomach; that the preparation is a new discovery, and is totally different from anything else.

No. 6975. **Chicago School of Nursing, Chicago, Ill.**, selling a correspondence course in nursing, agrees to abandon the representation that there are plenty of calls to keep C. S. N. nurses busy, and that its graduates "average \$25.00 to \$35.00 and more a week, in addition to their room, board and laundry." Other representations will also be discontinued, including certain assertions concerning the cost of the course.

No. 6976. **Jacobs Pharmacy Company, Atlanta, Ga.**, dealing in skin and complexion preparations, will not advertise that use of its preparations will produce substantial benefit or improvement in one night's time, and will free the skin of pimples or blemishes, or work in any amazing way. The company also agrees to cease and desist from causing any advertising matter to be printed in a newspaper or magazine in such manner as to imply that it is a news article, and will stop designating its soap as "Skin Whitener" soap.

No. 6977. **Giacomo LaGuardia, trading as Herba Medicinal Laboratory, New York City**, and selling a tea and tonic as a remedy for stomach troubles, and a tea for treating rheumatism, and other medicinal products, agrees to stop advertising that LaGuardia's Herbs are competent treatment for a list of twenty-eight diseases, without regard to the underlying causes, including stomach acid, eczema, kidney trouble, and "any of the ailments concerning the digestive system." Other representations of the powers of the respondent's products will be discontinued.

No. 6978. **R. B. Davis Company, Hebooken, N. J.**, engaged in selling the food preparation, "Cocomalt," will no longer represent that it contains all the vitamins, mineral nutrients, and calories; that it will increase or build up strength, energy, vitality and weight in all cases, and that the preparation contains all of the elements necessary to the growth of children.



**No. 0979. Everbrite Products Company, Kansas City, Mo.,** agrees to stop advertising its oil burning heating stove as the first or most successful portable heater ever to burn ordinary oil or kerosene, or as the most economical or convenient heater made. This heater will no longer be advertised as being cheaper than wood, where wood is plentiful, and as having a flame twice as hot as wood or coal.

**No. 0980. J. W. Elwood, trading as Northwestern School of Taxidermy, Omaha, Nebr.,** and selling a correspondence course in taxidermy, agrees to stop representing that the so-called diploma awarded to graduates is free; that it is impossible for students or graduates in this course to fail, and that the respondent guarantees to teach successfully every prospective student. The respondent agrees to cease and desist from awarding diplomas to purchasers of the course unless and until they are required to demonstrate their knowledge of taxidermy by passing appropriate examinations or meeting other adequate requirements. He also agrees to stop making unmodified claims as to the amounts students may expect to earn when such advertised amounts are in excess of the average actually earned by students under normal conditions.

**No. 1498. Stephen Gargilis, of Boston,** an individual trading under the name of S. Kandhi, and dealing in so-called astrological charts, readings and calculations, financial services based on astrological calculations, and lessons on occultism, agrees to stop representing that the study of the occult sciences as outlined in his prepared lessons, or otherwise, can or does bring riches to the students. Gargilis advertised the "Yogi Secrets," and that students would receive "some of the accumulated wisdom of four thousand years of the Famous Hindu Adepts."

**No. 1500. Kramer-Brandeis, Inc., of New York City,** distributors of mufflers, cravats and other articles of men's wear, agrees to cease marking or labeling its products as "silk" or "all silk," when in fact they are not made wholly of silk. The stipulation provides that if the products are weighted to an amount exceeding 15 per cent in black goods or exceeding 10 per cent in goods other than black, the word "silk," if used to describe the product, shall be accompanied by the word "weighted" in conspicuous type. This is to show that the articles are not composed entirely of silk, but are weighted with mineral salts or other weighting substance.

**No. 1501. Nathan Schmukler, of New York City, trading as Duo-Enamel Company,** dealing in paints and enamels, agrees to stop using the word "Duo" as part of his trade name or as part of a brand for his products, either independently or in connection with other words. Schmukler also agrees to stop employing any colorable imitation of the word "Nu" in a way which would tend to confuse buyers respecting the identity of his products and those of the Nu-Enamel Corporation, of Chicago, manufacturers of paints and enamels under the trade name of "Nu-Enamel."

Schmukler will also abandon use of the phrases, "One coat covers" and "No brush marks" on color cards or store fronts. These phrases have acquired a secondary meaning as applied to Nu-Enamel, according to the stipulations. Schmukler agrees to stop using colors and arrangements of products and colors in store fronts to simulate the arrangements characteristically used by the Nu-Enamel Corporation.

**No. 1502. Samuel Aaron, of Washington, D. C., trading as District Working Men's Store,** will discontinue causing his trade name to be listed in the Washington telephone directory under the classified heading of "Army and Navy Goods Business," and from using the words "Army and Navy Goods" in his advertisements, or in any way tending to deceive buyers into believing that the products he sells consist in substantial part of Army and Navy surplus products, when this is not true. The stipulation sets out that the stocks of surplus products held by the Army and Navy have for a long time been practically exhausted, except for certain damaged, worn out or salvaged goods.

**No. 1503. Charles Eickle, Jr., of Henderson, Ky., trading as Valley Distilleries,** agrees to abandon use of the word "Distilleries" as part of his trade name or otherwise, implying that he distills the liquors which he sells, or owns and operates the plant in which they are distilled. The stipulation sets out that Eickle does not operate a distillery.

Eickle also agrees to cease using bottles or other containers of one full quart capacity or other standard size in a manner misleading purchasers into believing that each such bottle contains a full quart or other amount indicated by the standard size of the bottle, when in fact, according to the stipulation, each bottle contains an amount other than one full quart and other than the quantity indicated by the size of the bottle.

**No. 1504. Furbish Process, Inc., of New York City,** manufacturing a cleaning fluid called "X-L Magic Cleaning Fluid,"

agrees to desist from the use in advertising of the words "Excellent stain remover," implying that the fluid will remove stains of whatever kind from fabrics, when this is not true. The respondent company also agrees to abandon representations to the effect that the preparation will remove stains from fabrics "without injury to any, regardless of how delicate the fabric," tending to deceive purchasers into believing that the colors of fabrics dyed with non-fast or fugitive dyes will not be injured by application of this product, when this is not true.

**No. 1505. U. S. Manufacturing Corporation, of Decatur, Ill.,** manufacturing and selling fly swatters, camping equipment and other merchandise, agrees to stop using the phrase "U. S. Fly Ribbon" independently or in connection with the corporate name "U. S. Manufacturing Corporation," or with the words "The U. S. Line," implying that the articles are made in the United States, when this is not true. Provision is made that the respondent shall cease and desist from the foregoing representations, unless, when the words "U. S. Fly Ribbon" are used as a trade name for the product, they be immediately accompanied with another suitable word in equally conspicuous type, indicating clearly that the articles are not manufactured in the United States.

**No. 1506. Nostane Products Corporation, of Brooklyn, N. Y.,** manufacturing and selling a cleaning fluid under the name "Nostane," agrees to abandon the use of such phrases as "Positively removes stains without injury to fabrics," and "Leaves no ring."

**No. 1507. Hickory Chair Manufacturing Company, of Hickory, N. C.,** will discontinue describing as mahogany, products not derived from trees of the mahogany family.

**Nos. 2284 and 2285.** A cease and desist order has been issued against the **American Army and Navy Stores, Inc.,** and **Army and Navy Trading Co.,** both of Washington, D. C., prohibiting use of the phrase, "Army and Navy," in the corporate or trade name of a mercantile establishment.

Each respondent is ordered to discontinue employing in connection with its corporate name the words "Army and Navy," or either of them, and to discontinue advertising in circulars, trade journals, or other periodicals by means of the words "Army and Navy" as descriptive of merchandise to be offered for sale, unless the words "Army and Navy" be used specifically in connection with particular merchandise actually procured from the United States Army or Navy Departments.

**No. 2566. Westphalia Manufacturing Company, Inc., and Poly Chemical Laboratories, Inc., of Jersey City, N. J.,** have been ordered to cease and desist from improper representations in the sale of their cleaning fluid, called "Rid-O-Spot."

The respondents are directed to stop representing on labels affixed to the containers, or in advertisements, that "Rid-O-Spot," when used for cleaning purposes, leaves no rings, or that it removes all grease spots without injury to the most delicate fabric or color.

## BROADCAST ADVERTISING IN OCTOBER

### Developments of the Month

Broadcast advertising during October showed the usual seasonal upswing, following the conflicting tendencies exhibited during the preceding month. Gross time sales of the medium amounted to \$8,394,898, an increase of 47.7% as compared to September. Gains were general throughout all portions of the medium.

Total broadcast advertising volume in October was 13.7% greater than during the corresponding month of 1934. The most marked increases continued to be experienced in the regional network and national non-network fields. Broadcast advertising continued to show the greatest improvement of any major advertising medium, trends among other media remaining spotty.

Non-network advertising in the New England-Middle Atlantic area showed some decline as compared to the previous October while clear channel and high-powered regional station non-network volume experienced less than the average gains. Both of these tendencies were the normal reflection of increased national network business.

Local transcription and live talent volume and national announcement business experienced the greatest gains during the month as compared to September. In the local field transcription volume showed the most marked growth as compared with October of last year, while live talent programs experienced important increase in the national field.



Broadcast advertising gains were general in all fields of sponsorship as compared with September. No declines of importance took place as compared with the preceding month. Automotive advertising, especially in the national non-network and local fields, showed particularly important increases as compared with the corresponding month of last year. National network gains were general for the most part. Regional network volume increased markedly in the clothing, drug, confectionery, soap, household equipment and tobacco fields. National non-network drug, cosmetic, food and tobacco advertising experienced important increases as did local household equipment volume. The marked growth of the miscellaneous group in the national network field is indicative of wider sponsorship with regard to that portion of the medium.

#### Total Broadcast Advertising

Broadcast advertising over stations and networks during October of the current year is found in Table I.

**TABLE I**  
**TOTAL BROADCAST ADVERTISING**

Class of Business	1935 Gross Time Sales		
	September	October	Cumulative Jan.-Oct.
National networks .....	\$3,337,018	\$5,017,900	\$40,589,467
Regional networks .....	81,108	132,748	854,850
National non-network .....	963,430	1,504,970	13,703,868
Local .....	1,288,300	1,739,280	15,477,955
<b>Total .....</b>	<b>\$5,669,856</b>	<b>\$8,394,898</b>	<b>\$70,626,140</b>

Total broadcast advertising volume increased 47.7% as compared with the preceding month. National network volume rose 50.3%; regional network advertising, 63.6%; national non-network business, 55.2% and local broadcast advertising 34.9%. The smaller local increase is a normal condition, local advertising showing less seasonal fluctuation than do other types of broadcast advertising.

#### Comparison with Previous Years

Gains continued to be experienced as compared to the corresponding period of the two preceding years for which information is available. Total broadcast advertising was 13.7% greater than during October 1934, and 46.2% above the 1933 level for that month. Compared to last October national network volume experienced a rise of 10.8%; regional networks, 38.3%; national non-network business, 20.3%; and local broadcast advertising, 15.7%.

National network volume was 56.0% greater than during October two years ago. Compared to the corresponding month of 1933, October regional network volume increased more than fivefold; national non-network advertising, 41.0% and local broadcast advertising, 23.9%.

Broadcast advertising during the first ten months of the current year was 21.3% above the 1934 level for the corresponding period. National network volume showed a gain of 20.0%; regional networks, 56.0%; national non-network advertising, 24.5% and local business, 18.3%.

#### Comparison with Other Media

Advertising volume by major media is found in Table II.

**TABLE II\***  
**ADVERTISING BY MAJOR MEDIA**

Advertising Medium	1935 Gross Time and Space Sales		
	September	October	Cumulative Jan.-Oct.
Radio broadcasting .....	\$5,669,856	\$8,394,898	\$70,626,140
National magazine <sup>1</sup> .....	9,248,763	10,603,241	103,271,816
National farm papers .....	486,552	525,337	4,630,645
Newspapers <sup>2</sup> .....	41,998,000	48,650,000	419,578,000
<b>Total .....</b>	<b>\$57,403,171</b>	<b>\$68,173,476</b>	<b>\$598,106,601</b>

<sup>1</sup> Publishers' Information Bureau.

<sup>2</sup> Estimated.

\* Attention is called to a typographical error appearing in Table II of the report for third quarter of the current year (Volume 3, No. 52, p. 1027). Radio broadcasting for 1935 in this table should have been \$17,155,350. The total therefore should be changed to \$159,318,188.

National magazine volume rose 14.5% as compared with the preceding month. It was 3.3% less than during the corresponding period of 1934, though remaining 10.9% above the 1933 level.

National farm paper advertising rose 7.7% as against September. It exceeded the October 1934 level by 15.6%, and showed approximately the same gain over the same month of 1933.

Newspaper lineage rose 11.5% during the month, and reached a level 7.9% higher than during October 1934, and 5.7% above the same month of the year prior to that one. October department store lineage was 7.0% greater than during the same month of last year. Total display advertising showed a gain of 7.3%. Automotive advertising gained 45.9% and financial lineage 19.9%. General advertising declined 5.7% and retail volume rose 9.1%.

Magazine advertising for the first ten months of 1935 exceeded the previous year's level by 6.4%, national farm paper volume 5.7%, and newspaper lineage 4.6%.

#### Non-network Advertising

General non-network advertising increased 39.6% as compared to September, and reached a level of 17.7% above that of the corresponding month of 1934. Gains as compared with the previous month were as follows: Clear channel and high powered regional stations, 56.1%; regional stations, 46.5%; and local stations, 26.2%. Compared to October of last year, clear channel and regional station non-network volume rose 4.6%, regional station advertising 10.6%, and local station volume 58.8%. Local station advertising continued to show the most important rise as compared to the preceding year.

Non-network advertising by power of station is found in Table III.

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

Power of Station	1935 Gross Time Sales		
	September	October	Cumulative Jan.-Oct.
Over 1,000 watts.....	\$858,350	\$1,290,740	\$13,319,055
250-1,000 watts .....	949,680	1,391,650	11,654,145
100 watts .....	443,700	561,860	4,208,713
<b>Total .....</b>	<b>\$2,251,730</b>	<b>\$3,244,250</b>	<b>\$29,181,913</b>

Gains were fairly general throughout all portions of the country with regard to non-network advertising, with the South showing more than average increases. Non-network advertising in the New England-Middle Atlantic Area rose 48.4% as against September; South Atlantic-South Central volume, 84.6%; North Central advertising, 42.4%; and Mountain and Pacific non-network volume, 19.2%.

Compared to October 1934, non-network advertising in the New England-Middle Atlantic Area declined 22.1%. Southern non-network volume rose 60.0%, North Central advertising 37.8%, and Mountain and Pacific volume 13.7%.

Non-network broadcast advertising in various portions of the country is found in Table IV.

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

Geographical District	1935 Gross Time Sales		
	September	October	Cumulative Jan.-Oct.
New England-Middle Atlantic Area .....	\$513,315	\$750,110	\$7,414,262
South Atlantic-South Central Area .....	331,530	611,120	4,614,218
North Central Area.....	913,340	1,295,300	11,214,607
Pacific and Mountain Area..	493,545	587,720	5,938,826
<b>Total .....</b>	<b>\$2,251,730</b>	<b>\$3,244,250</b>	<b>\$29,181,913</b>

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

Gains were fairly general as compared to the preceding month in all types of rendition. Transcription volume was 19.1% greater than in October of last year. Live talent business rose 10.4%, records 94.0%, and announcements 27.5%. During the first ten months of the current year transcription business was 16.6% above



the level of the corresponding months of 1934, live talent volume was greater by 22.4%, records by 77.0%, and announcements by 19.3%.

In the national non-network field transcription and live talent business both rose slightly more than 50.0% as compared with September, while announcement volume increased 86.0%. The current month's increases followed a general decline during the preceding month. Transcription volume in the national field was 14.8% ahead of last October, live talent business 28.7%, and announcements 22.1%. Transcription volume has maintained an even

rate of growth during recent months, while live talent, following a slight slowing up, is again forging ahead.

In the local field, increases as compared to the previous month were as follows: Transcriptions 33.0%, live talent 56.8%, records 7.1%, and announcements 16.2%. Gains as compared with the corresponding month of 1934 were as follows: Transcriptions 51.3%, live talent 2.0%, records more than double, and announcements 29.6%. Live talent programs showed a gain during the current month as against a decline from the 1934 level during September.

Broadcast advertising by type of rendition is found in Table V:

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

Type of Rendition	National Non-network		1935 Gross Time Sales Local		Total		Cumulative Jan.-Oct.
	September	October	September	October	September	October	
Electrical transcriptions .....	\$350,980	\$524,660	\$118,300	\$156,960	\$469,280	\$681,620	\$6,120,298
Live talent programs.....	454,740	696,900	559,625	877,760	1,014,365	1,574,660	13,937,530
Records .....	8,495	7,510	56,375	60,240	64,870	67,750	689,701
Announcements .....	149,215	275,900	554,000	644,320	703,215	920,220	8,434,384
Total .....	\$963,430	\$1,504,970	\$1,288,300	\$1,739,280	\$2,251,730	\$3,244,250	\$29,181,913

#### Sponsor Trends in October

General gains were experienced in practically all fields as compared with the preceding month. Automotive advertising showed important increases, especially in the national non-network and local fields. National non-network volume rose 37.0% and local advertising 123.9%. Local and national non-network advertising increased by more than 50.0%. National network cosmetic and confectionery advertising more than doubled, as did regional network soap and kitchen supply volume and local radio set advertising. National network tobacco advertising more than doubled.

The only declines were the usual downswing in amusement volume, a decrease in local confectionery advertising and in national network financial advertising.

#### Comparison with 1934

General gains also were experienced as compared with October of the preceding year. Among the important increases were a six-fold rise in national non-network automotive volume and a 90.9%

increase in local automobile advertising. In the national non-network field drug advertising rose 40.2% as against last October, cosmetic volume 65.3%, food advertising 41.5%, and tobacco advertising 52.4%. Local household equipment advertising experienced a gain of 53.8%, while clothing advertising rose 81.2%. National network miscellaneous volume rose 75.0%, indicating an increasing diversity of network sponsorship.

Regional network advertising grew markedly, especially with regard to advertising in the clothing, drug, confectionery, soap, household equipment and tobacco fields.

Principal declines occurred in the national network accessory field, with a decline of 40.9%; national network and local drug advertising, which dropped 10.3% and 7.4%, respectively; and national network and non-network confectionery advertising, each of which declined slightly more than 20.0%.

#### Details as to Sponsor Trends

Detailed data regarding radio broadcast advertising sponsorship is found in Table VI and in the following analysis:

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

Type of Sponsoring Business	Gross Time Sales				Total
	National Networks	Regional Networks	National Non-network	Local	
1a. Amusements .....	—	—	\$3,400	\$48,340	\$51,740
1-2. Automobiles and accessories:					
(1) Automobiles .....	\$667,171	—	204,520	103,100	974,791
(2) Accessories, gas and oils .....	387,014	\$24,019	74,560	89,875	575,468
3. Clothing and apparel .....	38,077	5,160	39,640	298,750	381,627
4-5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals .....	512,315	13,958	344,370	66,740	937,383
(5) Toilet goods .....	911,629	—	77,130	18,560	1,007,319
6-8. Food products:					
(6) Foodstuffs .....	998,221	28,896	316,640	190,500	1,534,257
(7) Beverages .....	260,979	8,148	63,900	86,070	419,097
(8) Confections .....	133,429	5,640	15,580	4,500	159,149
9-10. Household goods:					
(9) Household equipment and furnishings .....	30,526	9,094	54,230	178,370	272,220
(10) Soap and kitchen supplies .....	258,867	10,849	44,640	10,370	324,726
11. Insurance and financial .....	33,550	464	16,830	56,170	107,014
12. Radios .....	123,607	—	30,855	26,725	181,187
13. Retail establishments .....	15,873 <sup>1</sup>	—	11,900	146,840	174,613
14. Tobacco products .....	373,451	15,972	24,830	6,080	420,333
15. Miscellaneous .....	273,191	10,548	181,945	408,290	873,974
Total .....	\$5,017,900	\$132,748	\$1,504,970	\$1,739,280	\$8,394,898

<sup>1</sup> Mail order houses. This has recently become sufficiently important to merit classification in the department, general retail store group. The cumulative for the ten-month period over national networks is \$37,817. There were no expenditures during the corresponding period of 1934.



1a. **Amusements.** National non-network 33.8% above September, and local down 27.9%. National non-network double last October, and local up 60.5%.

1. **Automotive.** Compared to preceding month, national network up 30.3%, national non-network 37.0%, and local 123.9%. National network 29.5% ahead of October 1934, national non-network 638.5% greater, and local 90.9%.

2. **Gasoline and accessories.** National network volume practically unchanged from September. Regional networks up 141.5%, national non-network 41.0%, and local 20.8%. National network volume 18.7% greater than last October, regional network volume unchanged, local up 7.0%, and local down 40.9%.

3. **Clothing.** National network volume down slightly from preceding month. Regional networks up 45.2%, national non-network 52.7%, and local 51.1%. Compared to October 1934, national network down 9.5%, regional network volume up 386.1%, national non-network business 47.1%, and local 81.2%.

4. **Drugs and pharmaceuticals.** National network volume 30.7% above September. Regional networks up 178.2%, national non-network 168.7%, and local 80.2%. National network volume down 10.3% as compared to October of last year, and local down 7.4%. Regional network advertising up tenfold and national non-network 40.2%.

5. **Toilet goods.** National network volume up 24.8% as against September, national non-network 104.5%, and local 6.7%. Compared to the corresponding month of last year, national network volume unchanged, regional network advertising the same, national non-network business up 65.3%, and local down 50.2%.

6. **Foodstuffs.** National network advertising 34.6% above last month, regional network advertising 59.8%, national non-network business 34.0%, and local advertising 11.3%. National and regional network volume each 12.5% above last October. National non-network business 41.5% greater, and local up 23.5%.

7. **Beverages.** National network business 16.4% above preceding month. Regional networks up sevenfold, national non-network 14.2%, and local 16.2%. National network advertising 3.5% greater than during October of previous year. Regional networks down 15.1%, national non-network up 36.9%, and local 29.3%.

8. **Confectionery.** National network volume 218.0% greater than during previous month. Regional network increase tenfold, national non-network 125.8%, and local down 25.3%. Decline as compared to corresponding month of 1934, 21.5% for national networks, and 28.9% for national non-network advertising. Regional volume up 95.9%. Local volume double.

9. **Household equipment.** General gains compared with September as follows: National networks 12.8%, regional networks 47.6%, national non-network 29.6%, and local 15.6%. Increases as against October 1934 as follows: National networks 17.0%, regional networks 300.9%, national non-network 15.7%, and local 53.8%.

10. **Soaps and kitchen supplies.** National network advertising 72.7% above preceding month, regional networks 216.3%, national non-network 8.4%, and local 393.8%. Compared to the corresponding month of last year, national network volume up 31.8%, regional networks up materially, local up 50.0%, and national non-network down 31.0%.

11. **Insurance and financial.** National networks down 20.1% as against September. Regional down slightly, national non-network up 37.3%, and local 23.8%. Local 41.9% above last October. National network down 41.6%, and local down 41.9%.

12. **Radios.** National network volume 83.7% above preceding month. National non-network up 24.4%, and local 106.2%. Gains compared to previous October as follows: National networks, 22.7%, national non-network 356.5%, and local 21.1%.

13. **Department and general stores.** Mail order advertising over national networks \$15,873 during month. National non-network volume up 53.3%, and local up 18.5%. National non-network volume 329.0% above last October, and local up 13.6%. Department store volume 20.2% above same month of 1934.

14. **Tobacco products.** National network volume 102.7% above September, regional networks up 38.9%, national non-network business 7.2%, and local up 23.6%. Compared October 1934, national network volume gained 18.2%, regional networks up 836.0%, national non-network business up 52.4%, local unchanged.

15. **Miscellaneous.** Increases as against previous month as follows: National networks 89.6%, regional networks 63.3%, national non-network 71.4%, and local 44.1%. Compared to last October, increases as follows: National networks 75.0%, regional networks 38.3%. National non-network down 17.6%, and local 20.2%.

## Retail Broadcast Advertising

General retail broadcast advertising increase 37.3% as compared to September and showed a gain of 47.2% as against the corresponding month of 1934. Principal increases as compared to the preceding month are as follows: Automotive more than doubled, clothing 43.7%, grocery stores 64.7%, radio retailers more than double, and department stores 20.0%. Increases as compared with the same month of last year are as follows: Automobile retailers more than double, clothing 72.8%, grocery stores 50.1%, household equipment dealers 58.4%, furniture stores 70.0%, hardware stores 56.5%, and department stores 20.2%.

Retail broadcast advertising during October is found in Table VII:

TABLE VII  
RETAIL BROADCAST ADVERTISING OVER  
INDIVIDUAL STATIONS

Type of Sponsoring Business	1935 Gross Time Sales	
	September	October
Automobiles and accessories:		
Automobile agencies and used car dealers	\$47,770	\$105,110
Gasoline stations, garages, etc.....	31,615	47,610
Clothing and apparel shops.....	206,080	295,940
Drugs and toilet goods:		
Drug stores .....	17,700	27,720
Beauty parlors .....	7,320	5,110
Food products:		
Grocery stores, meat markets, etc.....	36,700	60,820
Restaurants and eating places .....	19,480	17,370
Beverage retailers .....	2,020	2,330
Confectionery stores .....	600	760
Household goods:		
Household equipment dealers.....	47,940	51,820
Furniture stores .....	80,600	90,000
Hardware stores .....	15,895	16,200
Radio retailers .....	8,610	19,700
Department and general stores.....	131,280	158,740
Tobacco shops .....	115	120
Miscellaneous .....	70,500	94,000
Total .....	\$724,225	\$993,350

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### HEARING CALENDAR

Monday, December 9

### ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

#### Examiner's Report No. I-116:

NEW—Knox Broadcasting Co., Inc., Schenectady, N. Y.—C. P., 1240 kc., 1 KW, unlimited time.

#### Examiner's Report No. I-88:

WNBF—Howitt-Wood Radio Co., Inc., Binghamton, N. Y.—Special experimental authority, 1240 kc., 500 watts, 1 KW LS, unlimited time. Present assignment: 1500 kc., 100 watts (C. P., 100 watts, 250 watts LS), unlimited time.

### HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Winona Broadcasting Co., Emmons L. Abeles, Secy., Winona, Wis.—C. P., 1500 kc., 100 watts, unlimited time.

NEW—Appleton Broadcasting Co., Emmons L. Abeles, Secy., Appleton, Wis.—C. P., 1500 kc., 100 watts, unlimited time.

Tuesday, December 10

KFPY—Symons Broadcasting Co., Spokane, Wash.—C. P., 690 kc., 1 KW, 5 KW LS, unlimited time. Present assignment: 1340 kc., 1 KW, unlimited time.

NEW—Fort Dodge Broadcasting Co., Emmons L. Abeles, Secy., Fort Dodge, Iowa.—C. P., 1210 kc., 100 watts, unlimited time.

NEW—Mankato Broadcasting Co., Mankato, Minn.—C. P., 1210 kc., 100 watts, unlimited time.

Wednesday, December 11

NEW—Clinton Broadcasting Co., Emmons L. Abeles, Secy., Clinton, Iowa.—C. P., 1310 kc., 100 watts, unlimited time.



- NEW—Wisconsin Broadcasting Co., Oshkosh, Wis.—C. P., **1310 kc.**, 100 watts, 250 watts LS, unlimited time.  
 NEW—Wausau Broadcasting Co., Emmons L. Abeles, Secy., Wausau, Wis.—C. P., **1310 kc.**, 100 watts, unlimited time.  
 NEW—Northern Broadcasting Co., Inc., Wausau, Wis.—C. P., **1370 kc.**, 100 watts, unlimited time.

#### Thursday, December 12

- NEW—Burlington Broadcasting Co., Emmons L. Abeles, Secy., Burlington, Iowa.—C. P., **1370 kc.**, 100 watts, unlimited time.

#### HEARING BEFORE THE BROADCAST DIVISION

- NEW—Ward Walker, Seattle, Wash.—C. P., **760 kc.**, 250 watts, 500 watts LS, unlimited time (requests facilities of KXA).  
 KXA—American Radio Telephone Co., Seattle, Wash.—Renewal of license, **760 kc.**, 250 watts, 500 watts LS, limited time.  
 KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—C. P., **760 kc.**, 1 KW, 5 KW LS, unlimited time (requests facilities of KXA). Present assignment: **920 kc.**, 1 KW, 5 KW LS, unlimited time.  
 NEW—Symons Investment Co., Seattle, Wash.—C. P., **760 kc.**, 250 watts, 500 watts LS, limited time (requests facilities of KXA).

#### Friday, December 13

- NEW—Grand Island Broadcasting Co., Emmons L. Abeles, Secy., Grand Island, Nebr.—C. P., **1370 kc.**, 100 watts, unlimited time.  
 NEW—Hastings Broadcasting Co., Emmons L. Abeles, Secy., Hastings, Nebr.—C. P., **1420 kc.**, 100 watts, unlimited time.

#### ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

##### Examiner's Report No. I-86:

- NEW—William A. Schall, Omaha, Nebr.—C. P., **1500 kc.**, 100 watts, unlimited time.

##### Examiner's Report No. I-87:

- NEW—W. R. Cramer and G. A. Anderson, d/b as Omaha Broadcasting Co., Omaha, Nebr.—C. P., **1500 kc.**, 100 watts, unlimited time.

##### Examiner's Report No. I-54:

- NEW—Helena Broadcasting Co., Helena, Mont.—C. P., **1420 kc.**, 100 watts, unlimited time.  
 NEW—Montana Broadcasting Co., Freda Wessell, Secy., Helena, Mont.—C. P., **1420 kc.**, 100 watts, specified hours.  
 NEW—E. B. Craney, Butte, Mont.—C. P., **1420 kc.**, 100 watts, unlimited time.

#### APPLICATIONS GRANTED

- KABR—Aberdeen Broadcast Co., Aberdeen, S. Dak.—Granted C. P. to make changes in antenna and move transmitter locally.  
 KRLH—Clarence Scharbauer, Midland, Tex.—Granted modification of C. P. approving antenna, frequency monitor, and transmitter site at W. Wall St. (Broadway of America), Midland, Tex., and make changes in equipment.  
 WTAL—Florida Capitol Broadcasters, Inc., Tallahassee, Fla.—Granted license to cover C. P., **1310 kc.**, 100 watts, unlimited.  
 WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted license to cover C. P. for auxiliary transmitter.  
 KDON—Richard Field Lewis, Del Monte, Calif.—Granted license to cover C. P. as modified, **1210 kc.**, 100 watts, unlimited.  
 WPAD—Paducah Broadcasting Co., Inc., Paducah, Ky.—Granted license to cover C. P. to move transmitter, **1420 kc.**, 100 watts night, 250 watts day, unlimited.  
 WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Granted authority to determine operating power by direct measurement of antenna.  
 WTAQ—WHBY, Inc., Green Bay, Wis.—Granted modification of C. P. to make changes in equipment and extend commencement date to 30 days after grant and completion date to 180 days thereafter.  
 KWTO—KGBX, Inc., Springfield, Mo.—Granted modification of license to change name of station from KGBX, Inc., to Ozarks Broadcasting Co.  
 KRKD—Radio Broadcasters, Inc., Los Angeles, Calif.—Granted license to cover C. P. modified to make changes in equip-

ment and increase power; **1120 kc.**, 500 watts night, 2½ KW day, S-KFSG.

- WPTF—WPTF Radio Co., Raleigh, N. C.—Granted C. P. to move auxiliary transmitter from Raleigh to Cary, N. C.  
 WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted C. P. to make changes in auxiliary equipment and increase power of auxiliary equipment from 250 watts to 500 watts.  
 WIL—Missouri Broadcasting Corp., St. Louis, Mo.—Granted C. P. authorizing installation of new equipment.  
 KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted special authority to operate from 5 to 6 p. m., CST, on Sundays during the month of December, 1935, in order to broadcast special church services.  
 NEW—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Granted C. P. (broadcast pickup service), frequencies **31100, 34600, 37600 and 40600 kc.**, 5 watts.  
 NEW—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted C. P. (exp. gen. exp. misc. service), frequencies **31600, 35600, 38600 and 41000 kc.**, 1 KW.  
 NEW—Shepard Broadcasting Service, Inc., Quincy, Mass.—Granted C. P. (gen. exp. misc. service, facsimile broadcasting), frequencies **31600, 35600, 38600 and 41000 kc.**, 500 watts.  
 NEW—General Electric Co., Portable-Mobile (Schenectady).—Granted C. P. (exp. gen. exp.), frequencies **31100, 34600, 37600, 40600 kc.**, 15 watts.  
 W9XPD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted license to cover C. P. (exp. gen. exp.), frequencies **31600, 35600, 38600, 41000, 86000-400000 kc.**, 100 watts.  
 W1XEG—Connecticut State College, Storrs, Conn.—Granted license to cover C. P. (exp. gen. exp.), frequencies **86000-400000 kc., 401000 kc. and above**, 500 watts.  
 W10XAN—National Broadcasting Co., Inc., Portable-Mobile (New York City).—Granted license to cover C. P. (exp. gen. exp.) authorizing increase in power from 10 to 40 watts.  
 WNBD—WDSU, Inc., Portable-Mobile (New Orleans, La.).—Granted license to cover C. P. for period ending November 1, 1936; frequencies **1646, 2090, 2190 and 2830 kc.**, 3 watts.  
 W10XGB—Miami Valley Broadcasting Corp., Portable-Mobile (Miami, Fla.).—Granted license to cover C. P. (exp. broadcasting pickup station), frequencies **31100, 34600, 37600 and 40600 kc.**, 2.5 watts.  
 NEW—National Battery Broadcasting Co., Portable-Mobile (St. Paul).—Granted C. P. for broadcast pickup station, frequencies **1622, 2060, 2150, 2790 kc.**, 25 watts.  
 W3XAU—WCAU Broadcasting Co., Newton Square, Pa.—Granted C. P. to increase power to 10 KW.  
 W8XAR—Westinghouse Electric & Manufacturing Co., Saxonburg, Pa.—Granted renewal of special experimental station license in exact conformity with existing license, for the period December 23, 1935, to March 23, 1936.

#### RENEWAL OF LICENSES

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

WHDL, Olean, N. Y.; WMAS, Springfield, Mass.; WOC, Davenport, Iowa; WPAD, Paducah, Ky.; WRJN, Racine, Wis.; WWRL, Woodside, L. I.; KABC, San Antonio, Tex.; KABR, Aberdeen, S. Dak.; KBPS, Portland, Ore.; KDB, Santa Barbara, Calif.; KFGQ, Boone, Iowa; KFJZ, Fort Worth, Tex.; KFRO, Longview, Tex.; KGFF, Shawnee, Okla.; KGFI, Corpus Christi, Tex.; KGFL, Roswell, New Mexico; KGIW, Alamosa, Colo.; KGKB, Tyler, Tex.; KICA, Clovis, N. Mex.; KORE, Eugene, Ore.; KOTN, Pine Bluff, Ark.; KRE, Berkeley, Calif.; KSLM, Salem, Ore.; KVL, Seattle, Wash.; KWYO, Sheridan, Wyo.

#### SET FOR HEARING

- NEW—Harmon LeRoy Stevens and Herman LeRoy Stevens, d/b as the Port Huron Broadcasting Co., Port Huron, Mich.—Application for C. P. for new station; **1370 kc.**, 250 watts, daytime only.  
 WHDL—Olean Broadcasting Co., Inc., Olean, N. Y.—Application for C. P. to install new equipment, change frequency from **1420 kc. to 1260 kc.**, increase power from 100 watts to 250 watts daytime, and move transmitter from Olean to Allegany, N. Y.  
 NEW—John A. Stump, Fairbanks, Alaska.—C. P., already in hearing docket, amended to request **1210 kc.**, 100 watts night, 250 watts day, unlimited time.  
 NEW—J. R. Maddox and Dr. W. B. Hair, d/b as Chattanooga Broadcasting Co., White Oak, Tenn.—Application for C. P. for new station; **590 kc.**, 1 KW, unlimited time.



NEW—Ruth Adcock and S. E. Adcock, c/b as General Broadcasters, Johnson City, Tenn.—Application for C. P. for new station; 600 kc., 250 watts, daytime.

NEW—Ruth Adcock and S. E. Adcock, c/b as General Broadcasters, Rossville, Ga.—Application for C. P. for new station; 580 kc., 250 watts, daytime.

NEW—Herbert Hollister, Emporia, Kans.—Application for C. P. for new station; 1500 kc., 100 watts, unlimited time.

NEW—Tulare-Kings Counties Radio Associates, Chas. A. Whitmore, Pres., Visalia, Calif.—Application for C. P. for new station; 1190 kc., 250 watts daytime. Site to be determined subject to approval of Commission.

WPTF—WPTF Radio Co., Raleigh, N. C.—Special experimental authority to operate with 5 KW power from 9 p. m. to 7 a. m., EST, using both directive and non-directive antenna, to February 1, 1936. To be heard by the Division en banc February 13, 1936.

WHDL—Olean Broadcasting Co., Inc., Olean, N. Y.—Authority to transfer control of corporation from Olean Broadcasting Co., Inc., to the Olean Times-Herald Corp.

NEW—Howard N. Mitchell, Sacramento, Calif.—Application for C. P. for new station; frequency 1310 kc., 100 watts, unlimited time.

KRLC—H. E. Studebaker, Lewiston, Idaho.—Application for C. P. to increase power from 100 to 250 watts; change frequency from 1420 kc. to 1390 kc. (new equipment).

NEW—Nathan N. Bauer, Miami, Fla.—Application for C. P. for new station; 1420 kc., 100 watts, unlimited time.

NEW—O. S. Cleveland and E. H. Carter, d/b as The Voice of the Black Hills, Rapid City, S. Dak.—Application for C. P. for new station; 1200 kc., 100 watts, S.H., unlimited except 1 hour used daily by WCAT. Site to be determined.

NEW—John E. Fetzter, Benton Harbor, Mich.—Application for C. P. for new station; 1500 kc., 100 watts night, 250 watts day, unlimited. Site to be determined on approval of Commission.

NEW—Kidd Bros (K. K. Kidd and A. C. Kidd), Taft, Calif.—Application for C. P. for new station; 1420 kc., 100 watts, daytime.

NEW—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Application for C. P. for new station; 1330 kc., 250 watts night, 500 watts day, unlimited.

#### ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. No. 1-53: L. M. Kennett, Indianapolis, Ind.—Denied C. P. for new station to operate on 600 kc., 1 KW, daytime. Order effective January 28, 1936. Examiner Geo. H. Hill reversed.

NEW—Ex. Rep. No. 1-76: National Battery Broadcasting Co., Minneapolis, Minn.—Denied C. P. for new station to operate on 1370 kc., 100 watts, unlimited time. Examiner Melvin Dalberg sustained.

NEW—Edward Hoffman, St. Paul, Minn.—Granted C. P. for new station to operate on 1370 kc., 100 watts, unlimited, subject to Rules 131, 132, 139. Examiner Dalberg sustained.

NEW—Radio Chapel of the Air (Rev. Robt. E. Connelly, Pres.), Minneapolis, Minn.—Denied C. P. for new broadcast station to operate on 1370 kc., 100 watts, unlimited time. Examiner Dalberg sustained.

WALA—Ex. Rep. No. 1-120: Pape Broadcasting Corp., Inc., Mobile, Ala.—Denied modification of license to increase power from 500 watts night, 1 KW day, to 1 KW; 1380 kc., unlimited time. Examiner Walker sustained. Order effective January 21, 1936.

NEW—Ex. Rep. No. 1-140: Steel City Broadcasting Co. (Bernard Armstrong, Harold C. Lund, and Jerome Mayhall), Pittsburgh, Pa.—Denied as in cases of default C. P. for new broadcast station to operate on 1420 kc., 100 watts night, 250 watts day, unlimited time, sustaining Examiner R. L. Walker.

KFDM—Ex. Rep. No. 1-144: Sabine Broadcasting Co., Inc., Beaumont, Tex.—Denied as in cases of default modification of license to change power from 500 watts night, 1 KW day, to 1 KW; 560 kc., unlimited time. Examiner Walker sustained.

NEW—Dr. Geo. W. Young, Minneapolis, Minn.—Denied C. P. for new station to operate on 1370 kc., 100 watts, unlimited time. Examiner Dalberg sustained. Order in the four cases above effective February 4, 1936.

KGFI—Ex. Rep. No. 1-120: Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Denied C. P. to move transmitter locally; install new equipment; change frequency from 1500 kc. to

1380 kc.; increase power from 100 watts night, 250 watts day, to 1 KW, unlimited time. Examiner R. L. Walker sustained.

#### ACTION ON CASE HEARD BY COMMISSIONER BROWN

Mrs. Nellie H. Morris and W. C. Morris, a partnership working as Hotel Eagle, Eagle Pass, Tex.—Denied authority to transmit programs from Hotel Eagle over XEPN, Piedras Negras, Mexico. Commissioner Brown's recommendations sustained. Order effective February 4, 1936.

#### MISCELLANEOUS

WBSO—Broadcasting Service Organization, Inc., Needham, Mass.—Reconsidered and granted, without hearing, application for transfer of control of station.

WCOP—Joseph M. Kirby, Boston, Mass.—Denied petition asking Commission to reconsider and grant application to change frequency from 1120 kc. to 1130 kc., and to increase time from daytime to local sunset at Salt Lake City.

NEW—Seymour Chamber of Commerce, Seymour, Tex.—Granted permission to withdraw protest against removal of KGKO from Wichita Falls to Fort Worth, Tex.

NEW—Christian M. Jacobson, d/b as The Valley Electric Co., San Luis Obispo, Calif.—Granted request that hearing on application of Long Piano Co. for new station at San Luis Obispo, scheduled for December 16, be postponed until January 27, 1936, when both applications will be heard jointly.

#### APPLICATIONS RECEIVED

##### First Zone

WABI—The Community Broadcasting Service, Bangor, Maine.—1200 Authority to transfer control of corporation from First Universalist Society of Bangor, Maine, to Frederick B. Simpson, 990 shares of common stock.

NEW—Niagara Falls Broadcasting Corp., Niagara Falls, N. Y.—1420 Construction permit for a new station to be operated on (frequency not given), 100 watts, unlimited time. Amended giving frequency as 1420 kc.; change power from 100 watts to 100 watts, 250 watts day; transmitter site as point on East city line and 200 feet south of Buffalo Ave., Niagara Falls, N. Y.; and make changes in equipment.

##### Second Zone

WKZO—WKZO, Inc., Kalamazoo, Mich.—Modification of license 590 to change hours of operation from daytime to local sunset at Kalamazoo, Mich., to daytime to local sunset at Omaha, Nebr. (WOW).

NEW—John E. Fetzter, Saginaw, Mich.—Construction permit for a new station to be operated on 800 kc., 1 KW, daytime. Amended to change frequency from 800 kc. to 630 kc., and make changes in antenna.

NEW—Wolverine Broadcasting Co. (John E. Fetzter), Ann Arbor, Mich.—800 Construction permit for a new station to be operated on 830 kc., 1 KW, daytime. Amended to make changes in equipment and change frequency from 830 kc. to 800 kc.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Authority to determine 1220 operating power by direct measurement of antenna.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—License to cover 1380 construction permit (B2-P-149) for equipment changes and move transmitter.

NEW—WTAR Radio Corp., Portable-Mobile.—Construction permit for a new general experimental station to be operated on 31100, 34600, 37600, 40600 kc., 5 watts.

##### Third Zone

WJAX—City of Jacksonville, Jacksonville, Fla.—License to cover 900 construction permit (B3-P-408) to install new equipment, increase day power, and move transmitter.

WJAX—City of Jacksonville, Jacksonville, Fla.—Authority to determine operating power by direct measurement of antenna power.

NEW—Southland Broadcasting Corp., Chattanooga, Tenn.—1200 Construction permit to erect a new broadcast station at Chattanooga, Tenn., to be operated on 1200 kc., 100 watts, daytime.

NEW—W. T. Knight, Jr., Savannah, Ga.—Construction permit for 1310 a new station to be operated on 1310 kc., 100 watts, unlimited time.



KTRH—KTRH Broadcasting Co., Houston, Tex.—Construction  
1330 permit to make changes in equipment.  
NEW—Radio Station WSOC, Inc., Portable-Mobile.—Construction  
permit for a new general experimental station to be operated  
on 31100, 34600, 37600, 40600 kc., 2 watts.

#### Fourth Zone

WENR—National Broadcasting Co., Inc., Chicago, Ill.—Construc-  
870 tion permit to make changes in equipment (main transmitter).  
WENR—National Broadcasting Co., Inc., Chicago, Ill.—Construc-  
870 tion permit to make changes in auxiliary equipment.  
WHA—University of Wisconsin, Madison, Wis.—Construction per-  
940 mit to make changes in equipment and increase power from  
2½ KW to 5 KW.  
WCBF—WCBF, Inc., Waukegan, Ill.—Modification of license to  
1080 move studio from Karcher Hotel, Waukegan, Ill., to 128 N.  
Pulaski Road, Chicago, Ill.  
WHB—WHB Broadcasting Co., Kansas City, Mo.—Construction  
1120 permit to make equipment changes, install directional an-  
tenna, change frequency from 860 kc. to 1120 kc., time from  
daytime to unlimited, using 500 watts power night.  
NEW—The Times Publishing Co., St. Cloud, Minn.—Construction  
1420 permit to erect a new broadcast station at St. Cloud, Minn.,  
to be operated on 1420 kc., 100 watts, unlimited time.  
NEW—The Waterloo Times-Tribune Publishing Co., Waterloo,

1550 Iowa.—Construction permit for a new experimental broad-  
cast station to be operated on 1550 kc., 1 KW, unlimited  
time, at Waterloo, Iowa.

#### Fifth Zone

KWG—Portable Wireless Telephone Co., Inc., Stockton, Calif.—  
1200 License to cover construction permit (B5-P-748) to install  
new equipment.  
KGVO—Mosby's, Inc., Missoula, Mont.—Modification of construc-  
1200 tion permit (B5-P-232) as modified to install new equipment,  
change frequency, increase power, move transmitter, to fur-  
ther request extension of completion date from 12-16-35 to  
1-16-36.  
NEW—Ralph E. Smith, San Diego, Calif.—Construction permit for  
1200 a new station to be operated on 1200 kc., 100 watts, un-  
limited time. Amended to change hours of operation from  
unlimited to daytime.  
NEW—Donald A. Wike and H. E. Studebaker, Baker, Ore.—Con-  
1370 struction permit to erect a new broadcast station to be op-  
erated on 1370 kc., 100 watts night, 250 watts day, unlimited  
time. Facilities requested frequency of KUJ contingent upon  
KUJ being granted another frequency as applied for.  
NEW—The Reynolds Radio Co., Inc., Portable-Mobile.—Construc-  
tion permit for a new general experimental station to be  
operated on 31100, 34600, 37600, 40600 kc., 1 watt.