

The National Association of Broadcasters

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

NAB REPORTS

Copyright, 1936. The National Association of Broadcasters

Vol. 4 - - No. 14
MARCH 19, 1936

IN THIS ISSUE

	Page
Duffy Bill Hearings.....	1249
Warner Brothers Licenses.....	1249
Recommends New Illinois Station.....	1249
Brooklyn Cases Again Postponed.....	1249
Increase Power Recommended for KVSO.....	1249
Sign with Warner Brothers.....	1249
Ads Not Taxable by States.....	1249
Denial Recommended for Power Increase.....	1250
New Alabama Station Recommended.....	1250
Recommends New California Station.....	1250
More Warner Brothers Suits.....	1250
New Quota Facilities Assigned.....	1250
Federal Trade Commission Action.....	1252
Federal Communications Commission Action.....	1253

DUFFY BILL HEARINGS

Hearings on the Duffy Copyright Bill S. 3047 before the House Patents Committee continue. The NAB appeared before the Committee Tuesday (17) and had not completed its testimony when this Report went to press. A report covering testimony offered in support of the Bill will be furnished for the information of members.

WARNER BROTHERS LICENSES

The Managing Director next week will confer with Herman Starr of Warner Brothers with reference to the expiration of the MPHC licenses March 31st.

Delayed by hearings on the Duffy Copyright Bill in personally participating in earlier negotiations Mr. Baldwin requested an Advisory Committee consisting of H. K. Carpenter, Walter Damm, John Gillin, Jr., broadcasters, and Philip G. Loucks, attorney, to confer with Mr. Starr last week. This Committee reported that Warner Brothers have been unable so far, from data submitted to stations, to arrive at any basis upon which to predicate a per-piece plan of licensing stations on and after April 1, 1936. Mr. Starr advised the Committee that the present method (based on the highest quarter hour rate) was not working out satisfactorily, since a number of inequalities had been discovered as a result of the practice of many stations publishing national or general rates much higher than those at which time is generally sold. The basis for future licenses, Mr. Starr said, should be the local or retail quarter-hour rate which might result in a higher multiplier being applied.

Mr. Starr also advised the Committee that pending the receipt of complete local or retail rate information on NAB stations from the Association it would be impossible to commit Warner Brothers to any material change in the present method of figuring station license fees.

Regarding per-piece, Mr. Starr advised the Committee that as long as stations bought a large amount of music on the flat fee system Warner Brothers would never consent to a per-piece plan which did not include a minimum guarantee, or minimum use which would yield a total amount commensurate with their estimate of the value of Warner Brothers catalogues.

In the event he is unable to establish a revised basis for licensing, before April 1, Mr. Starr said he would offer stations an extension of probably one month, on the terms now in force.

In a telephone conversation with Mr. Starr since the Advisory Committee made their report the Managing Director was informed that the Warner Brothers had no intention whatever of returning to the ASCAP.

The Managing Director is endeavoring to furnish complete information to Warner Brothers with respect to local or retail rates

and will pursue the negotiations to determine the best terms available after April 1.

RECOMMENDS NEW ILLINOIS STATION

Champaign News-Gazette, Inc., filed an application with the Federal Communications Commission asking for a construction permit for a new broadcasting station to be located at Champaign, Ill., to use 1370 kilocycles, 100 watts power and unlimited time.

Examiner George H. Hill in Report No. I-207 recommends that the application be granted in part, "authorizing the applicant to operate said station during daytime hours only, and that the request for nighttime hours of operation be denied."

The Examiner states that granting the application for daytime hours would not cause any interference but nighttime hours would cause objectionable interference. "There is a need in the Champaign area for the services of a radio station broadcasting local programs, and there is adequate local talent in the area to supply the needs of such a station."

BROOKLYN CASES AGAIN POSTPONED

The Federal Communications Commission has announced that hearings in the so-called Brooklyn cases has been postponed until May 7. There have been several changes in the program for hearing these cases.

INCREASE POWER RECOMMENDED FOR KVSO

Broadcasting Station KVSO, Ardmore, Okla., has filed an application with the Federal Communications Commission asking that its power be increased from 100 watts to 100 watts and 250 watts LS. Also that its hours of operation be increased from daytime to unlimited. The station now operates on a frequency of 1210 kilocycles and no change is asked.

Examiner R. H. Hyde, in Report No. I-206, recommends that the power increase be granted but that the increase in hours of operation be denied. The Examiner found that there is need in the Ardmore area for such improvement as would be made by increasing the station's power and this would not increase interference. It was found, however, that operation of the station during the nighttime hours would cause objectionable interference.

SIGN WITH WARNERS

The following broadcasting stations have signed Warner Brothers contracts in addition to those already announced: WAGM, WCBM, WSIX, KROW, KPDN, KMTR, WGPC, WRBL, and WATL.

ADS NOT TAXABLE BY STATES

National advertising is interstate commerce and is not subject to a state sales tax, State District Judge M. A. Otero, Jr., ruled in a decision given at Santa Fe, New Mexico, February 15.

The decision came as the result of a suit filed by Western Live Stock, a monthly live stock magazine published at Albuquerque, against the New Mexico Bureau of Revenue. Attorney General Frank Patton filed notice of appeal to the State Supreme Court.

Although Western Live Stock was the only publication appearing in the suit, several daily and weekly newspapers were supporting the suit financially, and only the day before the decision the New Mexico Press Association had officially endorsed the stand taken by the magazine and had assessed members of the organization for funds with which to carry on the contest.

The tax is generally regarded as a sales tax, although it was enacted as an excise tax for support of the state's schools. Several publications have contended that the state has in effect recognized it as a sales tax by issuing tax tokens, which are given in

exchange by consumers for the amount of tax on purchases. Retail establishments have thus been able to pass the tax on to consumers. Newspapers have collected from local and state advertisers the amount of the tax, but have had to absorb the tax on national advertising. Many of the state's publishers have paid the latter under protest, some contending that it was not only unconstitutional but that it amounted to a tax on gross income.

DENIAL RECOMMENDED FOR POWER INCREASE

Broadcasting Station WEAN, Providence, R. I., applied to the Federal Communications Commission for a power increase from 500 to 100 watts, that it be allowed to move its transmitter, and asked for authority to install new equipment. It operates on a frequency of 780 kilocycles.

Examiner John P. Bramhall in Report No. I-205 has recommended that the application be denied. The Examiner found that the area proposed to be served by the changed location is already receiving ample radio service and some slight interference might be caused.

NEW ALABAMA STATION RECOMMENDED

James R. Doss, Jr., applied to the Federal Communications Commission for a construction permit for a new broadcasting station to be located at Tuscaloosa, Ala., using 1200 kilocycles, 100 watts power and daytime operation only.

Examiner John P. Bramhall in Report No. I-208 recommended that the application be granted. The Examiner states that there is need for additional daytime service in the area proposed to be served and that therefore granting of the application would be in the public interest.

RECOMMENDS NEW CALIFORNIA STATION

The Valley Electric Company filed an application with the Federal Communications Commission asking for a construction permit for a new station to be located at San Luis Obispo, Cal., to use 1200 kilocycles, 250 watts power and daytime operation. Also the E. E. Long Piano Company filed an application with the Commission asking for a construction permit for the same place to use the same frequency with 100 watts power and unlimited time.

Examiner George H. Hill in Report No. I-204 recommended that the application of the Valley Electric Company be granted and that of the E. E. Long Piano Company be denied. He found that there is need for local broadcasting at San Luis Obispo and that granting of the application of the electric company for daytime service would not cause any objectionable interference with any existing or proposed station. On the other hand the Examiner found that granting of the piano company's application would cause nighttime interference to the service area of Station KGFJ, Los Angeles. He therefore recommends that the application of the electric company be granted and the piano company be denied.

MORE WARNER BROTHERS SUITS

Official announcement has been made by Warner Brothers that they have begun additional suits against radio stations, hotels, night clubs and restaurants based on alleged infringement of song copyrights owned by them.

The twenty-one latest suits filed include seventeen against radio stations KSCJ, KTRH, WHAS, KVOR, WBRC, WALA, KLRA, WSBT, WREC, WCAO, WBT, KWKH, WQAM, WFBL, WSJS, WWL and WJR for the alleged infringement on January 23rd of "That Old Fashioned Mother of Mine." The suits are being brought by Harms, Inc., publishers of the song, and damages of \$5,000 are being sought from each of the seventeen stations.

Harms is also seeking \$5,000 damages from Station KWKH for alleged infringement on February 17th of the song entitled "Three Little Words." Remick Music Corp., another Warner music publishing subsidiary, is bringing suit against Station WOCL, Jamestown, N. Y., for the alleged infringement on February 26th of "Whistle and Blow Your Blues Away," demanding \$250 damages therefor. M. Witmark & Sons is also bringing suit against WOCL, for the alleged infringement of "The Words Are In My Heart" on February 26th, for which also \$250 damages are sought. Witmarks have also filed an action against WSOC, Charlotte, N. C., for the alleged infringement on February 23rd of Victor Herbert's "Gypsy Love Song." Damages of \$250 are sought from WSOC.

Actions have also been filed in the following cases:

Harms, Inc., vs. 34th St. Hotel Corporation (Hotel McAlpin) on the number "Sleepy Valley."

Harms, Inc. vs. Realty Hotels, Inc. (Hotel Biltmore) on the numbers "April in Paris," "The Continental," "Blow Gabriel Blow," "Why Shouldn't I" and "The Blue Room."

Harms, Inc. vs. 870 Seventh Ave. Corp. (Hotel Park Central) on the numbers "Why Shouldn't I," "Dancing in the Dark" and "I Get A Kick Out of You."

Harms, Inc. vs. Milnag Leasing Corp. (Hotel Edison) on the songs "I Get A Kick Out of You" and "Anything Goes."

Harms, Inc. vs. MacFayne Corp. (Leon & Eddie's) on the song "Where Am I?"

Harms, Inc. vs. The Famous Door on the song "Why Shouldn't I?"

M. Witmark & Sons vs. 151 East 50th Street Restaurant Corp. on the song "When Irish Eyes Are Smiling."

Remick Music Corp. vs. Hotel St. George Corp. on the song "Chinatown My Chinatown."

Remick Music Corp. vs. Connie's Management Corp. (Connie's Inn) on the song "Nagasaki."

Remick Music Corp. vs. Chin Restaurant Corp. (Chin's Chinese Restaurant) on the song "Sweet Georgia Brown."

An injunction and \$250 damages, plus an accounting of profits, are sought on each song.

1. Harms, Inc. vs. 58-59 Realty Corporation (Hotel Essex House) for the use of the song "Suddenly."

2. Harms, Inc. vs. Hotel Astor, Inc. for the use of the song "The Blue Room."

3. Harms, Inc. vs. Roosevelt Hotel, Inc., for the use of the songs "Dancing in the Dark" and "Night and Day."

4. Harms, Inc. vs. Childs Company, Inc., for the use of the song "Where Am I?"

5. Harms, Inc. vs. New York Ambassador, Inc. (Ambassador Hotel) for the use of the songs "The Continental," "Night and Day" and "Begin the Beguine."

In all of the restaurant and hotel actions damages of \$250 for the alleged infringing use of each song and an accounting of the profits are demanded.

In addition to the suits filed against hotels and restaurants, Remick Music Corp., M. Witmark & Sons and Harms, all Warner music subsidiaries, have filed through correspondent attorneys the following suits:

Harms, Inc. vs. Central Texas Broadcasting Co., operating Station WACO; Harms, Inc. vs. Wichita Falls Broadcasting Co., operating Station KGKO; Harms, Inc. vs. WDOD Broadcasting Corp., operating Station WDOD; and Harms, Inc. vs. Savannah Broadcasting Corp., operating Station WTOG, all of whom are alleged to have infringed on the song "That Old Fashioned Mother of Mine" and from each of whom \$5,000 damages are demanded.

Remick Music Corp. vs. May Radio Broadcasting Corp., operating Station WHBI, for the alleged infringement of "Kentucky Days," for which \$250 damages are demanded.

M. Witmark & Sons vs. WWL Development Company, Inc., operating Station WWL, for the alleged infringement of "Let's Have Breakfast in Bed," for which \$5,000 damages are demanded.

Harms, Inc. vs. Charles C. Carlson, operating Station WJBW, demanding \$1,750 damages for the alleged infringement of "Three Little Words," "Let's Put Out The Lights," "I'm One of God's Children," and "Lost My Rhythm, Lost My Music, Lost My Man."

Harms, Inc. vs. WWL Development Company, Inc., operating Station WWL, for the alleged infringement of "Let's Put Out The Lights," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Main Auto Supply Co., operating Station WOWO, for the alleged infringement of "It Had To Be You," "The Japanese Sandman" and "Breezin' Along With The Breeze," for which \$15,000 damages are demanded.

Harms, Inc. vs. W. D. S. U., Inc., operating Station WDSU, for four alleged infringements of "I'm Just An Ordinary Human," for which \$5,000 damages are demanded.

Harms, Inc. vs. Adelphia Hotel Co., Philadelphia, operating Cafe Marguery, for the alleged infringements of "The Girl Friend" and "Night and Day," for each of which \$250 damages are demanded.

NEW QUOTA FACILITIES ASSIGNED

The Federal Communications Commission has announced the following quota facilities due and assigned to broadcast stations as of March 14.

First Zone—Night

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Conn.	2.13	1.92	— 0.21	— 10
Del.	0.32	0.20	— 0.12	— 38
D. C.	0.64	0.60	— 0.04	— 6
Maine	1.06	0.99	— 0.07	— 7
Md.	2.16	1.98	— 0.18	— 8
Mass.	5.63	5.51	— 0.12	— 2
N. H.	0.62	0.43	— 0.19	— 31
N. J.	5.36	4.105	— 1.255	— 23
N. Y.	16.69	18.53	+ 1.84	+ 11
R. I.	0.91	1.10	+ 0.19	+ 21
Vt.	0.48	0.56	+ 0.08	+ 17
Total	36.00	35.925	— 0.075	— 0

First Zone—Day

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Conn.	3.85	3.44	— 0.41	— 11
Del.	0.57	0.33	— 0.24	— 42
D. C.	1.16	0.90	— 0.26	— 22
Maine	1.91	1.42	— 0.49	— 26
Md.	3.91	4.10	+ 0.19	+ 5
Mass.	10.17	7.35	— 2.82	— 28
N. H.	1.11	0.80	— 0.31	— 28
N. J.	9.67	5.055	— 4.615	— 48
N. Y.	30.14	21.81	— 8.33	— 28
R. I.	1.65	1.20	— 0.45	— 27
Vt.	0.86	0.86	— 0.00	— 0
Total	65.00	47.265	— 17.735	— 27

Second Zone—Night

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ky.	3.38	3.95	+ 0.57	+ 17
Mich.	6.25	5.25	— 1.00	— 16
Ohio	8.58	9.83	+ 1.25	+ 15
Pa.	12.43	12.38	— 0.05	— 0
Va.	3.13	4.65	+ 1.52	+ 49
W. Va.	2.23	2.19	— 0.04	— 2
Total	36.00	38.25	+ 2.25	+ 6

Second Zone—Day

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ky.	6.10	4.25	— 1.85	— 30
Mich.	11.28	7.09	— 4.19	— 37
Ohio	15.50	12.41	— 3.09	— 20
Pa.	22.45	14.95	— 7.50	— 33
Va.	5.64	6.54	+ 0.90	+ 16
W. Va.	4.03	4.30	+ 0.27	+ 7
Total	65.00	49.54	— 15.46	— 24

Third Zone—Night

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ala.	3.32	2.65	— 0.67	— 20
Ark.	2.32	2.77	+ 0.45	+ 19
Fla.	1.84	3.65	+ 1.81	+ 98
Ga.	3.64	4.46	+ 0.82	+ 22
La.	2.63	5.40	+ 2.77	+ 105
Miss.	2.52	1.32	— 1.20	— 48
N. Car.	3.97	4.45	+ 0.48	+ 12
Okla.	3.00	3.51	+ 0.51	+ 17
S. Car.	2.18	1.30	— 0.88	— 40
Tenn.	3.28	6.05	+ 2.77	+ 84
Texas	7.30	11.14	+ 3.84	+ 53
Total	36.00	46.70	+ 10.70	+ 30

Third Zone—Day

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ala.	5.99	4.60	— 1.39	— 23
Ark.	4.19	4.95	+ 0.76	+ 18
Fla.	3.32	5.30	+ 1.98	+ 60
Ga.	6.58	5.20	— 1.38	— 21
La.	4.75	5.60	+ 0.85	+ 18
Miss.	4.55	2.42	— 2.13	— 47
N. Car.	7.17	4.85	— 2.32	— 32
Okla.	5.42	5.30	— 0.12	— 2
S. Car.	3.93	2.70	— 1.23	— 31
Tenn.	5.92	7.75	+ 1.83	+ 31
Texas	13.18	14.02	+ 0.84	+ 6
Total	65.00	62.69	— 2.31	— 4

Fourth Zone—Night

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ill.	10.14	11.41	+ 1.27	+ 13
Ind.	4.30	3.64	— 0.66	— 15
Iowa	3.28	5.50	+ 2.22	+ 68
Kansas	2.50	2.49	— 0.01	— 0
Minn.	3.41	4.18	+ 0.77	+ 23
Mo.	4.82	5.24	+ 0.42	+ 9
Nebr.	1.83	2.21	+ 0.38	+ 21
N. Dak.	0.90	1.40	+ 0.50	+ 56
S. Dak.	0.92	0.86	— 0.06	— 7
Wisc.	3.90	3.47	— 0.43	— 11
Total	36.00	40.40	+ 4.40	+ 12

Fourth Zone—Day

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ill.	18.30	16.77	— 1.53	— 8
Ind.	7.77	6.54	— 1.23	— 16
Iowa	5.93	8.26	+ 2.33	+ 39
Kansas	4.51	3.77	— 0.74	— 16
Minn.	6.15	5.77	— 0.38	— 6
Mo.	8.70	9.74	+ 1.04	+ 12
Nebr.	3.30	6.02	+ 2.72	+ 82
N. Dak.	1.63	2.10	— 0.47	— 29
S. Dak.	1.66	2.13	+ 0.47	+ 28
Wisc.	7.05	6.46	— 0.59	— 8
Total	65.00	67.56	+ 2.56	+ 4

Fifth Zone—Night

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ariz.	1.32	1.37	+ 0.05	+ 4
Calif.	17.18	19.67	+ 2.49	+ 14
Colo.	3.13	4.16	+ 1.48	+ 47
Idaho	1.35	1.60	+ 0.25	+ 18
Mont.	1.62	2.15	+ 0.52	+ 32
Nev.	0.27	0.30	+ 0.03	+ 11
N. Mex.	1.28	1.13	— 0.15	— 12
Ore.	2.89	4.12	+ 1.23	+ 42
Utah	1.54	3.30	+ 1.76	+ 114
Wash.	4.73	7.53	+ 2.80	+ 59
Wyo.	0.68	0.40	— 0.28	— 41
Total	36.00	46.18	+ 10.18	+ 28

Fifth Zone—Day

State	Due	Assigned	Units	Percent
			Over or Under	Over or Under
Ariz.	2.38	1.69	— 0.69	— 29
Calif.	31.02	23.65	— 7.37	— 24
Colo.	5.66	5.25	— 0.41	— 7
Idaho	2.43	2.25	— 0.18	— 7
Mont.	2.94	2.95	+ 0.01	+ 0
Nev.	0.49	0.30	— 0.19	— 39
N. Mex.	2.31	2.95	+ 0.64	+ 28
Ore.	5.21	6.19	+ 0.98	+ 19
Utah	2.78	3.30	+ 0.52	+ 19
Wash.	8.54	9.65	+ 1.11	+ 10
Wyo.	1.24	0.40	— 0.84	— 68
Total	65.00	58.58	— 6.42	— 10

FEDERAL TRADE COMMISSION ACTION

Complaints

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

No. 2737. A complaint alleging unfair competition in connection with the sale of paint, varnish, enamel and allied products, has been issued against **Davis Paint Co., Inc.**, 14th and Iron Sts., **Kansas City, Mo.**, and eight of its subsidiaries.

Berry J. Davis, who is also named as a respondent, according to the complaint, is president of the Davis Paint Co., Inc., and is principal stockholder in and directs the policies and operations of this company and of its subsidiaries, namely, Burlington Paint Co., W. H. Beard Paint Co., Farm & Home Paint Co., Manchester Paint Corp., New Method Paint Co., Painter's Paint Co., World Star Paint Co., all of Kansas City, Mo., and Robertson Products Co., Cleveland, Ohio.

The Davis Paint Co., the complaint alleges, manufactures all the products sold by it and its subsidiaries, but conceals the fact that it has the controlling interest in the other respondent corporations, and causes such subsidiaries to be advertised as manufacturers, when such is not the fact, by using labels on containers bearing the corporate name of the particular subsidiary making the sale, in connection with phrases such as "Direct From Factory to You."

No. 2739. **Sutton Laboratories, Inc.**, Chapel Hill, N. C., is charged in a complaint with unfair competition in the sale of "Linoil," offered as a remedy for treating diseases of the feet.

The respondent's representations, allegedly made in radio broadcasts and in advertising matter, to the effect that "Linoil" will cure eczema, that it is effective in the treatment of athlete's foot, ringworm, or other fungus infections of the feet, in all cases, and that it is an adequate and safe treatment for toe itch of all forms, are untrue, according to the complaint.

Use of such representations, the complaint alleges, tends to lead purchasers to believe they can diagnose the foot ailments from which they suffer, and to purchase the respondent's products in such erroneous belief, whereas, the complaint sets forth, only by a diagnosis by a competent physician can the causes of such diseases be ascertained and successfully treated.

In advertising matter, the complaint charges, the respondent represents through use of the word "Laboratories" in its corporate name that it maintains a laboratory at Durham, N. C., where "Linoil" is compounded, when the respondent does not operate a laboratory, but has a post office lock box at Durham and actually prepares its product in its drug store at Chapel Hill.

Use of the term "Linoil," it is alleged, implies that linseed oil is used in the manufacture of the product, when linseed oil is not present in the preparation.

These misrepresentations, says the complaint, tend to deceive the purchasing public and divert trade to the respondent from competitors who truthfully advertise their products.

No. 2740. **W. H. Bonifield, Warren, Ind.**, trading as **Chicopee Medicine Co.**, is named respondent in a complaint alleging unfair competition in connection with the sale of "Chicopee Native Indian Herbs," offered as a medicinal preparation.

On coupons, circulars and cartons, the respondent allegedly represents that his product relieves liver, stomach and kidney disorders, lumbago, rheumatism, and other ailments, when, according to the complaint, the medicine is not a remedy for the ailments enumerated, and its therapeutic value does not warrant assertions that it "is a wonderful remedy of nature"; that it "works surely, safely and quickly"; that it is "the oldest and most reliable medicine known" and "will improve your health 100 per cent in a few weeks' time." The complaint also alleges that the product contains drugs and is not composed of "Native Indian Herbs."

No. 2742. **Louis Fabrikant**, trading as **Louis Fabrikant Co.**, 450 Seventh Ave., **New York City**, is charged in a complaint with unfair methods of competition in the sale of textile fabrics used in the manufacture of dress goods.

Fabrikant is said to have invented and perfected a fabric made of brushed tricot knitted rayon and silk having a velvety appearance, and resembling fabrics made from camel's hair, for which he adopted the trademark "Camel Suede."

Distributing his product to wholesalers and retailers, the respondent is alleged to have assisted them in phrasing advertisements which conspicuously displayed the name "Camel Suede," so as to serve as a representation to the public that the fabric was made from camel wool. In many advertisements appeared

the assertion that "Camel Suede is a very soft wool and rayon mixture with a velvety finish," according to the complaint.

No. 2743. False representations in advertising are alleged in a complaint against **Justin Haynes & Co., Inc.**, 347 Fifth Ave., **New York City**, engaged in the sale of "Aspirub," an ointment said to contain, among other ingredients, one and one-half percent of aspirin.

In newspaper advertisements and on labels on jars and cartons, the respondent allegedly represents that such ointment, due to its aspirin content, has great therapeutic value; that its use will accomplish all the beneficial effects of aspirin, and that its external application is the new way of taking aspirin.

Stipulations

The Commission has issued the following cease and desist orders:

No. 01097. **Trading as Drexel Service Co., Chicago, E. W. Berry and O. G. Kral**, co-partners, selling confections, salted nuts and other counter display products, agree to stop making unmodified representations of earnings in excess of the average earnings of regular salespersons under normal conditions.

No. 01100. An individual described as **Yogi Kahn, with headquarters in Chicago, trading as Yogi Brothers**, engaged in the sale of cosmetics, incense and other items said to be connected with Yogi, Hindu, or Eastern mysticism, agrees to stop representing that any of his products are imported from either India, the Holy Land or anywhere in the Orient, or are genuine Hindu products. The respondent agrees to stop using as part of his name the terms "Hindu," "India," "Yogi," and other words tending to mislead prospective purchasers into believing these commodities are compounded or made by a Yogi, or imported from or composed of ingredients imported from India, the Holy Land, or the Orient, until such time as this shall be true in fact.

No. 01130. **Lewyn Drug, Inc., Hollywood, Calif.**, selling a preparation for the relief of certain women's ailments, agrees to stop representing that it will safely, quickly and dependably end these troubles, and that it complies with the Federal Food and Drug Act. According to medical opinion given the Commission, the preparation will not accomplish the things claimed for it in a majority of cases, and would be dangerous to use.

No. 01174. **Clark-Wright, Inc., Boston**, selling "Thymo Foot Cream," agrees to cease advertising that the preparation will banish or eliminate all foot troubles, and give complete comfort in cases of aching, painful, burning, itching and swelling feet.

No. 01181. **Paul's Inc., Minneapolis**, vendor of "Tarola," offered as a combination shampoo and scalp treatment and dandruff preventative, stipulates that it will discontinue representing the article as a competent treatment or effective remedy for itchy scalp; that its use will prevent hair from falling; that it is a competent treatment for dandruff, and other similar allegations.

No. 01191. **Burrell-Dugger Co., of Indianapolis**, selling "Group-Over," a poultry remedy agrees to cease alleging that this preparation will stop cold epidemics overnight, or end colds in poultry, or stop wheezing, choking, sneezing, or every sign of a cold overnight. The respondent, under the stipulation, will cease representing that it "guarantees" satisfaction.

No. 01101. **The Anacin Co., 8134 McCormick Building, Chicago**, selling "Anacin," agrees to cease advertising that its preparation is a competent treatment for colds, periodic pains or headaches and is considered tremendously effective by doctors and dentists, unless it limits its representations to assertions that "Anacin" relieves symptoms and pains due to such ailments. The respondent stipulates it will discontinue representing that "Anacin" contains four pain-relieving agents and that the formula of the preparation is recognized throughout the world as safe, reliable and prompt in relieving pain."

No. 01109. **L. B. Ford, York, Nebr.**, engaged in the sale of "Van-Nae Herb Tea," offered as a weight reducer, stipulates he will discontinue representing that his product is more than a mere laxative and diuretic; that it acts as a fat reducer without dieting or strenuous exercise; that it corrects any body ailment causing excess fat; that it is non-habit forming, and that the drinking of such tea is a sensible, safe and sane method of reducing fat. The respondent also will desist from using the title "Doctor."

No. 01239. **J. L. Prescott Co., Passaic, N. J.**, agrees to cease representing that "Oxol," a cleaning compound, destroys odors or kills germs, unless it is clearly indicated in connection with such claims that the product does not destroy all odors or all germs. The respondent stipulates it will not represent that the product "cleanses all it touches"; that disease germs cannot live in the presence of "Oxol," unless the specific germs "Oxol" is

known to kill are named, and that the product's bacteria-deströying properties are stronger than carbolic acid, unless such representation is established by competent evidence.

No. 2218. Under an order issued against **Hubert J., William M., and Mary M. McQuestion**, trading as **Northshore Cement Burial Vault Co.**, 2503 Buchanan Road, **Kenosha, Wis.**, are directed to discontinue false representations in connection with the offering for sale and sale of cement or concrete burial vaults.

The respondents are required to cease representing in purported guarantees in advertising, or in any other manner, that their product is a "Vault Eternal," of enduring strength, hermetically sealed, impervious to moisture, an impregnable barrier to every destructive element of the ground, and that it assures undisturbed, peaceful rest.

No. 2519. Under an order entered against **Miles L. Finch**, trading as **Associate British Manufacturers**, at 200 Fifth Ave., **New York City**, that respondent is directed to cease and desist from certain misrepresentations in the sale of woolen cloth.

It was found that the respondent is engaged in the sale of genuine **Harris Tweed**, a hand-woven product made in the Outer Hebrides, Scotland, and also in the sale of certain power-loomed woolen fabrics made in imitation of the genuine **Harris Tweed**; that in the sale of the imitation product, the respondent so advertised and otherwise represented the imitation woolen goods as to lead the purchasing public to believe that the imitation product it was buying was the genuine **Harris Tweed**.

No. 2715. **Milton Toch**, 1847 68th St., **Brooklyn**, trading as **Universal Ink Co.** and engaged in the sale of liquid and powdered ink, has been ordered to discontinue representing that his business was established prior to 1934, or that he is a manufacturer of powdered ink. The respondent admitted the material allegations of the complaint to be true and did not contest the proceeding.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Tuesday, March 24

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Central Broadcasting Co., Eau Claire, Wis.—C. P., 1050 kc., 250 watts, daytime.

Wednesday, March 25

HEARING BEFORE AN EXAMINER (Broadcast)

KOS—New Mexico College of Agriculture and Mechanic Arts, Albuquerque, N. Mex.—Renewal of license, 1180 kc., 10 KW, simultaneous day, share night with **KEX**.

Thursday, March 26

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-161:

KFRO—Voice of Longview, Longview, Tex.—C. P., 1210 kc., 100 watts, 250 watts LS, unlimited time (facilities of **KWEA**). Present assignment: 1370 kc., 100 watts LS, daytime.

NEW—Oil Capital Broadcasting Assn., James G. Ulmer, Pres., Kilgore, Tex.—C. P., 1210 kc., 100 watts, 100 watts LS, unlimited time (facilities of **KWEA**).

KWEA—International Broadcasting Corp., Shreveport, La.—Renewal of license, 1210 kc., 100 watts, 100 watts LS, unlimited time.

Examiner's Report No. I-165:

NEW—Florida West Coast Broadcasting Co., Inc., Tampa, Fla.—C. P., 1370 kc., 100 watts, 100 watts LS, unlimited time (request facilities of **WPAT**).

Examiner's Report No. I-171:

NEW—Herbert Lee Blye, Lima, Ohio.—C. P., 1210 kc., 100 watts LS, daytime.

Examiner's Report No. I-77:

NEW—G. D. Goff, Tampa, Fla.—C. P., 1500 kc., 100 watts, unlimited time.

APPLICATIONS GRANTED

WTAG—Worcester Telg. Pub. Co., Inc., Worcester, Mass.—Granted C. P. to make changes in equipment.

KFJI—KFJI Broadcasters, Inc., Klamath Falls, Ore.—Granted C. P. to make changes in equipment.

WEW—The St. Louis University, St. Louis, Mo.—Granted C. P. to make changes in equipment.

WDAE—Tampa Times Company, Tampa, Fla.—Granted extension of special experimental authority to operate with 2½ KW day from April 1 to Oct. 1, 1936.

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Granted license to cover C. P. authorizing local move of transmitter, changes in equipment, and increase in day power to 250 watts; 1370 kc., 100 watts night, unlimited time.

WCFL—Chicago Federation of Labor, Chicago, Ill.—Granted license to cover C. P. for auxiliary equipment.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Granted license to cover C. P. approving studio location at 561 Northampton St., Easton, Pa.

KREG—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Granted renewal of license for period January 1 to July 1, 1936.

KABF—James McClatchy Co., Sacramento, Calif. (Portable-Mobile).—Granted license to cover C. P. (temporary broadcast pickup), frequencies 1646, 2090, 2190, 2830 kc., 50 watts.

W6XKF—Ben S. McGlashan, Portable-Mobile (Los Angeles).—Granted license to cover C. P. (general experimental), frequencies 31100, 34600, 37600, 40600 kc., 100 watts.

W4XH—Virgil V. Evans, d/b as The Voice of South Carolina, Portable-Mobile (Spartanburg, S. C.).—Granted modification of license authorizing four general experimental frequencies assigned to miscellaneous services in addition to frequencies already assigned, and increase in power from 15 to 50 watts; 31600, 35600, 38600, 41000 and 86000-400000 kc.

W8XKA—Westinghouse Electric and Manufacturing Co., Portable-Mobile (Chicopee Falls, Mass.).—Granted renewal of special experimental license for period April 30 to July 30, 1936.

W3XEY—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted modification of C. P. approving proposed transmitter site at Belvedere Hotel, southeast corner Chase and Charles Sts., Baltimore, Md.

SET FOR HEARING

WWAE—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Application for modification of license to change hours of operation from S-WFAM to unlimited day to LS, S-WFAM night.

NEW—The Waterloo Times-Tribune Pub. Co., Waterloo, Iowa.—Application for C. P. for new experimental broadcast station, 1550 kc., 1 KW, unlimited time, using antenna array of special design.

NEW—The Times Publishing Co., St. Cloud, Minn.—Application for C. P. for new station, 1420 kc., 100 watts, unlimited, transmitter and studio site to be determined subject to Commission's approval.

WORL—Broadcasting Service Org., Inc., Needham, Mass.—Application for modification of license to increase day power from 500 watts to 1 KW.

KGEK—Elmer G. Beehler, Sterling, Colo.—Application for modification of license to change specified hours to include an additional 30 minutes on Saturdays.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Application for C. P. to make changes in equipment and increase daytime power from 1 KW to 2½ KW.

KWKC—Charlotte Duncan, Admin., Lester E. Cox, Thomas L. Evans, Kansas City, Mo.—Application for C. P. to install new equipment; move station locally from 3912 Main St. to Commerce Bldg., northwest corner 10th and Walnut Sts., Kansas City, Mo.

WJAX—City of Jacksonville, Jacksonville, Fla.—Application for modification of license to increase night power from 1 KW to 5 KW. To be heard before the Broadcast Division, date to be determined.

KFWB—Warner Bros. Broadcasting Corp., Hollywood, Calif.—Application for modification of license to increase power from 1 KW night, 2½ KW day, to 5 KW night and day. To be heard before the Broadcast Division, date to be determined.

WWJ—The Evening News Assn., Inc., Detroit, Mich.—Application for modification of C. P. to increase nighttime power from 1 KW to 5 KW. To be heard before the Broadcast Division, date to be determined.

WDAY—WDAY, Inc., Fargo, N. Dak.—Application for modification of license to increase night power from 1 to 5 KW. To be heard before the Broadcast Division, date to be determined.

WAVE—WAVE, Inc., Louisville, Ky.—Application for C. P. to make changes in equipment, move transmitter locally to site to be determined, and increase power from 1 to 5 KW. To be heard before the Broadcast Division, date to be determined.

KOIN—KOIN, Inc., Portland, Ore.—Application for modification of license to increase night power from 1 to 5 KW.

KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Application for modification of license to increase power from 1 to 5 KW. To be heard before the Broadcast Division, date to be determined.

WEEI—Edison Electric Illuminating Co. of Boston, Mass.—C. P., already in hearing docket, amended to read: Install new equipment, use directional antenna, increase power from 1 to 5 KW. To be heard before the Broadcast Division, date to be determined.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of C. P., already in hearing docket, amended to read: Install new equipment, increase night power from 1 to 5 KW. To be heard before the Broadcast Division, date to be determined.

WRC—National Broadcasting Co., Inc., Washington, D. C.—C. P., already in hearing docket, amended to read: Install new equipment, increase power from 1 KW day, 500 watts night, to 5 KW day and night, move transmitter locally to site to be determined. To be heard before the Broadcast Division, date to be determined.

WCSH—Congress Square Hotel Co., Portland, Me.—Modification of license, already in hearing docket, amended to read: Increase power from 1 KW night, 2½ KW day, to 5 KW day and night. To be heard before the Broadcast Division, date to be determined.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—C. P., already in hearing docket, amended to read: Make changes in equipment, increase power from 1 KW night, 2 KW day, to 5 KW night and day. To be heard before the Broadcast Division, date to be determined.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—C. P., already in hearing docket, amended to read: Change frequency from 1300 kc. to 970 kc.; increase power from 1 KW to 5 KW, unlimited time; and install new equipment. To be heard before the Broadcast Division, date to be determined.

RENEWAL OF LICENSES

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

KLPM, Minot, N. Dak.; KTRH, Houston, Tex.; KUOA, Fayetteville, Ark.; KWSC, Pullman, Wash.; WAVE, Louisville, Ky.; WCAM, Camden, N. J.; WCAP, Asbury Park, N. J.; WCOP, Boston; WDAY, Fargo, N. Dak.; WHN, New York City; WIBA, Madison, Wis.; WJAS, Pittsburgh, Pa.; WJDX, Jackson, Miss.; WNAD, Norman, Okla.; WNBX, Springfield, Vt.; WNEW, Newark, N. J.; WNOX, Knoxville, Tenn.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted renewal of license for the period ending September 1, 1936.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Same for auxiliary.

ORAL ARGUMENTS GRANTED

NEW—Ex. Rep. No. 1-170: Ralph Perez Perry, Santurce, P. R.—Oral argument granted to be heard June 4, 1936.

NEW—Ex. Rep. No. 1-191: E. W. Atkinson, Watsonville, Calif.—Oral argument granted to be heard June 4, 1936.

KFJM—Ex. Rep. No. 1-199: University of North Dakota, Grand Forks, N. Dak.—Oral argument granted to be heard June 4, 1936.

APPLICATIONS DENIED

NEW—Harry H. Culver, Beverly Hills, Calif.—Application for C. P., 710 kc., 500 watts, limited time, heretofore set for

hearing, was denied as in cases of default for failure to file an appearance and statement of facts in accordance with Rule 104.6 (e).

KFRO—Voice of Longview, Longview, Tex.—Denied special authority to operate from 6:30 to 10 p. m., CST, March 26, in order to broadcast 10th Anniversary of East Texas Chamber of Commerce.

APPLICATIONS DISMISSED

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

NEW—Ruth W. Adcock and S. E. Adcock, d/b as General Broadcasters, Johnson City, Tenn.—Applied for C. P., 880 kc., 250 watts LS, daytime.

NEW—Ruth W. Adcock and S. E. Adcock, d/b as General Broadcasters, Rossville, Ga.—Applied for C. P., 1120 kc., 250 watts LS, daytime.

WROK—Rockford Broadcasters, Inc., Rockford, Ill.—Applied for authority to transfer control of corporation.

NEW—Herbert Hollister, Emporia, Kans.—Applied for C. P., 1500 kc., 100 watts night, 100 watts LS, unlimited time.

NEW—O. K. Broadcasting Co., Cleveland, Ohio.—Applied for C. P., 1500 kc., 100 watts night, 100 watts LS, unlimited time.

NEW—O. K. Broadcasting Co., Louisville, Ky.—Applied for C. P., 1200 kc., 100 watts night, 100 watts LS, unlimited time.

NEW—Herbert Hollister, Waterloo, Iowa.—Applied for C. P., 1420 kc., 100 watts night, 100 watts LS, unlimited time.

MISCELLANEOUS

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—The Broadcast Division directed that C. P. for new station to operate on 1310 kc., 100 watts, unlimited time, be issued in conformity with its action of November 19, 1935, inasmuch as applicants have now complied with Rule 131.

W9XAL—The First National Television Corp., Kansas City, Mo.—Granted consent to voluntary assignment of license from The First National Television Corp., a Kansas corporation, to the First National Television, Inc., a Missouri corporation.

W1XEH—Travelers Broadcasting Service Corp., Avon, Conn.—Granted modification of C. P. of special experimental station to delete frequency 63000 kc. and substitute in lieu thereof the frequency 63500 kc., and to communicate as a broadcast station in the broadcast service on an experimental basis.

KFUO—Evangelical Synod of Missouri, St. Louis, Mo.—Granted motion for continuance of hearing on application for renewal of license set for April 7, 1936, because KSD has applied for its facilities.

Centennial Broadcasting Corp., Dallas, Tex.—Denied petition asking Commission to reconsider action of January 10, 1936, in denying application for new station to operate on 1200 kc., 100 watts, unlimited, and to grant the same.

Ogdensburg Pub. Co., Inc., Ogdensburg, N. Y.—Granted petition to intervene at hearing of application of Ogdensburg Advance Co., Inc., for authority to maintain a studio in Ogdensburg for the production of programs to be transmitted by land wire to the N. Y. Tel. Co. and of the Bell Tel. Co. of Canada to station CFLC at Preston, Ontario.

Bell Broadcasting Co., Temple, Tex.—Granted petition to intervene at hearing of application of Eugene DeBogory for new station at Temple, Tex., which has been designated for hearing on May 5, 1936.

WJBW—Charles C. Carlson, New Orleans, La.—Granted regular renewal of license.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Granted continuance of hearing on application for extension of special experimental authorization until decision has been rendered on application to change frequency from 1240 kc. to 630 kc.

WNBX—WNBX Broadcasting Corp., Springfield, Vt.—Granted special temporary authority to operate with 1 KW until sunset at Dayton, Ohio, 500 watts night, pending approval of design and erection of directional antenna.

WREC—WREC, Inc., Memphis, Tenn.—Accepted answer to exceptions of WCAO to Examiner's Report No. 1-187, and granted request for oral argument.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Reconsidered and granted application to increase daytime power from 1 to 5 KW.

ACTION ON EXAMINER'S REPORT

NEW—Ex. Rep. No. 1-188: North Side Broadcasting Corp., New Albany, Ind.—Granted C. P. for new broadcast station to operate on 1370 kc., 250 watts, day, subject to Rule 131; site to be determined subject to Commission's approval. Order effective May 12, 1936. Examiner R. H. Hyde sustained. (Action taken March 10, 1936.)

APPLICATIONS RECEIVED

First Zone

WHDH—Matheson Radio Co., Inc., Boston, Mass.—License to 830 cover construction permit (B1-P-933) to make changes in equipment.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Authority to 830 determine operating power by direct measurement of antenna power.

NEW—George F. Bissell, Pittsfield, Mass.—Construction permit 1200 for a new station to be operated on 1200 kc., 100 watts, daytime.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Modification of license to use auxiliary transmitter as a main transmitter. 1250

NEW—WDRC, Inc., Hartford, Conn.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41000, 86000-400000, 401000 kc., 50 watts, A1, A2, A3 and special emission.

NEW—Juan Piza, Portable.—Construction permit for a new broadcast pickup station to be operated on 1622, 2060, 2150, 2790 kc., 50 watts, A3 emission.

NEW—WODAAM Corp., Mobile—in airplane.—Construction permit for a new broadcast pickup (T) station to be operated on 1622, 2060, 2150, 2790 kc., A3 and special emission, 7½ watts.

Second Zone

WEST—Associated Broadcasters, Inc., Easton, Pa.—License to 1200 cover construction permit B2-P-472 as modified to move station from Lancaster, Pa., to Easton, Pa., and antenna changes.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of 1500 construction permit (B2-P-637) for changes in equipment, move of transmitter, and installation of directional antenna, requesting extension of commencement date from 9-30-35 to date of approval and completion date from 3-30-36 to 9-30-36.

NEW—Old Dominion Broadcasting Co., Washington, D. C.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41000, 86000-400000, 401000 kc. and above, 100 watts, A3 and special emission.

Third Zone

KTSA—Southwest Broadcasting Co., San Antonio, Tex.—Voluntary assignment of license from Southwest Broadcasting Co. to KTSA Broadcasting Co. 550

WSIX—Jack M. Draughon and Louis R. Draughon, d/b as 638 1219 Tire & Vulcanizing Co., Springfield, Tenn.—Modification of construction permit (B3-P-227) for approval of transmitter site at northeast corner Boscobel and 3rd St., Nashville, and extend commencement date two days after grant and completion date 100 days thereafter, and approval of antenna.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Authority to determine operating power by direct measurement of antenna. 1300

NEW—H. A. Hamilton, Asheville, N. C.—Construction permit for 1370 a new station to be operated on 1370 kc., 100 watts, daytime. Amended re antenna.

KFJZ—Fort Worth Broadcasters, Inc., Fort Worth, Tex.—Construction permit to install new equipment and increase power from 100 watts to 100 watts, 250 watts day. 1370

NEW—John S. Braun, Waco, Tex.—Construction permit for a new 1500 station to be operated on 1500 kc., 100 watts, daytime.

KGKB—East Texas Broadcasting Co., Tyler, Tex.—Construction 1500 permit to make changes in equipment and move transmitter from Tyler Commercial College, 115 South College Street, Tyler, Tex., to 1½ miles from Court House on North Dixie Highway, Tyler, Tex.

NEW—Dr. F. P. Cerniglia, Monroe, La.—Construction permit for 1500 a new station to be operated on 1500 kc., 100 watts, unlimited time.

KNOW—KUT Broadcasting Co., Austin, Tex.—Authority to transfer control of corporation from Southwest Broadcasting Co. to Hearst Radio, Inc., 10,000 shares of common stock. 1500

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—License to cover new general experimental station.

Fourth Zone

WMT—Iowa Broadcasting Co., Des Moines, Iowa.—Construction 600 permit to make equipment changes and increase power from 1 KW night, 2½ KW day, to 1 KW night, 5 KW day (consideration under Rule 6(g)).

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—License to cover 1070 construction permit (B4-P-8) as modified for change in frequency, equipment, and move of transmitter.

WSBC—WSBC, Inc., Chicago, Ill.—Construction permit to make 1210 changes in antenna and move transmitter from Hotel Crillon, 1258 S. Michigan Avenue, Chicago, Ill., to West Town Office Bldg., 2400 Madison Street, Chicago, Ill.

WTAQ—WHBY, Inc., Green Bay, Wis.—License to cover construction permit (B4-P-369) as modified to install new equipment, move transmitter and studio, and change hours of operation. 1330

KWKC—Charlotte Duncan, Administratrix, Lester E. Cox and 1370 Thomas L. Evans, Kansas City, Mo.—Construction permit to install new equipment; move studio from Werby Bldg., 39th and Main St., Kansas City, Mo., to Commerce Bldg., northwest corner 10th and Walnut, Kansas City, Mo.; and transmitter from 3912 Main Street, Kansas City, Mo., to Commerce Bldg., northwest corner 10th and Walnut Streets, Kansas City, Mo.

KWKC—Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., 1370 Kansas City, Mo.—Voluntary assignment of license from Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., to Tom Cleveland. Amended: Assign to Lester E. Cox and Thomas L. Evans instead of Tom Cleveland.

NEW—The Voice of St. Louis, Inc., St. Louis, Mo.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41000, 86000-400000, 401000 kc. and above, 100 watts, A3 and special emission.

Fifth Zone

KGO—National Broadcasting Co., Inc., San Francisco, Calif.—790 Construction permit to install new equipment, increase power from 7½ KW to 50 KW, and move transmitter from 5555 East Fourteenth Street, Oakland, Calif., to near Belmont, Calif.

NEW—The Tribune, Great Falls, Mont.—Construction permit to 950 erect a new broadcast station at Great Falls, Mont., to be operated on 550 kc., 1 KW night, 5 KW day, unlimited time (facilities KFVR). Amended to change frequency to 950 kc.

NEW—Golden Empire Broadcasting Co., Marysville, Calif.—Construction permit for a new station to be operated on 1140 kc., 250 watts, daytime. 1140

NEW—James H. Hardy and L. D. Marr, copartners, Pasadena, 1160 Calif.—Construction permit for a new station to be operated on 1160 kc., 250 watts, daytime.

NEW—E. N. and S. W. Warner, d/b as Warner Bros., Oakland, Calif.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41000 kc., 200 watts, A3 emission.