

Legal

LIQUOR ADS

The favorable report on the Johnson bill (S. 517) ordered by the Senate Interstate Commerce Committee (NAB Reports April 21, p. 3432) was rendered April 20, and the bill now is on the Senate calendar. If enacted into law, it will ban all beer and liquor advertising from the air. Senator Chan Gurney (D.-S. D.), former operator of WNAX and a member of the Interstate Commerce Committee, filed a minority report which strenuously attacks the Johnson bill as an unwarranted discrimination against radio and as a precedent into the field of censorship.

The vote in the Committee is understood to have been 6 to 5. The majority report deals to a substantial extent with statements made by Mr. W. S. Alexander, Federal Alcohol Administrator, and by Chairman McNinch of the Communications Commission. Senator Gurney in his minority report pointed out that the proponents of the Johnson bill "rest their case for discrimination against radio on the sole ground that little children sometimes hear announcements advertising beer." He says that "it is now urged that radio should be deprived of revenues from the advertising of legal beer merely because a group of professional reformers seem to think—unsupported by specific evidence—that the American parent could not prevent a child from swapping the milk bottle for the beer bottle simply because a radio announcer insists that it's good beer."

Senator Gurney then takes up the question of censorship and states that "Congress has recognized that the listener is the only censor." He strenuously urges that the Capper bill (S. 575), which prohibits all interstate advertising of alcoholic beverages should be considered by the Committee on Interstate Commerce before any action is taken on the Johnson bill. The Capper bill would prohibit any form of advertising which moves in interstate commerce and would apply to magazines, newspapers, direct mail campaigns.

Should the Johnson bill be enacted into law, it would

constitute a precedent in censorship which other minority groups might seek to follow to the extent of impressing upon broadcasting arbitrary program standards for radio listeners.

NEW LEGISLATION

CONGRESS

S. 2251 (Mr. Chavez, N. Mex.) GOVERNMENT BROADCASTING STATION—Directs Secretary of Navy to construct, maintain and operate high frequency station to broadcast programs to all nations in Western Hemisphere; to appropriate \$3,000,000 for construction purposes and \$100,000 for operative expense during year ending June 30, 1940. To Committee on Foreign Relations.

STATE LEGISLATION

FLORIDA:

H. 81 (Martin, et al) Same as S. 18. EMPLOYMENT AGENCIES—Regulating private employment agencies. Referred to Labor Committee.

H. 735 (Tomasello) AUTOMOBILE LICENSE—Providing for issuance of one license plate to amateur radio operators for each amateur station, for one automobile. Referred to Motor Vehicles and Carriers Committee.

H. 741 (Harrell, et al) RACING NEWS—TRANSMISSION—Regulating the transmission of racing news by radio, telephone, telegraph or other means. Referred to Judiciary A Committee.

H. 806 (West) SEAT TAX—Providing for a seat tax in buildings used for public assembly where admission is charged; also providing certain exceptions. Referred to Finance and Taxation Committee.

H. 815 (Warren) JUVENILE ENTERTAINERS—Amending Chapter 5950 of the General Laws of 1927 excepting talented juvenile performers or entertainers between sixteen and twenty from provisions of Chapter 5950 of the aforementioned act. Referred to Judiciary B Committee.

S. 18 (Whitaker) Same as H. 81. EMPLOYMENT AGENCIES—Regulating private employment agencies. Referred to Labor and Industry Committee.

NEW YORK:

S. 2118 (Mahoney) OPTOMETRY—Provides for revocation of a license of an optometrist who knowingly continues in association with or in employ of any person violating provisions relating to practice of optometry; also prohibits any reference by printed, radio or other means of advertising, price for, discount on, or terms of payment for eyeglasses, spectacles and lenses. Referred to Judiciary Committee.

PENNSYLVANIA:

H. 1358 (Tronzo) FOOD, DRUG, COSMETIC REGULATION—Regulating the manufacture, sale, transportation, possession, advertisement and labeling of foods, drugs and cosmetics; creating Department of Food, Drug and Cosmetic Control; designating head of such department and prescribing his powers, duties and compensation; imposing penalties. Referred to State Government Committee.

S. 731 (Wolfenden) SUNDAY MOVIES—Repealing the Sunday Motion Pictures Law of July 2, 1935. Referred to Law and Order Committee.

(Continued on page 3458)

Neville Miller, *President* Edwin M. Spence, *Secretary-Treasurer*

Andrew Bennett, *Counsel*; Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*

STATE LEGISLATION

(Continued from page 3457)

RHODE ISLAND:

H. 798 (Messrs. Dove & Manning) PRACTICE OF DENTISTRY—Amending Sections 3, 4, 7, 8, 11, 17 and repealing Section 18 of Chapter 169 of the general laws, entitled "Of the regulation of the practice of dentistry," as amended. Referred to Judiciary Committee. Passed as amended 4-6-39.

FREE OFFERS

The NAB has advised the Hat Style News Bureau, New York, that use of its "Hat Style Forum Bulletin No. 1" would constitute violation of the NAB Code of Ethics by giving free time for commercial purposes.

Similar notice was sent to the Sacramento Golden Empire Centennial, Inc., Sacramento, California, which sent out spot announcements to advertise the celebration. Evidently the Centennial people thought that the gilded "press pass" which they sent out along with the spot announcements constituted adequate compensation for the advertisements.

OFFICE OF EDUCATION QUESTIONNAIRE

Dr. John W. Studebaker, United States Commissioner of Education and Chairman of the Federal Radio Education Committee has sent a questionnaire to all radio stations in an effort to determine the mechanics set up by stations for cooperation with educational and non-profit groups in their broadcasting activity. This is a first approach to one of the Federal Radio Education Committee's projects to be financed from the \$83,000 fund being raised from the broadcasting industry.

NAB solicits your cooperation in completing the questionnaire the Office of Education is sending out. We also solicit your cooperation in the matter of subscribing to the FREC fund if you have not already done so.

TENTH INSTITUTE FOR EDUCATION BY RADIO

The Institute for Education by Radio held its tenth annual meeting at Ohio State University, Columbus, Ohio, May 1, 2, and 3. More than 300 attended the opening session and the total registration was high. Representatives of the radio industry and the many organizations interested in the educational potentialities of radio were in attendance.

The Institute for Education by Radio was established in 1930 at Ohio State University. Its purpose is to provide an annual meeting for joint discussion by broadcasters and educators of the problems of educational broadcasting.

The subjects of various meetings disclose the broad interest of the educators in the various aspects of radio in education. The meeting list was as follows:

MONDAY, MAY 1

First General Session—Morning

William McPherson, Acting President, Ohio State University

"Word of Welcome"

Demonstration—University of Chicago Round Table broadcasts

Discussion from the floor

Work-Study Groups—Afternoon

Agricultural Broadcasts

School Broadcasts

Radio Courses in Colleges and Universities

Research in Radio Education

The Educational Uses of Facsimile, Ultra-High Frequency Stations and Recording

Broadcasts for General Education

Broadcasting by Community Service Organizations

Sections on Special Problems—Evening

National Association of Educational Broadcasters (Closed Meeting)

National Association of Broadcasters

National Association of Teachers of Speech (Closed Meeting)

Utilization of School Broadcasts

Adult Education by Radio

Music Programs

TUESDAY, MAY 2

Second General Session—Morning

Demonstration of Utilization of a Classroom Broadcast
 Evaluation of the Demonstration

Work-Study Groups—Afternoon

Continuation of the Monday afternoon subjects

Dinner

John W. Bricker, Governor of Ohio

"Radio and Your Government" (broadcast over NBC Red Network)

Round-Table Discussions—Evening

Dramatic Programs

Forum Programs

Handling Controversial Issues

Public Relations Broadcasts
 The Radio Workshop
 Training School Directors of Radio
 The Princeton Study—Federal Radio Education Committee Project
 The Wisconsin Study—Federal Radio Education Committee Project
 Evaluation of School Broadcasts—Federal Radio Education Committee Project

WEDNESDAY, MAY 3

Third General Session—Morning

Effect of Radio on Listener Attitudes
 Professional Training in Great Britain
 How School Broadcasting Units Study Their Listeners
 General Discussion

Fourth General Session—Afternoon

Announcement, Demonstration and Discussion of Awards for Third American Exhibition of Recordings of Educational Radio Programs.

The Monday evening session of the National Association of Broadcasters was presided over by Edward M. Kirby, Director of Public Relations of the NAB, in the absence of Neville Miller. This session was run as a panel discussion with Larry Roller of WHK and WCLE, Cleveland; Jack Harris, WSM, Nashville; Curtis Mitchell, Editor of Radio Guide; and Paul Peter, Director of Research, NAB. This meeting was well attended and considerable interest was manifested in the subject of the Reorganized NAB and Program Standards now under discussion in the broadcasting industry looking to the adoption of a new NAB code. Principal interest and discussion centered around children's programs and co-operation between broadcasters and educators.

Individual reports on Work-Study Groups will be available in mimeograph form on May 15th. The price of each report will be 15¢ postpaid or 75¢ for a complete set. These may be obtained by addressing I. Keith Tyler, Secretary, Institute of Education by Radio, Ohio State University. Titles of the seven reports involved are as follows:

Agricultural Broadcasts
 School Broadcasts
 Radio Courses in Colleges and Universities
 Research in Radio Education
 Educational Uses of Facsimile, Ultra-High Frequency Stations and Recording
 Broadcasts for General Education
 Broadcasting by Community Service Organizations

DISTRICT 7 MEETS

J. H. Ryan, Vice President of WSPD, Toledo, Ohio, was unanimously elected Director of District 7 to suc-

INDEX

	Page
Liquor Ads	3457
New Legislation	3457
Free Offers	3458
Office of Education Questionnaire	3458
Tenth Institute for Education by Radio	3458
District 7 Meets	3459
District Meetings	3459
Webster to Poland	3459
Unlicensed Operator Convicted	3459
FCC Rebroadcast Committee	3460
McNinch Away	3460

ceed Mark Ethridge, at a meeting held May 4 in Cincinnati. Before the nomination, Mr. Ethridge said that he would be unable to accept reelection. A resolution thanking him for his outstanding service to the District and to NAB was adopted.

President Neville Miller, Ed Kirby and Joseph Miller, of Headquarters Staff, attended the meeting.

The principle problems before the industry today were discussed.

DISTRICT MEETINGS

A meeting of the Fifteenth District of NAB has been called for Wednesday, May 17, at the Palace Hotel, San Francisco. Ralph Brunton, Director, will preside.

Harry Wilder, Director of District Two, has called a meeting on May 19, in Schenectady, New York.

WEBSTER TO POLAND

The FCC has designated Commander E. M. Webster, assistant Chief Engineer of the Commission, as its representative at the meeting of the Subcommittee of the Third World Conference of Radiotelegraph Experts for Aeronautics. The Conference will be held at Cracow, Poland, May 19 to May 22, 1939.

The Cracow Conference will lay the groundwork for an allocation of frequencies for inter-continental air routes. Any future assignments of frequencies to commercial aviation companies operating under the jurisdiction of the United States, and licensed by the Federal Communications Commission must necessarily be based upon a comprehensive plan covering the allocation of frequencies to the aviation services generally.

UNLICENSED OPERATOR CONVICTED

The FCC announced this week that Andrew Gibbs Cochran, 17 years old, of Chicago, Illinois, has been convicted as a delinquent under the Juvenile Delinquency Act for operating an unlicensed radio station in violation of Sections 301 and 318 of the Communications Act of 1934, as amended. The conviction followed disregard of previous warnings by the Commission.

Probation authorities advised Judge Charles E. Wood-

ward, United States Federal Court, that the defendant had filed application for admission into the Civilian Conservation Corps. The Court placed the defendant on probation pending his admission as a member thereof.

FCC REBROADCAST COMMITTEE

The FCC has designated Commissioners Case, Craven and Payne as a committee to preside at a hearing to determine whether the rules of the Commission should be modified to permit the rebroadcasting of programs of international broadcast stations by regular broadcast stations which are operated on a non-commercial, non-profit making basis. The Committee will set a date for the hearing in the near future.

The action of the Commission in calling a legislative hearing on this question is based on an earlier petition of Mayor LaGuardia to have the rules amended to permit such stations as WNYC, municipally owned radio-broadcast station in New York, to rebroadcast the programs of international broadcast stations in the United States. Commissioner Payne was made chairman of the committee.

McNINCH AWAY

Chairman Frank R. McNinch left Washington the latter part of last week on the advice of his physician for two or three weeks rest.

It is planned while Mr. McNinch is away to have the other Commissioners rotate as Acting Chairman. Commissioner Thad H. Brown will be Acting Chairman through May 5 and for the following week Commissioner Norman S. Case will be Acting Chairman. If Mr. McNinch is away longer, other members of the Commission will be designated.

FEDERAL COMMUNICATIONS COMMISSION

DECISIONS OF COMMISSION

The Federal Communications Commission has granted the application of Station WAAB, **Boston**, to increase its power from 500 watts night, 1000 watts day, unlimited time, to 1000 watts unlimited time, on **1410 kilocycles**.

The Commission stated that the station may operate as proposed without materially decreasing the service area of any existing station and the present program which is considered "meritorious" can be heard under the proposed increase by additional persons as well as providing a signal strength of 40 per cent greater within the present service area.

Chairman McNinch was absent and Commissioner Thompson did not participate in this decision.

The application of Peter J. Caldarone for authority to construct a new broadcast station at **Providence, Rhode Island**, to operate on **1270 kilocycles**, 250 watts, day-time only, was denied by the Commission.

The Commission found that there had not been shown sufficient public need for the additional service proposed and that "sound engineering principles do not warrant the proposed use of a regional frequency for local service."

Chairman McNinch was absent when this decision was made.

The Commission has granted the application for license renewal of WBBZ, **Ponca City, Oklahoma**, and the voluntary assignment of the license of that station to Adelaide Lillian Carrell, Executrix of the Estate of Charles Lewis Carrell. The station operates on **1200 kilocycles**, 250 watts day, 100 watts night, unlimited hours.

The Commission's action was taken on the Proposed Findings of Fact, in which the Commission found that the prevailing need for local broadcast service in the Ponca City area is being adequately supplied by the station. With respect to transfer of the license, the Commission found that the applicant is in all ways qualified to operate the station and the granting of the application is in the public interest.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following hearings and oral arguments are scheduled before the Commission in broadcast cases beginning the week of May 8. They are subject to change.

Tuesday, May 9

KERN—McClatchy Broadcasting Co., Bakersfield, Calif.—C. P., **1380 kc.**, 1 KW, unlimited time. Present assignment: **1370 kc.**, 100 watts, unlimited time.

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—C. P., **580 kc.**, 1 KW, 5 KW LS, unlimited time. Present assignment: **580 kc.**, 1 KW, unlimited time (S.A. for transmission of facsimile signals 12 midnight to 6 a. m., using 1 KW, exp.).

Wednesday, May 10

KOH—The Bee, Inc., Reno, Nev.—C. P., **630 kc.**, 1 KW, unlimited time (DA night). Present assignment: **1380 kc.**, 500 watts, unlimited time.

NEW—M. C. Reese, Phoenix, Ariz.—C. P., **1200 kc.**, 100 watts, 250 watts LS, unlimited time.

Hearing Reopened

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Modification of license, **550 kc.**, 1 KW, unlimited time. Present assignment: **1390 kc.**, 1 KW, unlimited time.

Thursday, May 11

Oral Argument Before the Commission

Examiner's Report No. I-763:

NEW—Sentinel Broadcasting Corp., Salina, N. Y.—C. P., **620 kc.**, 1 KW, unlimited time (DA night).

NEW—Civic Broadcasting Corp., Syracuse, N. Y.—C. P., 1500 kc., 100 watts, unlimited time.

WHJB—Pittsburgh Radio Supply House, Greensburg, Pa.—C. P., 620 kc., 1 KW, unlimited time (DA night). Present assignment: 620 kc., 250 watts, daytime.

Examiner's Report No. I-727:

WJBL—Charles R. Cook (Transferor), Decatur Newspapers, Inc. (Transferee), Decatur, Ill.—Transfer of control of corporation; 1200 kc., 100 watts, shares WJBC.

Friday, May 12

KROY—Royal Miller, Sacramento, Calif.—Modification of license, 1210 kc., 100 watts, unlimited time. Present assignment: 1210 kc., 100 watts, daytime.

FUTURE HEARINGS

During the week the Commission has announced the following tentative dates for future broadcast hearings. They are subject to change.

May 17

NEW—Nathan Frank, New Bern, N. C.—C. P., 1500 kc., 100 watts, unlimited time.

May 29

NEW—Wendell Mayes, Joe N. Weatherby and Wm. J. Lawson, d/b as Brown County Broadcasting Co., Brownwood, Tex.—C. P., 990 kc., 1 KW, daytime.

W9XTA—K. E. Schonert, d/b as Schonert Radio Service, Harrisburg, Ill.—Renewal of license, 26500 kc., 500 watts, Emission A-3, unlimited time, according to Rule 983.

June 12

KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—Modification of C. P., 1370 kc., 100 watts, unlimited time. Present assignment: 1370 kc., 100 watts, daytime.

June 16

KRKO—Lee E. Mudgett, Everett, Wash.—C. P., 1370 kc., 100 watts, 250 watts LS, unlimited time. Present assignment: 1370 kc., 50 watts, shares KEEN.

KRKO—Lee E. Mudgett, Everett, Wash.—Renewal of license, 1370 kc., 50 watts, shares KEEN.

KRKO—Lee E. Mudgett, Everett, Wash.—Voluntary assignment of license to The Everett Broadcasting Co., Inc. (Assignee); 1370 kc., 50 watts, shares KEEN.

NEW—Cascade Broadcasting Co., Inc., Everett, Wash.—C. P., 1420 kc., 100 watts, 250 watts LS, unlimited time.

July 31

WHA—University of Wisconsin, Madison, Wis.—C. P., 670 kc., 50 KW, unlimited time (requests facilities of WMAQ). Present assignment: 940 kc., 5 KW, daytime.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Renewal of license, 670 kc., 50 KW, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted renewal of license for the period ending November 1, 1939.

KVGB—Ernest Edward Ruehlen, Great Bend, Kans.—Granted voluntary assignment of license for KVGB from Ernest Edward Ruehlen to Helen Townsley. Station operates on 1370 kc., 100 watts, unlimited time.

WBBC—Peter Testan, Executor, Brooklyn, N. Y.—Granted authority to transfer control of Brooklyn Broadcasting Cor-

poration (WBBC), from Peter Testan, Executor under the will of Peter Testan, deceased, to the beneficiaries under the will, who are Peter Testan and Millie Testan.

WBBC—Peter J. Testan, deceased, (Peter Testan, Executor), Brooklyn, N. Y.—Granted transfer of control of Brooklyn Broadcasting Corp., from Peter J. Testan, deceased to Peter Testan, Executor.

WENY—Elmira Star-Gazette, Inc., Elmira, N. Y.—Granted modification of C. P. to increase power and time of operation from 250 watts daytime, to 100 watts night, 250 watts day, unlimited time, and extend commencement date to 60 days after grant, and completion date to 180 days thereafter.

DESIGNATED FOR HEARING

The following applications have been designated for hearing by the Commission. Dates for hearing have not yet been set.

NEW—The Mayflower Broadcasting Corp., Boston, Mass.—C. P. for new station to operate on frequency 1410 kc., with power of 500 watts night, 1 KW day, unlimited time. Exact transmitter and studio site and type of antenna to be determined with Commission's approval. (Applicant requests facilities of WAAB.)

NEW—Roy E. Martin, Opelika, Ala.—C. P. for new station to operate on frequency 1310 kc., with power of 100 watts night, 250 watts day, unlimited time. Exact transmitter site and type of antenna to be determined with Commission's approval.

WNEW—Wodaam Corporation, New York City.—Modification of license to increase night power from 1 to 5 KW. (To be heard before the Commission.) Application designated for hearing because request violates Rule 120; also pending applications involve increase in service and interference.

MISCELLANEOUS

WAVE—WAVE, Inc., Louisville, Ky.—Denied petition for reconsideration, rehearing or oral argument, and amendment to application for rehearing, in re the application of Kentucky Broadcasting Corp. for a new station in Louisville to operate on 1210 kc., with 100 watts night, 250 watts day, unlimited time, which was granted by the Commission on February 6, 1939.

WGRC—Northside Broadcasting Corp., New Albany, Ind.—Denied Petition for Reconsideration or Rehearing filed by Intervener, WGRC, in re application of Kentucky Broadcasting Corporation for a new station in Louisville, Ky.

KSD—Pulitzer Publishing Co., St. Louis, Mo.—Denied petition for relief requesting that KSD be authorized to operate unlimited hours on 630 kc. instead of station KXOK, St. Louis, and that station KXOK be authorized to operate on the present assignment of KSD, which now operates on 550 kc., sharing with KFUO. (The Commission on March 6, 1939, designated for hearing applications of KFRU, Columbia, Mo., KXOK, St. Louis, Mo., and WGBF, Evansville, Ind., for an interchange of frequencies which would, if granted, permit KFRU to use a local channel, 1370 kc., full time, KXOK to use a regional channel, 630 kc., full time, and WGBF to use a regional channel, 1250 kc., full time.)

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WOEG operated by General Electric Company located aboard new streamline train of Union Pacific enroute Los Angeles to New York World's Fair, from 2:30 to 3 p. m., EST, on May 2.

WIBX—WIBX, Inc., Utica, N. Y.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WOEG operated by General Electric Company located aboard new streamline train of Union Pacific enroute Los Angeles to New York World's Fair, from 2:45 to 3:15 p. m., EDST, on May 3.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 6:30 to 9:30 p. m., CST, on May 9, 16, 23 and 30, in order to broadcast Copper Country Jamboree and Barn Dance.

W1XOK—The Yankee Network, Inc., Boston, Mass.—Granted special temporary authority to test the relay broadcast equipment of station W1XOK, authorized by C. P. granted January 24, on the frequency 132260 kc., in lieu of authorized frequencies, power 250 watts, for a period not to exceed

- 30 days, pending definite arrangements to be made in the ultra high frequency bands.
- W8XIQ-W8XIR—WGAR Broadcasting Co., Cleveland, Ohio.—Granted extension of special temporary authority to operate relay broadcast stations experimentally on frequency **13220 kc.**, pending definite arrangements to be made to eliminate interference with Cleveland's police radio service, for the period May 10 to June 8.
- The Champaign News-Gazette, Inc., Champaign, Ill.—Granted special temporary authority to operate relay broadcast (exp.) station W9XSM on the frequencies **1606, 2022, 2102 and 2758 kc.**, with 10 watts, in lieu of the normally licensed frequencies, on April 28 and 29.
- KGU—Marion A. Mulrony & Advertiser Publishing Co., Ltd., Honolulu, Hawaii.—Denied special temporary authority to operate from midnight, LST, to conclusion of Hitler's reply address on April 28.
- WCOV—John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—Denied special temporary authority to operate between the hours of 5 and 6 a. m., CST, on April 28, in order to broadcast Hitler's speech.
- WESG—Cornell University, Ithaca, N. Y.—Denied special temporary authority to commence operation at 5:45 a. m., EST, on April 28, in order to broadcast Hitler's speech.
- WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—The Commission upon its own motion, continued the hearing now scheduled for May 1, on the application for renewal of license of WMAQ to July 31, 1939, to be heard in the same proceeding with the application of WHA which requests the facilities of WMAQ.
- State of Oregon.—Granted petition to intervene in the hearing on the application of KOY, Salt River Valley Broadcasting Co., Phoenix, Ariz., to change frequency from **1390 kc.** to **550 kc.**, 1 KW, unlimited time.
- WBNX—WBNX Broadcasting Co., Inc., New York City.—Granted motion for order to take depositions in re application for renewal of license for WBNX.
- KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—Granted petition for continuance of hearing now scheduled for May 12, for a period of 30 days, Docket Section to set new date. Application is for modification of C. P. to increase time from daytime to unlimited, on **1370 kc.**, 100 watts.
- WHLB—Head of the Lakes Broadcasting Co., Virginia, Minn.—Granted motion for order to take depositions in re application of WJMS, Inc., for a new station at Ashland, Wis., to operate on **1370 kc.**, 100 watts, unlimited time.
- KFI—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted petition to intervene in the hearing on the application of KERN for C. P. to change from **1370 kc.**, 100 watts, unlimited, to **1380 kc.**, 1 KW, unlimited.
- NEW—The Monocacy Broadcasting Co., Rockville, Md.—Granted motion to dismiss without prejudice application for C. P. to operate on **1140 kc.**, 250 watts, daytime.
- KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted petition of intervener for order to take depositions in re application of WREN to move transmitter and studio and install DA for day and night use, on **1220 kc.**, 1 KW night, 5 KW LS, sharing KFKU.
- WREN—WREN Broadcasting Co., Inc., Lawrence, Kans.—Denied request for subpoenas of witnesses in re application listed above.
- WSPR—Conn. Valley Broadcasting Co., Springfield, Mass.—Granted motion to dismiss without prejudice application for modification of license to change power from 500 watts limited time to 250 watts night, 500 watts day, unlimited.
- NEW—Harry Jackson, Harrisburg, Pa.—Granted petition for continuance of hearing now scheduled for May 5 until May 31, in re application for C. P. for new general experimental station.
- Pulitzer Publishing Co., St. Louis, Mo.—Granted petition to intervene in the hearing on the application of KXOX to change frequency and increase power; KFRU to change frequency and power, and WGBF to change frequency and power.
- WJHP—The Metropolis Company, Jacksonville, Fla.—Denied motion requesting applicant to furnish detailed information, requesting breakdown of profit and loss statements, in connection with Exhibits 18 and 19 to petitioner in re application of WMBR to change frequency and power.
- W3XL-W3XAL—National Broadcasting Co., New York City.—Granted extension of special temporary authority to transmit programs consisting of Spanish News to be rebroadcast by Cuban stations CMX and COCX for the period May 3 to June 1.
- KROY—Royal Miller, Sacramento, Cal.—Granted special temporary authority to rebroadcast Naval Observatory time signals over station KROY from NAA/NSS at Washington, D. C., for the period May 1 to May 31.
- KBJS—Peck & Rice Airways, Bethel, Alaska.—Granted extension of special temporary authority to operate aero. station KBJS, using frequencies **2922, 5652.5, 6590***, 10 watts (*not to be used between hours of 6 p. m. and 6 a. m., PST), for a period of 2 months beginning May 10 and ending July 10, 1939.
- WSMK—WSMK, Inc., Dayton, Ohio.—Granted modification of C. P. extending completion date from May 1 to July 1, 1939.
- WIXAR—World Wide Broadcasting Corp., Boston, Mass.—Granted license to cover C. P. as modified for new international broadcast station upon an experimental basis only conditionally; frequencies **11730 and 15130 kc.**, 20 KW, unlimited time, according to Rule 983.
- WNYC—City of New York Municipal Broadcasting System, New York City.—Granted license to cover C. P. authorizing installation of new equipment and vertical radiator at present transmitter site for emergency purposes only.
- W8XWJ—The Evening News Assn., Detroit, Mich.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WEOG operated by General Electric Company located aboard new streamline train of Union Pacific enroute to New York from Los Angeles, for 15 minutes at 11 a. m. and 2 p. m., on May 1.
- WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Granted special temporary authority to operate simultaneously with WJBO from 4 to 6:45 p. m., CST, on May 1, 10, 15 and 16, in order to broadcast intercollegiate baseball games.
- KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted special temporary authority to conduct transmission tests on a frequency of **1622 kc.**, with power not to exceed 25 watts, in the vicinity of St. Paul, in order to test transmission from the site specified in application for relocation of KSTP transmitter, for a period not to exceed two weeks following date of authorization.
- WSUI—State University of Iowa, Iowa City, Ia.—Granted C. P. to move transmitter site locally, install new equipment and vertical radiator. Towers to be marked in accordance with engineering specifications.
- WGAR—WGAR Broadcasting Co., Cleveland, Ohio.—Granted special temporary authority to rebroadcast program material received from relay station WEOG operated by General Electric Company located aboard the new streamline train of Union Pacific enroute Los Angeles to New York World's Fair, from 1:45 to 2:15 p. m., EST, on May 2.
- KGA—Louis Wasmer, Spokane, Wash.—Granted special temporary authority, for a period of 20 days, to operate a 100-watt transmitter on KGA's frequency **1470 kc.**, in the vicinity of Spokane, from 1 to 6 a. m., PST, in order to conduct site survey; tests not permitted during Commission's monitoring schedule.
- WFBI—Onondaga Radio Broadcasting Corp., Syracuse, N. Y.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WEOG operated by General Electric Company located aboard the Union Pacific train enroute Los Angeles to New York World's Fair, from 12 noon to 2 p. m., EST, on May 3.
- WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WEOG operated by General Electric Company located aboard Union Pacific train, on May 11.
- KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Granted special temporary authority to rebroadcast program material to be received from Army Airplane No. 36-431, call letters VR2 and No. 37-16, call letters SF7, in connection with blackout exercises on May 18.
- WEEL—Columbia Broadcasting System, Inc., Boston, Mass.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WEOG operated by General Electric Company located aboard Union Pacific train, from 5:15 p. m. to 5:45 p. m., EST, on May 4, 1939.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Me.—Granted special temporary authority to operate from 11 a. m. to 1 p. m. and 4 to 7 p. m., DST, daily, instead of EST, for the period May 7 to June 30.

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Granted special temporary authority to operate simultaneously with WJBO from 10 to 11 p. m., CST, on May 6, in order to broadcast Barn Dance of Agricultural Engineering Society.

KFRO—Voice of Longview, Longview, Tex.—Denied special temporary authority to operate from local sunset (May, 7:15 p. m., CST) to 11:05 p. m., on various dates during the month of May, in order to broadcast Rotary programs, baseball games, church services and other special programs, using 100 watts power.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Denied special temporary authority to operate simultaneously with KFRU with reduced power of 250 watts, from 8 to 9 p. m., CST, on May 3, 10, 17, 24 and 31, in order to broadcast popular network programs.

KFRU—KFRU, Inc., Columbia, Mo.—Denied special temporary authority to operate simultaneously with WGBF with reduced power of 250 watts, from 8 to 9 p. m., CST, on May 3, 10, 17, 24 and 31, in order to permit station WGBF to broadcast popular network programs.

APPLICATIONS FILED AT FCC

850 Kilocycles

WWL—Loyola University, New Orleans, La.—License to cover construction permit B3-P-228, as modified for increase in power, new equipment, installation of directional antenna, and move of transmitter.

WWL—Loyola University, New Orleans, La.—Modification of special experimental authorization to operate unlimited time, using 50 KW power, for period ending August 1, 1939.

1140 Kilocycles

WAPI—Alabama Polytechnic Institute, University of Alabama, Alabama College (Board of Control of Radio Broadcasting Station WAPI), Birmingham, Ala.—Construction permit to install new transmitter, directional antenna for day and night use; change frequency from 1140 kc. to 1070 kc.; increase power from 5 KW to 50 KW, hours of operation from simultaneous day, share with KVOO night, to unlimited time; move transmitter from on Sandusky Mt., near Pratt City, Birmingham, Ala., to site to be determined. Amended to give transmitter site as 1 mile southwest of Mt. Pinson, Ala.

WSPR—Quincy A. Brackett, Lewis B. Breen, Edmund A. Laport, co-partners, d/b as Connecticut Valley Broadcasting Company, Springfield, Mass.—Modification of license to change frequency from 1140 kc. to 1240 kc., and change power and hours of operation from 500 watts, limited time, to 250 watts; 500 watts day, unlimited time.

1200 Kilocycles

WCAX—Vermont Broadcasting Corp., Burlington, Vermont.—Modification of license to change name to Burlington Daily News, Inc.

KVOS—KVOS, Inc., Bellingham, Wash.—License to cover construction permit B5-P-2123, as modified, for equipment changes, new antenna and move of transmitter.

1310 Kilocycles

WMBO—WMBO, Incorporated, Auburn, N. Y.—Modification of license to increase (night) power from 100 watts; 250 watts day, to 250 watts day and night.

1390 Kilocycles

WHK—Radio Air Service Corporation, Cleveland, Ohio.—Modification of license to increase (day) power from 1 KW; 2½ KW day to 1 KW night, 5 KW day.

1500 Kilocycles

KOTH—Garden Island Publishing Co., Ltd., Lihue, Hawaii.—Modification of construction permit B-P-1970 for a new

station requesting approval of antenna and studio and transmitter site at Lihue, Hawaii.

MISCELLANEOUS

W2XDG—National Broadcasting Company, Inc., Bound Brook, N. J.—Modification of license to change frequency from 31600, 35600, 38600, 41000 kc. to 42100 kc., to comply with new rules adopted 4-17-39.

W2XHG—National Broadcasting Company, Inc., New York, N. Y.—Modification of license to change frequency from 31600, 35600, 38600, 41000 kc. to 42260 kc., to comply with new rules adopted 4-17-39.

WNYN—City of New York, Municipal Broadcasting System, Portable-Mobile (area of New York City).—License to cover construction permit B1-PRY-161 for a new portable-mobile relay broadcast station.

WNYO—City of New York, Municipal Broadcasting System, Portable-Mobile (area of New York City).—License to cover construction permit B1-PRY-162 for a new portable-mobile relay broadcast station.

W9XBS—National Broadcasting Company, Inc., Chicago, Ill.—Modification of license to change frequencies from 31600, 35600, 38600, 41000 kc. to 42180 kc., to comply with new rules adopted 4-17-39.

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 to show cause why cease and desist orders should not be issued against them.

H. P. Clearwater—Misleading representations in violation of the Federal Trade Commission Act are alleged in a complaint issued against H. P. Clearwater, 145 Water St., Hallowell, Maine, distributor of "Rheumatic Arthritis Treatment."

Clearwater is alleged to have represented that his product is an adequate treatment for and will cure arthritis, rheumatism, sciatica and lumbago, and in all cases relieve the pain. The complaint alleges that it is not such a treatment or cure, and that its effect is limited to that of a laxative and tonic and to relief from pain equivalent to that afforded by aspirin. (3777)

Dress Returns Control Bureau, Inc.—See Popular Priced Dress Mfg. Group, Inc.

G-H-R Electric Dilator Company—John B. Roche, trading as The G-H-R Electric Dilator Company and The Roche Electric Machine Company, 215 North Division Ave., Grand Rapids, Mich., distributors of devices for the treatment of prostate disorders, kidney weaknesses and other ailments, is charged with misrepresentation in a complaint.

In advertisements in newspapers and periodicals the respondent is charged with representing that "The new and improved G-H-R Electric Thermitis Dilator is the one true method for the treatment of bladder or kidney weakness, loss of vitality, prostate gland trouble," and "You can feel and look young at 80 by simply taking the proper treatment."

The complaint charges that the Dilator has no value in the treatment of prostatic disorders, and its use will not cure such disorders. The complaint also alleges that the Roche Electric Hygienic Machine is not effective in the treatment of any weakness of any vital organ, and that use of the Dilator will have no effect on conditions due to age, and will not make the user feel and look young at 80. (3772)

Marhar Sales Company—Alleging the use of lottery methods in the sale of blankets, bedspreads and other merchandise to churches, fraternal organizations and clubs, for resale to ultimate consumers, a complaint has been issued against Meyer R. Eisenbrock, trading as Marhar Sales Company, 1322 West Girard Ave., Philadelphia.

The respondent is alleged to have distributed the following "club plan": Each club has a fixed number of members ranging from 30 to 125. A club member pays a fixed amount each week, usually 25 cents, for a period not to exceed a given number of weeks, usually 22 weeks. At the end of the first week a drawing is held and the member whose name or number is drawn receives an article of merchandise for payment of one week's dues, and is then dropped from the club roll. Each succeeding week the same procedure is followed, so that one member receives an article by paying one week's dues, another for two weeks' dues, and so on to the end of the fixed period. Then all remaining members receive one article of merchandise, but they have paid the face value thereof. (3773)

Nash Brothers Drug Company—Alleging misrepresentations in the sale of a medicine advertised as a remedy for malaria and other diseases a complaint has been issued against a Jonesboro, Ark., drug firm.

Respondents in the case are William G. Nash, Sr., William G. Nash, Jr., and Florence Nash Cox, who were named both individually and as co-partners trading as Nash Brothers Drug Company and engaged in the sale of "Nash Chill and Liver Tonic," also designated "Nash's C & L Tonic."

In an advertisement quoted in the complaint readers were asked whether they were afflicted with any of a list of ailments including constipation, chills, occasional fever, fatigue, biliousness, indigestion, loss of weight, backaches and others. "If you have any of these symptoms no doubt you are suffering from the first—or maybe the more serious stages of malaria," it was advertised.

The complaint alleges that only two of the symptoms listed in the respondents' advertising, namely chills and occasional fevers, were symptoms of malaria and that the various other representations were misleading. (3775)

Piccadilly Hosiery Company—See Piccadilly Hosiery Mills.

Piccadilly Hosiery Mills—Trading as Piccadilly Hosiery Mills and Piccadilly Hosiery Company, Benjamin Gould, 1019 Arch St., Philadelphia, is charged in a complaint with violation of the Federal Trade Commission Act in the sale of hosiery.

Use of the word "Mills" in Gould's trade name and printed matter is alleged to serve as a representation that he manufactures the hosiery he sells, when in fact he owns or controls no factory for that purpose. (3774)

Popular Priced Dress Manufacturers Group, Inc., and Dress Returns Control Bureau, Inc., and their respective officers, directors and members, are charged in a complaint issued by the Federal Trade Commission with entering into a combination and conspiracy among themselves to suppress competition and to create a monopoly in the respondents in the distribution and sale of women's dresses in the lower price ranges. (3778)

Roche Electric Machine Company—See G-H-R Electric Dilator Company

STIPULATIONS

The Commission has entered into the following stipulations:

William H. Bohn Company—William H. Bohn, trading as William H. Bohn Company, Wilkes-Barre, Pa., has entered into a stipulation to discontinue misleading representations in the sale of a "Key Check Outfit," also an outfit for operating a clipping bureau, mail order plans, and "Rotex-Process Embossing Ink."

Bohn agrees to cease misrepresenting the earnings to be made from making key checks with the outfits he sells, and to discon-

tinue advertising that he can furnish one with the means for operating a profitable clipping bureau; that his Rotex-Process Embossing Ink will enable one to "engrave" his personal handwriting, or that the respondent's mail order plan offers 300 ways of making money and is offered to the purchaser at a special introductory price, when these are not the facts. (02372)

Bonded Wineries, Inc., 2353 Euclid Ave., Cleveland, under a stipulation entered into will discontinue use of the words "Bonded Wineries" as the corporate or trade name under which it carries on its business.

The respondent company agreed to discontinue using the word "Bonded" or the word "Wineries" together or independently, or words or phrases of similar import as descriptive of its business, and to cease employing any representations the effect of which tends to convey the belief that it is a producer or fermenter of wines operating under Government supervision, when such is not a fact. (2455)

Continental Envelope Corporation—Engaged in the manufacture and sale of envelopes, Continental Envelope Corporation, 429 South Ashland Blvd., Chicago, has entered into a stipulation to discontinue misleading representations.

The respondent corporation agrees to desist from representing in its advertisements or otherwise that it produces over 1,000,000 envelopes a day or over 300,000,000 a year, or any other statements concerning its production which do not truthfully and accurately represent the actual output.

It will also cease representing in advertising matter or in any other way that purchasers of its products "save up to 30%," implying that the respondent's prices are up to 30 per cent less than prevailing prices or the prices charged or discounts allowed by competitors, when such is not a fact. (2459)

Etna Chain Company—Frank A. Duke, trading as Etna Chain Company, 116 Nassau St., New York, engaged in the assembly of rolled gold-plated neck chains, agrees to desist from misrepresentations in the sale of his product under a stipulation.

The respondent will discontinue marking or otherwise designating neck chains or other articles with the term "1/20-12 Kt.," either alone or in connection with the words "Gold Filled," or otherwise, when in fact the gold content of such mounting is other than 25/1000 gold or better; or use of the words "Gold Filled" as applied to any article having a coat of gold of less than 10 carat fineness and when the weight of such gold is less than 1/20 the weight of the entire article.

He will also cease designating himself as a "manufacturer of chains," when in fact he merely cuts up chains already manufactured by others and assembles them for the market, and will also discontinue representing or inferring that he operates a factory or plant in Providence, R. I., jewelry manufacturing center, when such are not the facts. (2457)

More Egg Company—Selling a poultry preparation called "More Egg Tonic," M. Sullivan, trading as More Egg Company, 333 North 15th St., Philadelphia, has entered into a stipulation to discontinue misleading representations. He will cease advertising that use of his product will enable one to "keep hens laying all winter" or double egg production, or that it "makes layers out of loafers." Sullivan agrees also to cease using the phrase "More Egg Tonic" as a trade name for his product. (02373)

Neverknot Company—Grover B. Higgins, trading as The Neverknot Company, 4525 Ravenswood Ave., Chicago, has entered into a stipulation to discontinue misleading representations in the sale of a cord set for electrical appliances designated "DeLuxe Neverknot Cord Set." Higgins agreed to stop advertising that one "just can't help" making money with his plan of selling the cord set, or that he guarantees one's success or a profit. (02374)

Ohls Poultry Yards & Hatchery—Misrepresentation in the sale of baby chicks will be discontinued by Harry E. Ohls and Charles Yeager, trading as Ohls Poultry Yards & Hatchery, Marion, Ohio, under a stipulation entered. The respondents operate hatcheries at Marion and Mt. Vernon, Ohio, and at Marshall, Mo.

Under their stipulation, they agree to cease employing the word "Giant" as descriptive of their White Leghorn baby chicks or the breed thereof, when in fact no breed of "Giant" White Leghorn chicks exist. They agree to cease using the word "Giant," either alone or in connection with other words implying that their chicks are of a special breed or strain of White Leghorn chicks, which, when raised by the ordinary purchaser, would be of giant or super-size. (2456)

Miss Saylor's Chocolates, Inc., 2420 Encinal Ave., Alameda, Calif., manufacturer of candies which it sells chiefly to cigar and drug store dealers will cease supplying persons with punch boards or other lottery devices to enable them to dispose of or sell merchandise to the ultimate consumer by use thereof. (2462)

Standard Distillers Products, Inc., 614 East Lombard St., Baltimore, will cease use on labels or brands of the word "Pikesville" to designate a whiskey not of the same quality as the "Pikesville" liquor made prior to prohibition by the former Winand Distilling Company, Pikesville, Md. The stipulation points out that the respondent obtained exclusive use of the trade mark "Pikesville" from its present owner, the Maryland-Pikesville Distillery, Inc. (which neither owns nor operates a distillery), but applied the name to an inexpensive inferior whiskey neither comparable in price and quality to the Pikesville whiskey formerly sold, nor distilled in Pikesville, Md. (2460)

Sterchi Brothers Stores, Inc., Knoxville, Tenn., in the retail sale of furniture, agreed to discontinue advertising articles as loaned or delivered "free" if receipt thereof by a customer is dependent on any consideration, payment, or rendition of services required but not clearly disclosed in connection with the representations. Prices will not be represented as reduced, special or extra when in fact they are the customary prices. (2458)

Wholesale Watch & Jewelry Company—Caroline R. Macher, trading as Wholesale Watch and Jewelry Company, and her husband, Robert J. Macher, 15 Maiden Lane, New York, will cease using the word "wholesale" as part of the trade name of their industrial jobbing business and in referring to quoted prices or in any manner implying that theirs is a wholesale business in which goods are sold to the trade for resale as distinguished from sale to the ultimate consumer. They will also desist from the representation that their business is in its fifty-sixth year or that they are "Successors to the Wholesale House of J. Macher, Direct Jobber for a Half Century." (2461)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

Century Metalcraft Corporation—Disparagement of competitors and misrepresentation of the durability and value of kitchen utensils distributed by it brought a cease and desist order against Century Metalcraft Corporation, 1105 Lawrence Ave., Chicago. The respondent is the distributor of "Silver Seal" kitchen utensils, the advertising and sale of which is conducted principally by agents, representatives and employees through personal solicitation and contacts.

In the course of manual demonstrations by the agents, the Commission finds, representations are made that the utensils contain little or no aluminum, that the method of cooking is new and revolutionary, that competing granite and aluminum cooking utensils are dangerous to the health of consumers of food cooked in them, and that certain doctors and hospitals have recommended and endorsed the respondent's utensils.

Findings of the Commission are that food cooked in granite or aluminum utensils is not dangerous or deleterious to the health of consumers, and that the use of aluminum or granite utensils in no wise affects the purity or quality of food cooked in them. (3601)

Quality Bakers of America, a trade association composed of approximately 70 member wholesale baking concerns located in various sections of the United States, has been served with an order prohibiting violation of the brokerage section of the Robinson-Patman Act.

Other respondents include Quality Bakers of America, Inc., service and purchasing agency, the stock of which is owned by the association members, with offices at the association headquarters, 120 West 42nd St., New York; six baking companies named as being representative of the association membership, and the association officers and executive committee members.

Findings are that:

The baking companies, composing the membership of the association, Quality Bakers of America, through stock ownership controlled the service company, Quality Bakers of America, Inc., and used it as their purchasing agent in buying bakers' supplies, equipment and machinery.

On these purchases the service company received and accepted from more than 200 manufacturers and other sellers brokerage fees in connection with which neither the service company nor the member companies making the purchases rendered any services to the sellers.

The brokerage fees were turned over by the service company to the member companies in the form either of money and credits or benefits and services such as services relating to purchasing, production engineering, accounting, sales promotion, advertising, planning, publications and management assistance. This was accomplished under an agreement that the members pay dues to the service company and that the brokerage fees allowed by the sellers and collected by the service company be applied one-half to the credit of dues for the member on whose business a brokerage fee originated and one-half for services to all association members. Statistics based on 1936 purchases show that the service company collected \$181,528 in brokerage fees that year of which \$90,760 was credited to the respective accounts of member companies. (3218)

United States Rubber Company and one of its subsidiaries, U. S. Tire Dealers Corporation, both of New York, have been ordered to discontinue price discriminations and payment of special commissions in violation of the Robinson-Patman Act in the sale of automobile tires and tubes.

Findings are that United States Rubber Company, together with its subsidiaries, is one of the country's four largest tire manufacturers, with three principal distributing outlets: (1) automobile manufacturers, (2) certain wholesalers, mail order houses and retail store chains selling this company's tires under their own private brands or trademarks, and (3) thousands of wholesale and retail tire dealers and service stations throughout the United States. (3685)

U. S. Tire Dealers Corporation—See United States Rubber Company.

FTC CLOSES CASE

The Federal Trade Commission has closed its case against Temple Electric Corporation, 80 Cortlandt St., New York, and others, charged with unauthorized use of certain well known trade names in the sale of radio sets.

The unfair practices alleged in the complaint being covered in an order to cease and desist issued against Knight Electric Co., Inc., 16 Hudson St., New York, and others (Docket 2656) in May, 1937, in which the parties in the Temple Electric Corporation case were also respondents, the Commission closed the case against Temple Electric Corporation and others without prejudice to its right to resume prosecution should future acts so warrant.

FCC Assignments For May

Duties of Commissioners, Secretary, and Chief Engineer of the FCC as allocated by Order No. 28, dated November 29, 1937, which provides "That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon:

**ASSIGNMENT FOR
MONTH OF
May**

"All applications for aeronautical, aircraft, geophysical, motion picture, airport, aeronautical point to point, municipal and state police, marine relay, marine fire, and emergency and special emergency radio facilities.

**Commissioner
George Henry Payne**

"All applications for licenses following construction which comply with the construction permit; applications for extensions of time within which to commence and complete construction; applications for construction permit and modification of construction permit involving only a change in equipment; applications to install frequency control; applications relating to auxiliary equipment; applications for authority to determine operating power of broadcast stations by direct measurement of antenna power; applications for special temporary authorization; applications for modification of licenses involving only change of the name of the licensee, where the ownership or control is not affected; applications for construction permit or modification of license involving relocation locally of a studio, control point or transmitter site; and applications for relay broadcast stations.

**Commissioner
Frederick I. Thompson**

"All radio matters of every character (except broadcast, operator licenses and amateur and ship stations) within the territory of Alaska.

**Commissioner
Thad H. Brown**

"All uncontested proceedings involved in the issuance of certificates of convenience and necessity; and the authorization of temporary or emergency wire service, as provided in Section 214 of the Act.

**Commissioner
Paul A. Walker**

"All matters arising in connection with the administration of tariff circulars of the Commission adopted pursuant to Section 203 of the Act, including the waiver of notice for the filing of tariffs.

**Commissioner
Norman S. Case**

"All matters arising under the Rules of Practice and Procedure of the Commission relating to withdrawals, dismissals, or defaults of applications or other proceedings, subject to the statutory right of appeal to the Commission; and to hear and determine all interlocutory motions, pleadings and related matters of procedure before the Commission.

**Commissioner
T. A. M. Craven**

"That the Secretary of the Federal Communications Commission is hereby authorized to determine, order, certify, report or otherwise act, with the advice of the General Counsel and the Chief Engineer, upon:

- (a) all applications for operator licenses, and
- (b) all applications for amateur and ship stations.

**Secretary
T. J. Slowie**

"That the Chief Engineer of the Federal Communications Commission is hereby authorized to determine upon all applications and requests, and to make appropriate order in letter form for the signature of the Secretary in the following matters:

- (a) operation without an approved frequency monitor;
- (b) operation without an approved modulation monitor;
- (c) operation without thermometer in automatic temperature control chamber;
- (d) operation without antenna ammeter, plate voltmeter or plate ammeter;
- (e) operation with substitute ammeter, plate voltmeter or plate ammeter;
- (f) operation with temporary antenna system;
- (g) operation with auxiliary transmitter as main transmitter;
- (h) operation with new or modified equipment pending repair of existing equipment, or pending receipt and action upon a formal application;
- (i) where formal application is not required, application for new or modified equipment or antenna system;
- (j) where formal application is not required, change of specifications for painting and lighting of antenna towers;
- (k) operation to determine power by direct method during program test periods;
- (l) relocation of transmitter in the same building;
- (m) operation with reduced power or time under Rules 142 and 151;
- (n) approval of types of equipment;
- (o) where it appears that terms of construction permit have been complied with, authorization for equipment and program tests or extensions thereof;
- (p) denial of requests for equipment and program tests where specifications of construction permit have not been met;
- (q) withdrawal of authorizations for equipment and program tests where subsequent to the issuance of the original authorization it appears that the terms of the construction permit have not been met;
- (r) extensions of time within which to comply with technical requirements specified in authorizations, orders and rules or releases of the Commission;
- (s) changes in equipment necessary to comply with technical requirements specified in authorizations, orders, rules or releases (except formal applications);
- (t) representations of compliance with technical requirements specified in authorizations, orders, rules or releases (except formal applications);
- (u) operation with licensed, new or modified equipment at a temporary location with a temporary antenna system in case of an emergency when, due to causes beyond the control of the licensee, it becomes impossible to continue operating at the licensed location."

**Chief Engineer
Ewell K. Jett**