



A. F. of M. Asks IRNA Increase

The Executive Committee of IRNA met Thursday with the International Executive Board of the AFM in order to exchange views regarding procedure in connection with the approaching expiration of the national plan of settlement between the AFM and network affiliates made in 1937 which expires on January 17, 1940. There were present, representing the IRNA, Walter J. Damm, John Shepard, III, and Samuel R. Rosenbaum, chairman. Also present by invitation were representatives of the three national networks, as follows: Mark Woods of NBC, Lawrence W. Lowman, CBS and Julius F. Seebach of MBS; also, Harold Lafount, president of the National Independent Broadcasters, as representative of independent non-affiliated stations; also, Joseph L. Miller, Director of Labor Relations of NAB.

During the course of the conference Mr. Joseph N. Weber, president of the AFM and chairman of its International Executive Board notified the broadcasters that the position of the Federation is as follows:

(a) In 1937, the Federation required the network affiliates (including network owned and operated stations but not including network key stations) to increase their annual expenditure for staff musicians by an additional sum of \$1,500,000, thereby bringing the gross annual expenditure up to not less than three million dollars. This has been carried out under the plan of settlement during the two years beginning January 17, 1938.

Upon the expiration of the present arrangement, January 17, 1940, the Federation will require that this annual expenditure be increased by a further sum of \$1,500,000 per annum, bringing the gross expenditure of the affiliates as a group for staff musicians up to the sum of not less than \$4,500,000 per annum.

(b) In 1937, the Federation required that the annual expenditure of the three national networks in all their key stations in New York, Chicago and Los Angeles be increased by \$60,000 per annum each for staff musicians and this arrangement has been carried out in the two years since the effective date of the national plan of settlement, January 17, 1938. The Federation will require that this increased expenditure be doubled after the expiration of the present arrangement on January 17, 1940, that is, that all of the key stations of the three national networks, in New York, Chicago and Los Angeles, be equivalent to \$120,000 per annum for each station in excess of the amount that was being spent prior to 1938.

(c) The Federation will deal separately with the independent non-affiliated stations

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*

A. F. OF M. ASKS IRNA INCREASE

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and its demands from such stations were not communicated to those participating in today's conference.

The representatives of IRNA and the networks were not empowered to give the Federation any reply to these demands.

The Executive Committee of IRNA will promptly communicate with all affiliates in order to obtain facts and figures with which to go back to the Federation for further conference and negotiation.

The Federation notified the IRNA Committee that it should obtain the necessary responses from the affiliates with sufficient promptness to enable the Committee to meet again with the Federation Executive Board on November 20, 1939, the date fixed for the next conference. Statement by Samuel R. Rosenbaum, Chairman of IRNA.

ANA CONVENTION

The 30th annual meeting of the Association of National Advertisers held in Hot Springs, Virginia, October 25, 26, 27, and 28, discussed two subjects of particular interest to broadcasters.

The Consumer Movement

The entire day of October 26th was devoted to reports and discussion of the "Consumer Movement." There has been much discussion of this challenging question to present-day business and the ANA undertook to present a complete factual and unbiased picture of the movement to those most concerned—advertisers, advertising agencies, and advertising media. Reports and discussions were carried on under four topics. Part 1 was devoted to "What the Consumer Movement Is"; Part 2, "The Importance of the Movement in Educational Channels"; Part 3, "The Importance of the Movement in Government"; and, Part 4, "The Scope and Penetration Nationally Among the Consuming Public." Such books as "100,000,000 Guinea Pigs", "Your Money's Worth", and such services as "Consumers Guide" and "Consumers Union" have been instrumental in getting the "Consumer Movement" under way.

Dr. Kenneth Dameron, Professor of Marketing at Ohio State University, at present on leave and engaged in

special research on advertising and consumer relations for the AAAA reported on the importance of the movement in educational channels. He stated that he felt business was neglecting a much needed honest public relations contact with educators. He indicated that the business conception of educators as having radical views on business is basically caused by the failure of business to equip schools with factual material. In the absence of proper information, school teachers, instructors, and professors have accepted the store of information furnished them through such sources as represented by "100,000,000 Guinea Pigs."

After a report on "The Importance of the Movement in Government" outlining the impetus given the movement by various government agencies, Dr. George Gallup, Vice President of Young & Rubicam, Inc., and President of the Institute of Public Opinion, reported the results of a survey on the "Consumer Movement" conducted by the Advertising Research Foundation. The survey was divided into two parts, one directed to consumers and the other directed to educators. Dr. Gallup's report disclosed that 24 per cent of the consumers interviewed knew of the "Consumer Movement" and about half of these had reasonably intelligent ideas about it. The alarming feature was that most of the educators knew and understood the "Consumer Movement." The implication of this finding is that the future consumers represented by those attending school now are being taught the doctrines of the "Consumer Movement" which envisions radical changes in business structure and would eliminate all advertising.

NAB is requesting that a summary of the survey findings reported by George Gallup be furnished for distribution to NAB member stations because of its fundamental significance and the direct bearing on advertising. Information was gathered on consumer opinion of business, distribution and advertising.

The Advertising Research Foundation

On October 27th the entire day was devoted to a discussion under the topic "Precision Tools for Advertising" put on by the Advertising Research Foundation. This Foundation was formed by the ANA in 1935 to fulfill the function of promoting scientific measurement of advertising values. At this meeting a history of the Foundation was presented, detailing the objectives of the organization and its accomplishments to date.

Neville Miller, President of the National Association of Broadcasters, made an address (appearing in last week's REPORTS, volume 7, number 43) on the subject of "The Viewpoint of Radio." Kerwin Fulton, President of Outdoor Advertising, Inc., presented "The Viewpoint of the Outdoor Industry" in which he lauded the Advertising Research Foundation for the work it had done in establishing a method and assisting in the formation of the Traffic

Audit Bureau which is currently releasing standard information on the value of outdoor advertising.

A report was then given on a new project undertaken by the Advertising Research Foundation on the topic of "Measuring Magazine Readership." This undertaking of the Foundation marks the beginning of refined measurement of the value of magazine advertising. There was next reported "The Continuing Study of Newspaper Reading." A history of the undertaking was given and the first produced study of newspaper reading was presented. A standard survey of an Akron, Ohio, newspaper reports the percentage of subscribers reading individual pages of the newspaper and the percentage reading individual articles and advertisements appearing on each page. Separate percentages are presented for men and women and summarized by the various departments of the newspaper. It was announced that this was the first "reading survey" released and that like reports for other newspapers will be released at about two-week intervals. Both the magazine and newspaper studies are being financed by the publishers and produced by the Advertising Research Foundation. In both cases, the studies undertaken will in no way affect the "circulation figures" developed by the Audit Bureau of Circulation. The new studies will supplement and refine the basic circulation data.

This development is important to the broadcasting industry because of the refinements in information being developed by these two media and the work done for the outdoor advertising industry. It indicates the need for radio industry action in the establishment of standard measurements of the advertising value of radio broadcasting. Mr. Miller, in his speech to the ANA, mentioned the

Wage and Hour Act

The Wage and Hour Administration now says it is all right to reduce *weekly* wages when reducing working hours from 44 to 42, if the *hourly* rate is above the minimum of 30 cents. The *hourly* rate must not be cut.

For instance, if an announcer was paid \$44 for a 44-hour week, he can be paid only \$42 for a 42 hour week. If he is kept on a 44-hour schedule, however, he must be paid for two hours overtime at \$1.50 an hour, or \$45 a week. Or he can be paid \$44 for a 43 1/3 hour week.

The Administration held that Section 18 of the Act ("No provision of this Act shall justify any employer in reducing a wage paid by him which is in excess of the applicable minimum wage") referred to the *hourly* wage, not to the *weekly* wage.

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joint undertaking of the NAB with the ANA and the AAAA, known as the Joint Committee on Radio Research. The creation of this committee was a step in the right direction, however its progress has lagged and in the best interests of the radio industry its objectives should be reviewed and understood by each NAB member and concerted action taken to attain a progressive position for broadcast advertising in the matter of honest, standard, lucid information on its advertising value.

CODE EDITORIALS

Included with this issue of the NAB REPORTS are additional newspaper editorials dealing with the Code. A more complete cross section of press opinion will be published in a future NAB NEWS REVIEW.

FDR PRAISES RADIO

President Roosevelt tossed a bouquet to the broadcasting industry last week.

In a speech addressed to the New York Herald-Tribune forum, he said, in part:

I am glad to say a word in this forum because I heartily approve the forum idea. After all, two eighteenth-century forums in Philadelphia gave us the Declaration of Independence and the Constitution of the United States.

It is the magic of radio that has so greatly increased the usefulness of the forum. Radio listeners have learned to discriminate over the air between the honest advocate who relies on truth and logic and the more dramatic speaker who is clever in appealing to the passions and prejudices of his listeners.

We have had an example of objective reporting during recent weeks in the presentation of international subjects, both in the press and the radio. Right here I should like to throw bouquets to the majority of the press and the radio. Through a period of grave anxiety both have tried to discriminate between fact and propaganda and unfounded rumor and to give their readers and listeners an unbiased and factual chronicle of developments. This has worked so well in international reporting that one may be pardoned for wishing for more of it in the field of domestic news. If it is a good rule in one, why is it not a good rule in the other?

* * *

It is a fact increasingly manifest that presentation of real news has sharpened the minds and the judgment of men and women everywhere in these days of real public discussion—and we Americans begin to know the difference between the truth on the one side and the falsehood on the other, no matter how often the falsehood is iterated and reiterated. Repetition does not transform a lie into a truth.

FREE OFFER

Comparative quiet reigned on the "free offer" front last week with only three attempts to obtain radio time "gratis" reported by member stations.

However, one of these involved motion pictures, with the Artists Bureau, Hollywood, Cal., sending out transcribed news programs about forthcoming movie productions and movie personalities for stations to broadcast "free of charge." NAB has advised the above organization of radio's stand on such attempts. It has also tried to impress upon them the advantages of a regular campaign. In this connection, it is interesting to note that the latest public opinion survey of Fortune Magazine reported in the November issue asked this question, "If you had to give up either going to the movies or listening to the radio, which one would you give up?" 79.3% of those interviewed said they would give up the movies; 13.9% said they would be willing to give up radio; 6.8% were undecided. Headquarters has also again advised Radio Program Associates (Doc Sellers True Stories) and Ringling Brothers-Barnum and Bailey Circus that their recent attempts to garner free air time are contrary to the NAB Code of Ethics.

The American Osteopathic Association has objected to being listed in a recent issue of the REPORTS under the heading of free offers. NAB has explained that this information is given for the benefit of members and does not necessarily pronounce judgment on the merits of each individual free offer listed. In this case, apparently, no special commercial objective is sought in offering scripts on good health, etc., to stations. The A.O.A.'s own Code of Ethics prohibits individuals from advertising their services, in accordance with accepted medical practice.

DAVID LAWRENCE DISAGREES WITH BROADCASTERS

David Lawrence, editor of the United States News, spoke over Columbia Broadcasting System, Sunday, Oct. 29, on "Freedom for the Thought We Hate." The talk was in answer to the broadcast by Neville Miller, NAB president, on the previous Sunday, when news and controversial public issues sections of the code were supported over the same network.

Mr. Lawrence asserted his agreement with Voltaire, who is credited with saying "I wholly disagree with what you say, but I will defend unto death your right to say it."

It was his opinion that radio is a form of publishing. Because of this premise he took issue with the broadcasters in many of their conclusions.

"Now my principal contention," said Mr. Lawrence in part, "is that radio broadcasting owners have surrendered their individual freedom by setting up a Code of compliance or enforcement. . . . Some of the radio owners believe that the present statute—which says their licenses

shall be granted by the government only when the stations conduct themselves in accordance with 'the public interest, convenience and necessity'—means that radio itself is somehow affected with a 'public interest' like a public utility and hence is in a different category from the press. I think this is a dangerous interpretation. I regret to say it has already been proclaimed in speeches by various chairmen of the Federal Communications Commission possibly because some day they wish to justify the exercise of wider powers. But in a court test I hope this interpretation will some day be held to be unconstitutional.

"The air itself does not belong to the Government but to the people whose rights are reserved under our written constitution. The air does not belong to the government any more than does the air in an auditorium where people assemble. What is spoken over the long distance telephone wires which makes this very network of nation-wide transmission possible, is no more subject to governmental regulation than would be my voice if carried from a private telephone in my home to an auditorium three thousand miles away where several hundred persons could assemble and listen through what is known as a 'public address' system of amplifying devices such as anybody can lease nowadays from a local telephone company at established rates.

"Yes, of course, there is a limited number of wave lengths. Hence the government has the function of seeing to it that frequencies do not overlap and that mechanical disturbances or collisions are reduced to minimum in order that the 'public interest, convenience and necessity' may be served. But to infer from this that programs may be regulated is to turn back the pages of history to the dark days when well-meaning bureaucrats in our own land sought to regulate, if not censor, the contents of newspapers or periodicals just because of the existence of the second-class mail privilege granted by the government itself. That battle has been fought and won, and so must the battle be won against those bureaucrats in government who have been trying by insidious means to give radio a special status just because it also benefits incidentally from a government-granted privilege.

"Nor has the President of the United States, as some have been led to believe, any lawful power over the radio at any time except while we are at war. During the existence of a foreign war in which we are neutral the Constitution with its guarantees of free speech and a free press is by no means suspended. No governmental commission, therefore, and no executive agency of the government has any constitutional power over radio programs at this time notwithstanding the existence of such a provision approximating that power in one of the provisions of our neutrality laws. Such clauses should be repealed or promptly tested in the courts.

"The National Association of Broadcasters chooses, I regret to say, the path of submission when they concede

that the phrase 'public interest, convenience and necessity' bestows on the federal government any implied power over content of radio programs."

NAB CODE IS NOT CENSORSHIP

"Insofar as the Code bears upon the issues of free speech and censorship, it is one of the most welcome developments we have seen in the United States in a long time."

That was the conclusion reached by Quincy Howe, an executive editor of Simon and Schuster, publishers, New York City, and chairman of the National Council for Freedom from Censorship, in a broadcast over NBC-Red, at 6:45 p. m. November 2.

His ideas were diametrically opposed to those expressed by Newspaperman David Lawrence, over CBS, which appears elsewhere in this issue of NAB REPORTS.

"Censorship (the denial of the right of free speech," said Mr. Howe, "can be exercised only by some public official, some member of the Federal, State, municipal, or community government . . ."

Referring to the Code adopted by NAB, Mr. Howe said that "it is a course which can not fail to meet the full approval of all Americans who dislike censorship . . ."

"Theoretically, any private self-regulation is to be preferred to government regulation since government regulation is censorship. . . . As long as the radio industry remains as honest and competent as it is today, there can be no doubt that the present system of self-regulation, especially if the principles of the present Code are maintained, will be infinitely preferable to a radio industry censored and perhaps finally controlled by the government.

". . . Any discussion of free speech and censorship today must include some reference to the times in which we live. Because we still enjoy free speech in the United States; because we have no censorship over here, we sometimes take these things for granted. We do not realize always that free speech is not an end in itself. Free speech is one of the benefits we have gained under our democratic system, and, like any other benefit, it must be used to be enjoyed."

TO DISCUSS CODE OVER CBS AND NBC

Two radio talks on the NAB Code are scheduled for the week of November 4. On that date Edgar Bill, president of WMBD and chairman of the Committee of Audience Relations, will speak over the Columbia Broadcasting System, 1:45-2 p. m., EST.

On Friday, November 10, 9:30-9:45 p. m., EST, Samuel McCrea Cavert, general secretary of the Federal Council of the Churches of Christ in America, will give his interpretations of the NAB Code over the National Broadcasting Company's Blue Network.

TRANSCONTINENTAL BROADCASTING SYSTEM

According to press reports today, November 2nd, the Transcontinental Broadcasting System, incorporated in Wilmington, Delaware, with seven stockholder directors, is holding its first directors' meeting today. Stockholders are reported to be: H. J. Brennan of Pittsburgh; John Roberts and Clarence Crosby, both of St. Louis; Jack Stewart and Thomas Evans, both of Kansas City; Lester E. Cox of Springfield, Missouri; and Elliott Roosevelt, President of the Texas State Network. John T. Adams of Fort Worth, Vice President of the Texas State Network was elected to head the new chain, with William A. Porter of Washington, D. C., elected a director and vice president.

Mr. Roosevelt is quoted as explaining that all of the stockholders except himself were directors of the new corporation and that he was represented on the Board by John T. Adams. He stated, "The Texas Network is a part of the new chain but I do not want to give the impression that I am the organizer of the chain. I am, as an operator of radio stations, only a one-hundredth part of it."

MONTANA CASE

The following exchange of letters between the County Attorney of Missoula County, Montana, and the FCC was made public Friday, October 27:

"COUNTY OF MISSOULA
State of Montana
MISSOULA, MONTANA

October 7, 1939.

Mr. T. J. Slowie, *Secretary*,
Federal Communications Commission,
Washington, D. C.

DEAR SIR:

As the duly elected prosecuting attorney for the County of Missoula, State of Montana, on June 22, 1939, I filed criminal charges against Gene Buck, Claude Mills, John Paine, Lewis Frohlich, Lenox Lohr, Niles Trammel, A. L. Ashby, John Royal, William Paley, Edward Klauber and Isaac Levy. The Complaints were based on the alleged crimes of Attempted Extortion, Attempt to Obtain Money by False Pretense, both felonies, and Conspiracy to Extort, a misdemeanor.

The defendants, some of whom are officers of the National Broadcasting Company and the Columbia Broadcasting System which own and operate stations under licenses from your body, so long as the public interest is concerned, are resisting extradition. Why?

The proof we have against these individuals is overwhelming. They are participants in one of the most gigantic frauds ever perpetrated on the American people. You perhaps do not realize this, and I am not going to "tip my hand," so to speak, to convince you. However, I do wonder whether it is to the public interest of our citizens to have common fugitives from Justice, and that is what they are, operate valuable public franchises.

They have the money to stand trial. If they are innocent they will be released by a jury of our citizens. Therefore I am asking your Honorable Body not to renew any licenses of any station owned and operated by the National Broadcasting Company and the Columbia Broadcasting System without full hearing as to the reasons why they do not clear themselves of felony and misdemeanor charges in the State of Montana. If they are guilty of these practices in this State, they are guilty elsewhere.

I am sending copies of this letter to the National Broadcasting Company, the Columbia Broadcasting System and to Senator Burton K. Wheeler, Chairman of the Interstate Commerce Committee

of the United States Senate, asking him to hold a hearing on this matter at an early date.

Very truly yours,

EDWARD T. DUSSAULT,
County Attorney.

ETD/jn cc-NBC, CBS
Hon. Burton K. Wheeler."

* * *

"FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

October 19, 1939.

Mr. Edward T. Dussault,
County Attorney,
County of Missoula,
Missoula, Mont.

DEAR SIR:

The receipt is acknowledged of your letter dated October 7, 1939, concerning criminal charges against certain individuals, some of whom are officers of either the National Broadcasting Company or the Columbia Broadcasting System.

You request the Commission not to renew any license of any station owned and operated by the National Broadcasting Company and the Columbia Broadcasting System without full hearing as to the reasons why they do not clear themselves of felony and misdemeanor charges in the State of Montana. You will understand, of course, that the Commission cannot set for hearing the renewal application of a licensee corporation because an officer of such corporation is resisting extradition unless the basis of the criminal charge against such officer is such as to indicate that the licensee corporation is not operating its station in the public interest. Without any information concerning the basis of the charges against the officers of the National Broadcasting Company and the Columbia Broadcasting System referred to in your letter, the Commission would not be warranted in ordering a hearing on the renewal applications of these licensees because such officers of the company are resisting extradition.

If you should furnish the Commission with additional facts concerning the basis for the criminal charges referred to in your letter, you may be sure that the matter will be given further consideration by the Commission.

Very truly yours,

T. J. SLOWIE,
Secretary."

MEE/RLW/WCK:1m

FLY SEES PRESIDENT

James Lawrence Fly, Chairman, and Frank R. McNinch, former Chairman of the Federal Communications Commission, conferred with President Roosevelt at the White House early this week. They told newsmen at the end of the conference that they had been discussing a number of radio problems with the President. It was reported at the Commission that the conference dealt with the Telegraph Company merger, data for which is being gathered for the Senate Committee on Interstate Commerce by the Communications Commission together with other Departments.

**FEDERAL COMMUNICATIONS
COMMISSION**

FINAL ORDER

The Federal Communications Commission has ordered that its grounds for decision of November 1, 1938, deny-

November 3, 1939

ing the application of the Travelers Broadcasting Service Corporation, **Hartford, Connecticut**, for voluntary assignment of licenses to the Travelers Broadcasting Company, "be set aside, and upon consideration of complete information concerning the proposed transfer, further ordered the application be denied."

This matter involves the joint application of The Travelers Broadcasting Service Corporation and the Travelers Broadcasting Company, requesting the Commission's consent to assignment of license of radio-broadcast Station WTIC, and short-wave Stations W1XEH, W1XLU, W1XO, W1XT, from The Travelers Broadcasting Service Corporation to the Travelers Broadcasting Company.

The Commission adopted a final order denying without prejudice to the filing of a new application for appropriate facilities the application of the Brown County Broadcasting Company for authority to construct a new station in **Brownwood, Texas**, to use **990 kilocycles**, 1000 watts power, daytime operation.

"The Commission's allocation plan," it explained, "is not an attempt arbitrarily to limit the broadcasting facilities of any community. It is a carefully devised plan, based on experience, to attain the best and most comprehensive service possible for the greatest number of listeners."

PROPOSED FINDING

The Federal Communications Commission has announced the adoption of proposed findings of fact proposing to grant the applications of **WNBC, New Britain, Conn.**, and **KQV, Pittsburgh**, both for modification of licenses to increase operating power on **1380 kilocycles**; **WNBC** from 250 watts night, 1000 watts LS, to 1000 watts unlimited time using a directional antenna; and **KQV** from 1000 watts day, 500 watts night, to 1000 watts unlimited time using a directional antenna at night and to change the phasing of the directional antenna.

**FEDERAL COMMUNICATIONS
COMMISSION DOCKET**

The following hearings and oral arguments are scheduled before the Commission in broadcast cases for the week beginning Monday, November 6. They are subject to change.

Tuesday, November 7

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—C. P., 950 ke., 1 KW, unlimited time. Present assignment: 1120 ke., 100 watts, daytime.

NEW—Lakeland Broadcasting Co., Willmar, Minn.—C. P., 680 ke., 250 watts, daytime.

Wednesday, November 8

Hearing To Be Held in Room No. 4, Twelfth Floor,
Post Office Building, Boston, Massachusetts

NEW—The Mayflower Broadcasting Corp., Boston, Mass.—C. P., 1410 kc., 500 watts, 1 KW LS, unlimited time (requests facilities of WAAB).

WAAB—The Yankee Network, Inc., Boston, Mass.—Renewal of license (main and auxiliary), 1410 kc., 1 KW, 1 KW LS (main), *500 watts, 1 KW LS (auxiliary), unlimited time.
*Auxiliary purposes only.

Thursday, November 9

Reargument Before a Quorum of the Commission

Report No. I-711:

F. W. Meyer, Denver, Colo.—C. P., 1310 kc., 100 watts, 250 watts LS, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

NEW—Paducah Broadcasting Co., Inc., Hopkinsville, Ky.—Granted C. P. for a new station to operate on 1200 kc., 250 watts, unlimited time.

KELD—Radio Enterprises, Inc., El Dorado, Ark.—Granted C. P. to make changes in equipment and increase power from 100 watts, unlimited, to 250 watts, unlimited time.

WLBj—Bowling Green Broadcasting Co., Bowling Green, Ky.—Granted modification of C. P. approving studio and transmitter site at Cemetery Pike and Lehman Avenue; installation of new equipment and vertical radiator, and increase in night power from 100 to 250 watts.

KMO—KMO, Inc., Tacoma, Wash.—Granted voluntary assignment of license from KMO, Inc., to Carl E. Haymond.

NEW—St. Lawrence Broadcasting Corp., Ogdensburg, N. Y.—Granted amended application for C. P. for a new station to operate on 1370 kc., 250 watts, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WQXR—Interstate Broadcasting Co., Inc., New York City.—Granted amended application for C. P. authorizing move of transmitter site locally, installation of new equipment, and increase in power from 1 KW to 5 KW. Exact transmitter site and type of antenna to be determined with Commission's approval.

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Granted modification of license to increase night power from 100 watts to 250 watts.

WSKB—McComb Broadcasting Corp., McComb, Miss.—Granted modification of license to change hours of operation from daytime to unlimited, using night power of 100 watts.

WOCB—Cape Cod Broadcasting Co., near Hyannis, Mass.—Granted modification of C. P. to increase night power from 100 to 250 watts.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Granted modification of license to increase night power from 100 to 250 watts.

WHBY—WHBY, Inc., Appleton, Wis.—Granted modification of license to increase night power from 100 to 250 watts.

KFXJ—Western Slope Broadcasting Co., Grand Junction, Colo.—Granted modification of license to increase night power from 100 to 250 watts.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—Granted modification of license to increase night power from 100 to 250 watts.

WLLH—Merrimac Broadcasting Co., Inc., Lowell, Mass.—Granted modification of license to increase night power from 100 to 250 watts.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted modification of license to increase night power from 100 to 250 watts.

WTJS—The Sun Publishing Co., Inc., Jackson, Tenn.—Granted modification of license to increase night power from 100 to 250 watts.

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Granted modification of license to increase night power from 100 to 250 watts.

WSVS—Elmer S. Pierce, Principal, Seneca Vocational High School, Buffalo, N. Y.—Granted renewal of license to January 1, 1940, and application removed from hearing docket, since application of WBNY for the facilities of WSVS has been dismissed.

DESIGNATED FOR HEARING

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

NEW—J. D. Falvey, Ottumwa, Iowa.—Application for C. P. for new station to operate on 1210 kc., 100 watts, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Chilton Radio Corp., Dallas, Tex.—Application for C. P. for new station to operate on 1370 kc., 250 watts, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval. (Applicant requests facilities of station KFJZ, Fort Worth, Tex.)

NEW—V. O. Stamps, Dallas, Tex.—Application for C. P. for new station to operate on 1370 kc., 250 watts, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval. (Applicant requests facilities of station KFJZ, Fort Worth.)

NEW—Harold Thomas, Bridgeport, Conn.—Application for C. P., already in hearing docket, amended so as to request frequency 1420 kc., with 250 watts power, unlimited time. Exact studio and transmitter site and type of antenna to be determined with Commission's approval.

NEW—Ralph M. Lambeth, Greensboro, N. C.—Application for C. P. for new station to operate on 1370 kc., 250 watts, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—E. E. Krebsbach, Miles City, Mont.—Application for C. P. for new station to operate on 1310 kc., 100 watts night, 250 watts day, unlimited time.

NEW—Star Printing Company, Miles City, Mont.—Application for C. P. for new station to operate on 1310 kc., 250 watts, unlimited time. Exact studio and transmitter site and type of antenna to be determined with Commission's approval.

RENEWAL OF LICENSES

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

KDFN, Casper, Wyo.; KGER, Long Beach, Calif.; KSLM, Salem, Ore.; WBBC (auxiliary), Brooklyn, N. Y.; WQBC, Vicksburg, Miss.

KIJG—Eagle Broadcasting Co., Inc., Portable-Mobile.—Present relay broadcast station license was further extended upon a temporary basis only pending determination upon application for renewal, for the period ending December 1, 1939.

WHK—United Broadcasting Co., Cleveland, Ohio.—Granted extension for period of one month, from November 1 to December 1, pending receipt and determination upon application for extension, of special experimental authorization to transmit facsimile signals from 1 to 6 a. m., EST, using 1 KW power.

MISCELLANEOUS

WSVA—Shenandoah Valley Broadcasting Corp., Harrisburg, Va.—Granted special temporary authority to operate additional time on November 10, 18, 30 and December 2, in order to broadcast football games only.

KBTM—Jay P. Beard, d/b as Regional Broadcasting Co., Jonesboro, Ark.—Granted special temporary authority to operate simultaneously with station KGHl from 7:30 p. m., CST, to the conclusion of Jonesboro High School football games on November 2, 10 and 24, and University of Arkansas football games on November 4, 11, 17 and 30, from local sunset (November, 5 p. m., CST) to conclusion of game only.

WBAA—Purdue University, W. Lafayette, Ind.—Granted special temporary authority to operate additional time on October 28 in order to broadcast football game originating at Santa Clara.

- WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 2 to 3 p. m., EST, on November 4, 11, 18, 25, December 2, in order to broadcast newscasts, musical programs and other features of public interest; to operate from 8:30 a. m. to 10 a. m. and from 2 to 3 p. m., on November 5, 12, 19, 26 and December 3, in order to broadcast religious services, newscasts and musical programs; to operate unlimited time on November 7, 11, 30, December 1 and 2, in order to broadcast musical programs and newscasts.
- WAAB—The Yankee Network, Inc., Boston, Mass.—Granted special temporary authority to rebroadcast reception from a Navy plane flying over Boston and vicinity in order that conversation between the plane and ground may be broadcast generally for reception by the general public on October 27, in connection with Navy Day program.
- WFMD—The Monocacy Broadcasting Co., Frederick, Md.—Granted special temporary authority to operate from 5:30 p. m., EST, until conclusion of Redskins football game only, on October 29, and to operate from 5 p. m. until conclusion of Redskins football games only, on November 5.
- NEW—Springfield Radio Service, Inc., Springfield, Ohio.—Denied without prejudice motion for leave to intervene in the hearing on the application of Radio Voice of Springfield, Inc., for C. P., exceptions noted by counsel for petitioner.
- WHA—State of Wisconsin, University of Wisconsin, Madison, Wis.—Granted petition requesting withdrawal of pending application for C. P. to change frequency and increase power, requesting facilities of WMAQ.
- WPRR—Puerto Rico Advertising Co., Inc., Mayaguez, P. R.—Granted special temporary authority to operate additional time on November 5, 12, 19 and 26, in order to broadcast games of semi-pro series only.
- NEW—Radio Voice of Springfield, Inc., Springfield, Ohio.—Adopted an order deleting from the Commission's hearing notice in re application for a new station in Springfield, paragraph 2, which reads as follows: "To determine whether the granting of this application or the application of Springfield Radio Service, Inc., B2-P-2382, or both, will serve public interest, convenience and necessity."
- KFVS—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Granted special temporary authority to operate simultaneously with station WEBQ from 8:30 p. m. to 10:30 p. m., CST, on October 27 and November 3 and 17, 1939, and from 7:30 p. m. to 9 p. m., CST, on October 28 and November 9, 1939, in order to broadcast football games only as described in letter dated October 18, 1939.
- WPTF—WPTF Radio Company, Raleigh, N. C.—Denied extension of special temporary authority to operate from 11 p. m. to 12 p. m., EST, for the period beginning October 30, 1939, and ending in no event later than November 28, 1939, in order to broadcast programs as described in letter dated May 27, 1939, pending action on application.
- WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—Granted special temporary authority to operate additional time simultaneously with station WFAS on November 23 and 30, 1939, in order to broadcast football games only.
- KFRU—KFRU, Inc., Columbia, Mo.—Granted special temporary authority to operate additional time simultaneously with station WGBF with reduced power of 250 watts, on November 1, 1939, in order to permit WGBF to broadcast a Soil Conservation Debate.
- WGBF—Evansville on the Air, Evansville, Ind.—Granted special temporary authority to operate simultaneously with station KFRU as above in order to broadcast a Soil Conservation Debate only.
- WMFD—Richard Austin Dunlea, Wilmington, N. C.—Granted special temporary authority to operate additional time after local sunset for the period beginning November 1, 1939, and ending November 30, 1939, in order to broadcast late weather forecasts only.
- WHPT—Radio Station WMFR, Inc. (High Point, N. C.), Portable-Mobile.—Granted license to cover C. P. for low frequency relay broadcast station WHPT, frequencies 1622, 2058, 2150 and 2790 kc., power 50 watts, to communicate as a relay broadcast station in accordance with Sections 4.21 and 4.22(c); to be used with applicant's standard broadcast station WMFR.
- WAIN—Peoria Broadcasting Co., Peoria, Ill., Portable-Mobile.—Granted license to cover C. P. for new relay broadcast station, frequencies 1622, 2058, 2150 and 2790 kc., power 25 watts, to communicate as a relay broadcast station in accordance with Sections 4.21 and 4.22(c); to be used with applicant's standard broadcast station WMBD.
- WOI—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa.—Granted license to cover C. P. for move of studio and transmitter sites and installation of new equipment.
- WMAM—M & M Broadcasting Co., Marinette, Wis.—Granted license to cover C. P. for new station to operate on 570 kc., 250 watts, daytime only.
- WEGV—The Champaign News-Gazette, Inc. (Champaign, Ill.), Portable-Mobile.—Granted license to cover C. P. to make changes in equipment.
- WLPM—Suffolk Broadcasting Corp., Suffolk, Va.—Granted modification of C. P. for approval of studio and transmitter site and installation of vertical radiator.
- WHPT—Radio Station WMFR, Inc. (High Point, N. C.), Portable-Mobile.—Granted modification of C. P. to make changes in equipment.
- WLLH—Merrimac Broadcasting Co., Inc., Lowell, Mass.—Granted authority to determine operating power by direct measurement of antenna input in compliance with terms of Sec. 3.54.
- WLLH—Merrimac Broadcasting Co., Inc., Lawrence, Mass.—Granted authority to determine operating power by direct measurement of antenna input in compliance with terms of Sec. 3.54.
- WWNC—Asheville Citizen-Times Co., Inc., Asheville, N. C.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Sec. 3.54.
- WENR—National Broadcasting Co., Inc., Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Sec. 3.54.
- WLS—Agricultural Broadcasting Co., Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Sec. 3.54.
- KIT—Carl E. Haymond, Yakima, Wash.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Sec. 3.54.
- WAIJ—WIBX, Inc. (Utica, New York), Portable-Mobile.—Granted license to cover C. P. for new relay broadcast station; frequencies 1622, 2058, 2150, 2790 kc.; power 50 watts; to communicate as a relay broadcast station in accordance with Sections 4.21 and 4.22(c); to be used with applicant's Standard Broadcast Station WIBX.
- WEGI—The Baltimore Radio Show, Inc., Baltimore, Md., Portable-Mobile.—Granted license to cover C. P. to make changes in equipment and increase power to 2 watts.
- WEGJ—The Baltimore Radio Show, Inc., Baltimore, Md., Portable-Mobile.—Granted license to cover C. P. to make changes in equipment and increase power to 2 watts.
- KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Sec. 3.54.
- WDGY—Dr. George W. Young, Minneapolis, Minn.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Sec. 3.54.
- W1XPW—WDRC, Inc., Meriden, Conn.—Granted special temporary authority to rebroadcast over high frequency broadcast station W1XPW the transmissions from high frequency broadcast station W2XMN, for a period not to exceed 30 days, in order to experiment as to the feasibility of such a system.
- WQDM—Regan & Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from local sunset (November, 4:30 p. m., EST), to 5:15 p. m., EST, on November 4, 11, 18 and 25, in order to broadcast high school football games only.
- WHKC—United Broadcasting Co., Columbus, Ohio.—Denied special temporary authority to operate from local sunset at Los Angeles (November, 7:45 p. m., EST), to 8 p. m., EST, on November 1, 3, 6, 8, 10, 13, 15, 17, 20, 22, 24, 27 and 29, in order to broadcast the "Lone Ranger".
- WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Denied special temporary authority to operate from 5 to 5:15 p. m., EST, for the period November 1 to November 30, in order to broadcast news programs.
- KFJZ—Tarrant Broadcasting Co., Fort Worth, Texas.—Granted C. P. to install new equipment.
- KRBM—KRBM Broadcasters, Bozeman, Mont.—Granted license to cover C. P. for new station to operate on 1420 kc., 100 watts night, 250 watts day, unlimited time.
- KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Granted authority to determine operating power by direct

- measurement of antenna input in compliance with terms of Sec. 3.54.
- KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Granted authority to determine operating power by direct measurement of antenna input in compliance with terms of Sec. 3.54.
- KGKO—KGKO Broadcasting Co., Fort Worth, Texas.—Granted authority to determine operating power by direct measurement of antenna input in compliance with terms of Sec. 3.54.
- WKNY—Kingston Broadcasting Corp., Kingston, N. Y.—Granted modification of C. P. for approval of studio and transmitter site, changes in equipment and installation of vertical radiator.
- KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Granted license to cover C. P. for new station to operate on 610 kc., 1 KW, unlimited time.
- NEW—E. B. Sturdivant, d/b as Silver Crest Theatres, Yuma, Ariz.—Denied petition for reconsideration and oral argument, in re application of Yuma Broadcasting Company, Yuma, Arizona, for a new station to operate on 1210 kc., 100 watts night, 250 watts LS, unlimited time, which was granted by the Commission on August 8, 1939, without hearing.
- NEW—United Theatres, Inc., San Juan, P. R.—Denied petition for review of ruling by Commissioner presiding at motions docket, in which a petition of Enrique Abarca Sanfeliz, San Juan, was granted to reopen hearing in re application of United Theatres, Inc., and Enrique Abarca Sanfeliz, both for new stations in San Juan.
- WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—The Commission, on its own motion extended the effective date of provision (3) of its order of December 6, 1938, 30 days from November 1, 1939. This order authorized WWRL to include in the operating time of its station the time previously utilized by station WMBQ, on which a further hearing has recently been held.
- WRTD—The Times-Dispatch Radio Corp., Richmond, Va.; WRNL—Richmond Radio Corp., Richmond, Va.—Denied petitions of WRTD and WRNL to rehear or reconsider the application of WMBG, Havens & Martin, Inc., Richmond, Va., for C. P. to increase power on frequency 1350 kc., from 500 watts, unlimited time to 1 KW night, 5 KW day, unlimited time, which application was granted by the Commission on June 21, 1939.
- WTMJ—The Journal Company, Milwaukee, Wis.; NEW—Sentinel Broadcasting Corp., Salina, N. Y.—Denied petitions of WTNJ and the Sentinel Broadcasting Corp. in so far as they request final action by the Commission on application of the Sentinel Broadcasting Corp. for a new station to operate on 620 kc., 1 KW, unlimited time, prior to the time pending applications for 5 KW power which are related thereto, become available for decision.
- WFLA—Florida West Coast Broadcasting Co., Inc., Tampa, Fla.—Denied petition for review of Commissioner Payne's action in denying leave of petitioner to intervene in the hearing on the application of Stuart Broadcasting Corp. (WROL), Knoxville, Tenn.; affirmed the action of Commissioner Payne, noting petitioner's exception to the order denying intervention.
- WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.; WTMJ—The Journal Company, Milwaukee, Wis.; WHJB—Pittsburgh Radio Supply House, Greensburg, Pa.—Denied petitions in so far as they request final action on the application of WHJB for C. P. to move transmitter, install directional antenna for nighttime use, and increase power to 1 KW on 620 kc., prior to the time pending applications for 5 KW power, which are related thereto, become available for decision.
- KUTA—Jack Powers, et al., d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Denied petition of KUTA appealing from the action taken by Commissioner Case presiding in motions hearing on June 30, 1939, granting motion of KDYL, Intermountain Broadcasting Corp., Salt Lake City, to amend the notice of hearing in re application of KUTA to change frequency and power, by adding issues relating to economic interests.
- WEJI—WEJL—National Broadcasting Co., Inc., New York City, N. Y.—Granted special temporary authority to use RCA Victor Transmitters for operation under New York area licenses relay broadcast stations WEJI and WEJL respectively, as Public Address relay stations in feeding the public address system in the auditorium from points in the area not accessible to wireline service in connection with the National Horse Show to be held in Madison Square Garden for the period November 4 to 11.
- WCAT—So. Dak. State School of Mines, Rapid City, S. Dak.—Granted special temporary authority to operate additional time on November 3 and 11, in order to broadcast football games only.
- WAIR—C. G. Hill, Geo. D. Walker and Susan H. Walker, Winston Salem, N. C.—Denied special temporary authority to operate from 5:15 to 5:30 p. m., EST, on November 5, 12, 19 and 26, in order to broadcast The Musical Steel Makers program.
- KGU—Marion A. Mulrony & Advertiser Publishing Co., Ltd., Honolulu, T. H.—Denied special temporary authority to operate from 10:45 to 11:15 p. m., LST, during the month of November, 1939, in order to serve the public interest, convenience and necessity.
- C. T. Sherer Company, Inc., Worcester, Mass.—Granted petition of C. T. Sherer Co., Inc., for review of orders of September 11 and September 29, 1939, and the action of the Commissioner presiding at the Motions Docket on September 11, granting petition of Worcester County Broadcasting Corp. to intervene was vacated; the order of the Commissioner presiding in Motions Docket on September 29, denying the petition of the above-entitled applicant to reconsider and vacate the order granting such intervention, was vacated; the petition of intervention filed by Worcester County Broadcasting Corp. on August 17, was denied; and the following named pleadings and documents filed in the above-entitled proceeding by Worcester County Broadcasting Corp. was stricken from the record: (1) proposed findings of fact filed October 12, 1939; (2) motion to strike part of applicant's proposed findings filed October 17, 1939, and (3) motion to dismiss with prejudice filed October 19, 1939.
- WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—Granted special temporary authority to operate additional time on November 2 in order to broadcast the Northport, McGill School game only.
- WNEL—Juan Piza, San Juan, P. R.—Granted extension of special temporary authority to rebroadcast sustaining program to be received from International Broadcast stations WNBI and WRCA over station WNEL, for the period November 6 to December 5, 1939.
- KGFL—KGFL, Inc., Roswell, N. Mex.—Granted special temporary authority to operate additional time simultaneously with station KICA on November 29, in order to broadcast Roswell High School football game only.

APPLICATIONS FILED AT FCC

550 Kilocycles

- WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—C. P. to install new transmitter, new antenna, and increase power from 500 watts to 1 KW; move transmitter from 5 miles south of corporate limits, east of Valley Pike, Harrisonburg, Va., to site to be determined, Harrisonburg, Va.
- KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—C. P. to install directional antenna for night use, and increase power from 1 KW, 5 KW LS, to 5 KW day and night.

570 Kilocycles

- WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—C. P. to install directional antenna for night use, increase power from 1 KW, 5 KW LS, to 5 KW day and night.

580 Kilocycles

- WILL—University of Illinois, Urbana, Ill.—Authority to determine operating power by direct method.

890 Kilocycles

- KARK—Arkansas Radio & Equipment Co., Inc., Little Rock, Ark.—C. P. to install new transmitter, increase power from 1 to 5 KW.

920 Kilocycles

- KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—C. P. to install new transmitter, increase power from 1 to 5 KW.

1010 Kilocycles

- KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—License to cover C. P. (B5-P-1712) as modified for new

transmitting equipment, directional antenna day and night use, increase power, and move of transmitter.

1120 Kilocycles

- WDEL—WDEL, Inc., Wilmington, Del.—License to cover C. P. (B1-MP-649) for new transmitter and increase in power.
WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Authority to determine operating power by direct measurement of antenna power.

1200 Kilocycles

- KFXD—Frank E. Hurt, Nampa, Idaho.—Modification of license to increase power from 100 watts, 250 watts LS, to 250 watts day and night.
WDLP—Panama City Broadcasting Company, Panama City, Fla.—Modification of C. P. (B3-P-2213) for a new station, requesting approval of antenna and approval of studio and transmitter site at near Cove Hotel, Panama City, Fla.
WSAL—Frank M. Stearns, Salisbury, Md.—Voluntary assignment of license from Frank M. Stearns to Eastern Shore Broadcasting Co., Inc.
NEW—Grand Rapids Broadcasting Corp., Grand Rapids, Mich.—C. P. for a new broadcast station to be operated on 1200 kc., 250 watts, unlimited time.
KHBC—Honolulu Broadcasting Company, Ltd., Hilo, T. H.—Modification of license to change name of licensee to Hawaiian Broadcasting System, Ltd.

1210 Kilocycles

- KANS—The KANS Broadcasting Co., Wichita, Kans.—Modification of C. P. (B4-P-2479) for changes in equipment and increase in power, requesting authority to make changes in type of transmitter, extend commencement and completion dates 90 days after grant and 90 days thereafter, respectively.
NEW—Louis R. Spiwak and Maurice R. Spiwak, d/b as L & M Broadcasting Co., Ottumwa, Iowa.—C. P. for new station on 1210 kc., 250 watts, unlimited time. Amended: To 100 watts night, 250 watts day.
WKOK—Sunbury Broadcasting Corporation, Sunbury, Pa.—C. P. to make changes in equipment, increase power from 100 watts to 250 watts day and night.
WGRM—P. K. Ewing, Greenwood, Miss.—License to cover C. P. (B3-P-2341) for move of studio and transmitter.
NEW—Dixie Broadcasting Corp., Gainesville, Ga.—C. P. for new station on 1210 kc., 250 watts power, unlimited time.

1250 Kilocycles

- KXOK—Star-Times Publishing Co., St. Louis, Mo.—C. P. to install new transmitter; make changes in DA (use day and night); change frequency from 1250 kc. to 630 kc., power from 1 KW to 1 KW, 5 KW LS; move transmitter to site near National City, Ill. Contingent on WGBF and KFRU. Amended to make changes in DA, request 5 KW power day and night, and give transmitter site as near Granite City, Ill.
WKST—Keystone Broadcasting Co., New Castle, Pa.—License to cover C. P. (B2-P-2428) as modified for equipment changes and increase in power.

1290 Kilocycles

- WATR—The WATR Co., Inc., Waterbury, Conn.—Authority to determine operating power by direct measurement.

1310 Kilocycles

- WJPR—John R. Pepper, Greenville, Miss.—License to cover C. P. (B3-P-2312 and B3-MP-823) for new station.
WJPR—John R. Pepper, Greenville, Miss.—Authority to determine operating power by direct method.
KWEW—W. E. Whitmore, Hobbs, N. Mex.—C. P. to change frequency, power, and hours of operation from 1500 kc., 100 watts power, daytime, to 1310 kc., 250 watts power, unlimited time, and make changes in equipment. Contingent on KFYO, B3-P-2455.
KHUB—John P. Scripps, Watsonville, Calif.—Modification of license to increase power from 100 watts, 250 watts LS, to 250 watts day and night.

WLNH—Northern Broadcasting Company, Laconia, N. H.—License to cover C. P. (B1-P-2527) for changes in equipment and increase in power.

NEW—Leonard A. Versluis, Grand Rapids, Mich.—C. P. to erect new station to be operated on 1310 kc., 250 watts, unlimited time.

1320 Kilocycles

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, Hawaii.—Modification of license to change name of licensee to Hawaiian Broadcasting System, Ltd.

1330 Kilocycles

KRIS—Gulf Coast Broadcasting Company, Corpus Christi, Tex.—C. P. to install new transmitter and directional antenna; increase power from 500 watts to 5 KW. Amended to request changes in equipment, omit request for changes in antenna, and request 1 KW power.

1370 Kilocycles

- KGFL—KGFL, Inc., Roswell, N. Mex.—Modification of license to change hours of operation from 6 a. m. to 1 p. m. and 4 p. m. to 7:30 p. m., MST, to 6 a. m. to 7:30 p. m., MST. Amended to change requested time from specified hours to unlimited time.
WLLH—Merrimac Broadcasting Company, Inc., Lawrence, Mass.—Extension of special experimental authority to operate a "satellite" station on 1370 kc., 10 to 100 watts power, unlimited time, to be operated in addition to WLLH in Lowell, Mass., for period ending 12-1-40, located at Gregg Bldg., Lawrence, Mass.
WCOS—Carolina Advertising Corp., Columbia, S. C.—License to cover C. P. (B3-P-1233) as modified for new broadcast station.
WISE—Harold H. Thoms, Asheville, N. C.—License to cover C. P. (B3-P-1066) as modified for a new station.
KVGB—Helen Townsley, Great Bend, Kans.—C. P. to make changes in equipment and increase power from 100 watts to 250 watts.
KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—License to cover C. P. (B4-P-2528) for changes in equipment and increase in power from 100 to 250 watts.
NEW—Anthracite Broadcasting Co., Inc., Scranton, Pa.—C. P. to erect a new station to be operated on 1370 kc., 250 watts, unlimited time.

1390 Kilocycles

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—C. P. to install directional antenna for night use, increase power from 1 KW, 5 KW LS, to 5 KW day and night.

1410 Kilocycles

KMED—Mrs. W. J. Virgin, Medford, Ore.—License to cover C. P. (B5-P-1892) as modified for equipment changes, and increase in power.

1420 Kilocycles

- KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—License to cover C. P. (B5-P-2492) for equipment changes and increase in power from 100 to 250 watts.
KWAL—Chester Howarth & Clarence Berger, Wallace, Idaho.—Modification of C. P. (B5-P-1967) as modified for a new station requesting extension of completion date from 11-20-39 to 12-20-39.
NEW—E. D. Rivers, Valdosta, Ga.—C. P. for a new station on 1420 kc., 100 watts, 250 watts LS, unlimited time.
WHMA—Harry M. Ayers, Anniston, Ala.—C. P. to make changes in equipment, and increase power from 100 to 250 watts day and night.

1430 Kilocycles

NEW—John P. Scripps, Ventura, Calif.—C. P. for a new broadcast station to be operated on 1430 kc., 1 KW, unlimited time.

1500 Kilocycles

WGIL—Galesburg Broadcasting Co., Galesburg, Ill.—Modification of license to change hours of operation from day to unlimited time, using 250 watts power day and night.

WWSW—Walker & Downing Radio Corp., Pittsburgh, Penna.—License to cover C. P. (B2-P-2391) for new transmitting equipment and antenna and move of transmitter.

WMEX—The Northern Corp., Boston, Mass.—Modification of license to increase power from 100 watts, 250 watts LS, to 250 watts day and night.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Authority to determine operating power by direct measurement of antenna power.

1550 Kilocycles

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—C. P. to install new transmitter, change frequency from 1500 to 1530 kc., increase power from 250 watts to 500 watts, 1 KW LS.

MISCELLANEOUS

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—C. P. for new high frequency broadcast station located at Chrysler Bldg., 405 Lexington Ave., New York, N. Y., to be operated on 43000 kc., 50,000 watts, unlimited time, special emission.

W2XVP—City of New York, Municipal Broadcasting System, New York, N. Y.—Modification of C. P. (B1-PHB-53) as modified for changes in transmitting equipment and extension of completion date from 12-15-39 to 90 days after date of grant.

W8XAD—WHEC, Inc., Rochester, N. Y.—Modification of C. P. (B1-PHB-81) for approval of transmitter site at 979 Mt. Read Blvd., Rochester, N. Y.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Georgetown, D. C.—License to cover C. P. (B1-PHB-45) as modified for new high frequency relay broadcast station.

WLWH—The Crosley Corp., Portable.—C. P. to install new transmitter.

WLWI—The Crosley Corp., Portable-Mobile.—C. P. to install new transmitter and increase in power from 5 to 15 watts.

WEHG—Columbia Broadcasting System, Inc., Portable-Mobile.—Modification of license to change authorized power from 1.5 watts to 2 watts, and make changes in equipment.

WEHK—Columbia Broadcasting System, Inc., Portable-Mobile.—Modification of license to change power from 1.5 to 2 watts, and make changes in equipment.

NEW—Bamberger Broadcasting Service, Inc., Newark, N. J.—C. P. for new relay broadcast station in area of WOR, Newark, N. J., on 31620, 35260, 37340, 39620 kc., 0.2 watt, A-3.

NEW—Bamberger Broadcasting Service, Inc., Newark, N. J.—C. P. for new relay broadcast station in area of WOR, Newark, N. J., on 31620, 35260, 37340, 39620 kc., 0.2 watt, A-3.

NEW—Westinghouse Electric & Manufacturing Co., area of KDKA, Pittsburgh, Pa.—C. P. for new relay broadcast station on 31220, 35620, 37020, 39260 kc., 2 watts, A-3.

NEW—Westinghouse Electric & Manufacturing Co., area of KDKA, Pittsburgh, Pa.—License to cover above.

NEW—J. T. Ward, tr/as WLAC Broadcasting Service, Nashville, Tenn.—C. P. for new relay broadcast station in area of WLAC, Nashville, Tenn., on 30820, 33740, 35820, 37980 kc., 2 watts, A-3 emission.

KAOV—KRIC, Inc., Beaumont, Tex.—License to cover C. P. (B3-PRY-192) for new low frequency relay station.

NEW—W. J. Holey, Atlanta, Ga.—C. P. for new high frequency relay station located at 1368 Northview Ave., N. E., Atlanta, Ga., on 43200 kc., 100 watts power, unlimited time, special emission.

W9XAZ—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Modification of C. P. (B4-PHB-67) as modified requesting extension of completion date from 11-28-39 to 2-28-40.

NEW—R. B. Eaton, Des Moines, Iowa.—C. P. for new television station in Des Moines, Iowa, 100 watts power, A-3 and A-5 emission, 44000-50000 kc. frequency. Amended re antenna, Section 29 and Costs.

WEGS—Donald A. Burton, Portable-Mobile.—License to cover C. P. (B4-PRE-291) for equipment changes.

WLWG—The Crosley Corporation, Portable.—C. P. to install new transmitter and increase power from 1 to 2 watts.

NEW—WBNS, Inc., Columbus, Ohio.—C. P. for new high frequency broadcast station to be located at 50 W. Broad St., Columbus, Ohio, to be operated on 43000 kc., using 250 watts power, unlimited time, and special emission.

NEW—Pennsylvania Broadcasting Co., Philadelphia, Pa.—C. P. for new high frequency broadcast station to be located at 35 S. Ninth St., Philadelphia, Pa., to be operated on 43400 kc., 1 KW power, unlimited time, special emission.

W9XUI—University of Iowa, Iowa City, Iowa.—Modification of license to request change in frequencies to 50900-56000 kc., and increase power from 100 to 250 watts. Amended to omit request for increase in power.

KBQA—Winona Radio Service (M. H. White and R. H. Wicking, d/b as), area Winona, Minn.—License to cover C. P. (B4-PRY-183) for new relay broadcast station.

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.

Embalmers' Supply Company—A complaint has been issued charging the Embalmers' Supply Company, Westport, Conn., with misleading representations in the sale of embalming fluids and chemicals.

This company manufactures "San-Veino Spray." In connection with the sale of the preparation it allegedly advertised directly and by inference that the U. S. War Department or Army or their chemists originated, developed and perfected the formula used for exhumation purposes on the battlefields of France in 1917 and 1918; that the formula from which the respondent now produces its "San-Veino Spray" made possible the work of exhuming bodies of American soldiers buried in France without spread of infection and diseases, and that the Government gave the respondent the official and exclusive right to use that formula, when such are not the facts.

The true facts are, according to the complaint, that the War Department used the fluid made from the formula now held by the respondent only for experimental purposes in connection with the work of exhuming bodies of American soldiers buried in France and that the formula was neither originated nor developed by the War Department, the Army or their chemists. (3936)

Frontier Asthma Company, Inc.—A complaint has been issued alleging misleading advertisement of a medicinal preparation for treating asthma and hay fever sold by Frontier Asthma Company, Inc., 462 Niagara St., Buffalo, N. Y.

In addition to the Frontier Asthma Company, Inc., the complaint also names as respondents, G. E. Calkins and Guy White, officers, and George H. Calkins and his associates, Ernest N. Post, Harry I. Partridge, William Stanton, B. F. Van Duzee and C. P. Bonham.

Advertisements allegedly asserted that the respondents' product is a cure or remedy for asthma and hay fever and that its use will prevent attacks of those diseases, relieve the suffering incident thereto, build up the system and prevent recurrence of attacks. The complaint charges that these representations are untrue and that the respondents' preparation has no therapeutic value other than providing temporary relief from the paroxysms of asthma and bronchial irritations.

The respondents' advertisements allegedly were false in that they failed to reveal to purchasers that use of the preparations under prescribed or customary conditions may be injurious to health in some cases.

According to the complaint, the individual respondents and the Frontier Asthma Company, Inc., cooperatively advertised the respondents' preparations in various publications, offering free samples. The respondent company allegedly did not send free samples but forwarded the replies to the advertisements to George

H. Calkins and his associates, who then got in touch with the senders of the replies. It is alleged that after purported diagnoses had been made from answers submitted by such prospective customers to a questionnaire furnished by the respondents, Calkins and his associates forwarded the free samples to the customers and recommended use of the Frontier Asthma Company's preparation. (3955)

Michigan Bean Shippers Association—Restraint of trade in the purchase and sale of beans and other farm commodities by members of the Michigan Bean Shippers Association, Saginaw, Mich., is alleged in a complaint against that association, its officers, directors and members.

Through their association, the members are alleged to have combined and conspired to restrain competition through practices such as control of the prices at which they buy and sell, coercing Michigan buyers and sellers of farm commodities to adhere to their program, and preventing the growth of certain new methods of marketing.

Among their customers are large canners, processors, chain store systems and foreign importers. The members allegedly constitute a majority of the elevator men and jobbers buying and selling beans, barley, wheat and other farm commodities in Michigan, which produces 80 per cent of the national navy bean output.

The respondents are alleged to have fixed and maintained by agreement the differentials or "margins" to be received by elevator men for their function of buying farm commodities from producers and reselling them to jobbers and the differentials to be received by jobbers between the price paid by them to elevator men and the price at which the jobbers sold to the trade. This procedure, in connection with the maintenance of "association closes", allegedly foreclosed all opportunity for price competition by elevator men.

It is alleged that the respondents adopted a rule under which they agreed not to deal in "scoop-shoveled" products, that is, commodities handled by a dealer not equipped with the proper buildings and machinery for cleaning beans and grain as they come from farmers' vehicles prior to weighing. This rule allegedly was designed to discourage the use of a portable picker and grader introduced on the market in 1931, a consequence of which was a tendency to injure the elevator operators' business. Theretofore, it is alleged, farmers customarily had brought their commodities to the local elevators for sale, partly because the elevators maintained the only equipment available for the grading and picking process required for the sale of beans.

Among other alleged cooperative activities of the association and its members were the fixing and maintaining of schedules of charges for removing foreign and defective materials from farm commodities at the elevators; refusal to transport farm commodities free of charge from the producers to elevators or shipping points; fixing and maintaining uniform charges for elevator and warehouse storage; maintaining uniform schedules of charges for drying farm commodities in accordance with an established moisture and test weight table; establishing uniform contracts, terms and sale conditions and attempting to coerce others to use such, and maintenance of uniform price quotations for beans with Alma, Mich., as a basing point. (3937)

STIPULATIONS

The Commission has entered into the following stipulations:

Midland Chemical Laboratories, Inc., Dubuque, Iowa, stipulated that it would cease representing that its insecticide "Mill-O-Cide" is effective in destroying all insects, eggs and larvae of insects, or that it is of double strength, and will prevent or eliminate infestation in foodstuffs and keep bugs and insects away from foodstuffs and places where they are stored. (02455)

Quaker Oats Company, Chicago, Ill., in its stipulation, agreed to cease representing that its "Ful-O-Pep" feeding plan for poultry assures more and better chicks, and that the "Ful-O-Pep" mash or chick starter constitutes the best way of combating and preventing gizzard lesions. The respondent company also stipulated that it would discontinue advertising that "Ful-O-Pep" feeds are the most profitable to use or to sell, or that they will enable prospective purchasers to obtain more eggs, more or better chicks, or more big, sound-shelled premium eggs, unless the comparatives are clearly and specifically stated in direct connection with such claims. (02454)

Wallerstein Company, Inc.—A stipulation approved in February, in which the Wallerstein Company, Inc., 180 Madison Ave., New York, agreed to discontinue certain misleading representations concerning its product "Bosco", a syrup for use as a milk supplement and as a flavor, has been vacated.

The original stipulation related that the Wallerstein company had agreed to discontinue, among others, the representation that its product "has been approved by the American Medical Association or that its use will make milk a perfect food," when, according to information later received by the Commission, such a representation was not published by the Wallerstein company at any time.

In place of the vacated stipulation the Commission has accepted and approved a substitute stipulation which does not contain the above quoted statement but which, in all other respects, is the same as the original stipulation. (02329)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

Diesel Power-United Engineering Schools—Prohibiting misleading representations in the sale of correspondence courses in Diesel engines, air conditioning and refrigeration, an order has been issued to cease and desist against Roy Hemphill, trading as Diesel Power-United Engineering Schools, San Francisco, and two corporations of which he was president, namely, Diesel Power-United Engineering Schools, Inc., Minneapolis, and Diesel Power-United Engineering Schools, Kansas City, Mo.

The order forbids representations that the respondents' schools occupy a dominant position in their fields; that their courses qualify a student for any position requiring a degree of skill or technical knowledge greater than that required of a mechanic; that there is a great demand for graduates of the respondents' schools, and that the respondents procure employment for students and graduates, unless such is a fact.

Under the order, the respondents were also barred from representing, through use of the word "engineering" or words of similar meaning, that their courses qualified students as engineers. Findings of the Commission are that the respondents, subsequent to issuance of complaint against them, eliminated the word "engineering" from their trade and corporate names. (3318)

Arthur Longfield, 419 East 22nd St., New York, has been ordered to cease and desist from representing, through the use of containers, labels or wrappers, that a Worcestershire sauce manufactured and distributed by him, is the same as the century-old Lea & Perrins Worcestershire Sauce.

The Commission, in its findings, relates the history of the condiment originally prepared "From the recipe of a nobleman in the country", who was said to be Sir Marcus Sandys, who brought the recipe home from India to his native Worcestershire County. It was acquired by John Wheeley Lea and William Perrins, chemists, who began the manufacture of the sauce in 1835. Lea & Perrins, Ltd., an English corporation, now control its manufacture. It also is manufactured in the United States. (3823)

Petersime Incubator Company, Gettysburg, Ohio, has been ordered to discontinue misleading representations in the sale of "Petersime Electro-Thermo Bath", a device for applying dry heat to the body.

Under the order, the respondent is to cease disseminating advertisements which represent, directly or through implication, that use of its device provides a way to better health and a cure or remedy for rheumatism, arthritis, sciatica, gout, kidney trouble, nervousness, high blood pressure, colds and other ailments.

Other representations to be discontinued are that use of the respondent's cabinet will have any direct influence on basal metabolism or will dispose of poisons that cannot be eliminated by normal body processes, or will lessen or increase body weight, unless such representation is limited to a statement that its employment may effect a temporary loss of weight. (3883)

J. Rose & Company—Jack Rosenfeld, trading as J. Rose & Co., 2316 Locust St., St. Louis, was ordered to discontinue the use of lottery schemes in the sale and distribution of candy to ultimate consumers. Under the order, the respondent was prohibited from supplying others with lottery devices for use in the sale of candy or other merchandise, and from selling any merchandise by the use of such devices. (3212)

FCC Assignments For November

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
November**

"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 A. 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**