

DISTRICT MEETINGS

Below is a revised list of coming district meetings. Be sure to attend. They are highly important. The fate of the copyright program is at stake. Be sure to notify non-members in your area that they should be there, too.

<i>District No.</i>	<i>City</i>	<i>Hotel</i>	<i>Date of meeting</i>
District 3—	.	.	—First week in January (*)
District 4—	Washington	Mayflower	—December 16
District 5—	Jacksonville	.	—January (*)
District 6—	.	.	—January 2 or 3 (*)
District 11—	Minneapolis	Radisson	—December 13
District 12—	Tulsa	Hotel Tulsa	—December 11
District 13—	Dallas	Baker	—January 5
District 14—	Denver	Albany	—December 9
District 15—	San Francisco	Palace	—January 10
District 16—	Los Angeles	Ambassador	—January 9
District 17—	Portland	New Heathman	—January 12

(*) Additional details will be sent to you as soon as possible.

New England Goes 100 Per cent for Broadcast Music

One hundred per cent support of Broadcast Music, Inc., was voiced by New England broadcasters at a District One meeting Wednesday in Boston.

Managers of 16 of the 29 stations represented pulled out their fountain pens and signed stock subscriptions after Paul W. Morency, WTIC, district director, and Sydney Kaye explained how Broadcast Music, Inc., should go a long way toward solving the industry's vital copyright problem.

With equal enthusiasm, the other 13 managers either pledged subscriptions within a few days or said they would recommend subscriptions to their station owners.

Those stations which subscribed:

WICC, WTIC, WATR, WAAB, WBZ-WBZA, WEEI, WMEX, WNAC, WSAR, WLLH, WBRK, WMAS, WTAG, WEAN, WJAR and WBNX.

Practically 100 per cent of the broadcasters at the combined meetings of Districts Eight and Nine at South Bend, Ind., on Wednesday also pledged their support of Broad-



1626 K St., N. W.

WASHINGTON

Phone NATIONAL 2080

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*

NEW ENGLAND GOES 100 PER CENT FOR BROADCAST MUSIC

(Continued from page 3881)

cast Music, Inc. Neville Miller joined the district directors, John Fetzer and William H. West, in explaining the plan.

Although stock subscriptions were not discussed at the District Seven meeting in Dayton, O., on Tuesday, Kentucky and Ohio broadcasters indicated that they would give undivided support to the NAB's copyright program. After Mr. Miller and J. H. Ryan, district director, had described the program in detail, it was endorsed by unanimous vote.

Present at the District One meeting:

P. W. Morency, WTIC; John Shepard, 3rd, WNAC-WAAB-WEAN-WICC; Joseph L. Miller, NAB; Sheldon B. Hickox, Jr., NBC; Earle B. Clement, WLNH; Mildred P. Stanton, WORC; Robert W. Booth, WTAG; John W. Haigis, Jr., and James L. Spates, WHAI; W. C. Gartland and Frank E. Chizzini, NBC; David M. Kimel and M. William Noble, WLAW; George Lasker and Ashley L. Robinson, WORL; Alfred J. Pote and William S. Pote, WMEX; E. E. Hill, WTAG; Quincy A. Brackett, WSPR; C. Glover DeLancy and Cedric W. Foster, WTHT; Walter Haase, WDRC; Edwin J. Morey, WNLC; S. P. Willis, WPRO; John J. Boyle, WJAR; Harold Thomas, WBRK-WATR; William T. Welch, WSAR; L. Thomas, WBRK; L. Travers, Yankee Network; George F. Kelley, Jr., WFEA-WRDO-WCSH; A. S. Moffat, WMAS-WLLH; K. F. Horton and L. G. del Costilla, WEEI; John Holman, WBZ; G. Harrison, Colonial Network; S. M. Kaye, NAB; and J. Arnold Farrer, W1XOJ.

Those attending the District Seven meeting:

Robert Mackenzie, WCMI; Gilmore N. Nunn, WLAP; James Cox and Nathan Lord, WAVE; W. Lee Coulson and Robert L. Kennett, WHAS; Mrs. Edythe F. Melrose, Harold Sutherland and Ted Winter, WJW; C. A. Rowley and R. B. Rowley, WICA; Felix Hinkle, WHBC; James Krautters, WCKY; N. A. Latham, WKRC; Jerry Branch, WLW; E. K. Bauer, WSAI; Carl Everson, WCLE-WHK-WHKC; Gene Carr, WGAR; Vernon Pribble, WTAM; Richard A. Borel and William Orr, WBNS; Kenneth Johnston and Neal Smith, WCOL; J. Leonard Reinsch and Dave Brown, WHIO; Ronald B. Woodyard, WING; Don Ioset, WLOK; Ralph Patt, WPAY; J. H. Ryan, E. Y. Flanigan and George L. Young, WSPD; Stanton P. Kettler, WALR; Neville Miller, NAB; M. M. Blink, Standard Radio; Maurice Wetzel, NBC Thesauris; and Manuel Rosenberg, The Advertiser.

At the District 8-9 meeting were:

J. H. Keene, and R. R. Baker, WTRC; Martin Leich, WGBF; W. C. Swartley, and Ford Billings, WOWO; C. F. McLaughlin, WIBC; R. E. Bausman, WIRE; W. W. Behrman, WBOW; J. F. Hopkins, WJBK; O. F. Uridge, WJR; Howard Loeb, WFDF; John E. Fetzer, WKZO; Grant Ashbacker, WKBZ; and Angus D. Pfaff, WHLS.

Ken Rice, WDWS; W. E. Hutchinson, WAAF; Marie Clifford, WHFC; William H. West, WTMV; Edgar L. Bill, WMBD; Walter Koessler, WROK; Charles C. Caley, WDZ; I. F. Kyler, WCLO; H. R. LePoidevin, WRJN; H. Born, WHBL; Joseph

A. McDonald, Donald Marcotte and Maurice Wetzel, NBC; and Milton Blink, Standard Radio.

CIRCUIT COURT REFUSES TO DISMISS WNEW APPEAL

The first step towards a reversal of the decision in *RCA v. Whiteman* was won by WBO Broadcasting Corporation, when the Circuit Court of Appeals on Wednesday, December 6, denied the motion made by RCA to dismiss the WNEW appeal. The motion was argued Monday, December 4, by Colonel Joseph M. Hartfield, of White & Case, co-counsel with Stuart Sprague, both retained by NAB for the broadcasters; and by David MacKay, for RCA. This clears the way for the printing of the record and briefs, and argument on the merits.

The lower court, among other things, had enjoined WNEW from broadcasting Victor records, principally on the ground that it constituted unfair competition with RCA. It is hoped that on appeal this decision may be reversed. The Circuit Court has now held that WNEW may appeal.

The members have been advised recently of the issues in the case and its ramifications through NAPA and the A. F. of M., in an exhaustive summary printed in NAB REPORTS, November 24, 1939. Their attention is drawn at this time to that summary as the most complete and illuminating statement of the controversy it is possible to provide.

Denial of RCA's motion to dismiss WNEW's appeal is a forward step in the broadcasters' campaign. The interests of the industry will continue to be protected in the fullest measure by the counsel retained. The NAB will promptly advise the members, either in NAB REPORTS or by special bulletin, of any significant developments in the situation.

Tax Bureau Revises Its Radio Depreciation Figures

A recent inquiry to Mr. Timothy C. Mooney, Deputy Commissioner of the Bureau of Internal Revenue, resulted in the following letter:

TREASURY DEPARTMENT
WASHINGTON

December 1, 1939

National Association of Broadcasters,
1626 K Street, N.W.,
Washington, D. C.

Attention: Mr. Spence

Sirs:

Reference is made to office letter of January 5, 1937, with respect to the average useful lives of depreciable property owned by radio broadcasting companies and to your verbal request that you be advised in connection with changes which may have been made in such lives since that letter was written. The in-

formation now available to this office indicates that the lives shown therein should be adjusted to those indicated below:

Group Lives:

Transmitter equipment	10 years
Studio control equipment	10 years
Speech input equipment	10 years
Antenna equipment	12 years
Towers	15 years
Buildings	20 years
Studio furniture and fixtures	7 years
Office furniture and fixtures	15 years
Pipe organs, pianos, etc.	10 years
Television equipment	4 years
Facsimile equipment	5 years

In this connection it should be kept in mind that the lives stated above are averages built up on the experience available for the equipment of all companies for which data could be obtained and may not be applicable to the assets of a particular company whose experience may indicate shorter or longer lives.

Respectfully,

TIMOTHY C. MOONEY,
Deputy Commissioner

By E. L. LINDSEY,
Assistant Head of Division.

It will be noted that allowance for depreciation cannot be predicted upon a general average. Each broadcaster should produce all the facts pertinent to his own case and press for a decision thereon without reliance upon general practices.

"Radio's Riches" In Mail

Sample copies of "Radio's Riches—How You May Bring Them to Your Home," a sixteen page booklet in rotogravure, will be mailed all stations on Monday, December 11.

Their low price of eleven dollars per thousand is possible because of paper contracts made prior to price increases and to the large printing which is expected to run into several million.

The booklet contains the dynamic story of American radio and is especially designed for mass circulation.

In a letter on December 7, captioned, "The Radio Industry's Next Selling Job," which announced the completion of "Radio's Riches," Ed Kirby, director of public relations, said: "The radio industry has sold millions of people millions of things. And, despite rumors to the contrary, it has sold itself to millions of listeners, even though the majority of listeners perhaps don't know it.

"After all, people are people, and think mostly in terms of favorite radio personalities and favorite programs when they think of radio. They do not think in terms of the American System of Broadcasting which makes it possible for them to hear these programs on schedule, around the clock, day after day.

"What radio needs to do is to re-awaken this sleeping loyalty of listeners for American radio is going through one of its most trying periods.

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"There is, at the moment, no need for undue alarm. But for a variety of reasons, there does exist an urgent need for the widest possible understanding of radio by the greatest number of listeners. While ignorance continues, those who wish to attack the industry for selfish reasons, find a juicy opportunity to do so, because of the condition of an uninformed public."

Labor Notes

Attorney General Frank Murphy has backed up the contention of his assistant, Thurman Arnold, that labor unions can be prosecuted under the anti-trust laws for illegal practices. In a letter to William Green, president of the American Federation of Labor, Mr. Murphy said the Justice Department was following court decisions in this matter.

Samuel R. Rosenbaum, WFIL, IRNA chairman, conferred with members of Mr. Arnold's staff last week about the current A. F. of M. situation. After the conference, Mr. Rosenbaum issued the following statement:

"By reason of the many inquiries received from affiliates regarding the effect of the Arnold letter on the current AFM-IRNA situation, a conference took place on Wednesday, November 29, between Samuel R. Rosenbaum, Chairman of IRNA, and members of Thurman Arnold's staff in the Department of Justice. No effort was made to bring the Department into the situation, but merely to learn what its attitude might be in the event the industry and AFM do not arrive at a satisfactory understanding. As expected, the Department declined at this time to express any views in advance of a specific case being brought before it."

The A. F. of L. is howling to high heaven that Mr. Arnold's policy is not only illegal but also a slap at labor from an administration that was supposed to be labor's friend. It is understood that William Green's talk with President Roosevelt on Wednesday dealt with this matter, although publicly Mr. Green said he had talked about "labor peace." The C. I. O. has kept quiet, but its leaders are as worried as are the A. F. of L. bigwigs.

Labor won an outstanding victory in the federal courts last week. A circuit court of appeals reversed a district court decision that the American Federation of Hosiery Workers (C. I. O.) had violated the anti-trust laws by a sit-down strike at the Apex hosiery mills in Philadelphia. The district court had awarded the company \$711,000 triple damages. But the circuit court held that the primary intention of the union, in the strike, had been to organize the workers. Restraint of trade was incidental and indirect. At any rate, it was not "unreasonable." Therefore, the place to sue for damages was a state court. This decision will be appealed to the Supreme Court.

Current labor negotiations:

WCAU and WDAS, Philadelphia, with the American Communications Association (C. I. O.). Contract renewal for technicians.

WCBM, Baltimore, with the American Communications Association. New contract for technicians.

Seattle stations, with the International Brotherhood of Electrical Workers (A. F. of L.). New contract for technicians.

WLLH, Lowell, Mass., with the I. B. E. W. New contract for technicians.

The Labor Department reports that the cost of living for wage earners and low salaried workers *increased* 1.2 per cent during the three months ended September 15. Detroit and Minneapolis were the only cities to report a *decrease*.

Between September 19 and October 17, retail food prices *dropped* 1.3 per cent.

A federal district judge in Chicago upheld the constitutionality of the Wage and Hour act last week, overruling motions to quash an indictment naming the Chicago Macaroni Company and three of its officers.

Colonel Philip Fleming, Wage and Hour Administration chief, advised the NAB this week that advertising on the air, in itself, did not subject the employees of the advertiser to the Wage and Hour act. The question was raised by a prospective advertiser.

"The Voice of Labor," controversial C. I. O. program in Akron, Ohio, is back on the air at Station WADC, a non-member. The program formerly was on Station WJW, a member.

FREQUENCY MONITORS

Federal Communications Commission is sending notice regarding the requirement of frequency monitors to all

licensees of relay, international, high frequency, noncommercial educational, facsimile, television and developmental broadcast stations. The announcement is as follows:

The attention of all licensees of relay, international, high frequency, noncommercial educational, facsimile, television and developmental broadcast stations is specifically called to the provisions of Section 4.2 (formerly Section 40.02) of the Rules Governing Broadcast Services Other Than Standard Broadcast. This section requires that each station, except relay broadcast, shall have installed at the transmitter and operate continuously a frequency monitor having an accuracy sufficient to determine that the operating frequency is within one-half of the allowed tolerance. This section became effective September 15, 1939, and any station not now having the required monitor shall not operate until such monitor is obtained and placed in operation.

A frequency monitor is defined as a device which will indicate automatically whether or not the operating frequency is within the allowed tolerance, as contrasted with "frequency meters" which require a certain amount of manipulation by a skilled person. A frequency monitor is required and a frequency meter is not acceptable.

Frequency monitors designed for amplitude modulation may be used in conjunction with stations employing frequency modulation, it being understood that these monitors will only give an indication of the center frequency on no modulation.

The frequency monitors used in compliance with this rule by all broadcast stations other than standard broadcast are ordinarily calibrated at the laboratory of the manufacturer. However, the maintenance of the constancy of calibration is the responsibility of the licensee. The licensees of all stations shall be prepared to demonstrate to a representative of the Commission that the frequency monitor has the required accuracy.

Licensees operating two or more stations at the same location coming within the purview of Section 4.1 (formerly 40.01) may operate one frequency monitor if arrangements are made to switch the monitor from one transmitter to another by a simple operation and no adjustments are required on each frequency.

Relay broadcast stations shall provide the necessary means for determining that the frequency of the station is within the allowed tolerance. The frequency measuring equipment used in compliance with this rule may be located at the relay station, at a central location or the receiving location. If the monitor is located at a distance from the station, provision shall be made to check the frequency in accordance with Section 4.2 (d). The equipment used to determine that the frequency at a station is within the allowed tolerance may be either a frequency monitor or a frequency meter (heterodyne frequency meter or equivalent). If commercial types of frequency monitors are used it may be necessary to use a radio frequency amplifier in order to provide sufficient signal to operate the device. Frequency meters, if used, shall be capable of required accuracy and shall be capable of being maintained in calibration by comparison with the signals of WWV or standard broadcast stations.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following arguments are scheduled before the Commission for Thursday, December 14. They are subject to change.

Thursday, December 14

Oral Argument Before the Commission

Report No. B-80:

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

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

FUTURE HEARINGS

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

January 15

- NEW—Joe W. Engel, Chattanooga, Tenn.—C. P., 1370 kc., 250 watts, unlimited time.
 NEW—Lookout Mountain Company of Georgia, Lookout Mountain, Ga.—C. P., 1370 kc., 100 watts, 250 watts LS, unlimited time.

Hearing Before Commissioner Case

- WHDH—Matheson Radio Co., Inc., Boston, Mass.—C. P., 830 kc., 5 KW, unlimited time (DA night). Present assignment: 830 kc., 1 KW, daytime (KOA).

January 16

- WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Renewal of license, 1210 kc., 100 watts, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

- KFSG—Echo Park Evangelistic Assn., Los Angeles, Calif.—Granted modification of license to increase night power from 500 watts to 1 KW.
 KGKY—Hilliard Company, Inc., Scottsbluff, Nebr.—Granted voluntary assignment of license from Hilliard Company, Inc. (a corporation), to a partnership consisting of L. L. Hilliard, Ruth K. Hilliard, and R. M. Stewart, doing business as Hilliard Company.
 WSMB—WSMB, Inc., New Orleans, La.—Granted modification of construction permit to make changes in directional antenna system, increase night power from 1 KW to 5 KW, and extend commencement date to 30 days after grant and completion date to 90 days thereafter.
 WTOL—The Community Broadcasting Co., Toledo, Ohio.—Granted construction permit to make changes in equipment and increase power from 100 watts to 250 watts, unlimited time.
 KWOC—Radio Station KWOC, Poplar Bluff, Mo.—Granted construction permit to make changes in equipment; increase power and time of operation from 100 watts, daytime, to 250 watts, unlimited; and move studio from 214 Poplar Street to North Main Street at city limits, Poplar Bluff, Mo.
 WJPR—John R. Pepper, Greenville, Miss.—Granted modification of license to increase night power from 100 to 250 watts.
 W2XR—Radio Pictures, Inc., Long Island City, N. Y.—Granted modification of license for facsimile broadcast station W2XR to authorize use of aural transmitter of television broadcast station W2XDR and to reduce operating power to 500 watts. The license is granted upon an experimental basis only, conditionally.
 KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted construction permit to install directional antenna system and increase night power from 1 KW to 5 KW, employing directional antenna system for nighttime operation only.
 WRC—National Broadcasting Co., Inc., Washington, D. C.—Granted amended application for construction permit to install directional antenna system and increase night power from 1 KW to 5 KW, employing directional antenna for nighttime operation.
 KFVB—Warner Bros. Broadcasting Corp., Los Angeles, Calif.—Granted modification of license to increase night power from 1 KW to 5 KW.
 WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Granted construction permit to move studio and transmitter site locally; install vertical radiator; make changes in equipment; and increase power and time of operation from 100 watts, daytime only, to 250 watts, unlimited time.

- KDNT—Harwell V. Shepard, Denton, Tex.—Granted modification of license to change power and time of operation from 100 watts, daytime only, to 100 watts, unlimited time.
 KVAK—Carl Latenser, Atchison, Kans.—Granted modification of license to change power and time of operation from 100 watts, daytime only, to 100 watts, unlimited time.
 KRBm—KRBm Broadcasters, Bozeman, Mont.—Granted modification of license to increase night power from 100 watts to 250 watts.
 WFMJ—William F. Maag, Jr., Youngstown, Ohio.—Granted construction permit to make changes in equipment and increase power from 100 watts to 250 watts.
 KOVO—Clifton A. Tolboe, d/b as Citizens Voice and Air Show, Provo, Utah.—Granted modification of license to increase night power from 100 watts to 250 watts.
 WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted construction permit to install directional antenna system for night use, and increase power from 1 KW to 5 KW.
 WDAE—Tampa Times Company, Tampa, Fla.—Granted construction permit to make changes in equipment, install directional antenna system, and increase night power from 1 KW to 5 KW, employing directional antenna system both day and night.
 KWSC—State College of Washington, Pullman, Wash.—Granted modification of license to increase night power from 1 KW to 5 KW.
 WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted amended application for construction permit to install directional antenna system and increase night power from 1 KW to 5 KW, employing directional antenna system for night operation.
 WDWS—The Champaign News-Gazette, Inc., Champaign, Ill.—Granted modification of license to increase night power from 100 watts to 250 watts.

RENEWAL OF LICENSES

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

- KYSM, Mankato, Minn.; WABY, Albany, N. Y.; WAGM, Presque Isle, Maine; WATL, Atlanta, Ga.; WAZL, Hazleton, Pa.; WBTM, Danville, Va.; WDN, Danville, Ill.; WDAS, Philadelphia; WDAS auxiliary; WDWS, Champaign, Ill.; WEED, near Rocky Mount, N. C.; WEOA, Evansville, Ind.; WGAL, Lancaster, Pa.; KBPS, Portland, Ore.; KBST, Big Spring, Tex.; KDB, Santa Barbara, Calif.; KGFF, Shawnee, Okla.; KICA, Clovis, N. Mex.; KLBm, La Grande, Ore.; KONO, San Antonio, Tex.; KORE, Eugene, Ore.; KOTN, Pine Bluff, Ark.; KPLC, Lake Charles, La.; KRM, Jamestown, N. Dak.; KSAM, Huntsville, Tex.; KTOK, Oklahoma City, Okla.; KTRI, Sioux City, Iowa; KVOE, Santa Ana, Calif.; WGL, Fort Wayne, Ind.; WHFC, Cicero, Ill.; WIBM, Jackson, Mich.; WMBR, Jacksonville, Fla.; KABC, San Antonio, Tex.; KEUB, Price, Utah; KGKL, San Angelo, Tex.; KPQ, Wenatchee, Wash.

MISCELLANEOUS

- WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—Granted special temporary authority to remain silent from 9 to 11 a. m. and from 7 to 9 p. m., EST, on December 25, in order that WBRB's employees may observe the holiday.
 WDWS—Champaign News-Gazette, Inc., Champaign, Ill.—Granted special temporary authority to operate with increased power of 250 watts from 7:30 to 9:30 p. m., CST, on December 1, in order to adequately service Mansfield and surrounding territory in connection with the broadcast of the dedication of the Mansfield gymnasium.
 WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Granted special temporary authority to remain silent from 11:30 a. m. to 2 p. m., EST, on December 25, in order that WCAP's employees may observe the holiday.
 WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Granted special temporary authority to operate simultaneously with station KTHS on 1060 kc., on the night of December 24, to 2 a. m., EST, December 25, in order to broadcast a special midnight mass from St. Ignatius Church in Baltimore.
 KVAK—Carl Latenser, Atchison, Kans.—Granted special temporary authority to operate from 7:45 to 9 p. m., CST, on December 13, 14, 15 and 22, in order to broadcast football games only.
 WLAW—Hildreth and Rogers Co., Lawrence, Mass.—Granted special temporary authority to broadcast electrical transcriptions and live talent to fill intermissions between

- election return broadcasts on December 12, as authorized by grant of November 15.
- WPRP—Puerto Rico Advertising Co., Inc., Mayaguez, P. R.—Granted special temporary authority to operate from 9 to 11 a. m. and from 2 to 6 p. m., AST, on December 3, 10, 17, 24 and 31, in order to broadcast games of the Semi-pro series only; to operate from 10 p. m., December 24 to 1 a. m., December 25, and from 9 a. m. to 11 a. m., and from 2 to 6 p. m., on December 25 and 31, and from 10 p. m. to 1 a. m., on December 26 in order to broadcast festivities pertaining to Christmas.
- W2XQR—John V. L. Hogan, New York City.—Granted special temporary authority to conduct tests transmitting facsimile signals in connection with investigation of the characteristics of frequency modulated signals for the period ending no later than December 20, 1939.
- W2XVT—Allen B. DuMont Laboratories, Inc., Passaic, N. J.—Granted special temporary authority to operate experimental television broadcast station from 9:30 p. m. to 12 midnight, EST, on December 8, in order to conduct demonstration for the R. M. A. Committee on Television (provided W2XBS remains silent).
- WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted special temporary authority to operate new transmitter in accordance with modification of construction permit during daytime, using 1 KW directional, for the period ending no later than December 12, in order to complete proof of performance measurements.
- WKAQ—Radio Corporation of Puerto Rico, San Juan, P. R.—Granted extension of special temporary authority to re-broadcast sustaining programs to be received from International Broadcast Stations WCBX and WCAB over station WKAQ, on a non-commercial experimental basis only, for the period beginning November 30, and ending in no event later than December 29, 1939.
- W3XAD—RCA Manufacturing Co., Inc., New York City.—Granted special temporary authority to operate transmitter of television broadcast experimental station W3XAD on television bands 18 and 19, frequencies **282** and **294 mc.**, for the period ending no later than December 1, 1939.
- WMPC—The First Methodist Protestant Church of Lapeer, Lapeer, Mich.—Granted extension of special temporary authority to operate from 9 to 10 a. m., EST, Monday, Tuesday, Wednesday, Thursday, Friday and Sunday mornings, for the period November 30 until said time is specifically authorized to be used by the Saginaw Broadcasting Co., but ending no later than December 29, 1939, in order to broadcast educational programs.
- KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted motion to accept amendment to application to change request for increase in power from 1 KW to 5 KW night, using directional antenna.
- Watertown Broadcasting Corp., Watertown, N. Y.—Granted petition for leave to amend application to change frequency from **1420 kc.** to **1210 kc.**
- WEJA—National Broadcasting Co., Inc., New York City.—Granted modification of relay station license to increase power to 100 watts.
- WEJC—National Broadcasting Co., Inc., Washington, D. C.—Granted modification of relay station license to increase power to 100 watts.
- WEJH—National Broadcasting Co., Inc., Chicago, Ill.—Granted modification of relay station license to increase power to 100 watts.
- WAXD—The Birmingham News Company, Portable-Mobile (area of Birmingham, Ala.).—Granted license for reinstatement of low frequency relay broadcast station, frequencies **1646, 2090, 2190 and 2830 kc.**, 20 watts.
- KEIM—KTAR Broadcasting Co., Portable-Mobile (area of KTAR, Phoenix, Ariz.).—Granted license to cover construction permit to make changes in equipment and increase power to 25 watts in relay broadcast station.
- WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted authority to determine operating power by direct measurement of antenna input.
- WJBC—Arthur Malcolm McGregor & Dorothy Charlotte McGregor, Bloomington, Ill.—Granted authority to determine operating power by direct measurement of antenna input.
- WOMI—Owensboro Broadcasting Co., Owensboro, Ky.—Granted authority to determine operating power by direct measurement of antenna input.
- WRVA—Larus & Bros. Co., Inc., Richmond, Va.—Granted authority to determine operating power by direct measurement of antenna input.
- KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—Granted authority to determine operating power by direct measurement of antenna input.
- WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted authority to determine operating power by direct measurement of antenna input.
- WFTC—Jonas Weiland, Kinston, N. C.—Granted authority to determine operating power by direct measurement of antenna input.
- KAST—Astoria Broadcasting Co., Astoria, Ore.—Granted authority to determine operating power by direct measurement of antenna input.
- WHLB—Head of the Lakes Broadcasting Co., Virginia, Minn.—Granted authority to determine operating power by direct measurement of antenna input.
- KEHI—WDAY, Inc., Fargo, N. Dak.—Granted construction permit to change location of high frequency relay broadcast station from portable-mobile to fixed at 118 Broadway, Fargo, N. Dak.
- WKBB—Sanders Bros. Radio Station, Dubuque, Ia.—Granted license to cover construction permit to increase night power to 250 watts, move transmitter and studio sites and install vertical radiator.
- WAZL—Hazleton Broadcasting Service, Inc., Hazleton, Pa.—Granted modification of construction permit to install new equipment.
- KGHI—Arkansas Broadcasting Co., Little Rock, Ark.—Granted authority to determine operating power by direct measurement of antenna input.
- WBAP—Carter Publications, Inc., Fort Worth, Texas.—Granted authority to determine operating power by direct measurement of antenna input.
- WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted construction permit to move auxiliary transmitter to Wampanoag Trail, E. Providence, employing directional antenna system for night operation and increase power of auxiliary transmitter to 1 KW.
- W3XAD—RCA Mfg. Co., Inc., New York City.—Granted special temporary authority to operate television broadcast experimental station W3XAD on **336-342 mc.** and **342-348 mc.** channels, for the period December 1 to December 30, 1939.
- KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted license to cover construction permit authorizing installation of auxiliary transmitter at present main transmitter site, using 1 KW power for auxiliary purposes only.
- WMFD—Richard Austin Dunlea, Wilmington, N. C.—Granted modification of construction permit approving transmitter site at Castle Hayne Road, New Hanover County, and installation of vertical radiator.
- KFJZ—Tarrant Broadcasting Co., Fort Worth, Texas.—Granted license to cover construction permit authorizing installation of new equipment.
- WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted license to cover construction permit authorizing installation of directional antenna for nighttime operation.
- WSOY—Commodore Broadcasting, Inc., Decatur, Ill.—Granted license to cover construction permit authorizing changes in equipment, increase in height of vertical radiator, change of frequency from **1200 kc.** to **1310 kc.**, and increase day power from 100 watts to 250 watts, and change time of operation from sharing WJBC to unlimited time.
- KSAL—KSAL, Inc., Salina, Kans.—Granted modification of construction permit to make changes in directional antenna system, install new equipment, and extend commencement date to 60 days after grant and completion date to 180 days thereafter.
- WGRC—North Side Broadcasting Corp., New Albany, Ind.—Granted modification of license authorizing move of studio location to 4th floor, Kentucky Home Life Bldg., 5th and Jefferson Street, Louisville, Ky.
- WEAU—Central Broadcasting Co., Eau Claire, Wis.—Granted authority to determine operating power by direct measurement of antenna input.
- WMFG—Head of the Lakes Broadcasting Co., Hibbing, Minn.—Granted authority to determine operating power by direct measurement of antenna input.
- WJMC—Walter H. McGenty, Rice Lake, Wis.—Granted authority to determine operating power by direct measurement of antenna input.
- WGTM—WGTM, Inc., Wilson, N. C.—Granted authority to determine operating power by direct measurement of antenna input.

WWRL—Long Island Broadcasting Corp., New York City.—Extended effective date of Provision (3) of the Commission's Order of December 5, 1938, in re WWRL and four other Brooklyn cases, for a period of 30 days from December 1, 1939.

Worcester County Broadcasting Corporation, Worcester, Mass.—Denied petition requesting that the Commission reconsider its action of October 21, 1939, which had the effect of denying to the petitioner intervention in re the application of C. T. Sherer Company, Inc., for a new station in Worcester, Mass., which had previously been permitted under orders of Commissioners Walker and Payne.

W8XK—Westinghouse Electric and Mfg. Co., Saxonburg, Pa.—Dismissed the protest of Westinghouse Electric and Manufacturing Company against the action of the Commission of May 11, 1938, in granting, without a hearing, the application of The Crosley Radio Corp. (W8XAL) for authority to use frequency 11870 ke. on a time-sharing basis, under Rule 983, with international broadcast station W8NK.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 2 to 3 p. m., EST on December 9, 16, 23, 30 and January 6, 1940, in order to broadcast newscasts, musical programs and other features of public interest; to operate from 8:30 to 10 a. m. and from 2 to 3 p. m., on December 10, 17, 24, 31, 1939 and January 7, 1940, in order to broadcast religious services, newscasts and musical programs; to use all time not used by station WSVS between December 22 and January 1, in order to broadcast musical programs and newscasts.

WINS—Hearst Radio, Inc., New York City.—Granted special temporary authority to operate from 7 p. m. to midnight, EST, on December 11, in order to broadcast the Hearst Diamond Belt Boxing Finals only.

WJMC—Walter M. McGenty, Rice Lake, Wis.—Granted special temporary authority to operate from 7:45 to 9:45 p. m., CST, on December 21 (instead of December 22, as authorized by grant of November 25), in order to broadcast high school basketball games only.

WBAA—Purdue University, W. Lafayette, Ind.—Granted special temporary authority to operate from 7:15 to 10 p. m., CST, on December 7, 11, 13, 20, 21, 23, 27 and 28, in order to broadcast Purdue University basketball games only.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine.—Granted special temporary authority to operate from 7 to 9 p. m., EST, on December 8, 14, 29, 1939, and January 1, 1940, in order to broadcast basketball games only.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate simultaneously with WIBW and WCHS with power of 1 KW, from 7:25 to 9:25 p. m., CST, on December 6, 15, 18, 27, and from 8:45 to 10:45 p. m., CST, on December 29, in order to broadcast University of Illinois basketball games only.

KEX—Oregonian Publishing Co., Portland, Ore.—Granted special temporary authority to operate a portable 100-watt transmitter on the frequency of 1190 ke., in the vicinity of Portland, for a period not to exceed 30 days, for the purpose of making tests for a suitable transmitter location.

WBCW—Banks of Wabash, Inc., Terre Haute, Ind.—Granted extension of special temporary authority to operate on the frequency 1200 ke., at present transmitter site, on December 12, in order to complete construction at approved site in accordance with permit.

WNEL—Juan Piza, San Juan, P. R.—Granted extension of special temporary authority to rebroadcast sustaining programs to be received from International Broadcast Stations WNBI and WRCA over station WNBI for the period December 6, 1939, to January 4, 1940.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted special temporary authority to operate with power increased to 2500 watts from midnight EST to the conclusion of Station WHBI's 15th Annual Christmas Campaign only, on December 10, 1939.

WMRC—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate with power of 100 watts from 7 p. m. to 10:30 p. m., CST, on December 9, 20, 29 and 30, in order to broadcast high school basketball games only.

APPLICATIONS FILED AT FCC

550 Kilocycles

KSD—The Pulitzer Publishing Company, St. Louis, Mo.—Construction permit for changes in directional antenna (day and

night use), and change frequency from 550 ke. to 630 ke., time from shares KFUE to unlimited; move transmitter from northeast corner 12th and Olive Sts., St. Louis, Mo., to St. Clair and Warren Aves., Nameoki, Ill., contingent on KFRU and WGBF. Requesting the facilities of KXOK. Amended to make changes in antenna, increase night power from 1 KW to 5 KW, and give transmitter site as Chouteau Twp., 4 miles west of Mitchell, Ill.

570 Kilocycles

WWNC—Asheville Citizens-Times Co., Inc., Asheville, N. C.—Construction permit to install new transmitter, directional antenna for night use; increase power from 1 to 5 KW; and move transmitter from 20 Battery Park Place, Asheville, N. C., to Emma and Maple Crest Road, near Emma, N. C.

580 Kilocycles

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Construction permit to make changes in auxiliary transmitter.

680 Kilocycles

WPTF—WPTF Radio Co., Raleigh, N. C.—Extension of special experimental authority to operate from local sunset at KPO to 11 p. m., EST, using directional antenna, for period 2-1-40 to 2-1-41.

710 Kilocycles

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Extension of special experimental authority for transmission of facsimile signals from 1 a. m. to 6 a. m., EST, using 50 KW power, for period 2-1-40 to 2-1-41.

770 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Extension of special experimental authority to operate synchronously with KFAB from local sunset (KFAB's LS at Lincoln, Nebr.) to midnight, CST, period 2-1-40 to 2-1-41.

810 Kilocycles

NEW—The Fort Industry Co., Toledo, Ohio.—Construction permit to erect a new broadcast station on 810 ke., 1 KW power, daytime operation.

850 Kilocycles

WKAR—Michigan State College, East Lansing, Mich.—Modification of construction permit (B2-P-1767) as modified for increase in power, new equipment, new antenna, and move of transmitter, further requesting authority to install new transmitter. Amended to request extension of completion date to 1-31-40.

980 Kilocycles

KDKA—Westinghouse Electric & Manufacturing Co., Pittsburgh, Pa.—License for auxiliary transmitter.

1000 Kilocycles

WHO—Central Broadcasting Co., Des Moines, Iowa.—Extension of special experimental authority for transmission of facsimile signals from midnight to 6 a. m., CST, using 50 KW power, for period from 2-1-40 to 2-1-41.

1010 Kilocycles

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Authority to determine operating power by direct measurement of antenna power.

1040 Kilocycles

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Construction permit to install new transmitter, directional antenna for night use; change frequency from 1040 ke. to 1060 ke.; increase power from 10 to 50 KW, hours of operation from shares KRLD to unlimited time; and move transmitter from Hot Springs National Park, Ark., to Highway 67, Reyburn, Ark.

1060 Kilocycles

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Extension of special experimental authority to operate on 1060 kc., simultaneously with WBAL, from 6 a. m. to local sunset daily, suspend until 8 p. m., and unlimited then to midnight, period beginning 2-1-40.

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Extension of special experimental authority to operate simultaneously with KTHS on 1060 kc. from 6 a. m. to local sunset at Hot Springs, and operate from local sunset at Hot Springs to 9 p. m., EST, on 1060 kc. and operate synchronously with WJZ on 760 kc., with power of $2\frac{1}{2}$ KW, using directional antenna, from 9 p. m., EST, period 2-1-40 to 2-1-41.

1080 Kilocycles

WCBD—WCBD, Inc., Chicago, Ill.—Modification of license to change frequency from 1080 kc. to 830 kc., and hours of operation from unlimited, share WMBI, to daytime only, using 5 KW.

1160 Kilocycles

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Construction permit to make changes in equipment, install directional antenna for day and night use, increase power from 10 to 50 KW, and change hours of operation from simultaneous day and shares night with WWVA to unlimited time.

1200 Kilocycles

KADA—C. C. Morris, Ada, Okla.—Modification of license to move main studio from 115½ South Rennie St., Ada, Okla., to Highway No. 48, 1 mile north of Ada, Okla.

NEW—Hazelwood, Inc., Orlando, Fla.—Construction permit for a new broadcast station to be operated on 1390 kc., 500 watts, 1 KW day power, unlimited time. Amended to request 1200 kc., 250 watts power, make changes in equipment, and antenna and transmitter site to be determined, Orlando, Fla.

WMOB—S. B. Quigley, Mobile, Ala.—License to cover construction permit B3-P-1983 as modified for a new station.

WMOB—S. B. Quigley, Mobile, Ala.—Authority to determine operating power by direct measurement of antenna power.

KADA—C. C. Morris, Ada, Okla.—Construction permit to make changes in equipment, increase power from 100 to 250 watts.

NEW—J. Winfield Crew, Jr., Roanoke Rapids, N. C.—Construction permit for a new broadcast station to be operated on 1200 kc., 250 watts power, unlimited time.

1210 Kilocycles

KLAH—Barney Hubbs, A. J. Crawford, Jack Hawkins, Harold Miller, d/b as Carlsbad Broadcasting Co., a partnership, Carlsbad, N. Mex.—Modification of license to increase power from 100 watts, 250 watts day, to 250 watts day and night.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Construction permit to make changes in equipment and increase power from 100 to 250 watts.

WFTM—Fort Myers Broadcasting Co., Fort Myers, Fla.—Modification of construction permit B3-P-2444 for a new station, requesting approval of antenna and approval of studio and transmitter site at 51 East First St., Fort Myers, Fla., and increase in night power from 100 to 250 watts. Amended to make changes in antenna.

KFPW—Southwestern Hotel Co., Fort Smith, Ark.—Modification of construction permit B3-P-2419 for change in frequency, increase in power, new transmitter and antenna, move of transmitter, requesting approval of antenna and approval of transmitter site at Albert Pike, 0.6 mile north of O St., Fort Smith, Ark., and install new transmitter.

KOCA—Oil Capitol Broadcasting Assn., Kilgore, Tex.—Construction permit to move transmitter locally and make changes in antenna.

WHIZ—WALR Broadcasting Corp., Zanesville, Ohio.—License to cover B2-P-2420 for new antenna and move of transmitter.

NEW—Watertown Broadcasting Corporation, Watertown, N. Y.—Construction permit for a new broadcast station to be operated on 1420 kc., 100 watts night and 250 watts day power, unlimited time. Amended to change requested frequency from 1420 kc. to 1210 kc., power to 250 watts, make changes in antenna and change type of transmitting equipment, and give transmitter site as Hoard St. and Starbuck Ave., Watertown, N. Y.

WOCB—Harriett M. Alleman and Helen W. MacLellan, d/b as Cape Cod Broadcasting Co., near Hyannis, Mass.—Modification of construction permit B1-P-1140 as modified for a new station, requesting extension of completion date from 1-1-40 to 5-1-40.

1240 Kilocycles

WXYZ—King-Trendle Broadcasting Corp., Detroit, Mich.—License to cover construction permit B2-P-2424 for new transmitter, changes in antenna, move of transmitter, and increase in daytime power. Amended re Section 5.

1260 Kilocycles

WTOC—Savannah Broadcasting Co., Savannah, Ga.—Authority to determine operating power by direct measurement of antenna power.

KOIL—Central States Broadcasting Co., Omaha, Nebr.—Authority to transfer control of corporation from Sidles Company, to Star Printing Co., 1 share common stock.

WTOC—Savannah Broadcasting Co., Savannah, Ga.—License to cover construction permit B3-P-1764 as modified, for move, new equipment, antenna and increase in daytime power.

1280 Kilocycles

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Construction permit to install directional antenna for night use, increase power from 1 KW; 5 KW day to 5 KW day and night, and move transmitter from Brainerd Community, Hamilton County, Tenn., to 2 miles from city limits, S. Westerly direction, Dixie Highway, State 27, Chattanooga, Tenn.

1310 Kilocycles

WCLS—WCLS, Inc., Joliet Twp., Ill.—License to cover construction permit B4-P-2404, for move of transmitter, changes in transmitting equipment, and changes in antenna.

WCLS—WCLS, Inc., Joliet, Ill.—Authority to determine operating power by direct measurement of antenna power.

KRMD—Radio Station KRMD, Inc.—Shreveport, La.—Authority to determine operating power by direct measurement of antenna power.

WDMJ—The Lake Superior Broadcasting Co., Marquette, Mich.—Modification of license to change hours of operation from specified hours to unlimited time.

1370 Kilocycles

WTSP—Pinellas Broadcasting Co., St. Petersburg, Fla.—License to cover construction permit B3-P-1954, as modified, for a new broadcast station.

WTSP—Pinellas Broadcasting Co., St. Petersburg, Fla.—Authority to determine operating power by direct measurement of antenna power.

WTSP—Pinellas Broadcasting Co., St. Petersburg, Fla.—Modification of license to increase power from 100 watts; 250 watts day to 250 watts power day and night.

KTUC—Tucson Motor Service Co., Tucson, Ariz.—Modification of license to increase power from 100 watts; 250 watts day to 250 watts day and night.

KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Modification of license to change hours of operation from unlimited day, specified hours night, to unlimited (simultaneous with KGFL from local sunset to 7:30 p. m., MST).

WMGA—Frank R. Pidcock, Sr., Moultrie, Ga.—Authority to determine operating power by direct measurement of antenna power.

WMGA—Frank R. Pidcock, Sr., Moultrie, Ga.—License to cover construction permit (B3-P-2390) as modified for a new station.

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—License to cover construction permit B3-P-2567, for equipment changes and increase in power.

NEW—C. P. Edwards, Jr., & Howard Long, d/b as Kingsport Broadcasting Co., Kingsport, Tenn.—Construction permit to erect a new broadcast station to be operated on 1370 kc., 250 watts power, unlimited time.

1420 Kilocycles

WGPC—Albany Broadcasting Co., Inc., Albany, Ga.—Construction permit for equipment changes and increase in power from 100 to 250 watts.

NEW—Richard T. Sampson, Riverside, Calif.—Construction permit for a new broadcast station to be operated on 1420 kc., 250 watts power, unlimited time.

1430 Kilocycles

WMPS—Memphis Broadcasting Co., Memphis, Tenn.—Construction permit for changes in equipment.

1440 Kilocycles

WCBA—Lehigh Valley Broadcasting Co., Allentown, Pa.—Construction permit to install new transmitter, install directional antenna for day and night use, increase power from 500 watts to 5 KW.

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Construction permit for a new transmitter, directional antenna for day and night use, and increase in power from 500 watts to 5 KW.

1490 Kilocycles

KFBK—McClatchy Broadcasting Co., Sacramento, Calif.—Extension of special experimental authorization for transmission of facsimile signals from midnight to 6 a. m., PST, using 10 KW power, period 2-1-40 to 2-1-41.

1500 Kilocycles

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of license to increase power from 100 watts, 250 watts day, to 250 watts day and night.

NEW—Albert Joseph Meyer, Powell, Wyo.—Construction permit to erect a new broadcast station to be operated on 1500 kc., 250 watts power, unlimited time.

NEW—J. Leslie Doss, Bessemer, Ala.—Construction permit to erect a new broadcast station to be operated on 1500 kc., 250 watts power, unlimited time.

KNOW—Frontier Broadcasting Co., Inc., Fort Worth, Tex.—License to cover construction permit B3-P-2436 as modified for increase in power, move of transmitter, and installation of new equipment.

KPLT—The North Texas Broadcasting Co., Paris, Tex.—Authority to transfer control of corporation from A. G. Mayse to Mary Jo Mayse, 45 shares common stock.

MISCELLANEOUS

NEW—Central New York Broadcasting Corporation, Syracuse, N. Y.—Construction permit for a new high frequency broadcast station to be operated on 43200 kc., 1 KW power, unlimited time, special emission. To be located in or near Syracuse, N. Y.

WENP—WSOC, Inc., Portable-Mobile.—Construction permit to make changes in equipment.

W9XYH—Head of the Lakes Broadcasting Co., Superior, Wis.—Modification of construction permit B4-PHB-75 as modified for changes in equipment.

WEKQ—Allen T. Simmons, Akron, Ohio.—Modification of license to increase power from 25 watts to 100 watts.

W2XQR—John V. L. Hogan, Long Island, N. Y.—License to cover construction permit, B1-PHB-66, as modified, for a new high frequency 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.

Continental Baking Company—A complaint has been issued charging Continental Baking Company, New York, which operates

plants in 28 States, with price discriminations in violation of the Robinson-Patman Act.

In certain trade areas the respondent company is alleged to sell its bread of like grade and quality and of a definite weight at one price, while at the same time in another trade area served from the same plant, it sells the same type of bread and of the same weight at a lower price. And, the complaint continues, in certain trade areas the respondent sells bread of the same grade and quality and of a definite weight at one price, while, at the same time, in another trade area served from the same plant, it sells bread of the same grade and quality, but greater in weight, for the same price as the bread of less weight.

Illustrating these practices, the complaint alleges that the respondent company, serving its Louisiana and Texas retail customers from its plant in Shreveport, La., charged 10 cents for 24 ounces of bread prior to February, 1939, but that subsequent to that time, while still charging its Shreveport area customers 10 cents for its 24-ounce loaf, from the same plant delivered the 24-ounce loaf to customers in the Marshall, Tex., area for 8 cents a loaf.

From its plant in Kansas City, Mo., the complaint continues in another illustration, the respondent served its Missouri and Kansas retail customers, the prevailing price prior to December, 1938, having been 8 cents for a 20-ounce loaf. It is alleged that subsequent to that time the respondent continued to sell the 20-ounce loaf for 8 cents in the Kansas City area while from the same plant it sold a 24-ounce loaf of the same quality bread for 8 cents to customers in the Leavenworth and Osawatomie, Kans., areas.

This type of discrimination, it is alleged, may result in a substantial lessening of competition and tend to create a monopoly in the Continental Baking Company. (3962)

Fellom Publishing Company—A complaint has been issued against Roy Fellom, trading as Fellom Publishing Company, San Francisco, alleging misleading representations in the sale of advertising space in the "Pacific Road Builder and Engineering Review."

The respondent is alleged to have represented to prospective buyers of advertising space, including manufacturers and others selling equipment materials and commodities, that the "Pacific Road Builder and Engineering Review" is circulated only to equipment buyers and has no circulation to non-buyers; that a survey has been made of the equipment buyers in the eleven Western States in which the magazine is principally circulated; that the magazine goes to 93 per cent of the equipment buyers in those States and that it is circulated to 93 per cent of heavy construction equipment buyers based on the number of such buyers and to 98 per cent thereof based on volume of purchases in the eleven states.

Among other representations alleged to have been made by the respondent were that the magazine had a total average monthly net paid circulation of 5,129 and a total average monthly distribution of 6,289 for the last six months of 1937, and a total average monthly net paid circulation of 4,583 and a total average monthly distribution of 5,625 for the first six months of 1938.

The statistics furnished are alleged to be misleading in that they overstate the volume of circulation and give an erroneous idea of the value of the magazine as an advertising medium based on possible results and also of the correctness of the prices charged for advertising space therein based on the represented extent of such circulation.

The complaint alleges that the circulation of the respondent's magazine is not restricted exclusively to buyers of equipment; that no accurate and dependable survey has been made by or for the respondent as the basis for the figures given in regard to coverage of equipment buyers, and that his statements with respect to circulation among equipment buyers in eleven Western States and other circulation statistics as given are inaccurate and exaggerated. (3960)

M. Seidel & Son—Alleging misrepresentation and the use of lottery methods in the sale of furs and fur garments, a complaint has been issued against Maurice and Charles Seidel, trading as M. Seidel & Son, 243 West 30th St., New York.

The respondents are alleged to have sold women's articles of apparel made from rabbit peltries so dressed and dyed as to resemble fur products made from the peltries of seal, beaver, leopard, ermine, mink, squirrel, sable or karakul sheep. It is alleged that the respondents failed to disclose the true zoological names of such furs and fur products so sold but instead misrepresented them by means of misleading and deceptive designations

such as "Black Seal," "Mendoza Beaver," "Leopardine," "Erminette," "Squirrelette," and other names.

The respondents are also charged with disseminating advertisements suggesting that salesmen selling their products can earn \$1300 a week or more, and that an investment of \$12 would bring \$1300. Use of a push card lottery plan to promote the sale of fur products to ultimate consumers, also is alleged. (3961)

CEASE AND DESIST ORDER

The Commission has issued the following cease and desist order:

Diamond Knitting Mills, Inc.—Prohibiting misleading representations in the sale of knitted wearing apparel an order has been issued to cease and desist against Diamond Knitting Mills, Inc., 7th and Green Sts., Philadelphia.

Among representations found to have been made by the respondent corporation were that certain of its products were composed entirely of unweighted silk, that is, silk which had not been subjected to a metallic bath, when in fact these articles were made of weighted silk.

On cloth tags or labels the respondent was found to have printed the following language: "Genuine * * * All Silk," and in a diamond figure the words "Diamond Knit," the diamond having been inserted between the words "Genuine" and "All Silk."

The order directs the respondent to cease using the term "All Silk" or the unqualified word "Silk" to designate fabrics not made wholly from unweighted silk.

The respondent is prohibited from representing that fabrics composed wholly or partly of weighted silk are composed of unweighted silk, through failure to disclose the presence and percentage of weighted silk and the percentage of weighting in such weighted silk. The order provides that the word "Silk" may be used to refer to the silk content of such fabrics when the disclosures mentioned above are clearly and conspicuously made in connection with that word. (3877)

STIPULATIONS

The Commission entered into the following stipulations:

Vincent Christina, Inc., 215 East 22d St., New York, manufacturer of a pharmaceutical product designated "Thiosol," agrees to desist from describing or referring to its product "Thiosol," or any product of similar composition, as being a chemically true solution of colloidal sulphur, or from implying that the product contains colloidal sulphur only, when any other ingredient not true colloidal sulphur is present. (2596)

Merchandising Associates, Inc., 322 East Colfax Ave., South Bend, Ind., manufacturers of "Karmalax," a compound used in the making of bread, has agreed to cease advertising or representing its product, through use of the trade name "Karmalax" or the letters "lax," or in other ways, to be a laxative or as having laxative qualities. The corporation also agrees to cease represent-

ing that "Honey-Krushed Bread" relieves constipation or possesses qualities that will relieve or cure constipation. (2594)

Midland Television, Inc., Kansas City, Mo., conducting residence and correspondence courses in radio, television and airline radio operation, entered into a stipulation to discontinue misleading representations.

In its advertising matter, according to the stipulation, the respondent corporation published composite illustrations of the Kansas City Power and Light Building, in which the school occupies several of the upper floors, and the KMBC broadcasting tower, so arranged in some instances as to create the illusion that the buildings are contiguous to each other, when in fact they are some five miles apart; and letterheads featured a similar picture with the conspicuously printed corporate name "Midland Television, Inc."

This illustrated matter was misleading insofar as it tended to convey the impression to prospective pupils that the entire building was occupied by the respondent corporation and that the tower belonged to the school, according to the stipulation.

The respondent corporation agreed to cease making such representations and to discontinue disseminating advertising matter which tends to convey the impression that students are virtually assured of employment upon completing their radio work at the school. The respondent also stipulated that it would desist from the representation that any person connected with the school's "technical staff" is a "member of the Institute of Radio Engineers," when such is not a fact, and from representing that the sole purpose of "Midland Training" is to help students make more money. (2597)

Universal Art Association—Rodney R. Williams, sole trader as Universal Art Association, 102 South Jefferson St., Chicago, in connection with the sale and distribution of tinted photographs, agrees to cease use of the word "Association" or any similar term to imply or cause the belief that a personal business enterprise is a voluntary association of individuals or organized for the prosecution of some purpose. He will cease representing that colored or tinted photographs or photographic enlargements are paintings, oil paintings, or "finely finished paintings"; that a drawing for a "lucky" certificate or other similar devices used in the sale of his products, is for the purpose of introducing a new type of painting or to advertise his business, or that such drawings, coupons, special discount checks or similar devices entitle customers to receive pictures free or at a substantial reduction; that funds collected through the sale of such pictures are to be used for the purchase of brushes and paints for college students, or any other purpose other than the personal aggrandizement of the respondent; and will discontinue use of coercive methods to induce purchase of special frames, through refusal to deliver paid-for pictures or original photographs loaned to him for reproduction. (2595)

FTC DISMISSES COMPLAINT

The Federal Trade Commission has ordered that the complaint against W. W. Kimball Co., 306 South Wabash Ave., Chicago, its sales manager, Ben F. Duvall, and George H. Kranz, one of its employees, and Victor G. Williams, trading as Williams Music Store, 30 East Broad St., Columbus, Ohio, charging misrepresentation in the sale of pianos, be dismissed.