

# Justin Miller Named President

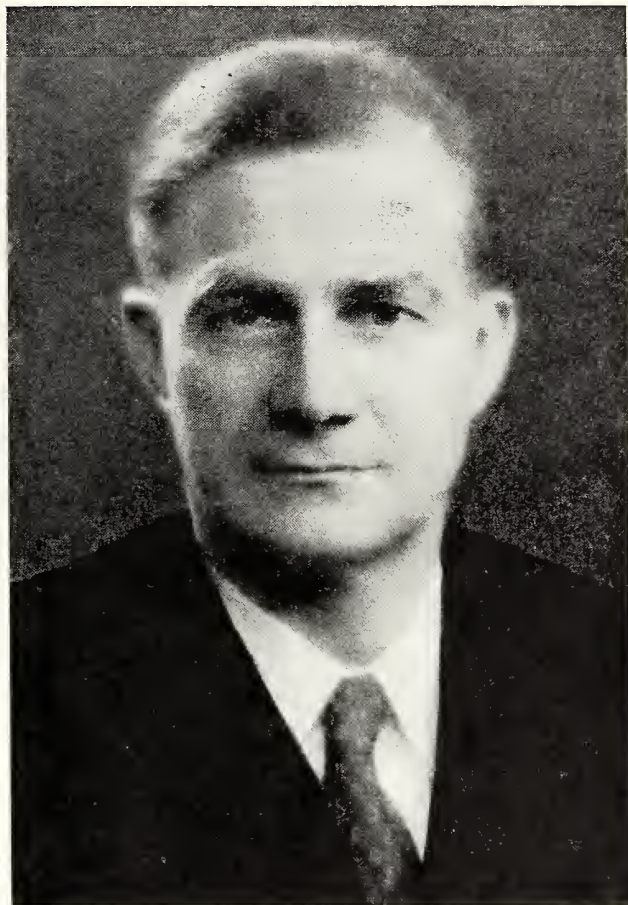
Justin Miller has been named to the Presidency of NAB. He will take up the duties of his office on October 1 and will serve for a term of five years.

Mr. Miller was elected at a meeting of the committee authorized by the NAB Board of Directors to name a permanent President. The meeting was held in Kansas City last Saturday (14). He succeeds J. Harold Ryan, interim President of the Association since mid-April of last year, who will continue as a member of the NAB Board of Directors as a consequence of the election recently held.

Justin Miller is at present an Associate Justice of the United States Court of Appeals which sits in Washington, D. C. He has been a member of that court since 1937. He is a native of California and his permanent residence is in Los Angeles. He was graduated from Leland Stanford University in 1911 and obtained his Bachelor of Law degree at the University of Montana in 1913. He returned to Stanford where he received his J.D. degree in 1914, and in 1934 he obtained his Doctor of Civil Law degree at Yale. He has practiced law in California and many other states and before the United States Supreme Court.

He was Attorney and Executive Officer of the California State Commission of Immigration and Housing from 1919 to 1921. He became Dean of the Law School of the University of Southern California in 1927 and continued there until 1930, when he assumed a similar position at Duke University, where he served until 1935. He has served as special assistant to the Attorney General's Advisory Committee on Crime.

Mr. Miller is widely known as a public speaker, has a keen knowledge of public relations and is thoroughly familiar with all parts of the nation and their needs. He brings to his new position a demonstrated capacity for administration and organization and a high understanding and appreciation of the importance of radio in American daily life. In his statement of acceptance, Miller said:



"I accept a challenge to render a public service. I see in broadcasting, with its promising developments for postwar expansion into frequency modulation, television and facsimile, a vital agency for carrying forward our traditional American policy of free speech and for protecting and strengthening our system of free enterprise. The opportunity is thus presented to demonstrate to the world the vitality and validity of these fundamental American concepts. To have a part in the development of the industry, to help in securing for it a sounder foundation in law and operating policy, in reconciling and integrating the various interests—public, governmental and industrial—is an assignment so challenging to me, as to make my decision a matter of course."

The committee named by the Board to select a president was headed by Commander T. A. M. Craven, Vice President of the Cowles Broadcasting Company, and in addition was made up of William B. Way, Vice President of KVOO, John J. Gillin, Jr., President of WOW; J. Leonard Reinsch, Managing Director of the Cox stations (WHIO, WIOD, WSB); G. Richard Shaffo, General Manager of WIS, and Frank Stanton, Vice President and General Manager of CBS. J. H. Ryan, retiring President, also met with the committee when final arrangements with Mr. Miller were concluded. The committee was clothed with authority to act at the Board meeting held in Omaha in May.

At its meeting to be held in Washington on August 6 and 7, the Board will arrange for the executive direction of the Association's affairs in the interim between that time when J. Harold Ryan will leave to return to his position as Vice President and General Manager of the Ford Motor Company at Toledo, Ohio, and October 1, when President-elect Miller assumes his duties.

J. H. Ryan, President

C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Robert T. Bartley, Director of Government Relations; Helen A. Cornelius, Asst. Director of Broadcast Advertising; John Morgan Davis, General Counsel; Willard D. Egolf, Director of Public Relations; Howard S. Frazier, Director of Engineering; Dorothy Lewis, Coordinator of Listener Activity; Paul F. Peter, Director of Research; Harlan Bruce Starkey, Asst. Director of Public Relations, Chief, News Bureau; Arthur C. Stringer, Director of Promotion.

## FCC WANTS BROADCASTERS' VIEWS ON PROPOSED FM RULES

The Federal Communications Commission desires the individual broadcasters to provide the Commission with their views upon the proposed rules, regulations and standards of good engineering practice for FM broadcasting, mentioned elsewhere in these REPORTS. It is highly important that the industry be articulate on this matter. The proposed rules, regulations, and standards were published in last week's NAB REPORTS, page 282.

NAB joins in urging broadcasters to make their views known. Although the date for filing of briefs has been set for July 26, NAB is advised that the Commission will consider any communications filed with it up to July 30. This is a matter that vitally affects every person engaged in broadcasting and one upon which the industry should make its views known. While NAB will appear, it is highly desirable that individual expressions of opinion be made. We will appreciate receiving copies of any communications sent to the FCC on this subject.

## FM HEARING POSTPONED

The Federal Communications Commission has postponed until July 30 Docket No. 6768 the promulgation of rules and regulations and standards of good engineering practice for FM broadcasting other than non-commercial educational broadcast service. The Commission's order follows:

WHEREAS, the Commission on July 10, 1945, adopted an order specifying that a hearing be held before the Commission *en banc* beginning at 10:30 a. m., July 23, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning FM broadcasting (Docket No. 6768), that appearances and briefs be filed on or before July 19, 1945; and

WHEREAS, requests have been made to the Commission by various parties for extension of such times;

NOW, THEREFORE, IT IS ORDERED, This 12th day of July, 1945, that the hearing in this matter BE, AND IT IS HEREBY, continued to 10:30 a. m., July 30, 1945, and that the time for filing appearances and briefs be extended to July 26, 1945.

## RUMPLE, NAB RESEARCH DIRECTOR

Assuming his new duties as NAB Director of Research, Barry T. Rumble on last Monday (16) became an active staff member.

Mr. Rumble fills the vacancy created by the resignation of Paul F. Peter who headed the research department for seven years beginning in 1938. Mr. Peter left last month to take over as executive secretary of BMB.

Rumple comes to NAB from the National Broadcasting Company where he served in a similar capacity. He was with NBC for a period of 12 years, having started in March 1933 as a clerk in the Statistical Department, which was at that time under the direction of Paul Peter. In September of the following year Rumble was sent to Chicago to organize a Statistical Department in NBC's Central Division office.

In September 1936 Mr. Rumble was recalled to the New York office to assume the duties of Assistant Chief Statistician and in 1940 he became Chief Statistician under H. M. Beville, Jr., Manager of the Research Division. Rumble was named Research Manager in January 1942 when Beville joined the Armed Forces.

As NBC Research Manager Rumble was in charge of all statistical and research activity. He has been closely identified with the subject of station coverage measurement, serving on the NAB's Research Committee for a number of years.

Barry T. Rumble was born in New York City December 27, 1907, the son of Alice B. and George E. Rumble. He attended public schools in Bound Brook and New Brunswick, N. J. In 1929 he was graduated with honors from Rutgers University with a B. Litt. degree.

He is married to the former Josephine Wakefield and they have two sons, Donald, aged 10, and Richard, aged 7.

He is a member of Mt. Zion Lodge Free and Accepted Masons, American Statistical Association and the American Marketing Association.

## NAB BOARD TO MEET

The NAB Board of Directors will hold a regular meeting at the Hotel Statler in Washington on Monday and Tuesday, August 6 and 7. All members of the Board are expected to be present.

Several matters of importance are on the agenda. Among others, the report of the Committee to Select a President, the Labor Relations Executive Committee report, the Code Committee report, and several matters from the Sales Managers Executive Committee will be considered.

The Code Committee meets in Washington on July 31 and August 1 to formulate its recommendation to the Board.

## RESUME CAMPAIGN FOR GLOBAL SHOWS

Campaign for more "Let's Go to Town" programs for overseas broadcast to military personnel was resumed July 1. Stock pile of finished programs is in need of immediate replenishment after the May-June layoff during the war loan promotion.

Armed Forces Radio Service reports that these home town shows have become a necessity because they are so popular with the Armed Forces. AFRS is preparing a list of additional cities from which "Let's Go to Town" programs are desired. Requests for station cooperation will be made when this information is forthcoming.

Meantime another batch of wires to stations which have interrupted production, for one reason or another, or have postponed their start, was sent this week.

## 3 More Programs Produced

Shipments of 3 more "Let's Go to Town" programs have been made to AFRS, Los Angeles, as follows:

Fort Dodge.....	Ed Brenn, KVFD, *TFC
Kalamazoo.....	Willis Dunbar, WKZO, *TFC
St. Petersburg.....	Norman E. Brown, WSUN, *TFC

\* Task Force Commander.



# "Telling the World" Final Report

## Total Local Origination in Support 7th War Loan (Excluding Network and National spot)

	Length of PGM.	Total Broadcasts
Sing for the 7th	5-min ET	25,677
Treasury Salutes	15-min ET	26,573
Music for Millions	15-min ET	21,325
Song for Today	5-min ET	422
Buy, Buy Bonds	3-min ET	1,875
	4-min ET	52
	5-min ET	10
Spots	Regular-L & ET	641,710
	2-min	14,264
	3-min	4,955
	4-min	333
Programs	5-min	8,664
	6-min	51
	7-min	136
	10-min	3,317
	15-min	11,784
	20-min	183
	25-min	240
	30-min	3,226
	35-min	7
	40-min	10
	45-min	218
	50-min	31
	55-min	2
	1 hour	348
	1¼ hours	85
	1½ hours	121
	2 hours	68
	2¼ hours	3
	2½ hours	2
	2¾ hours	5
	3 hours	25
	3½ hours	10
	4 hours	1
	5 hours	2
	5½ hours	2
	6 hours	1
	6¼ hours	1
	7 hours	2
	11 hours	1
	15 hours	1
	15¼ hours	1
	17 hours	1

## Dollar Value 7th War Loan Support by Stations Networks Advertisers

- a) Value all broad-  
casting . . . . . **\$23,513,742**
- b) Value Station  
Originations . . . **16,743,572**
- c) Value Network  
Originations and  
National Spot . . . **6,770,170**

The dollar valuations figures shown in the box were calculated by NAB Research Department from station and network reports. The over-all figure of \$23,513,742 includes an item of \$1,577,549, the sum representing the value of support given during the "warm-up" period, May 1-12.

Omitted is the value of broadcasting additionally requested by War Loan personnel during the period following the advertised termination date of the campaign. Though unknown in amount and character, value of this contribution is believed to exceed that of the "warm-up" period.

Worth of the "warm-up" period bond promotion cannot be overestimated. It got stations off to a flying start; but, more important, it prepared the entire nation for the coming of their Uncle Sam.

Figures, in themselves, cannot reflect the hard work and long hours put in by loyal staffs, working short handed, in performing this highly important public service job. But these cold figures do reflect the productiveness of hard-hitting promotions, special events and programs which were devised. Station reports to NAB, with hand written notes, reflected the vital determination of industry men and women to see the job through.

## WRJN SHOW LIKE HANDSHAKE

Racine, Wis., "Let's Go to Town" show, produced by Task Force Commander H. J. Newcomb, station manager, WRJN, was heard on Okinawa on June 26.

Sgt. Harold H. Fareimund, one of the home town boys wrote: "Then you switched to 6th and Main and picked up that soul-stirring, ringing of the downtown bells, it was beautiful. The impact was terrific, for it drew back the curtain of poignant memories of happy childhood and carefree high school days spent there. Believe me, it was like grasping the firm hand of friendship over this great distance."

One of the other letters received by WRJN came from Corporal Soresen, in the Aleutians, who said, "I just couldn't believe my ears."

## KROW, KLX, KWBR Show Heard

Oakland, California, stations, KROW, KLX, and KWBR produced a "Let's Go to Town" program under the direction of Task Force Commander Glenn Shaw, KLX. After the transcription, recorded in KROW's studio, had been sent on its way for global distribution, nothing was heard until last month. Then letters began to arrive. First was received from Pfc. Don Laston, somewhere in Germany.

"It was good to hear some of the news of changes that had taken place in Oakland," he said, "and out at the University of California which I attended before entering the service in 1943. Thanks again for a little news of the old home town."

Soldier Laston said that he heard the program "in my quarters during a rest period, talking with my buddies."

## LANE NAMES OFFICIAL SONG

"Get Out and Buy Those E Bonds" is the official song for the period between the 7th and 8th War Loans, it was announced this week by Tom Lane, War Finance Division, Treasury Department.

This is one of the twenty-one tunes written by the country's leading song writers for the 7th War Loan. Writer of tune is Hermon Hupfeld.

## BOY SCOUTS COMMEND RADIO

Elbert K. Fretwell, Chief Scout Executive of the Boy Scouts of America, has sent the following letter to NAB President Harold Ryan:

"The National Council of the Boy Scouts of America at its 35th Annual Meeting in New York on May 17th expressed their appreciation to you and your associates for the effective help the National Association of Broadcasters gave to the Boy Scouts of America during 1944. This enabled us to bring the benefits of the Scout program to more boys, and encouraged them in their war-supporting projects. Our membership is now 1,916,637 boys and leaders, and Scouting today is reaching every other boy in America between the ages of 9 and 18.

"It is with gratitude that we send you our greetings and acknowledge your intelligent support."

## RECORDS WANTED BY ARMY HOSPITAL

Kenneth M. Hance, Vice President and Treasurer of KSTP, has called attention to an article appearing in the June 22 issue of *Printers' Ink*. It tells of the need for phonograph records in the oral rehabilitation centers for the deafened and hard of hearing. Officials state that there is a great need for speech and story material as an aid to rehabilitating returned servicemen who have had their hearing impaired.

Such records are needed at the following three hospitals:

Borden General Hospital, Chickasha, Oklahoma; Hoff General Hospital, Santa Barbara, California; and Deshon General Hospital, Butler, Pennsylvania. Either 33 or 78 r.p.m.'s could be used on the equipment in these hospitals.

Any station having records of talk programs, particularly of news and special event subjects, and desiring to cooperate in this matter should send them to the "Hearing Clinic" at any of the aforementioned hospitals.

## FCC ANNOUNCES ENGINEERING HEARING

The following notice has been issued by FCC:

"The second session of the informal Engineering Hearing will be held August 1, 1945, with respect to FM and Facsimile and August 2, 1945, with respect to Television. The meetings will be held in Conference Room B in the Departmental Auditorium on Constitution Avenue between 13th and 14th Streets, N. W., Washington, D. C., at 10 a. m.

"Reports of the sub-committees on FM and Television will be available for consideration at that time. It is hoped that those interested in Facsimile will have submitted proposed standards for discussion.

"All engineers interested are urged to attend."

## INDUSTRY-FCC COMMITTEES ORGANIZED

The Industry-FCC committee named to conduct a further study of the allocation phase of the Proposed Standards of Good Engineering Practice Concerning Television Broadcast Stations began its meeting at the Commission offices Wednesday, July 18. Virgil R. Simpson, assistant to the Chief Engineer, FCC, is chairman of the committee. Members of the committee are Kenneth A. Norton, Office of the Chief Signal Officer; Charles H. Singer, WOR, New York; F. J. Bingley, Philco Radio Corp., Philadelphia; Thomas J. Carroll, Office of the Chief Signal Officer; James T. Veatch, RCA; W. S. Duttera, NBC, New York; H. S. Cowperthwait, FCC; W. H. Bauer, FCC.

The Industry-FCC committee on FM will meet at 10 a. m., Monday, July 23, under the chairmanship of Cyril M. Braum, Chief of the Non-Standard Broadcast Application Section of the FCC Engineering Department. Members of the committee are Dr. G. R. Town and R. H. Williamson, both of General Electric, Schenectady; Stuart Bailey, Washington, D. C.; Paul de Mars, Washington, D. C.; James McNary, Washington, D. C.; Virgil R. Simpson, assistant to the Chief Engineer of the FCC; Curtis Plummer, assistant to Mr. Braum; Ralph Renton, Chief of the Equipment and Projects Section, FCC Engineering Department; Edgar F. Vandivere, Technical Information Division, FCC Engineering Department.

An industry committee headed by J. E. Brown of the Zenith Radio Corporation will meet with Mr. Braum in New York Friday, July 20, to consider television equipment standards.

## FULL POWER RESUMED OCTOBER 1

Order 107-A of the Federal Communications Commission dated July 10 requires the full power operation of broadcast transmitters effective October 1, 1945. The order authorizes the full power operation of transmitters beginning September 1 during daytime hours. The daytime operation during September is to provide a test period.

When the full power operation becomes mandatory, transmitters will be nearly three years older than on November 6, 1942, when the power reduction became effective. Component parts have been subject to operating wear and depreciation during this period and some replacements may be necessary before full power operation is resumed. It is therefore important that all stations conduct full power tests immediately on September 1 in order that

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possible weaknesses may be located and replacements secured prior to October 1.

The NAB Engineering Department offers assistance to stations in locating and expediting the delivery of parts and tubes that may be required. If you have reason to believe that it will be impossible to recondition your transmitter for full power operation, please forward all the facts to NAB at once. We may be able to suggest a solution to your problem.

Order 107-A follows:

At a session of the FCC held at its offices in Washington on the 10th day of July 1945;

WHEREAS the Commission on Nov. 6, 1942, at the request of the Board of War Communications adopted Order No. 107 suspending the provisions of Sec. 3.52 of the Commission's Rules & Regulations and requiring the readjustment of standard broadcast transmitters by decreasing the radiated power by one decibel in order to prolong the life of the transmitting equipment, and

IT NOW APPEARING that the War Production Board has advised that repair parts for transmitters are now generally available and that no difficulty will be encountered in restoring transmitters to full power operation, and

IT FURTHER APPEARING that the operation of standard broadcast stations with full power is in the public interest, and that an opportunity should be afforded for making the necessary readjustments and tests to return to normal operating practices,

NOW, THEREFORE, IT IS HEREBY ORDERED:

That on and after Sept. 1, 1945, at the option of the licensee, transmitting operations may be conducted with full operating power during daytime hours only, and that on and after Oct. 1, 1945, Order No. 107 shall be revoked, and all licensees shall be required to operate in accordance with the provisions of Sec. 3.52 of the Rules & Regulations.

#### **Supplement to the Statement of Policy Issued on January 16, 1945, Concerning Application to Make Change in Existing Radio Facilities**

Since the outbreak of war, due to the unavailability of materials and equipment, the Commission in licensing standard broadcast stations has found it necessary in some cases to permit operation with facilities that were not in full accordance with the Standards of Good Engineering Practice. In such instances a conditional clause was inserted in the license requiring the licensee, when equipment and materials become available, to apply for a change in facilities such as moving to a new site, installing frequency and modulation monitors, increasing its power or installing a new antenna.

The Commission is now in receipt of advice from the War Production Board that material and equipment are presently available or will shortly become available, for the construction contemplated by these conditional clauses. Accordingly, the Commission will direct each licensee in this category to make appropriate application for the necessary improvements specified in the license within 30 days of this date, except:

- (1) Where frequency monitor or modulation monitor is required,
- (2) Where two stations are operating with a common antenna or from a joint studio.

July 17, 1945.

#### **WILLS CONFIRMED TO FCC**

William Henry Wills, former Governor of Vermont, named by President Truman as a member of the Federal Communications Commission, was confirmed on Monday (16) by the Senate. Governor Wills succeeds former Governor Norman S. Case [R. I.] whose term expired June 30. The new Commissioner is appointed for a 7-year term, expiring June 30, 1952. He will take the oath of office

early next week but will not assume his duties until a later date.

Governor Case has entered the private practice of law in Washington.

#### **FCC MEMORIALIZES HANLEY**

The Federal Communications Commission adopted the following resolution memorializing the late James H. Hanley, former Radio Commissioner:

"The Commission records with deep sorrow the death on July 9, 1945, of James H. Hanley, a member of the Federal Radio Commission from 1932 to 1934.

"Commissioner Hanley was a faithful public servant who rendered distinguished service in the task of formulating policies designed to foster the development of radio broadcasting.

"BE IT RESOLVED, That a copy of this expression of the Commission's sorrow on his death be entered on the permanent minutes of the Commission, and that a copy be mailed to his family."

#### **NEWSPAPER PUBLISHERS WARNED ON FM**

Of interest to broadcasters is story on FM which was carried in the July 14 issue of *Editor & Publisher*, reprinted below:

"A WARNING that newspaper owners looking to frequency modulation as a means of entering the broadcasting field should do so with the viewpoint of the early 1920's rather than that of today was voiced by Arden X. Pangborn, general manager of KGW, Portland, Ore., before the Oregon State Newspaper Publishers annual meeting in Eugene, Ore.

"Newspaper owners who went into standard broadcasting in the early 20's did so in a spirit of public service and in spite of the fact that no immediate financial return could be foreseen," he said.

"Newspaper publishers seeking to utilize some of the many new broadcasting channels made available by FM should do so in that same spirit. FM probably will mature more rapidly than AM: however, FM, too, will have an experimental and developmental period in every new market.

"Those who enter FM expecting immediately to make profits equal to those of standard broadcasting stations of long standing and experience are apt to suffer well-deserved disappointment. Emphasis must be upon service."

"Pangborn was the first radio man ever to be invited to speak before the Oregon publishers' association."

#### **CANADIAN EDITOR ASKS FOR FREE RADIO**

Interesting comment on government controlled radio appears as an editorial in the July 7 issue of *Canadian Broadcaster*.

The editorial, covering half the front page, is headed *Stern Facts On Ostriches*, and appears over a facsimile signature of Richard G. Lewis, editor.

A full reprint follows:

"In this paper, in addresses to clubs and recently in a debate broadcast over CKEY, we have said, and we repeat, that the government operated Canadian Broadcasting Corporation is all ready for the day when a Hitler or a Mussolini may sweep into power and use it against us as those tyrants used controlled radio against their own people.

"We have been called 'alarmist', 'stupid', 'sensational-seeking' and other less printable epithets. To this we would respectfully suggest there might be added such words as 'obstinate' and 'bull-headed', because we still maintain that it is all too true.

"As if it were not obvious enough for anyone to see—and we sincerely believe that even the people who are  
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exercising the control are not aware of the full significance of what they are doing—Herbert M. Clark, American Broadcasting Company correspondent in Madrid, gives tangible evidence of how muzzled microphones and fettered printing presses can be turned to work against democracy.

"Speaking on his network's *'Report from Abroad'* in the first uncensored broadcast to come out of Spain under the Franco regime, Clark said: 'There is little foreign news printed under Falangist domination of the press and radio that does not attempt to tell the Spanish people that all is utter confusion and chaos outside of Spain.' A truck drivers' strike in Chicago, he pointed out, is given more space in Franco controlled newspapers than the 'Big Three' meeting and London Food Conference.

"Blissfully the CBC lays claim to the fact that the reason why they exercise a monopoly over all network broadcasting, thereby controlling what *may* be said on the networks and what *may not* be said, is because they are thus enabled to send entertainment and information to the farthest reaches of the Dominion, which would be hopelessly impractical under a system of private network broadcasting, they claim.

"It is perhaps just possible that these radio men of the CBC do not appreciate the political expediency of giving the government facilities for releasing its propaganda simultaneously throughout the Dominion by word of mouth. Possibly they really do not appreciate the fact that when a minister of the party in power makes one of his reports to the nation, he is only giving *his own* version of what is taking place in Ottawa, and by precluding the opinions of his opponents (except for a limited number of broadcasts a year) is giving the public a one-sided view on its country's government.

"Apparently those officers of the CBC who do most sincerely strive to keep the broadcast schedules politically impartial, do not appreciate the frightfulness of the fascistic control to which they are contributing. They sincerely believe that the operation of the CBC network monopoly is actuated by none but the most altruistic of motives. This, being the case, and remembering that cleanliness is next to godliness, why should the government not get down to fundamentals and run water mains through the isolated prairies and the remote tracts of bushland so that the pioneer Canadians who choose to live in these places could lie luxuriously in modern bath-tubs, while listening to the programs of the CBC so graciously sends them, at the expense of their fellow Canadians from the denser areas of population?

"As long as the Canadian public chooses to bury its head in the sand as long as the press and radio of Canada make no effort to acquaint their readers and their listeners with what is happening, as long as people continue their age-old line of thinking to the tune of 'It can't happen here', just so long will would-be dictators in philanthropists' clothing continue their subtle draining of our cup of freedom, until all that will be left will be the right to steal out into the night and, behind darkened windows say: 'If only we'd done something about it before it was too late.'

"Socialism may have been defeated in the recent election, but, though dead, socialists we know have shown no inclination as yet to lie down."

An ear-tag inserted in the logotype of the issue of *Canadian Broadcaster* quoted above carries this reminder: "You Can't Have a Free Press Without a Free Radio."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 23. They are subject to change.

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**Monday, July 23**

Broadcast and Telegraph  
Before the Commission En Banc

**Broadcast:** WLWA, WLWB, WLWJ, WLWC, WLWD, WLWE, WLWF, WLWG, WLWH, WLWI, W8XCT, WLWK, WLWL, WLWO, WLWR, WLWS, W8XAL, W8XFM, W8XST, WLW—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of The Crosley Corporation, licensee.

**Telegraph:** WLWN, WLWQ, WLWU, WLWV—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of The Crosley Corporation, licensee.

**Monday, July 23**

Broadcast

To Be Heard in Federal Court Room, Federal Building,  
Evansville, Indiana

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; 1280 kc., 1 KW night, 5 KW day, unlimited.

Further Hearing

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license; 580 kc., 5 KW, unlimited, DA-night.

**Tuesday, July 24**

NEW—Fred O. Grimwood, Bloomington, Ind.—C. P., 1490 kc., 100 watts, unlimited.

**Wednesday, July 25**

Oral Argument Before the Commission

REPORT No. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of Wodaam Corporation (WOV); 1280 kc., 5 KW (main), 1 KW (auxiliary). Shares WHBI (WHBI 1/7; WOV 6/7), DA.

**Wednesday, July 25**

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee; Seattle, Wash.—Voluntary assignment of license of Station KJR and relay Station KEGR; 950 kc., 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

**Thursday, July 26**

WINS—Hearst Radio, Inc., Assignor; The Crosley Corporation, Assignee, New York, N. Y.—Voluntary assignment of license and construction permit.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

WCLS—Walter Ashe (transferor); Willard H. Erwin, Jr., et al (transferees); WCLS, Inc. (licensee), Joliet, Ill.—Granted consent to voluntary transfer of control of WCLS, Inc., licensee of Station WCLS, from Walter Ashe to Willard H. Erwin, Jr., Arthur C. Litton, Clint Litton, Calvin F. Wilson, Gerald G. Smith, Norman S. Fitzhugh, Jr., and Robert L. Bowles by transfer of 51% of outstanding capital stock for a consideration of \$8,670. (The seven transferees already own 49 shares.) The application was granted upon the following condition: "Nothing contained herein shall be taken as giving approval to the pending application for renewal of license. In connection with the renewal application the Commission will give consideration to such plan as appli-

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cant may present for reconciling with requirements of the Communications Act existing contractual arrangements purporting to reserve use of station facilities to A. J. Felman." (B4-TC-434)

WNAX—South Dakota Broadcasting Corp. (transferor); Cowles Broadcasting Co. (transferee); WNAX Broadcasting Co. (licensee), Yankton, South Dakota—Granted consent to voluntary transfer of control of WNAX Broadcasting Co., licensee of Station WNAX, from South Dakota Broadcasting Corp. to Cowles Broadcasting Co., by transfer of 52% of capital stock for \$13,000 (transferee already owns remaining stock.) (B4-TC-442)

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted extension of permit to transmit programs to Station CKLW, Windsor, Ontario, to stations owned and operated by the Canadian Broadcasting Corp., and to stations licensed by Canadian Minister of Transport. (B4-FP-142)

Allen B. DuMont Labs., Inc. (area of New York, N. Y.)—Granted application for construction permit for portable-mobile experimental television relay station, for the purpose of developing a television system to operate in the 480 to 920 mc. region now assigned for experimental television; frequencies to be assigned by the Commission's Chief Engineer from time to time; A3, special, and special for frequency modulation emissions; power of 1 KW (peak) visual and aural. (B1-PVB-151)

Emerson Radio & Phonograph Corp., New York, N. Y.—Granted construction permit for new developmental broadcast station, to be operated on frequencies that may be assigned by the Commission's Chief Engineer from time to time, A0, A3, and Special emission for frequency modulation; granted conditionally, and subject to the following: "This special temporary authorization is granted upon the express condition that it may be terminated by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the authority herein granted is or will be in the public interest beyond the express terms hereof." (B1-PEX-75)

Joseph F. Novy, Riverside, Ill.—Granted construction permit for new developmental broadcast station, to be operated on frequencies to be assigned by Commission's Chief Engineer; A0, A4, Special emission for FM; granted conditionally, and subject to following: "This permit (license) is granted upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest and the express terms hereof." (B4-PEX-65)

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1705)

W2XRA—Raytheon Manufacturing Co., New York, N. Y.—Granted license to cover construction permit which authorized a new developmental broadcast station; granted on experimental basis, conditionally. (B1-LEX-23)

WBAF—L. B. Wilson, Inc., area of Cincinnati, Ohio—Granted renewal of relay station WBAF. (B2-RRY-229)

## DOCKET CASE ACTION

The Commission announces its Proposed Findings of Fact and Conclusions of Law proposing to deny the application of Calumet Broadcasting Corporation for a construction permit to establish a new standard broadcast station at Hammond, Indiana, to operate on the frequency 1520 kilocycles, with power of 5 kilowatts daytime only. (Docket No. 6583)

The Commission's Conclusions state:

"1. Under Sections 308 and 309 of the Communications Act of 1934, pursuant to which radio stations are licensed by this Commission, we are directed to examine the qualifications of an applicant as set forth in the written application prescribed by the Act, and to hold hearings, if necessary, to determine whether a grant would serve the public interest, convenience and necessity. It is fundamental, of course, that the representations made by an applicant shall be true, accurate and complete. Otherwise the Commission is unable to perform its statutory functions. As we have heretofore stated, 'In the performance of our duties we must,

among other things, determine whether the operation of proposed stations, or the continued operation of existing stations, would serve public interest, and in doing so we are, of necessity, required to rely to a large extent upon statements made by station licensees, or those connected therewith. Caution must, therefore, be exercised to grant station licenses only to those persons whose statements are trustworthy.' (*In re Van Curler Broadcasting Corporation*, 9 F. C. C. 92, 108; see also *In re Mayflower Broadcasting Corp.*, 8 F. C. C. 333, 338; *In re John H. Stenger, Jr.*, 8 F. C. C. 434, 444; *In re WOKO, Inc.*, 10 F. C. C. —.)

"2. Study of the record in this case reveals numerous instances where applicant's principal stockholders have been reluctant, evasive and guilty of a lack of candor in making prompt, fair and full disclosure of information relating to stock ownership and financial qualifications in response to questions in the application and at the hearings thereon. This course of conduct was pursued not only with respect to the Commission, but also admittedly with their own counsel.

"3. As illustrative of applicant's misrepresentation and concealment of facts and false testimony relating to the ownership and voting of its stock, the Saliner episode may be cited. The application represented that 30 shares of common stock were owned and held by Paul Saliner, who paid cash for said stock with funds derived from his own business and miscellaneous investments; that he had voted the stock in person at the last meeting of shareholders prior to the filing of the application, at which a total of 839 shares were voted; and that there were no arrangements or discussions affecting these 30 shares. These representations were reaffirmed by applicant's majority stockholders at the first set of hearings held on the application, in proposed findings filed by the applicant, and in a proposed amendment submitted under oath. However, in subsequent hearings it appeared that no meeting had been in fact held in which 839 shares were voted as stated in the application; that if said 30 shares had been voted at any time they were voted by Dr. Courier rather than by Saliner; and that the stock, though in Saliner's name, was being held in the files of the applicant corporation. Testimony was also offered on behalf of the applicant that the 30 shares had been paid for by Dr. Courier under a private arrangement with Saliner. However, Mr. Saliner, when subpoenaed by the Commission, testified that he had never purchased any stock in the applicant, had never entered into any agreement authorizing Dr. Courier or anyone else to purchase such stock, and did not care to become associated with the applicant in any way.

"4. The financial statements of the applicant and its principal stockholders offered in the May 1944 hearings and the testimony offered in support thereof did not reflect material and significant facts existing at the time, and were false. By their nature, these omissions concern the very heart of applicant's financial vitality. Among other things, applicant's balance sheet did not show as a liability a \$15,000 note which was secured by a chattel mortgage on all of applicant's equipment. The financial statements of its principal stockholders did not disclose an indebtedness, secured by a pledge of all of their stock in the applicant.

"5. Funds of the applicant corporation have been used by its two principal stockholders to pay their own personal obligations without the applicant receiving consideration therefor and to the detriment of the applicant.

"6. From a careful study of the application and the record in this proceeding, the Commission is of the opinion that it cannot proceed with assurance to entrust the applicant with the duties and obligations incumbent upon licensees. The Commission concludes that a grant of the application of the Calumet Broadcasting Corporation would not serve the public interest, convenience and necessity. The application, therefore, should be denied."

## LICENSE RENEWALS

WJPF—Orville W. Lyerla, Herrin, Ill.—Granted renewal of license for period ending February 1, 1947. (B4-R-1085)

KVOL—Evangeline Broadcasting Co., Inc., Lafayette, La.—Granted renewal of license for period ending February 1, 1947. (B3-R-859)

WRVA—Larus & Brothers, Inc., Richmond, Va.—Granted renewal of license for main and auxiliary stations for period ending May 1, 1948. (B2-R-386)

KOCY—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Granted extension of license on a temporary basis for an additional period of 60 days. (B3-R-467)

(Continued on next page)

## MISCELLANEOUS

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.; KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion to continue hearing on applications for renewal of licenses for stations KOMO and KJR, to September 17, 1945. (Dockets Nos. 6614, 6644)

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted petition for continuance of hearing on application for renewal of license to September 10, 1945. (Docket No. 6611)

Louis N. Howard and Ellis H. Howard, d/b as Jacksonville Broadcasting Co., Jacksonville, N. C.—Adopted memorandum opinion and order granting, conditionally, application for construction permit for new station to operate on 1240 ke., 250 watts unlimited time. (B3-P-3860)

Placed in pending files the following applications for construction permits for new high frequency (FM) broadcast stations:

The Fall River Broadcasting Co., Inc., Fall River, Mass. (B1-PH-273); Middle Georgia Broadcasting Co., Macon, Ga. (B3-PH-305); Don Lee Broadcasting System, San Francisco, Calif. (B5-PH-38); Radio Service Corp., Pocatello, Idaho (B5-PH-512).

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Adopted order continuing hearing on application for renewal of license; hearing continued to July 23, 1945. (Docket 6660)

WINS—Hearst Radio, Inc. (assignor), The Crosley Corp. (assignee).—Granted joint motion for leave to amend application for voluntary assignment of license and construction permit, by filing as a supplement to Exhibit 4 of the application a copy of the agreement between the parties dated June 21, 1945. (Docket No. 6755) Continued hearing on application to August 20, 1945.

KJR—Fisher's Blend Station, Inc. (assignor), and Birt F. Fisher (assignee), Seattle, Wash.—Granted petition to continue hearing on application for voluntary assignment of license of Station KJR and Relay Station KEGR to August 24, 1945. (Docket 6748)

Fred O. Grimwood, Bloomington, Ind.—Granted motion to continue hearing on application for construction permit for new station to September 10, 1945. (Docket 6753)

## APPLICATIONS FILED AT FCC

### 620 Kilocycles

WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—License to cover construction permit (B-P-3489) as modified, which authorized move of transmitter and studio.

### 740 Kilocycles

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Transfer of control of licensee corporation from Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as individuals and trustees, and C. L. McCarthy to Columbia Broadcasting System, Inc. (2500 shares common stock 100%.)

### 1120 Kilocycles

KMOX—Columbia Broadcasting System, Inc., St. Louis, Mo.—Construction permit to install new transmitter and antenna, and change transmitter location from near St. Louis, Mo., to Stallings, Ill.

### 1230 Kilocycles

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit to change ESR from 1000 to 1230 ke. and make changes in visual transmitter.

### 1240 Kilocycles

WSOC—Radio Station WSOC, Inc., Charlotte, N. C.—Construction permit to change frequency from 1240 to 1550 ke., increase power from 250 watts to 10 KW, install new transmitter and directional antenna for night use, and change transmitter location. Amended: to increase proposed power from 10 to 50 KW, change type of transmitter, make changes in directional antenna for night use, and change proposed transmitter location.

## 1400 Kilocycles

WJLD—George Johnston, Bessemer, Ala.—Assignment of license to Johnston Broadcasting Company (George Johnston and George Johnston, Jr., partners).

## 1450 Kilocycles

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Modification of construction permit (B2-P-3864, which authorized a new standard broadcast station) for approval of antenna and transmitter site.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Voluntary assignment of license and construction permit to Aurelia S. Becker and Charles Z. Heskett, d/b as Cumberland Broadcasting Co.

NEW—Jere N. Moore, Milledgeville, Ga. (P.O. E. Hancock St.)—Construction permit for a new standard broadcast station to be operated on 1450 ke., with power of 250 watts, and unlimited hours of operation.

## FM APPLICATIONS

NEW—Raytheon Manufacturing Co., Chicago, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 41.9 mc., with coverage of 10,100 square miles. Amended: to change frequency from 44.9 mc. to such Channel as the Commission may assign in the newly allocated band 92-106 mc.

NEW—Textile Broadcasting Co., Greenville, S. C. (P.O. 3 College St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency between 92-106 mc., subject to applicant's approval, with coverage of 18,300 square miles.

NEW—Unity Corporation, Inc., Springfield, Ohio (P.O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on 100 mc., with coverage of 5,777 square miles.

NEW—WIBM, Inc., Jackson, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.5 mc., with coverage to be determined. Amended: to change frequency from 49.5 to 44.9 mc., specify coverage as 3,980 square miles, and specify transmitting equipment, antenna and transmitter location.

NEW—Pensacola Broadcasting Co., Pensacola, Fla. (P.O. San Carlos Hotel).—Construction permit for a new high frequency (FM) broadcast station to be operated on 47.1 mc., with coverage of 2,179.60 square miles.

## TELEVISION APPLICATIONS

NEW—Midland Broadcasting Co., Kansas City, Mo. (P.O. Pickwick Hotel, 10th and McGee Sts.)—Construction permit for a new experimental television broadcast station to be operated on 60-66, 210-216, 480-492 mc., with aural power of 1 KW and visual power of 1 KW peak, and A5 and/or special emission.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (60-66 mc.), with ESR of 3550. Amended: to change frequency from Channel #2 (60-66 mc.), to Channel #4 (66-72 mc.).

NEW—Raytheon Manufacturing Co., Waltham, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50-56 mc.), with ESR of 5520. Amended: to change requested frequency from Channel #1 (50-56 mc.) to Channel #2 (54-60 mc.).

## MISCELLANEOUS APPLICATION

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Extension of authority to transmit programs to CFRB and CKAC and other stations under the control of the Canadian Broadcasting Corp.



# Federal Trade Commission Docket

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition 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.

**Career Training Institute** and its officers, Samuel A. Cannon, Geraldine S. Cannon, Leo Ertag and Joseph A. Cosenza, 1060 Broad Street, Newark, N. J., selling and distributing courses of study and instruction in general clerical subjects and for the preparation of students for Civil Service examinations, are charged in a complaint with misrepresentation. (5354)

**Miami Margarine Co.**, 107 E. Pearl St., Cincinnati, selling and distributing margarine under the trade name of Nu-Maid, and **The Ralph H. Jones Co.**, 3100 Carew Tower, Cincinnati, an advertising agency, formulating, editing and placing advertising material for Miami Margarine Co., are charged in a complaint with misrepresentation and unfair methods of competition. (5353)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Adlerika Co.**, St. Paul, Minn., selling and distributing a laxative medicinal preparation designated "Adler-i-ka," has been ordered to cease and desist from false advertising and misrepresentation of the preparation. (4927)

**Northern Kentucky Independent Food Dealers Assn., et al.**—An association of approximately 150 Northern Kentucky retail grocers has been ordered to cease and desist from entering into or continuing a conspiracy for the purpose or with the effect of

boycotting Cincinnati, Ohio, baking companies or other sellers of bread.

The order is directed against Northern Kentucky Independent Food Dealers Association, Inc., 505 Scott Street, Covington, Ky., its member grocers and its officers R. H. Goderwis, vice president; Larry T. Hiltz, secretary, and Barney J. Malloy, treasurer. The complaint also specifically names as respondents six members of the Association: Virgil Clinkenbeard, George Stegner, T. C. Alpaugh, Richard Guenther, Roy Daniel and Charles Hindersman. Because of the constantly changing membership of the Association these six were made respondents as representatives of the membership generally. (5140)

**Standard Chemical Manufacturing Co.**, 703 South 42nd St., Omaha, has been ordered to cease and desist from disseminating advertisements containing false and misleading representations concerning the therapeutic properties of poultry and livestock preparations it sells. (4912)

**A. T. Wilson**, trading as Zo-Lon Co., Dallas, Tex., selling and distributing a preparation designated "Zo-Lon Compound" and "Zo-Lon," has been ordered to cease disseminating any advertisements representing directly or by implication, that the preparation constitutes a competent or effective treatment for obesity or has any value as a reducing agent. (5132)

## STIPULATION

During the past week the Commission has announced the following stipulation:

**Crestwood Publishing Co., Inc.**, and Theodore Epstein and Michael M. Bleier, its executives, 1790 Broadway, New York, publishers of reprints of detective novels, have stipulated to cease and desist from selling or offering for sale any abridged copy of a book or publication unless the word "Abridged" appears on the front cover and on the title page of the book, in immediate connection with the title and in clear, conspicuous type. If the book has an additional wrapper or covering bearing the title thereof, then the front page of the wrapper shall in like manner bear the conspicuously displayed word "Abridged." The respondents also agree to cease representing, as by statements such as "A \$2.00 DETECTIVE THRILLER" or "A \$2.00 MYSTERY NOVEL," or in any other manner or by any other means, that an abridged book is complete as originally published. (4091)