

The National Association of Broadcasters

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

NAB REPORTS

Copyright, 1935. The National Association of Broadcasters

Vol. 3 - - No. 56
NOVEMBER 29, 1935

IN THIS ISSUE

	Page
Craven Succeeds Jolliffe.....	1095
Coaxial Cable Hearing.....	1095
Watch for Mr. King.....	1095
NAB Rejects Berry Invitation.....	1095
Recommends New Jersey Station Grant.....	1095
Another Telephone-Radio Case.....	1096
Recommends New Texas Stations.....	1096
Security Act Registrations.....	1096
Sues Station for Defamation of Character.....	1096
Recommendations on Iowa and Nebraska Stations.....	1096
Recommends Frequency Change for KGH.....	1096
Federal Trade Commission Action.....	1096
Federal Communications Commission Action.....	1097

CRAVEN SUCCEEDS JOLLIFFE

Lieutenant Commander T. A. M. Craven has been named by the Federal Communications Commission as chief engineer to succeed Dr. C. B. Jolliffe who resigned November 15 to accept a position with RCA.

Commander Craven was born January 31, 1893, in Philadelphia, Pa. After completing his academic training, he was appointed to the U. S. Naval Academy, Annapolis, where he was graduated with the Class of 1913.

His first assignment after graduation was as Radio Officer on the U. S. S. *Delaware*, 1913-1915, during the Mexican Campaign. His professional duties since then follow:

Fleet Radio Officer, U. S. Asiatic Fleet, 1915-1917.

In charge U. S. Naval Coastal and Transoceanic Radio Operations, 1917-1920.

U. S. Naval Representative at Provisional Inter-allied Communication Conference at Paris, France, 1919.

Naval Representative on U. S. Government Inter-Departmental Board to arrange for collection and distribution of meteorological data in 1919.

Received special letter of commendation for meritorious service during the World War.

U. S. Naval Radio Technical Adviser at International Conference on Electrical Communication at Washington, 1920.

Chairman of sub-committee on wave-length allocation at International Conference at Washington, D. C., in 1920.

Battleship Force Radio Officer, 1921.

U. S. Naval Representative at Conference of Radio Technical Committee on International Radio Communication at Paris, France, in 1921.

Fleet Radio Officer, U. S. Atlantic Fleet, 1921-1922.

Fleet Radio Officer, United States Fleet, 1922-1923.

In charge of Radio Research and Design Section, Bureau of Engineering, 1923-1926.

Member of Inter-Departmental Radio Advisory Committee.

Radio Technical Adviser for Radio Frequency Allocation at International Radio Conference, Washington, D. C., 1927.

Received letter of commendation from Secretary of Navy for work at the International Radio Conference in Washington, D. C., 1927.

Represented Navy Department on various national conferences (frequency allocation).

He resigned from the Navy in 1930 to engage in private radio practice as a consulting engineer.

His work as an author:

Commander Craven has made notable contributions to radio development in his writings. Among other things he collaborated with Captain Hooper in writing Robinson's Manual of Radio Telegraphy and Radio Telephony.

Various technical essays on Naval Radio Communications.

He is a member of the following clubs and societies:

U. S. Naval Institute.

Ends of the Earth.

Military Order of the Loyal Legion of the U. S.

Army, Navy and Marine Corps Country Club.

Kilocycle-Wave Length Club.

COAXIAL CABLE HEARING

Announcement has been made by the Federal Communications Commission that it will hold a hearing on January 6 in connection with the commercial and other aspects of the application of the American Telephone & Telegraph Company and the New York Telephone Company, for permission to lay a coaxial cable between New York and Philadelphia to be used for television work. The hearing on the experimental phase was held this week.

WATCH FOR MR. KING

Association headquarters has a communication from one of the Nebraska members telling how it was victimized by a man going under the name of William P. King, who represented himself to be a tailor.

"Mr. King" appears to be about 35 years of age, slightly built, and rather poorly dressed.

NAB REJECTS BERRY INVITATION

The Board of the NAB has rejected the invitation of Major George L. Berry, Coordinator for Industrial Cooperation to represent the broadcast industry at the industrial-labor conference to be held in this city beginning December 9.

Following is the letter, dated November 22, sent to Major Berry which is self explanatory:

"This is in further reply to your letter of October 9 extending to the radio broadcasting industry an invitation to participate in round-table discussions for the purpose of conferring upon the advisability of developing a permanent structure, contemplating the furtherance of prosperity and stability in our industrial life, and acknowledgment of the receipt of your letter dated November 7.

"It seems quite clear from the letters received from you that the purpose of these round-table discussions is to prepare a program and determine upon a course of action which shall result in a re-establishment, by legislative enactment, of all or a part of the Codes of Fair Competition which were approved in pursuance of the provisions contained in the National Industrial Recovery Act. We, therefore, approach the question presented in the light of our experiences in the administration of the Code of Fair Competition for the Radio Broadcasting Industry. Without attempting to discuss here the many phases of code regulation, we are convinced that the highly competitive character of the radio broadcasting industry must not be destroyed. We regard it as practically impossible to adopt any regulation governing hours, wages and prices which will not set a standard that will be oppressive to many members of our industry and prejudicial to the best interests of all our employees. We are confident that the problems related to your undertaking in so far as the radio broadcasting industry is concerned can be best met by giving due consideration to each problem separately and giving due weight to the conditions and circumstances surrounding it without regard to any common denominator for the industry as a whole.

"We regret to say we cannot accept your invitation."

RECOMMENDS NEW JERSEY STATION GRANT

The Eastern States Broadcasting Corporation filed an application with the Federal Communications Commission asking for a construction permit to erect a new broadcasting station at Bridgeton, N. J., to use 1210 kilocycles, 100 watts power, and daytime operation.

Examiner Ralph L. Walker, in Report No. I-137, recommended that the construction permit be granted. He found that the applicant is in all ways qualified to construct and operate the proposed station; that there is need for additional daytime service in the area proposed to erect the station; and "that the only objectionable interference resulting from the operation of the proposed station will be within a radius of one-half mile of the transmitter, wherein the population is less than 260."

ANOTHER TELEPHONE-RADIO CASE

The Telephone Division of the Federal Communications Commission has announced that a hearing will be held at Jefferson City, Mo., on December 13 in connection with whether the Capital City Telephone Company, Jefferson City, Mo., is under the jurisdiction of the Commission or not. The case is similar to that of the Rochester Telephone Company, Rochester, N. Y., announced in these columns last week, in which the Commission seeks to take jurisdiction because the company furnishes wire service to broadcasting stations.

In the Capital City case the Telephone Division says that the scope of the hearing shall include, " * * * in addition to the question of control, any and all facts and matters relevant to the extent of the jurisdiction of this Commission over the Capital City Telephone Company, including the furnishing of facilities and services, if any, to broadcasting stations for broadcast purposes."

RECOMMENDS NEW TEXAS STATIONS

The Federal Communications Commission received applications from four companies in Texas all asking for a construction permit for the erection of a new station. All asked for 1500 kilocycles, 100 watts power, and daytime operation. The applications were from the Big Spring Herald Broadcasting Company to erect a station at Big Spring, Texas; from the A. B. C. Broadcasting Company, to erect a station at the same place; from the Plainview Broadcasting Company to erect a station at Plainview, Texas; and from the North Texas Broadcasting Company to erect a station at Paris, Texas.

Examiner John P. Bramhall, in Report No. I-138, recommended that the application of the Big Spring Herald Company be granted "on condition that an antenna be erected which complies with the standards of the Engineering Department of the Commission." He recommended that the application of the A. B. C. Broadcasting Company be denied and that of the Plainview Broadcasting Company be "dismissed with prejudice." He also recommended that the application of the North Texas Company be granted "on condition that the antenna be established on a site which complies with the standards of the Engineering Department of the Commission."

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Automatic Products Corporation, Chicago, Ill. (2-1758, Form A-1)
WJR, The Goodwill Station, Detroit, Mich. (2-1759, Form A-2)
United Wholesale Druggists of Boston, Inc., Wilmington, Del. (2-1761, Form A-1)
Bell Aircraft Corporation, Buffalo, N. Y. (2-1762, Form A-1)
International Carriers, Ltd., Jersey City, N. J. (2-1763, Form A-1)
Interstate Bond Company, Atlanta, Ga. (2-1765, Form A-2)
Gordon Baking Company, Detroit, Mich. (2-1766, Form A-2)
W. B. Jarvis Company, Grand Rapids, Mich. (2-1767, Form A-2)
Minnie Moore Mine Development Co., Wallace, Idaho. (2-1769, Form A-1)

SUES STATION FOR DEFAMATION OF CHARACTER

What is supposed to be the first case of its kind has come to the attention of NAB in a letter from Station KFJI, Klamath Falls, Ore. Because of its unusual character the letter is given in full as follows:

"About ten days ago this station, together with three other defendants, was sued for \$75,000 by Mrs. John Irwin of this city for 'defamation of character.' We believe this is probably the first time that a damage suit of this type has been brought against a radio station, and thought perhaps the conditions leading up to it might be of interest to the Association and its members.

"In May of this year, a murder trial was in progress in Klamath Falls, wherein one, Marion Meyerle, was being tried for the murder of Lawrence Lister. The trial had created a great deal of interest in the city and county, and during the course of the trial, KFJI maintained a reporter in the court room constantly and gave four news stories a day on the progress of the trial.

"One of the state's witnesses, Mrs. John Irwin, was the most damaging witness in the case, and her testimony, if the jury had believed it true, would have no doubt convicted the alleged murderess. During the cross examination of Mrs. Irwin, the defense attorney brought out her admission that she had been a user of narcotics for ten years. It was also very apparent from her actions on the witness stand that she was then possibly under the influence of drugs.

"All of the testimony, as given during the course of the trial, was broadcast in resumé form over the station, and when court recessed, just before the closing argument to the jury, the station asked permission of the district attorney, the defense attorney, and the presiding judge to place our microphone on the bench and broadcast the complete arguments to the jury as given by the state's attorney and the defense attorney.

"This permission was granted by the attorneys and the judge, and the microphone was installed and the entire arguments broadcast. In the argument given by the defense attorney, the statement was made relative to the testimony of Mrs. Irwin that she was a dope fiend and other defamatory remarks. Of course it was up to the defense attorney to discredit her testimony as much as possible and he did so in very strong language.

"Mrs. Irwin is now suing the defense attorney, David Vandenburg, the Circuit Judge, Hon. E. B. Ashurst, George Kincaid, Manager of KFJI, and KFJI Broadcasters, Inc., in the sum of \$75,000 for alleged 'defamation of character'."

RECOMMENDATIONS ON IOWA AND NEBRASKA STATIONS

Broadcasting Station KMA, Shenandoah, Iowa, applied to the Federal Communications Commission for unlimited time on its present frequency of 930 kilocycles, requesting the facilities of KGBZ, York, Nebr., with which it now shares time; KGBZ asked for license renewal; KGBZ, also operating on 930 kilocycles, sharing time with KMA, asked for full time, requesting the facilities of KMA, while KMA also asked for license renewal.

Examiner George H. Hill, in Report No. I-136, recommends that the application of KMA for both license renewal and facilities of KGBZ be granted and that the application of the latter station for both license renewal and modification be denied. The Examiner states that the application of KMA would serve the public interest but that "the showing with respect to the financial condition of the applicant, KGBZ Broadcasting Company, is unsatisfactory." In this latter connection the Examiner further states that "there are several suits pending against Dr. George R. Miller and the applicant KGBZ Broadcasting Company."

RECOMMENDS FREQUENCY CHANGE FOR KGHL

Several broadcasting stations applied to the Federal Communications Commission to have their frequencies changed to 780 kilocycles. Among these were KDFN, Casper, Wyo., from 1440 to 780 kilocycles; KGHL, Billings, Mont., from 950 to 780 kilocycles; KSOO, Sioux Falls, S. D., from 1100 to 780 kilocycles; KXL, Portland, Ore., from 1420 to 780 kilocycles; and KEHE, Los Angeles, Cal., now operating on 780 kilocycles and sharing time with KELW, asking that it be granted the facilities of that station.

Examiner P. W. Seward, in Report No. I-139, recommended that the application of Station KGHL be granted and that all of the other applications be denied.

FEDERAL TRADE COMMISSION ACTION

Complaints

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

No. 2624. Alleging unfair competition in the sale of men's ready-made clothing, a complaint has been issued against **Carlo Van Myers, of New York City**, trading also as **North American Clothes Co., National Brand Clothes Co., Sartorial Art Clothes Co., and Society Bond Clothes Co.**

Among representations alleged in the complaint are assertions that the clothing offered for sale is all wool, or a fine quality;

that it will be made-to-measure, or tailor-made; that two garments are offered for the price of one; that extra trousers will be furnished without extra charge, and other representations.

No. 2625. A complaint has been issued against **Richard B. Yancey and Mrs. E. Y. Councill, of Salisbury, N. C.**, alleging unfair competition in the sale of chinaware, earthenware and other pottery. The respondents are said to have traded under the names of **International China Company and Baker Pottery Company.**

In their business as jobbers, the respondents, according to the complaint, have sold products made for them by manufacturers in Tennessee, Ohio and Virginia, through the agency of traveling salesmen. These salesmen are alleged to have represented that the products in each assortment were of one design and grade, and that the quality and marking of chinaware was the same as indicated by the sample or picture shown the customer; that the fine quality samples shown customers had been made for a china store and that a few sets only had been left over and were being offered as "deals"; that the goods offered were marked as "odds and ends" only because it was necessary to obtain reduced freight rates, and that the use of the words "odds and ends" had no other significance.

No. 2626. False and misleading advertisements in the sale of cosmetics is alleged in a complaint issued against **E. S. Bergholt, of Cincinnati**, trading as **Marilyn Louise Cosmetics.**

Among false and misleading representations alleged, are the following: That it is impossible to purchase cosmetics of the same high quality as the respondent offers for sale because "they simply aren't sold or even manufactured," and that the respondent's sales plan is one "whereby your agents pour gold into your pockets simply by giving free facials to their friends and relatives."

No. 2627. **Tissue Brands, Inc., of New York City**, manufacturer of medicated cleansing tissue, is charged with unfair methods of competition in a complaint. **Albert H. Arnstein and Belmont Corn**, who operate the business, are also named respondents.

Selling in interstate commerce a product named "Sankerchief", made from paper and impregnated with various medicaments commonly used in treating colds, the respondents advertised their product as "A handkerchief that relieves colds because it is mentholated." It was also advertised as affording instant relief to sufferers from colds or hay fever.

No. 2628. **Dallas E. Winslow, Inc., of Detroit**, trading as **Durant Motor Car Company**, has been served with a complaint charging unfair competition in the sale of parts and accessories.

Use of the trade name "**Durant Motor Car Company**" has a tendency to deceive purchasers into believing that the respondent is the **Durant Motor Company** or its successor, according to the complaint. The court decree of February 26, 1932, ordering the sale of the **Durant Motor Company's** assets, did not authorize the receiver to convey to the purchaser thereof the good-will or name of the **Durant Motor Company**, nor did the bill of sale executed by the receiver convey such good-will or right to use the name.

No. 2629. Alleging unfair competition in the sale of cosmetics and toilet articles through use of a prize puzzle scheme, a complaint has been issued against the **Sterling Company, of Des Moines, Iowa**, **Don Parmelee**, its president, and **Paul H. Williams and Sibley F. Everett**, who, with **Parmelee**, own and control the company.

Through the medium of a so-called **Sterling Prize Club**, of which **Parmelee** is manager, the respondents have sold their products, according to the complaint, presenting its scheme and its prize contests to the public through advertisements in newspapers, trade journals, house organs and particularly in leaflets and sheets of paper made to resemble newspapers. The respondents are also said to have employed radio broadcasting.

No. 2630. Misrepresentation of its own and disparagement of competitors' products are alleged in a complaint against **Clopap Corporation, of Cincinnati**, manufacturer of oiled cellulose pulp-backed or paper-backed products designated "Fabray", and consisting of shelving, window shades, table covers, as well as "Fabray" in rolls.

Competing with manufacturers of oilcloth and cloth window shades, the respondent company is alleged to have advertised "Fabray" as "the fiber-backed oilcloth," and that "in numerous exacting laboratory tests, Fabray revealed wearing qualities as great or greater than ordinary oilcloth," and was "wash-proof," "fray-proof" and "crack-proof."

No. 2631. Improper use of the word "university," constituting unfair competition, is alleged in a complaint against **Jefferson Educational Company**, trading as **Boyd Business University, Washington, D. C.**

This school is not a university, and the respondent does not

conduct an educational institution, or extension thereof, organized for teaching and study in the higher branches of learning, nor has it authority to confer degrees in such branches, the complaint alleges.

No. 2632. The **Cummer Products Company, of Bedford, Ohio**, has been served with a complaint charging unfair competition in the sale of its cleaning fluid, "Energine."

The complaint says this cleaning fluid was and is represented as leaving no odor, mark or stain, and as a perfect dry cleaner. The complaint alleges that in fact the use of "Energine" on fabrics dyed with certain kinds of dyes, such as non-fast or fugitive dyes, does affect the colors by causing them to "bleed" or "run," and also produces and leaves a ring, spot or mark, and that the fabrics are injured by the use of the product.

No. 2633. Alleging misrepresentation in the sale of coin vending machines, a complaint has been issued against **Roy Stringer Company, Ltd.**, of 621 North Noble Street, **Indianapolis**, a dealer.

Among unfair practices charged are the use of false and misleading advertising and a fraudulent sales plan. Contracts or orders entered into with purchasers under this plan are, according to the complaint, in such vague and ambiguous language that a legal interpretation would reveal no contractual obligations on the part of the respondent.

No. 2634. A complaint has been issued against **Kienzler Distilling Corporation, of New York City**, alleging unfair competition through representation of a wholesaler and rectifier of liquor as a distiller.

Use by the respondent company of the word "Distilling" in its corporate name and in other ways, had a tendency to deceive dealers and the purchasing public into believing the respondent to be a distiller, manufacturing or distilling spirituous beverages, when in fact it was not a distiller, according to the complaint.

No. 2635. Misuse of the term "mills" is alleged as an unfair method of competition in a complaint issued against **Max Kipperman and Samuel Orenstein**, of 36 West 32nd Street, **New York City**, trading as **Samae Knitting Mills.**

The complaint says that in addition to using the words "Knitting Mills" in their trade name, when the firm is engaged only in the jobbing of goods, the respondents print on letterheads and invoices the words "Manufacturers of Sweaters and Knit Goods." The complaint points out that the respondents do not knit or manufacture the products they sell, and do not own or control a factory in which such goods are knitted or manufactured, but fill orders with material knitted or manufactured in mills which they do not own.

No. 2636. Improper use of the word "chamois" in the sale of leather products is alleged in a complaint against **Joseph H. Seld, of Gloversville, N. Y.**, trading as **Seld Leather Company.**

The respondent is alleged to have described certain products as "Pigskin Chamois," "Chamois, Rose Brand," and by other names, when in fact, according to the complaint, the products were not the skin of the chamois antelope or the oil-tanned skin of the sheep, but were articles manufactured from pigskin, peccary, carpincho, and skins other than oil-tanned sheepskin or the chamois antelope. The complaint says they have the general appearance but not the peculiar qualities or properties of articles known to the public and trade and properly designated as chamois.

Stipulations

The Commission has announced the following cease and desist orders:

No. 0961. **Columbian Correspondence College, Washington, D. C.**, selling courses for civil service examinations for government positions, agrees to stop making various representations in the sale of its courses. Among these is the assertion that a representative of this correspondence school was called by the Federal Trade Commission as an expert witness because his advertising complied with all the requirements of high class publicity, and that the business conducted by the respondent has a capital of \$100,000 or any other amount in excess of the reasonable value of its capital invested. Among other representations to be discontinued is the assertion that one or more former students of this school will usually be found in any government office or railway mail car. The respondent also agrees to stop publishing in its catalogs, or otherwise, purported information regarding civil service examinations which have been discontinued by the Civil Service Commission.

No. 0962. **National College of Massage and Physio-Therapy, Inc., Chicago, Ill.**, agrees to cease advertising that "some of the results obtained by electro-therapy border on the miraculous," and that "rachitic children, given up to die, have developed into

normal human beings through its effectiveness." The respondent also agrees to stop advertising that electro-therapy forces paralysis to yield; is a competent remedy in the treatment of rectal, kidney, heart, or certain other ailments, and that massage, either Swedish or otherwise, is a competent remedy in the treatment of tuberculosis, chronic appendicitis and St. Vitus Dance.

No. 0963. The 5000 Company, Rockford, Ill., selling a graphite lubricant called "Clauson's 5000," agrees to cease representing that scores of men are accepting the sales opportunity offered by the respondent and are turning it into cash, and that prospective agents or dealers can or will earn any definite amount the first day, and other similar representations.

No. 0964. Karnack Ambrosia Company, Scranton, Pa., selling a medicine called "Lekotoria," agrees to stop representing it as the most beneficial medicine for "many common ailments" and as a competent treatment or effective remedy for a list of twenty-five diseases including stomach trouble, liver trouble, asthma, pneumonia and others.

No. 0965. Partole Products Co., Chicago, Ill., selling "Partoherb," stipulates that it will stop advertising the product as "world famous" and as "being used by millions of homes where it has brought health and happiness." This last assertion is to be discontinued until the respondent shall furnish proof that the preparation is actually used in millions of homes. Other representations of the powers of "Partoherb" will be discontinued, according to the stipulation.

No. 0966. Pine Brothers, Inc., Philadelphia, selling "Pine Brothers' Glycerine Tablets" and "Orasol," agrees to cease advertising that the glycerine tablets will stop coughing instantly, and are the oldest, quickest and surest relief for coughs, colds and throat infections. The company also agrees to stop representing that Orasol is an antiseptic and is more active and effective than any other mouth wash, breath purifier, cough drop or gargle.

No. 0967. George D. Arnold, of Chicago, trading as Admiral Arnold and as Lona Publishing Company, and selling astrological guides, horoscopes and character analyses, will discontinue alleging that by use of its astrological guide a person may find the information he has been seeking, or that in the astrological guide the science of astrology has been brought to a point where it may be used in everyday life. Other similar representations, such as that the astrological guide will tell one whom to marry, when to marry, when to seek employment, and what, when or how to do anything, will be abandoned.

No. 0968. Health Products Corporation, of Newark, N. J., engaged in selling "Feen-A-Mint," called "The Chewing Gum Laxative," agrees to cease and desist from representing that "Feen-A-Mint" is the only thing that will relieve constipation troubles satisfactorily, and that it is the most scientifically modern way to get rid of constipation and headaches.

No. 0969. The Wyeth Chemical Company, of New York City, selling "Jad Salts" as a fat reducer or treatment for obesity, agrees no longer to advertise that this preparation will melt fat away and cleanse the system, keeping it clear of waste matter, toxins and depleting poisons. Other assertions in advertising concerning the powers of Jad Salts will also be discontinued under the stipulation.

No. 0970. Pro-Ker Laboratories, Inc., New York City, engaged in selling a treatment for the hair called "Pro-Ker," will stop representing that the preparation is a competent treatment for baldness or any other hair troubles, and that it will replace falling hair or retain the amount of hair on the head at the time the use of the product is begun. It will no longer be advertised that this product makes the scalp vital, healthy, or strong, and creates the perfect hair-growing condition.

No. 0971. New Era Library, Inc., of Racine, Wis., selling a set of books on educational subjects, agrees to cease advertising that these books afford one a chance to get the cultural or practical value of a high school education, or that they provide a short cut to high school or college education, and other representations of like character.

No. 0972. The Musterole Company, of Cleveland, agrees to cease and desist from asserting that its product, "Musterole," will penetrate to the seat of trouble, and prevent chest colds or croupy coughs from becoming serious, or that there is no muscular pain, sore throat or cold too severe for Musterole. It will be no longer advertised that Musterole will ease or relieve any condition within any definite period of time.

No. 0973. Jergens-Woodbury Sales Corporation, Cincinnati, selling facial cream, agrees to cease representing that its products constitute a new or unique protection from the danger of

blemishes, or that they will give the skin the care that makes beauty safe, or change aging dryness to "supple youth."

It will no longer be alleged by this respondent that Element 576 brings directly to the skin vital energy, or such energy as vitamins in food bring to the body, or that Element 576 in Woodbury's Cold Cream causes the oil glands beneath the skin's outer surface to function better.

No. 1492. W. J. B. Mayor, trading as Mayor Walnut-Oil Company, Kansas City, Mo., and engaged in the manufacture and sale of a hair dye called "Mayor's Walnut-Oil Dye," agrees to stop using the words "Walnut-Oil" as part of his trade name under which to carry on his business, or as a brand name for his product, or in advertisements.

Mayor also stipulates that he will cease employing exaggerated representations, improbable of accomplishment, in his advertising matter, and will cease asserting that the product contains walnut oil and is made from vegetables and oils. He agrees to stop advertising that his product does not conflict with the Pure Food and Drug Act of June 30, 1906, when, according to the stipulation, this is not true.

No. 1493. Todd Fruit Company, Inc., Miami, Fla., selling citrus and other fruits, including boxed and candied fruits, will no longer advertise its product as Indian River products or as being produced or grown in the Indian River region, when this is not true. The respondent agrees also to cease using in advertisements, pictorial representations indicating that boxes or cartons contain more fruit than has actually been packed, and from alleging that its baskets of crystallized fruits contain a quantity substantially more than the actual contents thereof.

The stipulation points out that the term "Indian River," when used to describe the origin of citrus fruits, refers to a territory on the east coast of Florida, along the Indian River. Citrus fruits grown in that section have long enjoyed a reputation for fine quality, and the growers have acquired a valuable goodwill in the term "Indian River" as applied to such fruits.

No. 1494. The Larkin Manufacturing Company, Dayton, Ohio, selling fire protection equipment, agrees to stop using the word "Cooper" in its catalogues, on billheads or otherwise, to describe any fire hose mending device not manufactured by James Cooper or his successors, Cooper Hose Jacket Company, of Los Angeles.

No. 1495. Edward A. Zibell, trading as Kooper Chemical Company, New York City, manufacturing and selling a cleaning fluid called "Must-Kleen," agrees to forego representing that the fluid is "invaluable for the removal of stains" from fabrics, or that it "has no injurious effect on the most delicate material," and to cease using any other representations which imply that the product will remove stains of whatever kind from fabrics, or that the colors of fabrics or materials dyed with non-fast or fugitive dyes will not be harmed by application of this preparation, when, according to the stipulation, this is not true.

No. 1496. Nassour Brothers, Inc., Ltd., Los Angeles, Calif., manufacturing and selling toilet soaps, agrees to discontinue use of the word "Imported" in the sale of its products, in a manner implying that these goods have been imported into the United States from a foreign country, when this is not true; and from employing the words "Olive Oil" to designate preparations the fatty content of which is not composed wholly of olive oil.

No. 1497. The Warren Featherbone Company, Three Oaks, Mich., will no longer employ the words "Silk," "Silk Taffeta," "Satin," "Taffeta" or "Pure Dye" to describe articles not made wholly of silk, the product of the cocoon of the silk worm, according to its stipulations. Provision is made that if any of the articles are composed in substantial part of silk, the foregoing words, if used to describe them, shall be accompanied by other words in equally conspicuous type, representing that the articles contain a product other than silk. This company manufactures a stiffening material called "Featherbone" for use in making women's dresses, and also makes neckwear, frilling ribbons, binding and other accessories used in the women's clothing industry.

No. 2563. The Pyrene Manufacturing Company, of Newark, N. J., has been ordered to cease and desist, in the sale of its Pyrene safety cleaner, from making representations to the effect that this preparation will remove grease spots from all materials to which it is applied, without injury to color or fabric.

The order also prohibits the respondent from using the phrase "no injury to fabric or color," or any other representation of equivalent meaning so as to imply that the fluid may be used on materials or fabrics dyed with non-fast or fugitive colors, without impairing or injuring the colors.

No. 2585. Alfred Mendell, of 8611 101st Avenue, **Ozone Park, New York**, has been ordered to cease and desist from representing that the brand of candy sold by him and designated as "Fruit Pops" is 100 per cent pure, until and unless it is made entirely of ingredients all of which are 100 per cent pure.

Mendell is also ordered to stop designating candies not 100 per cent pure, but synthetically colored and flavored, as "Fruit Pops," until and unless the designation is followed conspicuously with the statement that the candies are artificially colored and artificially flavored.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Wednesday, December 4

ORAL ARGUMENTS BEFORE THE BROADCAST DIVISION

Commissioner Brown's Report:

KFBI—The Farmers & Bankers Life Insurance Co., Abilene, Kans.—Renewal of license, **1050 kc.**, 5 KW, limited time.

Examiner's Report No. I-85:

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—C. P., **1390 kc.**, 1 KW, 7:30 to 9 a. m., 11 a. m. to 2 p. m., 3:30 to 5 p. m.; Sunday, 1 p. m. to 2 p. m. Present assignment: **1370 kc.**, 100 watts, specified hours.

Examiner's Report No. I-100:

NEW—Oklahoma Press Publishing Co., Muskogee, Okla.—C. P., **1500 kc.**, 100 watts, unlimited time.

Examiner's Report No. I-97:

NEW—Worcester Broadcasting Co., Inc., Worcester, Mass.—C. P., **1200 kc.**, 100 watts, unlimited time.

NEW—Hartford Broadcasting Co., Inc., Hartford, Conn.—C. P., **1200 kc.**, 100 watts, unlimited time.

NEW—The Hartford Times, Inc., John F. Rolfe, Treas., Hartford, Conn.—C. P., **1200 kc.**, 100 watts, unlimited time.

Examiner's Report No. I-93:

NEW—Quincy A. Brackett, Lewis B. Breed, and Edmund A. La-part, d/b as Connecticut Valley Broadcasting Co., Springfield, Mass.—C. P., **1140 kc.**, 500 watts, limited time.

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Springfield Newspapers, Inc., Springfield, Mo.—C. P., **710 kc.**, 1 KW, daytime.

Friday, December 6

NEW—James R. Doss, Jr., Tuscaloosa, Ala.—C. P., **1200 kc.**, 100 watts, daytime.

APPLICATIONS GRANTED

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Granted consent to voluntary assignment of license to WNAX Broadcasting Co.

KCRJ—Charles C. Robinson, Jerome, Ark.—Granted renewal of license on a temporary basis for a period of 60 days.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted renewal of license on a temporary basis and application for renewal set for hearing.

NEW—Pampa Daily News, Inc., Pampa, Tex.—Granted amended C. P. for new station, **1310 kc.**, 100 watts, daytime. Site to be determined subject to approval of Commission.

KCMC—North Miss. Broadcasting Corp., Texarkana, Ark.—Granted renewal of license for the regular period.

KLPM—John B. Cooley, Minot, N. Dak.—Granted renewal of license on a temporary basis for a period of 30 days.

WSAJ—Grove City College, Grove City, Pa.—Granted renewal of license on a temporary basis for a period of 30 days.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Granted extension of present license for a period of 60 days.

WJBW—Charles C. Carlson, New Orleans, La.—Granted extension of present license for a period of 60 days.

KIGA—National Battery Broadcasting Co., St. Paul, Minn.—Granted renewal of license for the regular period.

KIGA—National Battery Broadcasting Co., Portable-Mobile.—Granted modification of license to change frequencies to **1622, 2060, 2150, 2790 kc.**

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted renewal of license for the regular period.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted renewal of special experimental authority to operate with 500 watts additional power from October 1, 1935, to April 1, 1936; **610 kc.**, unlimited time.

NEW—Nichols & Warinner, Inc., Portable-Mobile (Long Beach, Calif.)—Granted C. P. (exp. gen. exp.), frequencies **31100, 34600, 37600, 40600 kc.**, 30 watts.

SET FOR HEARING

NEW—Ventura County Star, Inc., Merced Star Pub. Co., Inc., Ventura, Calif.—Application for C. P. for new station, **1170 kc.**, 250 watts, daytime.

NEW—New England Radio Corp., Bridgeport, Conn.—Application for C. P. for new station, **1370 kc.**, 100 watts, daytime. Site to be determined subject to Commission approval.

NEW—Northern Commercial Co., Fairbanks, Alaska.—Application for C. P. for new station, **550 kc.**, 250 watts, unlimited time. Site to be determined subject to Commission approval.

NEW—Northern Iowa Broadcasting Co., Inc., Mason City, Iowa.—Application for C. P. for new station, **1420 kc.**, 100 watts, unlimited time. Site to be determined subject to Commission approval.

NEW—Mason City Globe Gazette Co., Mason City, Iowa.—Application for C. P. for new station, **1210 kc.**, 100 watts, unlimited time.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of license to increase day power from 500 watts to 1 KW.

KFJM—University of North Dakota, Grand Forks, N. Dak.—C. P. amended to read: Make changes in antenna and equipment; change frequency from **1370 kc.** to **1410 kc.**; increase power from 100 watts to 1 KW night and day.

KUJ—KUJ, Inc., Walla Walla, Wash.—C. P. amended to read: Move transmitter to site to be determined subject to Commission's approval; install new equipment, antenna to be determined; change frequency from **1370 kc.** to **1250 kc.**; increase power from 100 watts to 1 KW.

WEAN—The Shepard Broadcasting Service, Providence, R. I.—C. P., already in hearing docket, amended to read: Exact transmitter site, Seekonk, Bristol County, Mass.; install new equipment and directional antenna; increase power from 500 watts to 1 KW.

RENEWAL OF LICENSES

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

KFXD, Nampa, Idaho; **KFXJ**, Grand Junction, Colo.; **KFXM**, San Bernardino, Calif.; **KGFJ**, Los Angeles, Calif.; **KIEM**, Eureka, Calif.; **KIT**, Yakima, Wash.; **KMED**, Medford, Ore.; **KWTN**, Watertown, S. Dak.; **WIBX**, Utica, N. Y.; **WMFF**, Plattsburg, N. Y.; **WSGN**, Birmingham, Ala.; **KCRC**, Enid, Okla.

The following stations were granted renewals on a temporary basis only, subject to whatever action may be taken by the Commission upon the renewal applications of stations now pending before it:

KFPL, Dublin, Tex.; **KGDE**, Fergus Falls, Minn.; **KVOS**, Bellingham, Wash.; **KWEA**, Shreveport, La.; **WEDC**, Chicago, Ill.; **WOCL**, Jamestown, N. Y.; **WRBL**, Columbus, Ga.

WWAE—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted renewal of license on a temporary basis only to conform to Commission's action of November 12, 1935, with reference to this station's application for renewal.

KILU—Arkansas Radio & Equipment Co., Portable.—Extended present license of broadcast pickup station in temporary service for a period of 1 month from December 1, 1935, upon a temporary basis only, subject to such action as may be taken upon pending application for renewal.

WLEZ—The Norfolk Daily News, Portable.—Extended present license of broadcast pickup station in temporary service for a period of 1 month from December 1, 1935, upon a temporary basis only, subject to such action as may be taken upon pending application for renewal.

The licenses of the following stations were extended upon a temporary basis only to January 1, 1936, pending receipt and action on renewal applications:

KGHI, Little Rock, Ark.; KROW, Oakland, Calif.; WBAX, Wilkes-Barre, Pa.; WJEJ, Hagerstown, Md.; KGVO, Missoula, Mont.; WAML, Laurel, Miss.; WEST, Lancaster, Pa.; WIL, St. Louis, Mo.; WJIM, Lansing, Mich.; WSBC, Chicago; WSJS, Winston-Salem, N. C.

ACTION ON EXAMINERS' REPORTS

KALE—Ex. Rep. No. 1-62: KALE, Inc., Portland, Ore.—Denied modification of license to change frequency from 1300 kc. to 1250 kc.; change hours of operation from S.H. to unlimited; 500 watts. Examiner Bramhall sustained. Order effective January 14, 1936.

WMBC—Ex. Rep. No. 1-92: Michigan Broadcasting Co., Detroit, Mich.—Denied C. P. to make changes in equipment; change frequency from 1420 kc. to 1300 kc.; change power from 100 watts night, 250 watts day, to 500 watts; unlimited time. Examiner Geo. H. Hill sustained.

WHBL—Press Publishing Co., Sheboygan, Wis.—Granted modification of license to change frequency from 1410 kc. to 1300 kc., change power from 500 watts to 250 watts, and change hours of operation from sharing with WROK to unlimited, sustaining Examiner Hill. Order effective January 21, 1936.

WOCL—Ex. Rep. No. 1-122: A. E. Newton, Jamestown, N. Y.—Granted renewal of license, 1210 kc., 50 watts, unlimited time. Examiner M. H. Dalberg sustained. Order effective January 21, 1936.

ORAL ARGUMENTS GRANTED

NEW—Ex. Rep. No. 1-123: Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted oral argument to be held February 13, 1936.

NEW—Ex. Rep. No. 1-125: National Television Corp., New York City.—Granted oral argument to be held December 19, 1935.

MISCELLANEOUS

Utah Radio Educational Society, Salt Lake City, Utah, and all other parties involved in Ex. Rep. No. 1-126—Granted until December 5, 1935, to file exceptions to Ex. Rep. No. 1-126.

W1XAL—World Wide Broadcasting Corp., Boston, Mass.—Granted modified C. P. specifying recent authorization was for an auxiliary transmitter to be used only in case of failure of main transmitter.

KVOS—KVOS, Inc., Bellingham, Wash.—Denied request that Commission reconsider action in setting renewal application for hearing and grant same without hearing.

WCFL—Chicago Federation of Labor, Chicago, Ill.—Granted request for postponement until December 16, 1935, of proceedings regarding application of WJJD for authorization for removal of transmitter.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Hearing on protest against removal of station from Wichita Falls to Fort Worth, Tex., scheduled for December 19, 1935, postponed until some time during January, 1936. Granted petition of Chamber of Commerce of several cities and towns and others that hearing be held in Wichita Falls, Tex.

NEW—Utah Radio Educational Society, Salt Lake City, Utah.—Denied petition asking Commission to vacate order of October 22, 1935, granting KIEM, Eureka, Calif., authority to operate on 1450 kc., 500 watts, unlimited time.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Sent to closed files protest charging station violated Sec. 326 of Communications Act in sponsoring an obscene broadcast.

NEW—James H. Braffett, Price, Utah.—Granted permission to submit proof that he mailed appearances and statement of facts in due time. Failure of that data to reach the Commission within specified time resulted in default order. Applicant now seeks reinstatement of application for new station at Price, Utah.

APPLICATIONS RECEIVED

First Zone

WEAN—The Shepard Broadcasting Service, Inc., Providence, R. I. 780 —Construction permit to install new equipment; increase power from 500 watts to 1 KW; and move transmitter from

Biltmore Hotel, Washington St. and Exchange Place, Providence, R. I., to site to be determined, Providence, R. I. Amended to install directional antenna and for approval of transmitter site at Seekonk, Bristol County, Mass.

WBEN—WBEN, Inc., Buffalo, N. Y.—Construction permit to install a new transmitter; increase power from 1 KW to 5 KW; and move transmitter from Shawnee Road, near Martinsville, N. Y., to Hotel Statler, Buffalo, N. Y. Amended to omit request for change in transmitter site and request for 5 KW power night.

WELI—Patrick J. Goode, New Haven, Conn.—Modification of license to change hours of operation from daytime to unlimited, requesting 500 watts power day and night, and change frequency from 900 kc. to 930 kc.

WMFF—Plattsburgh Broadcasting Corp., Plattsburgh, N. Y.—License to cover construction permit (B1-P-514) to make changes in equipment, increase power, and move transmitter.

WPRP—Julio M. Conesa, Ponce, P. R.—Modification of construction permit (1-P-B-2940) for a new station, requesting extension of completion date from 12-18-35 to 1-18-36.

W10XAP—National Broadcasting Co., Inc., Portable-Mobile.—Construction permit to cover the addition of a power amplifier and increase in power to 25 watts.

W10XAP—National Broadcasting Co., Inc., Portable-Mobile.—License to cover above.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—Construction permit for a new general experimental station to be operated on 31100, 34600, 37600, 40600 kc., 20 watts.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—License to cover above.

W2XEI—Paul J. Gollhofer, Portable and Mobile.—Assignment of license from Paul J. Gollhofer to Metropolitan Broadcasting Corp.

NEW—Bamberger Broadcasting Service, Inc., Newark, N. J.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41000 kc., 1 KW.

Second Zone

WJR—WJR, The Goodwill Station, Detroit, Mich.—License to cover construction permit authorizing use of 10 KW transmitter for auxiliary purposes.

Third Zone

WIS—Station WIS, Inc., Columbia, S. C.—Modification of construction permit authorizing removal of transmitter, change in equipment. 560 kc., 1 KW night, 5 KW daytime, unlimited time, requesting extension of completion date to February 10, 1936.

WPTF—WPTF Radio Co., Raleigh, N. C.—Extension of special experimental authorization to use W.E. 6-B transmitter as an auxiliary using 1 KW power during special experimental authorization to operate from local sunset until 8 p. m., PST, for period 2-1-36 to 8-1-36.

WPTF—WPTF Radio Co., Raleigh, N. C.—Extension of special experimental authorization to operate from local sunset to 8 p. m., PST, on 1 KW power, from 2-1-36 to 8-1-36.

NEW—Albert E. Davis, Brownwood, Tex.—Construction permit for a new station to be operated on 1200 kc., 100 watts, unlimited time. Amended to change frequency from 1200 kc. to 1420 kc., omit request for night power, request daytime hours of operation instead of unlimited time, and make antenna changes.

NEW—The Herald Publishing Co., Denison, Tex.—Construction permit for a new station to be operated on 1200 kc., 100 watts, daytime. Amended to change type of equipment, change hours of operation from daytime to unlimited, using 100 watts power; also change studio site.

NEW—Hunt Broadcasting Assn., Fred Horton, Pres., Greenville, Tex.—Construction permit for a new station to be operated on 1200 kc., 100 watts, daytime. Amended to make changes in equipment and antenna.

KBTM—W. J. Beard (Beard's Temple of Music), Jonesboro, Ark. 1200 —License to cover construction permit (B3-P-507) to move transmitter and studio to Jonesboro, Ark.

NEW—Navarro Broadcasting Assn., J. C. West, Pres., Corsicana, Tex. 1310 —Construction permit for a new station to be operated on 1310 kc., 50 watts, daytime. Amended to change power from 50 watts to 100 watts and make changes in antenna.

WAML—Southland Radio Corp., Laurel, Miss.—Voluntary assignment of license to New Laurel Radio Station, Inc. 1310

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

KRLH—Clarence Scharbauer, Midland, Tex.—Modification of construction permit (B3-P-675) for a new station on 1420 kc., 100 watts, daytime, for approval of transmitter site.

NEW—Douglas G. Boozer and Jack Richards, Brunswick Radio Broadcast Station, Brunswick, Ga.—Construction permit for a new station to be operated on 1420 kc., 100 watts, daytime. Amended to make changes in antenna.

KCMC—North Mississippi Broadcasting Corp., Texarkana, Ark.—1420 Voluntary assignment of license from North Mississippi Broadcasting Corp. to KCMC, Inc.

NEW—The Attala Broadcasting Corp., Kosciusko, Miss.—Construction permit for a new general experimental station to be operated on 31600, 38600, 35600, 41000 kc., 100 watts.

NEW—Memphis Commercial Appeal, Inc., Portable-Mobile.—Construction permit for a new general experimental station to be operated on 31100, 34600, 37600, 40300 kc., 5 watts.

NEW—The Attala Broadcasting Corp., Kosciusko, Miss.—Construction permit for a new relay broadcasting station to be operated on 6040, 11830, 17760 kc., 100 watts. Amended to change application to general experimental service.

Fourth Zone

WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—Construction permit to make changes in vertical radiator and move transmitter locally.

KGDY—The Voice of South Dakota, Huron, S. Dak.—Modification of license to change hours of operation from daytime to unlimited time, using 250 watts power. Amended to make changes in antenna.

WKBV—KNOX Radio Corp., Richmond, Ind.—License to cover construction permit authorizing removal of transmitter and antenna changes.

Fifth Zone

KFRC—Don Lee Broadcasting System, San Francisco, Calif.—610 Authority to determine operating power by direct measurement.

KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Authority to determine operating power by direct measurement.

NEW—The Press Democrat, Santa Rosa, Calif.—Construction permit for a new station to be operated on 1310 kc., 250 watts, daytime. Amended to change name from Ernest L. Finley to The Press Democrat.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit (B5-P-2837) as modified to move transmitter locally; increase power, install new equipment, further request changes in equipment; move transmitter from 1000 S. Hope Street to 31100 S. Cloverdale Avenue, Los Angeles, Calif.; and extend commencement and completion dates to 3-1-36 and 90 days thereafter.