

The National Association of Broadcasters

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

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NOTICE OF AMENDMENTS

In pursuance of the provisions contained in Article IX of the Constitution and By-Laws of the National Association of Broadcasters, Inc., notice is hereby given that certain amendments to the Constitution and By-Laws of the National Association of Broadcasters, Inc., as hereinafter described, will be presented for consideration at the annual membership meeting in Chicago, Illinois, June 20-23, 1937.

These amendments are as follows:

Article III

April 27, 1937.

"Mr. James W. Baldwin, Managing Director,
National Association of Broadcasters,
National Press Building,
Washington, D. C.

DEAR MR. BALDWIN:

"It has come to my attention that certain owners of more than one broadcasting station have attempted to ride along in the NAB carrying a membership in only one station. This I feel might become a constantly increasing evil practice, which I am sure neither such owners as referred to would, upon careful thought, wish to continue nor members owning only one station would tolerate. I, therefore, wish to offer a resolution to be presented and acted upon in conformity with the NAB Constitution and By-Laws. The resolution is as follows:

"RESOLVED, that the Constitution and By-Laws of the National Association of Broadcasters shall be amended as follows:

"Under Article Three, Section (b), add the following:

"Provided, however, that no person, firm or corporation having ownership or control of more than one broadcasting station, otherwise qualified for membership, shall

be eligible for membership unless memberships shall be held for each and every station of said member.'

Sincerely yours

(Signed) ARTHUR B. CHURCH" (KMBC).

Article V

April 24, 1937.

"Mr. James W. Baldwin, Managing Director,
National Association of Broadcasters,
National Press Building,
Washington, D. C.

DEAR MR. BALDWIN:

"For sometime I have felt that the NAB Constitution should be amended to provide that the Association shall benefit by the experience of its out-going President, by providing that he shall automatically become a director for a term of three years. In discussing this with quite a number of NAB members all have concurred with me. To date no one has done anything about it. I therefore propose the following resolution which I ask to be distributed among members of the Board of Directors and/or members of the Association, as provided in the By-Laws—this resolution to be acted upon at the 1937 Annual Convention:

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Make Your Plans Now to Attend the NAB Convention at Hotel Sherman, Chicago, June 20-23, 1937

"RESOLVED, That Article Five shall be changed as follows:

"Add to Section 'C' the following:

"'Except that the out-going President shall automatically become a Director for a term of three years.'

"This amendment shall become effective with the retirement of the out-going President at the 1937 Annual Convention.

Sincerely yours,

(Signed) ARTHUR B. CHURCH" (KMBC).

Attention also is called to the proposed amendment to By-Law No. 1 notice of which appears in NAB Reports dated May 20, 1937.

AVERY CALLS SALES MANAGERS TO MEET AT NAB CONVENTION

Lewis W. Avery (WGR, Buffalo), Acting Chairman of the Sales Managers Division, requests Sales Managers of stations to attend meetings of the Sales Managers Division at 3:00 P. M. Monday, June 21, and Tuesday, June 22, Hotel Sherman.

FCC OPPOSES FIVE-YEAR LICENSES

The Federal Communications Commission having been asked for its opinion on H. R. 5038, introduced by Representative Anderson, which provides for a five-year licensing period for broadcasting stations, has sent an answer to Representative Lea, Chairman of the House Committee on Interstate Commerce, in which it states definitely that it opposes such legislation. The letter, which was signed by Commissioner Prall, as chairman, is as follows:

"In further reply to your letter of February 24, 1937, asking us for comments on H. R. 5038, a bill to prescribe five-year minimum terms for broadcasting stations, I beg leave to state that:

"No legislation similar to that proposed in H. R. 5038 has received the approval of a House or Senate Committee and the Commission heretofore has made no recommendation on the question. Section 9 of the Radio Act of 1927 provided that 'No license granted for the operation of a broadcasting station shall be for a longer term than three years and no license so granted for any other class of station shall be for a longer term than five years. . . .' This three-year limitation on broadcasting licenses was continued in the Communications Act of 1934 (Sec. 307/d/). The Senate, however, in acting upon its draft of the Communications Act (S. 3285) reduced the maximum terms of broadcasting licenses from three years to one year and for other licenses from five years to three years. The Senate Report on S. 3285 stated, 'Reduction of the maximum term of licenses will assist the Government in retaining control over these valuable privileges.

This was passed by the Senate and House in H. R. 7716.' The conferees appointed to consider S. 3285 agreed to leave the maximum term of licenses in status quo. The Conference Report submitted by Mr. Rayburn on June 8, 1934, was adopted and accordingly the provisions of the Radio Act relating to maximum terms of licenses were continued in the Communications Act. This is the latest expression of Congress upon the subject.

"At the present time the Commission has no authority to suspend licenses or impose penalties for violations of its rules. The only punitive action available is revocation, deletion through denial of a renewal of license or recourse to criminal proceeding. These measures have been found to be too severe in most instances of delinquency. The Commission, however, has been able to exercise a degree of control through consideration of application for renewal of license every six months. There is thus constantly present a means of checking the technical operation and program service of stations.

"The art of radio broadcasting is rapidly changing. At a later date conditions in the industry may become more stable. It is conceivable that the adoption of the bill would tend to 'freeze' existing conditions. Adoption of a five-year minimum license period would recognize in principle that the allocation of frequencies has achieved a proper equilibrium. It has been the experience of the Commission that changes in the allocation of frequencies may be expeditiously accomplished under the short term licenses.

"It will be observed that the existing law authorizes the Commission to extend the term of broadcast licenses up to three years. If there exist sound reasons for extension of the term, it would seem preferable that the Commission try a longer term of licenses before the statute is changed to make such action mandatory.

"The power to suspend a license for short periods of time or to assess a penalty for violation of rules is definitely associated with the problem presented by the proposed legislation. The Commission may desire to suggest the inclusion of such authority in the proposed amendment."

BALDWIN TO ATTEND TEXAS MEETING

James W. Baldwin, NAB Managing Director, will attend the meeting of the Texas Broadcasters Association, at Houston, Texas, on June 5.

FCC APPOINTS SPECIAL ATTORNEY IN DISBARMENT PROCEEDINGS

The Federal Communications Commission sitting en banc on Wednesday, June 2, appointed Samuel F. Kaufman of New York City to represent the Commission as special counsel in the matter of disbarment proceedings

brought against Paul M. Segal and George S. Smith. Mr. Kaufman, it is understood, is a noted trial lawyer, having formerly been Special Assistant to Attorney General Homer S. Cummings in the prosecution of immigration fraud cases in New York.

FEDERAL COMMUNICATIONS BAR ASSOCIATION TIGHTENS ETHICS TO OUTLAW CLAIMS OF POLITICAL INFLUENCE

Louis G. Caldwell, President of the Federal Communications Bar Association, last week advised Chairman Prall of the Federal Communications Commission that the Executive Committee had unanimously adopted an amendment to the Association's Canons of Ethics which was designed to outlaw claims of political influence by its members.

The text of Mr. Caldwell's letter and the amendment is as follows:

"Enclosed is an amendment to the Canons of Ethics of the Federal Communications Bar Association, consisting of a fourth paragraph to be added to Canon No. 2.

"This amendment was unanimously adopted by the Executive Committee on the recommendation of the Association's Committee on Professional Ethics and Grievances, at a meeting held last night, May 24th. I may add that it was the sense of those present that the subject matter of the amendment was already covered by certain of the general provisions in the Canons as previously adopted and that it certainly was the intent that it should be so covered. In order to eliminate any doubt, however, it has been deemed advisable to cover the matter specifically."

AMENDMENT TO CANONS OF ETHICS OF FEDERAL COMMUNICATIONS BAR ASSOCIATION

(Adopted by the Executive Committee May 24, 1937)

Amend Canon No. 2 by adding the following as a fourth paragraph:

"It is improper for a lawyer to represent, or cause to be represented, or knowingly to permit any other person to make such representation in his behalf, that he is able, or, if employed, intends, to secure favorable action from the Commission or any division, member or employee thereof, on a basis other than on the merits of the case to be presented and in accordance with the rules, regulations and practices governing presentation to or action on such cases, whether because of such attorney's prior employment by or other connection with the Commission or because, for any other reason whatsoever, he is in a position to exert, or to cause to be exerted, influence calculated or intended to bring about such action."

ARNOLD RESIGNS FROM FCC

Carl F. Arnold, assistant general counsel of the Federal Communications Commission in charge of telegraph, has tendered his resignation to become effective July 1. Mr. Arnold, who has been on leave of absence from the University of Wyoming, will return to his former post as dean of the law school.

GAMES OF CHANCE

Broadcasters should review carefully the several "games" which currently are being circulated among stations and which are comparable to the game of "Bingo." It is practically impossible to obtain any advance ruling from the Federal Communications Commission on such matters. In the absence of such ruling it is our belief that the games such as "Jubilo" and "Credit" recently sent to us by member stations should not be used.

EDGAR DUDLEY

NAB headquarters has the following statement from Don Hastings, manager of Station KDB:

"If any radio station manager is approached by one Edgar Dudley or his manager, William Jobelman, please get in touch immediately with Don Hastings, manager of KDB, in Santa Barbara, Cal. Dudley is purported to be an ex-G man and has a book entitled 'Racket-Ridden America' that is sold after his talks with various organizations. He will no doubt try to tie in these talks with the radio station."

CANADA TO BUILD NEW BROADCASTING STATIONS

Plans for the immediate construction of two 50,000 watt transmitters near Montreal and Toronto have been announced by the Canadian Broadcasting Corporation. It is expected that the two stations will commence operating about October 1, according to Assistant American Trade Commissioner Avery F. Peterson, Ottawa, in a report to the Department of Commerce.

The sites for the location of the stations have been selected because of their proximity to the Dominion's two principal cities and centers of broadcasting activities, the report states.

The construction plans include the proposed erection within two or three years of other high-powered outlets in the maritime provinces and in Western Canada. It is also expected that a high-powered shortwave station will soon be in operation in the Dominion to permit overseas broadcasts, it was stated. New exchange programs with Great Britain, the United States and France will be sought according to the report.

COMMISSION GRANTS NEW STATION

The Federal Communications Commission this week granted a construction permit for the erection of a new broadcasting station to the Lincoln Memorial University, at Middlesboro, Ky., to use 1210 kilocycles, 100 watts and unlimited time on the air.

MISSOURI STATION RECOMMENDED

Charles Porter and Edward T. Eversole applied to the Federal Communications Commission for a construction permit for the erection of a new station at Festus, Mo., to use 1420 kilocycles, 100 watts and daytime operation.

Examiner P. W. Seward in Report No. I-408 recommended that the application be granted "conditioned upon compliance with the rules and regulations relating to marking and lighting the antenna towers." The Examiner found that there is a need for daytime service in the area proposed to be served, and he states that granting of the application would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints 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.

No. 3135. Charging unfair competition in the sale of engraved stationery products through false disparagement of competitors' products and other practices a complaint has been issued against a **Birmingham, Ala., engraver, Ralph Dewberry, trading as Dewberry Engraving Co. and The National Engraving Co.** The respondent is alleged to have violated Section 5 of the Federal Trade Commission Act.

In his sale of engraved stationery, business and social cards and allied products, the respondent is charged with making representation to the effect that prices charged by competitors for engraving work were high because they had out-of-date equipment and were forced to charge such prices whereas the respondent had the most modern plant in the country and could charge lower prices.

No. 3137. Alleging unfair representations in the sale of a medicinal product, in violation of Section 5 of the Federal Trade Commission Act a complaint has been issued against **J. A. Boos, Mt. Vernon, N. Y., trading as Winchester & Co.**

Engaged in the sale of "The Specific Pill," the respondent Boos is alleged to have advertised that the preparation will cure or relieve or be beneficial in the treatment of various ailments including nervous debility, neuritis, insomnia, and bladder and urethra irritation. His use of the designation, "The Specific Pill," is alleged to have served as a representation that his article is a specific cure for or has direct curative properties with respect to one or more of the diseases named.

No. 3139. Charging unfair competition in the interstate sale of a reference book entitled *The Volume Library* a complaint has been issued against **Educators Association, Inc., 307 Fifth Ave., New York,** certain of its officers, and 13 individual respondent representatives of the corporation, trading under the name *Educators Association*.

Alleging the use of false and misleading representations, the complaint charges the respondents with inserting in newspaper "Help Wanted" columns such advertisements as the following: "College student or teacher, travel for summer for healthful work, \$270 for ninety days", "Lady with ability and refinement, ex-teacher preferred, permanent advancement, four months' trial \$300, Box—", and "Vacation position for college student or teacher, splendid experience, pleasant work."

This type of advertisement is alleged to lead applicants into the belief that the work offered consists of good salaried positions connected with teaching work, when in fact, according to the complaint, the work is actually the sale of *The Volume Library* from house to house and cannot be entered upon without the applicants first making a required deposit. The complaint alleges that the terms of the contract required are so difficult that persons selling the book find it a physical impossibility to comply, and that, because of such inability to comply, salespersons find that they have forfeited their deposit, and payment of the difference between the commissions earned and the minimum amount contracted for is refused by the respondents.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01579. Jay Clifford and Leonard Praeger, trading as North American Mate Co., 120 Greenwich St., New York, stipulated that they will cease representing that their *Angela Mate* is a health tea having food value, and that it is an effective remedy for anemia, malnutrition, rheumatism, stomach and nervous disorders, or eye trouble. The respondents admit that *Angela Mate* is a beverage partaking of the elements of Japanese tea and coffee, and that it is a diuretic, and a stimulant to the brain and muscles.

No. 01581. Suntex Chemical Co., American and York Sts., Philadelphia, agreed to cease advertising that Suntex sterilizes; that it disinfects, unless such representation is limited to indicate that the product is a disinfecting agent when used as directed, and to stop representing that its use for laundering purposes obviates the necessity for rubbing the clothes laundered.

No. 01585. Borg-Warner Corporation, Chicago, selling the *Norge Rollator Refrigerator*, agreed to cease representing that tests of such refrigerators, conducted by Norge dealers, were all under the supervision of public officials; that the benefits and savings of a Norge refrigerator are as great during cold winter months as in summer, and that the mechanism of the Norge improves with use, unless such representation is limited to the three moving parts of the Rollator alone and does not refer to all the mechanism of the refrigerator.

No. 01590. Luigi Rosati, trading as Wonder Chemical Co., 1450 High St., Bethlehem, Pa., stipulated that in the sale of *Bleach-Ox* he will discontinue representing that the product is a sterilizer, a germicide and harmless, and that it is a disinfectant, unless, in the latter instance, specific instructions are given to indicate that the places or objects to be disinfected are to be cleansed before application of the solution.

No. 01592. Home Diathermy Co., Inc., 1776 Broadway, New York, in connection with the sale of its *Home Diathermy Instrument*, agrees to stop asserting that use of the device will eliminate pain, give lasting relief, free one of the ravages of neuritis, sciatica, arthritis, lumbago or rheumatism, and will increase oxidation, nutrition and elimination of waste and toxic poisons.

No. 01593. Uncle Sam Breakfast Food Co., Omaha, Nebr., agreed to stop representing generally that *Uncle Sam Laxative Breakfast Food* relieves a constipated condition without weakening the digestive organs or causing dangerous after effects, that it is good for a poor complexion caused by a sluggish system, and that use of the product would be of any material benefit when one feels run down or pepless.

No. 01594. The American Athletic Appliance Co., Inc., 4324 Paul St., Philadelphia, stipulates that it will discontinue advertising its *German Iron Shoe Muscle Builder* as the greatest exerciser made; that it is the choice of champions and the emblem of power; that it quickly stimulates natural muscular growth, and that by its use one can "pack a 16-inch arm in his sleeve" and duplicate the chain-breaking or iron-bending feats of Breitbart, Marx, Sandow, Moerki, Travis or Nordquist, and other similar representations.

No. 01602. Charles W. Furst and Fred G. Thomas, trading as Furst & Thomas, Freeport, Ill., will cease representing that in the sale of certain household products exceptional salesmen have made \$75 and more a week, or that energetic salesmen will earn any amount in excess of that actually earned by one of the respondents' agents.

No. 01603. E. H. Brown and Harry Schneiderman, trading as American Book Mart, 140 South Dearborn St., Chicago, sell two publications called "*Illustrated Price Catalog of Old Books Wanted*" and "*American Book Mart's Latest Price List of Old Books Wanted*." They stipulated that they will cease advertising

that their catalog is huge, has other than a limp binding or is profusely illustrated, until it is printed in a manner to justify such description; that their price list selling for 10 cents is a "big" list; that a fortune or any considerable sum will be paid for books published as late as 1927; that the number of books regarded as having more than a nominal value is unlimited, and that their company is the largest of its kind in the United States.

No. 01606. The Hilex Co., 319 East Kellogg Boulevard, St. Paul, Minn., selling Hi-Lex, will discontinue assertions that the product disinfects, unless directions are given to first cleanse the surface to be disinfected; that it removes stains, unless this claim is limited to most stains or certain indicated stains, and that it destroys odors, unless such representation is qualified to mean the destruction of odors by application of the product at the source of the odor or upon the object from which the odor emanates.

No. 01609. William R. and Mary L. Dewhurst, trading as The Double DD Products Co., 2205 Union Ave., Wesleyville, Pa., agreed to stop advertising that when their product Snowwhite is used "stains are no longer stains," unless such representation is limited to removable stains and refers only to cotton and linen fabrics; that the product contains no harmful ingredients, and that it is effective when used for hygienic purposes on nursery utensils, general household ware, tile, enamel, linoleum and woodwork, unless directions are given for first cleansing the surface of the article before Snowwhite is applied.

No. 01611. Atlantic Macaroni Co., Inc., Vernon Building, Long Island City, N. Y., will discontinue representations that Caruso Spagbetti or Caruso Noodles contain certain vitamins in sufficient quantities to be of substantial benefit, and that Pastina Caruso is of benefit to persons who have weak stomachs or indigestion.

No. 01612. Wong Sun and Louie Sun, trading as Wong Sun Chinese Herb Co., Billings, Mont., stipulated that in the sale of their Chinese Herb Tea they will no longer represent that Chinese herbs have been used for centuries in curing ailments and promoting health and that the respondents' Chinese herb medicines are a competent remedy in the treatment of skin, liver, kidney, stomach, heart and nervous disorders.

No. 01620. Welch Grape Juice Co., Westfield, N. Y., agreed to discontinue advertising inferentially or otherwise that Welch's Grape Juice is a cure for excess weight and that the product alone or in connection with any system of exercise and diet will enable one to control one's weight; that it protects one against anemia, will correct acidosis, and is the only grape juice that is certified as pure and pasteurized.

No. 01621. Anna L. Austin, Sixth St. and Broadway, Los Angeles, trading as Prof. John H. Austin, stipulates that in the sale of a hair application called Co-Lo, she will cease advertising it as a scientific preparation discovered by Prof. Austin and capable of restoring gray hair to lustrous shades of blonde, brown or black, or to its natural color.

No. 01622. J. C. Kenyon, Owego, N. Y., trading as J. C. Kenyon, Druggist, agrees to stop representing Kenyon's Tablets as a remedy for rheumatism, arthritis or neuritis, or as capable of relieving lameness or severe pain, when, in fact, the respondent admits that such tablets are not such a remedy nor will they relieve lameness or do any more than relieve pain of moderate intensity.

No. 01623. J. T.'s Flat Wheat Co., 64 Jones St., Newark, N. J., trading as Dr. Tuliglowicz & Sons, Flat Wheat Co., and Joseph Tuliglowicz & Sons, stipulates that it will stop asserting that J. T.'s Flat Wheat is unequalled for building energy and health, and, inferentially or otherwise, that it contains all the minerals or vitamins for building sound teeth and bones or for normal growth. In its stipulation, the respondent admitted it had published advertisements in which it represented or implied that certain vitamins are more necessary to the human diet than others, when, according to scientific authority, other vitamins are equally as essential to the diet as those mentioned.

No. 01624. Under a stipulation the Fireside Industries, Inc., Adrian, Mich., has agreed to cease using false and misleading advertising in connection with the sale of novelties and of a home study course of instruction in decorating novelties and other articles.

Admitting that it merely acts as an advisor on sales problems, the respondent corporation stipulated that it will discontinue advertising, inferentially or otherwise, that it purchases from customers using its course the articles they decorate, or that it acts as their sales agent.

No. 01625. B. M. Keene and B. M. Keene, Jr., Board of Trade Bldg., Indianapolis, trading as The Keene Drug Co., The Keene Pharmacal Co., and B. M. Keene Co., agree to cease using the word wintergreen to designate tablets in which wintergreen is not the dominant ingredient; to stop representing that the

wintergreen in Keene's Wintergreen Tablets will afford relief from pain and discomfort due to rheumatism, muscular lumbago and kindred ailments; and to discontinue employing the word Bilezyme, or any other word containing the word bile as a component part thereof, to designate a tablet the ingredients of which will not serve as a component treatment for liver and bile disorders.

No. 01626. Myl Laboratories, Inc., 1034 Lowell St., New York, according to its stipulation, will stop advertising that use of Myl Complexion Treatment will leave the face soft, smooth or fine; that the product is a perfect facial or that it cleans the pores, and that the user is able in nine months or any other like period to get rid of coarse pores, blackheads, spots, wrinkles or sallow skin.

No. 01627. Dr. W. D. Stokes, Baton Rouge, La., dealer in Lon-Gre-Mo, a proprietary remedy, agrees to cease representing this product as a competent treatment for bronchial congestion or stubborn colds or as absolutely safe and harmless, the respondent admitting, according to its stipulation, that although scientific opinion shows Lon-Gre-Mo to have certain virtues in treating colds and coughs due to colds, it cannot be recommended as a competent treatment for bronchial congestion and stubborn colds. The respondent also admits that although the preparation may be used by laymen occasionally, it is not considered as a safe and harmless preparation for indiscriminate use.

No. 01628. The Mercirex Co., Milford, Del., selling Mercirex Cream and Mercirex Soap, will stop asserting that its products are competent for treating psoriasis, eczema, acne, external rashes and other skin disorders and that it will help restore the skin to a normal, healthy condition. In its stipulation, the respondent admitted that its treatment is a palliative to relieve irritations associated with psoriasis and certain other skin diseases, but cannot be relied upon as a competent treatment for such conditions proper or for their cause.

No. 01629. Frank A. Todd and Roger D. Brown, 1168 Murrayhill Ave., Pittsburgh, trading as Pillsbury Chemical Co., and engaged in the sale of Pillsbury's Original Washing Fluid, XLNT Washing Fluid, and Brown's Best Washing Fluid, stipulate that they will cease advertising that their products are beneficial to the hands or that either preparation removes stains, unless, in the latter instance, the assertion is specifically limited to "most" stains or to certain indicated stains, or words of similar limiting import are employed. Other representations to be discontinued are that either fluid can be depended upon as a disinfectant for personal uses, or to heal chapped hands or destroy odors, unless, in the latter instance, the representation is limited to destruction of odors by application at the source of the odor or upon the object from which it emanates.

No. 01630. Impoil Co., Inc., Denville, N. J., selling Impoil, a graphite lubricant, stipulates that it will cease asserting that the graphite particles in Impoil are ultra-microscopic in size and will pass through the smallest cracks and crevices without difficulty; that Impoil insures elimination of carbon from motor parts and will cause such parts to be self-lubricated, and that it will cause automobiles to start instantly at sub-zero temperatures. In its stipulation, the respondent company admits that although the graphite particles in Impoil are very small, they cannot be represented as ultra-microscopic and capable of passing smoothly through the smallest crevices, and that although scientific opinion furnished the Commission shows that Impoil may adhere to the surface of various motors and somewhat retard carbon formation, it cannot be represented as insuring carbon elimination or causing surfaces of various motor parts to be self-lubricated. According to the stipulation, the respondent company admits that although Impoil may aid in reducing friction, it will not effectively enable cars to start instantly in sub-zero weather.

No. 01631. Schoonmaker Laboratories, Inc., Caldwell, N. J., "V-E-M" and "Zyl", for colds, catarrh, sinus trouble and hay fever.

No. 01632. R. O. Murphy, trading as The Stillwater Co., Stillwater, Minn., "Hay Fever Treatment", for hay fever, asthma, bronchitis, colds and catarrh.

No. 01633. Van Patten Pharmaceutical Co., trading as Drugless Products, 54 West Illinois St., Chicago; "Allimin Essence of Garlic-Parsley Tablets," for arteriosclerosis or the other conditions which may cause high blood pressure.

No. 01634. H. Voightlander, trading as Educational Products Co., Chicago; "Educators No. 777," for ailments peculiar to women, and "Educators No. 225," for building vigor.

No. 01635. Mrs. T. D. Robinson, Elgin, Tex., selling a certain device for locating metals and minerals, agrees to stop representing that use of these instruments will enable one to locate gold, silver, lead and certain other minerals or underground wealth, and that the instruments are sufficiently sensitive to register metal or mineral attractions irrespective of the depth at which they may be located in the earth.

No. 01636. Lacene Laboratories, Inc., Baker Building, Omaha, Nebr., "Lacene," for sinus trouble, hay fever, colds, sore throat, and chronic nasal catarrh.

No. 01637. Fairbanks Tailoring Co., Oakley and Wabansia Sts., Chicago, selling men's clothing, stipulates that it will discontinue designating its garments or the cloth from which they are made by use of the word "wool" or any other term indicating or implying a wool content, when, according to the stipulation, with the exception of linings or trimmings, these products are not made wholly of wool. The stipulation provides that garments or cloth composed chiefly of wool and partly of silk, linen, cotton, or other material may be designated as "wool and silk," "wool and linen," or whatever such article may be. The stipulation also provides that where threads other than wool are added to the fabric for decorative purposes and are not essential in the woven fabric, the product may be designated as wool with silk, rayon, linen or cotton thread decorations, as the case may be. The respondent company also agrees to cease representing that salesmen handling its products may make up to \$10 a day without canvassing and that suits or topcoats are given salesmen or agents free, when in fact such purported gifts are bought and paid for through the services performed by the agents in selling the respondent company's merchandise.

No. 01638. G. S. McDonald, trading as O-Poi-Zo Laboratories, Paragould, Ark.; "O-Poi-Zo," for boils, carbuncles, erysipelas, athlete's foot, or any skin disease. The respondent will cease using the word "Laboratory" as part of his trade name until he maintains an establishment where scientific experiments are conducted.

No. 01639. Western Refining Co., Inc., trading as Le Du Sales Co., 205 Middlesex St., Lowell, Mass.; "Cote French Tonic Tablets," for use as a tonic or nerve stimulant. The respondent company also agrees to discontinue representations that it is a manufacturing pharmacist or chemist or manufactures "Cote French Tonic Tablets" or operates a laboratory, until such are the facts. Use of the word "French" so as to imply that the tablets or the ingredients thereof are imported from France, or that the product is compounded in accordance with a French formula, will be stopped.

No. 01640. Adolph F. Lonk, Palatine, Ill., trading as Lonk Institute of Hypnotism, stipulates that he will stop advertising that the science of hypnotism can be taught successfully by correspondence and that by a study of Lonk's course of instruction a person may become able to hypnotize others instantly. Other representations to be discontinued are that the science of hypnotism leads to success, health, fortune or happiness; that a hypnotist can help others to get rid of their "blues" and bad habits; that the science is easily mastered and that everyone can be hypnotized, even against their wills. In his stipulation, the respondent admitted that, according to scientific opinions given by eminent and qualified psychologists, the power of hypnotism is not possessed by all people; that generally no one can be hypnotized against his will; that the science is not easily mastered, and a hypnotist cannot cure organic ills, but, on the contrary, that relief is limited to functional ailments, and these cases are relatively rare.

No. 01641. Allen & Co., Inc., 518 Western Ave., Lynn, Mass.; "Mulsicof," for bronchial and other coughs, colds and asthma.

No. 01642. The Tartaroff Co., 1640 Fulton St., Chicago, agrees to stop asserting in advertising that Tartaroff is a new, amazing, liquid discovery that whitens teeth instantly or is a new, secret formula that makes teeth pearly white and sparkling instantly, and other similar representations. In its stipulation, the respondent admits that, according to reliable medical authority, some deposits of tartar are so located in relation to the teeth and gums that they cannot readily be attacked by acids and these acids cannot be held in contact with the tartar for a sufficient time to remove it. According to the respondent company's admission, the only adequate method for removing some tartar deposits is by instrumentation (scraping).

No. 01643. Bob Cohen, Cleveland Heights, Ohio, trading as M. Arcy Coin & Stamp Co., and as American Coin Co., in the sale of the Bob Cohen Coin Book, agrees to stop asserting that he will purchase and pay for specified coins which are in fact non-existent or non-available; that by use of the respondent's coin book a person may keep posted on rare coins and their values, unless this statement is distinctly qualified to include only the rare coins listed therein, and that Cohen will pay any stated or approximate amount for a coin or coins, unless it is also explained that only coins of a certain date and in specified condition will be purchased at the prices noted.

No. 01651. Dermalab, Inc., Winnetka, Ill.; "Nac," for acnes, pimples, and other skin ailments.

No. 01652. The Vitacine Co., Inc., Book Building, Detroit; "Vitacine," for psoriasis.

No. 01653. Kalis Products, Inc., St. Joseph, Mo.; "Kalis Cap-sules," for colds and influenza.

No. 1923. Paul Thomas Schweyer, 524 South Spring St., Los Angeles, trading as Naturol Laboratories, has entered into a stipulation to discontinue certain false and misleading representations in connection with the sale of Naturol, a hair preparation.

Schweyer stipulates that he will stop using representations on labels or in advertisements implying that use of this preparation will restore to its original or natural color hair which has become gray, faded or streaked, or that the product is not a dye or will not have harmful effects. According to the stipulation, the product is a dye, and its use may result in harm to the user.

No. 2787. Bernard Licht, trading as Licht's Fur Factory, 102 West Twenty-Ninth St., New York, has been ordered to cease and desist from making certain false and misleading representations, by means of radio broadcasts or otherwise, in connection with the interstate sale of furs and fur garments.

The order directs Licht to discontinue advertising that he is in position to offer for sale "thousands" or any other number of furs and fur garments substantially in excess of his actual stock; that a saving of 50 per cent or any other saving can be effected by purchasing his products; that all the fur products sold by him are made from new skins not previously used or worn, and that he owns the building in which his business is operated.

FTC CLOSES CASE

No. 2735. The Federal Trade Commission has closed without prejudice its case against International Silver Co., with headquarters in Meriden, Conn., the company having entered into a stipulation to discontinue certain unfair methods of competition which were alleged in the Commission's complaint against it.

Engaged in the manufacture and sale of silver-plated ware in interstate commerce, the company agreed to cease representing, or aiding or assisting its retail dealers in representing, that any price at which its product is offered for sale or sold is a special or reduced price, or lower than the price ordinarily and usually received, when such is not a fact.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, June 7:

Monday, June 7

HEARING BEFORE AN EXAMINER

(Broadcast)

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Modification of C. P., 1050 kc., 1 KW, limited, sunset at Abilene, Kans. Present Assignment: 1050 kc., 1 KW, daytime.

NEW—WRBC, Inc., Cleveland, Ohio.—C. P., 880 kc., 1 KW, unlimited time.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—C. P., 890 kc., 1 KW, 5 KW LS, unlimited time. Present assignment: 890 kc., 500 watts, 1 KW LS, unlimited time.

KFNF—KFNF, Inc., Shenandoah, Iowa.—C. P., 890 kc., 1 KW, 5 KW LS, share-KUSD (KFNF $\frac{1}{2}$, KUSD $\frac{1}{2}$ time. Present assignment: 890 kc., 500 watts, 1 KW LS, share-WILL and KUSD $\frac{1}{2}$ time.

WBLK—The Exponent Co., Clarksburg, W. Va.—Modification of C. P., 1370 kc., 100 watts, unlimited time.

Tuesday, June 8

HEARING BEFORE AN EXAMINER

(Broadcast)

WTBO—Roger W. Clipp and Frank V. Becker, Transferors, and Delaware Channel Corp., Transferee, Cumberland, Md.—Transfer of control of corporation; 800 kc., 250 watts, daytime.

NEW—Phillip Jackson, Brunswick, Ga.—C. P., 1420 kc., 100 watts, daytime.

Wednesday, June 9

HEARING BEFORE AN EXAMINER
(Broadcast)

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license, 1310 kc., 100 watts, unlimited time.
WWL—Loyola University, New Orleans, La.—C. P., 850 kc., 50 KW, specified hours.

Thursday, June 10

HEARING BEFORE AN EXAMINER
(Broadcast)

WCMI—Ashland Broadcasting Co., Inc., Ashland, Ky.—C. P., 1120 kc., 250 watts, 1 KW LS, unlimited. Present assignment: 1310 kc., 100 watts, 250 watts LS, unlimited.
WRVA—Larus & Bros. Co., Inc., Richmond, Va.—C. P., 1110 kc., 50 KW (DA), unlimited time. Present assignment: 1110 kc., 5 KW, unlimited time.
KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—C. P., 1210 kc., 100 watts, 250 watts, unlimited time. Present assignment: 210 kc., 100 watts, unlimited time.

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-387:

NEW—W. Hanes Lancaster and J. W. Birdwell, d/b as Johnson City Broadcasting Co., Johnson City, Tenn.—C. P., 1200 kc., 100 watts, 250 watts LS, unlimited.

Examiner's Report No. 1-389:

NEW—Knoxville Journal Broadcasting Co., Knoxville, Tenn.—C. P., 1200 kc., 100 watts, 250 watts LS, unlimited.
NEW—Richard M. Casto, Johnson City, Tenn.—C. P., 1200 kc., 100 watts, 250 watts LS, unlimited.

Examiner's Report No. 1-402:

KFXR—Exchange Ave. Baptist Church of Oklahoma City, Oklahoma City, Okla.—Renewal of license, 1310 kc., 100 watts, 250 watts LS, unlimited.
KFXR—Exchange Ave. Baptist Church of Oklahoma City, Oklahoma City, Okla.—Voluntary assignment of license, 1310 kc., 100 watts, 250 watts LS, unlimited.

Friday, June 11

HEARING BEFORE AN EXAMINER
(Broadcast)

NEW—Don M. Lindenton and A. L. McCarthy, d/b as Fields McCarthy Co., Poplar Bluff, Mo.—C. P., 1310 kc., 100 watts, daytime.
WKBH—Jos. C. Callaway, Transferor, and Harry Dahl, Transferee, La Crosse, Wis.—Authority to transfer control of corporation; 1380 kc., 1 KW, unlimited.
WKBH—WKBH, Inc., La Crosse, Wis.—Renewal of license, 1380 kc., 1 KW, unlimited time.
NEW—Harold F. Gross, Lansing, Mich.—C. P., 580 kc., 500 watts, 1 KW LS, unlimited.

APPLICATIONS GRANTED

WHLB—Head of the Lakes Broadcasting Co., Virginia, Minn.—Granted C. P. for changes in composite equipment and increase in day power from 100 watts to 250 watts; 1370 kc., unlimited.
KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted C. P. for local move of transmitter, changes in equipment, and installation of vertical radiator.
KGBX—Springfield Broadcasting Co., Inc., Springfield, Mo.—Granted modification of license for changes in directional antenna system for night-time use.
WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Granted authority to install new automatic frequency control equipment.
WIBU—Wm. C. Forrest, Poynette, Wis.—Granted authority to install new automatic frequency control equipment.
KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted authority to install new automatic frequency control equipment.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Granted modification of C. P. to extend completion date from May 22 to June 22, covering local move of station, installation of new equipment, increase in power to 5 KW, change in hours of operation to daytime only.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Granted modification of C. P. covering authority to change transmitter site, install vertical radiator and new equipment, and decrease day power from 5 KW to 1 KW.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Granted modification of C. P. for approval of transmitter site and antenna system and authority to change type of equipment.

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—Granted modification of C. P. extending completion date to 6-30-37.

KSEI—Radio Service Corp., Pocatello, Idaho.—Granted modification of license to increase day power from 500 watts to 1 KW; 900 kc., 250 watts night, unlimited.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Granted license to cover C. P. and modifications thereof; 1230 kc., 1 KW night, 5 KW day, unlimited. Also granted authority to determine operating power by direct measurement of antenna input.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa.—Granted license to cover C. P. as modified; 1200 kc., 100 watts night, 250 watts day, unlimited.

KOYN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted license to cover C. P.; 1500 kc., 100 watts, daytime only.

KAND—Navarro Broadcasting Assn., Corsicana, Tex.—Granted license to cover C. P. as modified; 1310 kc., 100 watts, daytime only.

NEW—WKY Radiophone Co., Mobile.—Granted C. P. for new relay broadcast station, frequencies 1622, 2058, 2150 and 2790 kc., 200 watts.

NEW—Havens & Martin, Inc., Portable (Va.).—Granted C. P. for new relay broadcast station, frequencies 1622, 2058, 2150 and 2790 kc., 500 watts.

NEW—The Birmingham News Co., Mobile (Birmingham, Ala.).—Granted C. P. for new relay broadcast station, frequencies 1646, 2090, 2190 and 2830 kc., 20 watts.

NEW—Earle C. Anthony, Inc., Mobile.—Granted C. P. for new relay broadcast station, frequencies 1606, 2022, 2102 and 2758 kc., 100 watts.

NEW—Harrisburg Broadcasting Co., Portable (Southern Illinois).—Granted C. P. for new relay broadcast station, frequencies 31100, 34600, 37600 and 40600 kc., 10 watts.

WMEF—National Broadcasting Co., Inc., Mobile.—Granted C. P. for changes in equipment and decrease in power from 150 to 100 watts. Also granted license to cover same.

W5XAB—Fort Worth Broadcasters, Inc., Portable-Mobile.—Granted modification of C. P. authorizing changes in equipment and decrease in power from 5 watts to 2 watts—relay broadcast station. Also granted license to cover C. P., frequencies 31100, 34600, 37600 and 40600 kc., on an experimental basis, 2 watts.

W10XDD—Evansville on the Air, Inc., Evansville, Ind. (Mobile).—Granted license to cover C. P. for relay broadcast station, frequencies 31100, 34600, 37600, 40600 kc., on experimental basis, 35 watts.

WATC—WAVE, Inc., Mobile.—Granted license to cover C. P. for new relay broadcast station (low frequency); frequencies of 1622, 2058, 2150 and 2790 kc., 50 watts.

SET FOR HEARING

NEW—C. Bruce McConnell, Indianapolis, Ind.—C. P. for new station; 1500 kc., 100 watts night, 250 watts day, operation: Daily except Sunday 10 a. m. to 12 noon; 6 p. m. to 10 p. m. Desires hours now used by WKBV. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Floyd A. Parton, San Jose, Cal.—C. P., already in hearing docket, amended to request frequency of 1330 kc., 250 watts, daytime only; exact transmitter site to be determined with Commission's approval.

NEW—The Enterprise Co., Beaumont, Tex.—C. P., already in hearing docket, amended to request 1350 kc., 250 watts night, 500 watts day, unlimited time; exact transmitter and studio sites to be determined with Commission's approval.

NEW—W. H. Hartman Co., Publishers of Waterloo Daily Courier, Waterloo, Iowa.—C. P., already in hearing docket, amended to request 1400 kc., 500 watts, daytime only; exact trans-

mitter site and type of antenna to be determined with Commission's approval.

- NEW—Church of Jesus Christ of Latter Day Saints, Salt Lake City, Utah.—C. P., already in hearing docket, for new international station on experimental basis in Saltair, Utah, amended to request 15250 kc. and 21460 kc.; 50 KW, A3 emission, unlimited time; exact transmitter site to be determined subject to Commission's approval.
- KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—C. P. (amended), requesting move of transmitter site locally to Loop Road; install new equipment and directional antenna system for nighttime use; change frequency to 620 kc., increase power to 500 watts, unlimited time.
- KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—C. P. to move transmitter to site to be determined, Santa Clara County, Calif.; install new equipment and vertical radiator; increase day power from 1 KW to 5 KW.
- WEED—William Avera Wynne, Rocky Mount, N. C.—C. P. for changes in composite equipment; installation directional antenna system for nighttime use; change frequency to 1240 kc.; increase power and time of operation from 100 watts night, 250 watts day, unlimited day and sharing with WCHV at night, to 500 watts, unlimited time.
- KSLM—Oregon Radio, Inc., Salem, Ore.—C. P. (amended) to request move of transmitter site locally to site to be determined; install new equipment and vertical radiator, change frequency from 1370 kc. to 1360 kc., and increase power from 100 to 500 watts.
- WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of license to use all hours now used by applicant and hours used by WMBQ; 1500 kc., 100 watts night, 250 watts day; specified hours.
- WQDM—E. J. Regan & F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Modification of license to change time of operation from specified hours to daytime until sunset at Cleveland, Ohio.

SPECIAL AUTHORIZATIONS

- KGFF—Powell & Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 7:15 to 9:15 p. m., CST, Tuesdays and Thursdays and on Wednesdays from 8:15 to 9:15 p. m., CST, during the period from June 1 to June 30, inclusive (provided WNAD remains silent) in order that KGFF may broadcast during time WNAD is silent for summer vacation of Okla. Univ.
- WNAD—Univ. of Oklahoma, Norman, Okla.—To remain silent on above dates in order to observe summer vacation.
- KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Granted special temporary authority to operate from 4:30 to 7:30 p. m., MST, June 2 and 3, 1937, in order to serve community with broadcast of Pioneer Day activities.
- KPDN—R. C. Hoiles, Pampa, Tex.—Granted special temporary authority to operate unlimited time for the period June 2, 3, and 4, 1937, in order to broadcast the "Top o' Texas Fiesta", which is sponsored annually by the Pampa Jr. Chamber of Commerce.
- WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 6:30 to 9:30 p. m., CST, June 2, 1937, and from 7:30 to 9:30 p. m., CST, June 6, in order to broadcast special program commemorating 50th Anniversary of the Hancock Congregational Church direct from church at Hancock, Mich.
- WWJ—The Evening News Assn., Detroit, Mich.—Granted extension of special temporary authority to operate for the period beginning June 3 and ending in no event later than July 2, 1937, with an increase in night power to 5 KW, to overcome interference.
- KWLC—Luther College, Decorah, Iowa.—Granted special temporary authority to reduce hours of operation to one hour per week for the period June 5 to September 11, 1937, during summer vacation at Luther College.
- KUSD—Univ. of So. Dakota, Vermillion, S. Dak.—Granted special temporary authority to remain silent from June 7 to 3 a. m., EST, September 1, 1937, during summer vacation.
- KUMA—Albert H. Schermann, Yuma, Ariz.—Granted special temporary authority to operate from 9 to 11 a. m. and 2 to 6 p. m., MST, June 17 and 18, in order to broadcast the public hearing of the rate hearing of the Ariz. Edison Co. Inc.
- WCCO—Columbia Broadcasting System, Minneapolis, Minn.—Granted special temporary authority to rebroadcast over station WCCO a demonstration of the two-way police com-

munication system of the Minneapolis Police Department, Station KGFB, June 22.

- KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted special temporary authority to operate simultaneously with station WAPI using power of 1 KW from 9 p. m., CST, June 22, to the conclusion of the Braddock-Louis fight.
- WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—To operate same as above except simultaneously with station KVOO.
- WHAZ—Rensselaer Polytechnic Inst., Troy, N. Y.—Granted special temporary authority to remain silent August 2, 9, 16, 23, 30 and September 6, 1937, due to summer vacation of Rensselaer Polytechnic Institute.
- WBAA—Purdue Univ., W. Lafayette, Ind.—Granted special temporary authority to operate a 25 watt portable test transmitter during daylight hours for a period not to exceed 30 days, in order to select a new transmitter site for station WBAA.
- WFBR—The Balto. Radio Show, Inc., Baltimore, Md.—Granted special temporary authority to rebroadcast over station WFBR a program of about 5 minutes on June 5, 1937, originating aboard a Maryland National Guard plane, in connection with the 15th Anniversary of station WFBR.
- WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 50 watts from local sunset (June sunset 7:45 p. m.) to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays and Sundays, beginning June 1, 1937, and ending no later than June 29, pending compliance with Rule 131 on modification of license application requesting this authority.
- KGDY—Voice of So. Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for period June 1 to June 30, inclusive, for purpose of rebuilding transmitter to comply with Rule 131, provided that the authority herein granted, to remain silent shall not be construed as a finding by the Commission with respect to any application of KGDY, which are now pending before the Commission, particularly the renewal of license application for this station, or upon any of the issues raised thereby, etc.
- WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted extension of special temporary authority to operate Daylight Saving Time instead of EST, as licensed, during period that DST is recognized as official time in Burlington, Vt., but for the period beginning 3 a. m., EST, June 1 and ending in no event later than September 26, 1937. Also granted authority to operate daily except Sunday, 2 to 4:30 p. m., EST, and daily except Friday, Saturday and Sunday, 7 to 9 p. m., EST, for period June 15 to June 30, in order to broadcast sponsored northern league baseball games.
- WOEH—National Broadcasting Co., Inc., New York City.—Granted extension of special temporary authority to operate relay broadcast station for period June 8 to June 17, utilizing the frequencies 4797.5, 6425, 8655 and 12862.5 kc., in addition to the licensed frequencies for relay broadcast from aboard Imperial Airways, Ltd., seaplane CAVALIER program material during initial flight inaugurating the Bermuda-New York air passenger service, to be rebroadcast over NBC national network of affiliated broadcast stations.
- KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Granted special temporary authority to remain silent for period of 30 days from 7 p. m., May 27, preparatory to removal to Brownsville as authorized in modification of C. P., granted March 9, 1937.
- WCAT—So. Dak. School of Mines, Rapid City, S. Dak.—Granted special temporary authority to remain silent from June 4 to September 13, inclusive, in order to observe summer vacation.
- W3XBS—RCA Mfg. Co., Inc., Camden, N. J.—Granted special temporary authority to operate with power of 5 KW on 590 kc., during broadcast experimental hours from 1 to 6 a. m., EST, for period June 1 to 10, in order to make certain measurements of radio frequency harmonic radiation, provided schedule is arranged so as to cause no interference to stations maintaining regular programs.
- United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority to operate already licensed aircraft radio transmitter aboard the plane owned by United Air Lines Transport Corp., bearing call letters KHAZT as a relay broadcast station on frequency 2790 kc., on June 5, in cooperation with station KMTR in connection with KMTR Prudence Penny program.

ORAL ARGUMENTS

- KINY—Ex. Rep. 1-386: Edwin A. Kraft, Juneau, Alaska.—Granted oral argument to be held September 16, 1937.
- NEW—Ex. Rep. 1-406: Leonard A. Versluis, Grand Rapids, Mich.—Granted oral argument to be held September 16, 1937.

ACTION ON EXAMINERS' REPORTS

- NEW—Ex. Rep. 1-365: Lincoln Memorial University, Middlesboro, Ky.—Granted C. P. for new broadcast station to operate on 1210 kc., 100 watts, unlimited time.
- WLMU—Lincoln Memorial Univ., Middlesboro, Ky.—Granted modification of C. P. to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day; 1210 kc., unlimited time. Examiner P. W. Seward sustained. Order effective July 20, 1937.
- Ex. Rep. 1-373: J. L. Statler, M.D., d/b as Baker Hospital, Muscatine, Ia.—Denied authority to transmit programs to stations located in Canada and Mexico. Examiner R. L. Walker sustained. Order effective August 3, 1937.
- NEW—Ex. Rep. 1-427: J. Leslie Doss, Sarasota, Fla.—Denied as in cases of default, application for C. P. for new station to operate on 1390 kc., 250 watts, daytime. Examiner Tyler Berry sustained.
- NEW—Ex. Rep. 1-428: David J. Mercier & Geo. F. Warren, d/b as Northern Broadcasting Co., Traverse City, Mich.—Denied as in cases of default, application for C. P. for new station to operate on 830 kc., 500 watts, daytime. Examiner Tyler Berry sustained.

EXAMINER REPORT RELEASED SINCE MAY 25, 1937

- NEW—Ex. Rep. 1-408—Charles Porter & Edward T. Eversole, Festus, Mo.—Examiner P. W. Seward recommended grant conditionally, of C. P. for new station to operate on 1420 kc., 100 watts, daytime.

MISCELLANEOUS

- Lamar Life Ins. Co., Jackson, Miss.—Granted petition to postpone hearing date on application of Standard Life Ins. Co., of the South for new station at Jackson, Miss., to use 1420 kc., 100 watts night, 250 watts day, unlimited time, from July 7, to a date to be fixed by the Docket Section sometime later in July.
- KRKO—Lee E. Hudgett, Everett, Wash.—Granted petition to continue hearing on application for C. P. to use 1420 kc., 100 watts night, 250 watts LS, unlimited time, from June 28 to a new date after September 1, 1937, exact time to be fixed at convenience of Docket Section.
- NEW—Brenau College, Gainesville, Ga.—Denied petition requesting that action on application of WAPO, Chattanooga, Tenn. to use 1420 kc., 100 watts night, 250 watts day, unlimited time (Ex. Rep. 1-419), be deferred until decision on pending application of Brenau College to use frequency 1420 kc., 100 watts n. 250 watts LS, unlimited.
- WTAQ—WHBY, Inc., Green Bay, Wis.—Granted indefinite continuance of hearing on application now scheduled for June 18, for C. P. to use 1330 kc., 1 KW night, 5 KW day, unlimited time. (Docket 4226.)
- WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted continuance of hearing on application for C. P. to use 580 kc., 1 KW, unlimited time (Docket 4420), to a date subsequent to September 6, 1937.
- Kenneth Baker, Hartwell Gaus, V. A. Bernier, d/b as Key City Broadcasting Co., Kankakee, Ill.—Denied petition for continuance of hearing on application for new station to use 1500 kc., 100 watts, unlimited time, now scheduled for June 15, 1937.
- KGA—Louis Wasmer, Spokane, Wash.—Denied continuance of deposition session relative to application of C. P. Sudweeks for C. P. for new station at Spokane, Wash., to use frequency of 950 kc., 500 watts n. 1 KW LS, unlimited time. (Docket 4461.)
- WCMI—Ashland Broadcasting Co., Ashland, Ky.—Denied petition for continuance of hearing on application for C. P. for 1120 kc., 250 watts, 1 KW LS, unlimited time, now scheduled for June 10. Also denied petition for continuance of Deposition Session in the same case.

KOLO—Mason City Globe Gazette Co., Mason City, Ia.—Granted petition to reconsider action of January 12, 1937, designating for hearing the application of Mason City Globe Gazette Co. for change in equipment and authority to increase daytime power from 100 to 250 watts, and granted same without hearing.

NEW—Robert Raymond McCulla, Oak Park, Ill.—Denied motion to continue hearing, now scheduled for June 15, 1937, on application for C. P. to erect a new station to operate on frequency of 1500 kc., 100 watts daytime only.

NEW—El Paso Broadcasting Co., El Paso, Tex.—Denied motion to reconsider supplemental request to take depositions in connection with its application for C. P. to erect a new station at El Paso, to operate on 940 kc., 1 KW, unlimited time.

NEW—Robert E. Clements, Huntington Park, Calif.—Denied request for postponement of hearing on application for new station to operate on frequency of 1160 kc., 250 watts, daytime (Docket 4505), now scheduled for June 15.

NEW—Burlington Broadcasting Co., Burlington, Ia.—Granted petition to intervene in the hearing on the application of Leon M. Wisfeld for a new station at Burlington, Ia., to use 1310 kc., 100 watts, unlimited time, Docket 4502, now scheduled for June 9.

NEW—Harold F. Gross, Lansing, Mich.—Granted request for continuance of hearing now scheduled for June 11, to a new date in September to be fixed at the convenience of the Docket Section, on application to use 580 kc., 500 watts night, 1 KW day, unlimited time, Docket 4604.

WBNO—Coliseum Place Baptist Church, New Orleans, La.—The Commission, on its own motion, continued the hearing date on the application of WBNO for C. P. to use 1420 kc., 100 watts night, 250 watts LS, unlimited time, Docket 4560, to be heard on the same date as the application of Standard Life Ins. Co. of the South, which involves the use of the same frequency.

NEW—Continental Radio Co., Denver, Colo.—Denied petition for an indefinite continuance of the hearing date on application of Colo. Radio Corp. (KVOD), Docket No. 4527, now scheduled for June 23. The application of KVOD is for C. P. to use 630 kc., 1 KW, unlimited time.

Tri-State Broadcasting Co.—Granted petition to intervene in the proceedings upon the application of the El Paso Broadcasting Co. (Docket 4545).

WSAN—WSAN, Inc., Allentown, Pa.; and WCBA—B. Bryan Musselman, Allentown, Pa.—Granted applicants' joint motion to continue hearing now scheduled for June 14, to a date subsequent to September 15, 1937, on application of WSAN for voluntary assignment of license (Docket 4514), and application of voluntary assignment of license of WCBA. (Docket 4515.)

NEW—Monocacy Broadcasting Co., Rockville, Md.—Granted motion to continue hearing, now scheduled for July 2, for at least 60 days, new date to be fixed by Docket, on application for C. P. to use 1140 kc., 250 watts, daytime only. Docket 3191.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Denied motion for continuance of hearing date upon application of Tri-State Broadcasting System, Inc. (KTBS), Shreveport, La. for modification of license to use 620 kc., 500 watts night, 1 KW day, unlimited time (Docket 4523), now scheduled for June 21, and for consolidation with application of KMLB requesting use of same frequency.

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—Denied petition for reconsideration of action of the Broadcast Division denying its application for C. P. to authorize changes in equipment of station WHAT whereby operation will be permitted on frequency of 1220 kc., with 1 KW, unlimited time (Docket 3798), and grant said application in part, to authorize the aforementioned equipment changes and operation of the station during daytime hours.

RATIFICATIONS

The Broadcast Division ratified the following acts authorized on the dates shown:

KFXR—Exchange Ave. Baptist Church of Oklahoma City, Oklahoma.—Granted extension of program test period 30 days from May 26, 1937.

WAAK-W4XBT-W4XBBZ—Radio Station WSOC, Inc., Charlotte, N. C.—Granted authority to operate as licensed period 30 days from 6-1 to 6-29, inclusive, relaybroadcast from various

points of interest in city. Also authorized operate same stations 6-1 to 6-10, inclusive relaybroadcast commencement exercises and centennial celebration from Davidson College, provided no wire lines available.

W9XLC—Racine Broadcasting Corp., Racine, Wis.—Granted authority to operate as licensed 6-14, relaybroadcast Flag Day Parade and Celebration.

W9XPN-W9XPV—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed period 30 days from May 26, relaybroadcast from train running between Villa Grove and Tuscola.

KFDY—South Dakota College, Brookings S. Dak.—Denied special temporary authority to operate from 8 to 9:30 p. m., CST, May 24 and 31, in order to broadcast special concert by State College Military Band, and from 3 to 4:30 p. m., CST, June 7, in order to broadcast program commemorating the 25th anniversary of agricultural extension work in South Dakota.

KBPS—Benson Polytechnic School, Portland, Ore.—Granted special temporary authority to remain silent from 12:30 p. m., May 31, to 3 p. m., EST, July 1, in order to observe regular school vacation.

Granted motion filed on behalf of Independence Broadcasting Co. (WHAT), Philadelphia, for extension of effective date of Commission action in denying its application for C. P. and directed that effective date of decision in this case be extended from May 25 to June 1, 1937.

Granted petition of Frank P. Doherty, transferor, and J. F. Burke, Sr., and Royal K. King, transferees, for an order to take depositions in support of their application for authority to transfer control of Radio Broadcasters, Inc., licensee of Station KRKD, Los Angeles (Docket 4546).

Denied motion of Earle Yates to suppress the order to take depositions, issued May 20, 1937, in the matter of the application of El Paso Broadcasting Co. Docket 4545.

Denied supplemental request of El Paso Broadcasting Co., El Paso, Tex., asking that the order issued by the Commission May 19, authorizing the taking of depositions of certain witnesses in support of the El Paso Broadcasting Company's application for a new station at El Paso, Docket 4545, be amended to include four additional witnesses.

Granted motion of John W. Haigis requesting that hearing on his application for C. P. for new station at Greenfield, Mass., be continued, and directed that said hearing be held on June 25, 1937, instead of May 26, 1937.

Denied petition of John Stewart Bryan requesting that date for the taking of depositions in support of his application for a C. P. for a new station at Petersburg, Va., Docket 4506, be continued from May 25 to June 17.

Granted petition of WGAR Broadcasting Co., Cleveland, Ohio, to intervene in the proceedings on the application of WRBC, Inc., for C. P. for a new station at Cleveland, Ohio. Docket 3890.

Granted petition of Havens & Martin, Inc., to intervene in the proceedings upon the application of Larus and Bros. Co., Inc. (WRVA), Richmond, Va., for a C. P. Docket 4556.

Granted petition of Jos. C. Callaway and Harry Dahl for an order to take depositions in the matter of the application of Jos. C. Callaway, transferor, and Harry Dahl, transferee, for authority to transfer control of WKBH, Inc., and directed that an attorney from the Law Department of the Commission be present and participate in the taking of the depositions at La Crosse, Wis.

Granted petition of Radiotel Corp., San Diego, Calif., to intervene in the proceedings upon the application of Warren B. Worcester for C. P. for a new station at San Diego, Calif. Docket No. 4531.

Granted petition of Northside Broadcasting Corp., WGRG, New Albany, Ind., to intervene in the proceedings on the application of WRBC, Inc., for a C. P. for a new station at Cleveland, Ohio. Docket 3890.

APPLICATIONS RECEIVED

First Zone

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to 550 cover construction permit (B1-P-1189) as modified for new equipment, increase in power, and move of transmitter.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to 550 determine operating power by direct measurement of antenna.

NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—Construction permit for a new station to be operated on 1240 ke., 1 KW, unlimited time, to use directional antenna day and night. Amended to change power from 1 KW to 500 watts night, 1 KW day.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to 1480 cover construction permit (B1-P-1637) for changes in antenna and move of transmitter.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to 1480 determine operating power by direct measurement of antenna.

Second Zone

WCPO—Continental Radio Co., Cincinnati, Ohio.—Modification 1120 of license to change name from Continental Radio Co. to Scripps-Howard Radio, Inc.

WXYZ—King-Trendle Broadcasting Corp., Detroit, Mich.—Construction permit to install a new transmitter and increase power from 1 KW to 5 KW.

NEW—Keystone Broadcasting Co., New Castle, Pa.—Construction permit for a new station to be operated on 1250 ke., 250 watts, daytime.

NEW—West Virginia Broadcasting Corp., Wheeling, W. Va.—Construction permit for a new station to be operated on 1310 ke., 100 watts, unlimited time.

WFBG—The Gable Broadcasting Co. (Lessee), Altoona, Pa.—1310 License to cover construction permit (B2-P-1367) for new transmitter and vertical antenna.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Construction 1390 permit to install directional antenna for night use. Amended to make changes in directional antenna.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, 1420 Ky.—Construction permit to change frequency from 1420 ke. to 610 ke.; install a new transmitter; make changes in antenna; and increase power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day. Amended to change transmitter site from Walton Bldg., Main and Esplanade Sts., Lexington, Ky., to intersection Russell Cave Pike and Ironworks Pike, near Lexington, Ky.

NEW—West Virginia Broadcasting Corp., Charleston, W. Va.—1500 Construction permit for a new station to be operated on 1500 ke., 100 watts night, 250 watts day, unlimited time.

NEW—WTAR Radio Corp., Norfolk, Va.—Construction permit for a new relay broadcast station to be operated on 31100, 34600, 37600, 40600 ke., 1 watt.

W3XEW—WTAR Radio Corp., Mobile.—License to cover construction permit (B2-PRE-36) for a new relay broadcast station.

NEW—WJW, Inc., Akron, Ohio.—Construction permit for a new relay broadcast station to be operated on 31100, 34600, 37600, 40600 ke., 20 watts.

NEW—WJW, Inc., Akron, Ohio.—License to cover above.

NEW—WIW, Inc., Akron, Ohio.—Construction permit for a new relay broadcast station to be operated on 31100, 34600, 37600, 40600 ke., 1 watt.

NEW—WJW, Inc., Akron, Ohio.—License to cover above.

NEW—WTAR Radio Corp., Norfolk, Va.—Construction permit for a new relay broadcast station to be operated on 31100, 34600, 37600, 40000 ke., 1 watt.

WAAH—West Virginia Broadcasting Corp., Wheeling, W. Va.—Reinstatement of construction permit which expires 5-29-37 for a new relay station on 1646, 2090, 2190, 2830 ke., 50 watts, requesting changes in equipment and increase in power from 50 watts to 100 watts.

WAAJ—The Fort Industry Co., Toledo, Ohio.—Reinstatement of construction permit which expires 5-29-37 for a new relay station on 1646, 2090, 2190, 2830 ke., 50 watts, requesting changes in equipment and increase in power from 50 watts to 100 watts.

Third Zone

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—880 Modification of construction permit (B3-P-1434) for changes in equipment, requesting authority to install vertical antenna and move transmitter from U. S. Highway No. 45, 2½ miles southeast city limits, Meridian, Miss., to U. S. Highway 45 North, 1.3 miles north of city limits, Meridian, Miss. Amended to change power from 500 watts night, 1 KW day, to 1 KW day and night.

NEW—M. M. Valentine, Laredo Tex.—Construction permit for a 1310 new station to be operated on 1310 ke., 100 watts night, 250 watts daytime, hours of operation not given. Amended to give hours of operation as unlimited time.

NEW—J. T. Griffin, Oklahoma City, Okla.—Construction permit 1310 for a new station to be operated on 1310 ke., 100 watts night, 250 watts daytime, unlimited time. Requests facilities of KFXR.

WSJS—Winston-Salem Journal Co., Winston-Salem, N. C.—Vol-
1310 untary assignment of license from Winston-Salem Journal
Co. to Piedmont Publishing Co.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modification
1330 of construction permit (B3-P-1396) for new transmitter and
antenna; increase power; move of station locally, further
requesting changes in equipment; change frequency from
1200 ke., to 1330 ke. and power from 100 watts, 250 watts
day, to 250 watts, 500 watts day. Amended to change
requested power from 250 watts, 500 watts day, to 1 KW.

KTEM—Bell Broadcasting Co., Temple, Tex.—License to cover
1370 construction permit (B3-P-1621) for changes in equipment,
hours of operation, and power.

WALA—Pape Broadcasting Corp., Inc., Mobile, Ala.—Voluntary
1380 assignment of license from Pape Broadcasting Corporation,
Inc., to W. O. Pape, d/b as Pape Broadcasting Co.

KCMC—KCMC, Inc., Texarkana, Tex.—License to cover con-
1420 struction permit (B3-P-1700) for changes in equipment and
increase in power.

WTFI—Liberty Broadcasting Co., Athens, Ga.—Modification of
1450 construction permit (B3-P-745) as modified, to increase
power from 500 watts to 500 watts night, 1 KW day, and
give studio site as 56 Marietta Street, N. W., Atlanta, Ga.

NEW—State Broadcasting Corp., New Orleans, La.—Construction
1500 permit for a new station to be operated on 1370 ke., 100
watts, unlimited time. Amended to change requested fre-
quency from 1370 ke. to 1500 ke.

NEW—O. C. Burke, Dickinson, Tex.—Construction permit for a
1500 new station to be operated on 1500 ke., 100 watts, un-
limited time.

NEW—WSOC, Inc., Charlotte, N. C.—Construction permit for a
new relay broadcast station to be operated on 31100, 34600,
37600, 40600 ke., 0.2 watts.

NEW—WSOC, Inc., Charlotte, N. C.—License to cover above.

WNOX—Continental Radio Co., Knoxville, Tenn.—Modification
1010 of license to change name from Continental Radio Co. to
Scripps-Howard Radio, Inc.

Fourth Zone

WLBL—State of Wisconsin, Department of Agriculture and Mar-
900 kets, Stevens Point, Wis.—Modification of construction per-
mit (B4-P-1220) to extend completion date from 5-22-37 to
6-22-37.

KDLR—KDLR, Inc., Devils Lake, N. Dak.—Construction permit
1210 to move transmitter from 1025 Third Street, Devils Lake,
N. Dak., to edge of city limits, end of 4th Street, Devils
Lake, N. Dak. (.2 of mile from present site), and install
new vertical antenna.

NEW—Burlington Broadcasting Co., Burlington, Iowa.—Construc-
1300 tion permit for a new station to be operated on 1310 ke.,
100 watts, unlimited time.

KOBH—Black Hills Broadcast Co. (Robert Lee Dean), Rapid
1370 City, S. Dak.—Construction permit to increase power from
100 watts to 100 watts night, 250 watts day, and install a
new transmitter. Amended to change name from Black
Hills Broadcasting Co. of Rapid City to Black Hills Broad-
cast Co. (Robert Lee Dean, Pres.).

NEW—N. B. Egeland, Roland, Iowa.—Construction permit for a
1500 new station to be operated on 1500 ke., 100 watts night,
250 watts day, specified hours. Amended to give transmitter
site as 1 mile from business district of Roland, Story County,
Iowa.

Fifth Zone

NEW—Continental Radio Co. Denver, Colo.—Construction permit
630 for a new station to be operated on 630 ke., 500 watts night,
1 KW day, unlimited time. Amended to change requested
power from 500 watts night, 1 KW day, to 1 KW night, 5
KW day; make changes in requested equipment; install
directional antenna for day and night use and for approval
of transmitter site at 5 miles north-northeast of Denver,
Colo.

KPOF—Pillar of Fire, near Denver, Colo.—Modification of license
880 to increase power from 500 watts to 1 KW.

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co.,
1200 San Luis Obispo, Calif.—License to cover construction per-
mit (B5-P-718) for a new station.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Construc-
1240 tion permit to make changes in transmitting equipment;
install a new vertical antenna; increase power from 1 KW
to 1 KW night, 5 KW day; and move transmitter from 143
Second St., West, Twin Falls, Idaho, to on Highway 30, 4
miles west of Twin Falls, Idaho.

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—
1270 License to cover construction permit (B5-P-1537) for new
transmitter.

NEW—Evening News Press, Inc., Port Angeles, Wash.—Construc-
1400 tion permit for a new station to be operated on 1250 ke.,
250 watts, unlimited time. Amended to change requested
frequency from 1250 ke. to 1400 ke.

KRLC—H. E. Studebaker, Lewiston, Idaho.—License to cover
1420 construction permit (B5-P-733) as modified for new equip-
ment, increase in power, change in frequency, and move of
transmitter.

NEW—David G. Adams (Adams Recording Studio), San Diego,
Calif.—Authority to make electrical transcriptions and
manufacture records for stations XEBG and XEMO at Tia
Juana, Mexico.