

Convention Program

9 A.M.—SUNDAY, JULY 9

Registration: Registration desk open Sunday, July 9, at 9 A.M.
Also to receive entries and to arrange for transportation to the
BROADCASTING Magazine Golf Tournament, Northfield
Country Club

10:30 A.M.—NAB Golf Tournament, Northfield Country Club

Other Sunday Activities

2:00 P.M.—Meeting of the Research Committee, *Arthur Church, KMBC*, presiding

7:00 P.M.—Dinner meeting of NAB BOARD OF DIRECTORS

MONDAY, JULY 10

8:30 A.M.—Breakfast: Newspaper-owned Stations, *Campbell Arnoux, WTAR*, presiding

9:00 A.M.—Registration

10:00 A.M.—Group Meetings:

Local-channel Group—*John Elmer, WCBM*, presiding

National Association of Regional Broadcast Stations—
John Shepard, III, Yankee Network, presiding

10:30 A.M.—Clear Channel Group—*Edwin W. Craig, WSM*, presiding

11:30 A.M.—Meetings of NAB Districts (subject to call of District Director)

12:30 P.M.—Luncheon of the NAB Bureau of Radio Advertising in conjunction with the Sales Managers' Committee, at which time the foundation will be laid for the establishment of a new and productive service for NAB member stations

Luncheon tickets may be purchased at the door

2:00 P.M.—Group Meetings:

National Committee of Independent Broadcasters
Independent Radio Network Affiliates

4:00 P.M.—(a) Demonstration of Television by NBC

(b) Discussion of radio engineering problems, *John V. L. Hogan, Chairman, NAB Engineering Committee*, presiding

7:00 P.M.—Supper Meeting of Copyright Committee

Bulletin Board in Lobby Will Announce Location of Meetings

TUESDAY, JULY 11

9:00 A.M.—Registration

9:30 A.M.—Convention Called to Order

Introduction of the President by

Edwin W. Craig, WSM

Annual Report of the President

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Announcement of Convention Committee Appointments

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Address: **Stephen Early**, Secretary to the President of the United States

"RADIO IN ITS RELATIONSHIP TO GOVERNMENT"

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Report of the Nominating Committee for Election of Six Directors at Large

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Report of the Secretary-Treasurer,
Edwin M. Spence

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Adjournment

12:30 P.M.—Luncheon Meeting

Address: **Carl E. Milliken**, Secretary, Motion Picture Producers and Distributors of America, Inc.

"Industrial Self Regulation in America"

Make Your Reservations Now to Attend the Seventeenth Annual NAB Convention

Ambassador Hotel—July 10, 11, 12 & 13—Atlantic City, N. J.



THE NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W.

WASHINGTON

Phone NAtional 2080

Neville Miller, *President*

Edwin M. Spence, *Secretary-Treasurer*

Andrew Bennett, *Counsel*; Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*

2:30 P.M.*—Report of the NAB Committee on Code and Standards of Practice

Presentation of Proposed New Code:
Ed. Kirby, *Director of Public Relations*

Discussion

Adjournment

* Meeting open to NAB members only.

WEDNESDAY, JULY 12

9:30 A.M.—Call to Order

Report of the NAB Bureau of Radio Advertising—Paul Peter, *Director of Research*

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Joseph L. Miller, Director of Labor Relations
"The Labor Situation Today"

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Address: Elmer F. Andrews, Administrator, Wage and Hour Division, U. S. Department of Labor
"Wage and Hour Regulation and Broadcasting"

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Announcement: By the Election Committee of time and place for balloting to elect six Directors-at-Large

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Address: Dr. John W. Studebaker, U. S. Commissioner of Education
"What the Federal Radio Education Committee Means to the American System of Broadcasting"

•

Address: Orrin E. Dunlap, Jr., Radio Editor, New York Times

"Television Facsimile—Their Future Effect upon Standard Broadcasting as seen from an Outside Viewpoint"

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Discussions

Announcements

Adjournment

Luncheon (No scheduled luncheon)

2:00 P.M.*—Report of the NAB Copyright Committee—

Neville Miller, *Chairman*

Discussion

Adjournment

* Meeting open to NAB members only.

7:00 P.M.—ANNUAL NAB BANQUET

Entertainment: Through the courtesy of National Broadcasting Company, Columbia Broadcasting System, and Mutual Broadcasting System, in cooperation with NAB

Presentation of BROADCASTING Magazine trophy to winner of NAB Golf Tournament

10:30 P.M.—Network Address:

THE MIRRORS OF AMERICA

The Motion Picture—Will Hays, president, Motion Picture Producers and Distributors of America, Inc., speaking from Hollywood

The Radio—Neville Miller, president, National Association of Broadcasters, speaking from Atlantic City

THURSDAY, JULY 13

9:30 A.M.—Reports of Committees

Discussion of Reports

Amendments to By-Laws

Address: Joseph Marty, executive secretary, Radio Servicemen of America

"The Missing Link in Broadcasting"

Discussion: Radio Industry Promotion Campaign

Unfinished Business

Report of Resolutions Committee

Election of Directors at Large

Adjournment

2:00 P.M.—First meeting of new Board of Directors

FCC "CENSORSHIP" HEARING

The FCC announced this week that it would confine its July 14 hearing on the new rules for international broadcasting to the "censorship" issue raised by the NAB and the American Civil Liberties Union.

Petitions from the NAB and six short-wave broadcasters requesting enlargement of the issues were denied. Appearances for the July 14 hearing filed by both the NAB and the short-wave broadcasters were accepted, however, and the enlargement petitions were denied "without prejudice to the filing of a petition requesting hearing upon or a reconsideration of any of the Commission's rules or regulations applicable to international broadcast stations."

Swagar Sherley will represent the NAB at the hearing on the "censorship" rule.

FCC REPORTS NETWORK INCOME

The FCC issued a press statement this week saying that the 1938 total time sales for the three major networks and 23 M. & O. stations amounted to \$68,123,525. Of that amount \$54,938,879 came from net time sales to advertisers after trade discounts; \$5,347,388 from sale of station time to networks; and \$7,837,258 from sale of station time to users.

Net revenue from broadcast services was reported as \$9,307,735 and other income \$174,751.

Deductions from income were reported as \$985,090, leaving net income before income taxes \$8,497,396. Federal income taxes were estimated at \$1,473,796, and state income taxes at \$19,900, leaving net income for the period after tax deductions, \$7,003,700.

WALKER SWORN IN

Commissioner Paul A. Walker was sworn in on July 1 for his second term as member of the FCC. The new term extends for a period of seven years from July 1. He was confirmed by the Senate with no opposition on June 30.

PRESIDENT SIGNS FCC APPROPRIATION

On June 30, President Roosevelt signed the Deficiency Bill which, among other things, contained the appropriation for the Federal Communications Commission for the fiscal year which began on July 1. The total appropriation amounted to \$1,838,175. The Commission had asked Congress for \$2,000,000.

DONALD O'CONNOR

Station WOLS requests any member knowing the whereabouts of Donald O'Connor, a former employee, to advise WOLS.

FCC DEFERS ACTION ON CERTAIN APPLICATIONS

The FCC this week sent the following notice to licensees of broadcast stations:

The Federal Communications Commission announced today that final action would be deferred on all pending applications requesting nighttime operation on regional frequencies which would involve serious interference problems if other pending applications requesting the use of 5 KW power on such frequencies are granted. The pending applications requesting the use of 5 kw power at night will, under the Commission's new rules which become effective August 1, no longer be inconsistent with the rules limiting maximum power for nighttime operation on such frequencies. The Commission's new rules and regulations governing standard broadcast stations, which were adopted by the Commission on June 23, provide for maximum permissible nighttime power of 5 kw on regional channels. The present rules limit such power to 1 kw. Applications affected by this action of the Commission fall into three classes: Those which have been set for hearing but not yet heard, those upon which a hearing has been held but no decision rendered by the Commission, and those upon which a decision has been rendered and are now pending on a petition for rehearing. As to those applications which have not yet been heard, an additional issue will be inserted in the notice of hearing concerning the interference problem with pending 5-kw applications, and, thereafter, the applications will be heard in regular course. As to the applications on which a hearing has been held and applications pending on petition for rehearing, a further hearing will be ordered on issues related to the interference problem created by pending 5-kw applications.

Applications pending before the Commission which are affected by the Commission's action include the following:

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CASES HEARD BUT NOT YET ACTED ON

<i>Applicant</i>	<i>Call Letters</i>	<i>Docket No.</i>
Salt River Valley Broadcasting Co., Phoenix, Arizona	KOY	5054
United Theatres, Inc., San Juan, P. R. Enrique Abarca San Feliz, San Juan, P. R.	NEW	4610
Times Dispatch Radio Corp., Richmond, Virginia	NEW	5298
Radio Service Corp., Pocatello, Idaho ..	WRTD	4852
Pittsburgh Radio Supply House, Greensburg, Pa.	KSEI	5182 (I-745)
Sentinel Broadcasting Corp., Salina, New York	WHJB	5176 (I-763)
Tampa Times Co., Tampa, Florida	NEW	5094 (I-763)
Monocacy Broadcast Co., Frederick, Maryland	WDAE	4936 (I-692)
Southern Minnesota Broadcasting Co., Rochester, Minn.	WFMD	5423
City of Dallas, Dallas, Texas	KROC	4642 (I-757)
Havens & Martin, Inc., Richmond, Va.	WRR	5369
Tri-State Broadcasting Co., Inc., El Paso, Texas	WMBG	4846 (I-661)
Tri-City Broadcasting Co., Davenport, Iowa	KTSM	4813 (I-618)
King-Trendle Broadcasting Corp., Pontiac, Michigan	WOC	5487
	NEW	5016 (I-729)

CASES ON WHICH DECISIONS HAVE BEEN RENDERED AND PETITIONS FOR REHEARING FILED

<i>Applicant</i>	<i>Call Letters</i>	<i>Docket No.</i>
Citizens Broadcasting Corp., Schenectady, New York	NEW	4508 (I-594)
Thomas J. Watson, Endicott, New York	NEW	4550 (I-594)
Hampden Hampshire, Inc., Holyoke, Mass.	NEW	4564 (I-594)
Illinois Broadcasting Corp., Quincy, Illinois	WTAD	4599 (I-696)

CASES DESIGNATED FOR HEARING BUT NOT YET HEARD

<i>Applicant</i>	<i>Call Letters</i>	<i>Docket No.</i>
Jack Powers, et al., d/b as Utah Broadcasting Co., Salt Lake City, Utah ...	KUTA	5568
Wm. P. Huffman, Wisconsin Rapids, Wisconsin	NEW	4864 (I-659)
Spokane Broadcasting Corp., Spokane, Washington	KFIO	5537
Evansville on the Air, Evansville, Indiana	WGBF	5512
John F. Arrington, Valdosta, Ga.	NEW	5366

NEW LEGISLATION CONGRESS

H. R. 7035 (Mr. Hobbs, D.-Ala.) ANTITRUST LAWS—To amend Section 8 of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," and to

provide additional civil remedies against violations. Referred to the Committee on the Judiciary.

S. 2719 (Sen. O'Mahoney, D.-Wyo.) Same as H. R. 7035, above.

STATE LEGISLATION

NEW JERSEY:

A. 651 (Farley) **EMPLOYMENT AGENCIES**—To make numerous amendments to the act regulating employment and booking agencies. Referred to Committee on Institutions.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

There was no regular meeting of the Commission this week. The next meeting will be held on July 12.

The following hearings and oral arguments are scheduled before the Commission in broadcast cases beginning the week of Monday, July 10. They are subject to change.

Tuesday, July 11

WCOV—John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—Modification of license, **1210 ke.**, 100 watts, unlimited time. Present assignment: **1210 ke.**, 100 watts, daytime.

KNEL—G. L. Burns, Brady, Tex.—Modification of license, **1500 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1500 ke.**, 250 watts, daytime.

Wednesday, July 12

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Modification of license, **1380 ke.**, 1 KW, unlimited time (DA night). Present assignment: **1380 ke.**, 500 watts, 1 KW, unlimited time (DA night).

Thursday, July 13

Oral Argument on Petition for Rehearing Before a Quorum of the Commission

Examiner's Report No. I-613:

WTIC—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **1060 ke.**, 50 KW, shares with WBAL (SA for **1040 ke.**, simultaneous operation with KRLD, unlimited).

W1XEH—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **63500 ke.**, 150 watts, unlimited time, according to Rule 983.

W1XLU—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **105,000, 200,000, 290,000, 450,000 ke.**, 5 watts, to operate according to Rules 983, 1002, 1004.

W1XO—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **31100, 34600, 37600, 40600 ke.**, 50 watts, to operate according to Rules 983, 1002 and 1004.

W1XT—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **31100, 34600, 40600, 37600 ke.**, 100 watts, to operate according to Rules 983, 1002, 1004.

Friday, July 14

KRLH—Clarence Scharbauer, Midland, Tex.—C. P., **1420 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1420 ke.**, 100 watts, daytime.

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

NEW—C. T. Sherer Co., Inc., Worcester, Mass.—C. P., **1200 ke.**, 100 watts, 250 watts LS, unlimited time.

NEW—North Shore Broadcasting Co., Salem, Mass.—C. P., **1200 ke.**, 100 watts, unlimited time.

International Broadcast

In re: Section 42.03 (a) pertaining to International Broadcast Service.

FUTURE HEARINGS

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

August 10

Hearing to Be Held Before Commissioner George Henry Payne in the Federal Court Room, Bellingham, Washington

NEW—Bellingham Broadcasting Co., Inc., Bellingham, Wash.—C. P., **1200 ke.**, 100 watts, 250 watts LS, unlimited time (requests facilities of KVOS).

KVOS—KVOS, Inc., Bellingham, Wash.—Renewal of license, **1200 ke.**, 100 watts, unlimited time.

September 11

Hearing Before the Committee to Be Held in Room 1411

In the Matter of Amendment of Rules 177 and 177.1 on Petition of Mayor LaGuardia of the City of New York.

Broadcast

WHA—University of Wisconsin, Madison, Wis.—C. P., **670 ke.**, 50 KW, unlimited time (requests facilities of WMAQ). Present assignment: **940 ke.**, 5 KW, daytime.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Renewal of license, **670 ke.**, 50 KW, unlimited time.

NEW—Lakeland Broadcasting Co., Willmar, Minn.—C. P., **680 ke.**, 250 watts LS, limited time.

September 13

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Special experimental authorization; **1420 ke.**, 250 watts night, 1:05 to 2:15 a. m., CST.

NEW—Clyde E. Wilson and Howard A. Shuman, d/b as Hot Springs Broadcasting Co., Hot Springs, Ark.—C. P., **1310 ke.**, 100 watts, 250 watts LS, unlimited time.

September 25

NEW—Union Broadcasting Co., Scranton, Pa.—C. P., **1370 ke.**, 100 watts, 250 watts LS, unlimited time.

W9XTA—K. E. Schonert, d/b as Schonert Radio Service, Harrisburg, Ill.—Renewal of license, **26500 ke.**, 500 watts, Emission A-3, unlimited, according to Rule 983 (a).

NEW—Samuel M. Emison, Vincennes, Ind.—C. P., **1420 ke.**, 100 watts, unlimited time.

MISCELLANEOUS

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted motion to accept respondent's appearance in re application of Lakeland Broadcasting Co. for a new station at Willmar, Minn.

KUTA—Utah Broadcasting Co., Salt Lake City, Utah.—Denied motion for clarification and amendment of issues (exception noted by counsel for petitioner) in re application for C. P. to change frequency and power.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted motion to amend hearing notice by adding issue relating to economic interest, in re application of KUTA, referred to above (exception noted by counsel for KUTA).

NEW—Vincennes Newspapers, Inc., Vincennes, Ind.—Motion for advancement of hearing date from July 10 to 6 in re application of Samuel M. Emison for a new station in Vincennes was passed Nisi. Motion by applicant (Emison) to continue this case granted; new date to be fixed by office of Secretary.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted petition to intervene in the hearing on the application of C. T. Sherer Co., Inc., for a new station in Worcester, Mass.

KFVD—Standard Broadcasting Co., Inc., Los Angeles, Calif.—Granted motion for leave to amend application so as to request frequency **990 ke.**, 1 KW day, 500 watts night, unlimited time.

- NEW—Lakeland Broadcasting Co., Willmar, Minn.—Granted petition for leave to amend application so as to request daytime only, in re C. P. for new station to operate on **680 kc.**, 250 watts LS.
- NEW—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Granted petition to have depositions received in re application for C. P. to operate on **1370 kc.**, 100 watts, 250 watts LS, unlimited.
- KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authority to remain silent July 4, in order to observe holiday.
- WMC—Memphis Commercial Appeal Co., Memphis, Tenn.—Granted extension of special temporary authority to operate with 5 KW at night, using DA, for the period July 14 to August 12, in order to overcome interference from Cuban Station CMQ, provided such operation with additional power terminates immediately when CMQ ceases operation on **780 kc.**, reduces power so that additional interference is not involved, or until defensive DA is corrected by installation of new tuning condensers.
- WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special temporary authority to operate simultaneously, non-synchronously, with station KFAB commencing 4:45 a. m., CST, for the period July 10, and ending no later than August 8, in order to conform to Daylight Saving Time.
- KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—To operate as above except simultaneously, non-synchronously, with WBBM.
- KVOS—KVOS, Inc., Bellingham, Wash.; and NEW—Bellingham Broadcasting Co., Bellingham, Wash.—Commissioner Payne was assigned to preside at the hearing scheduled for August 10, 1939, in Bellingham, Wash., in re application of Bellingham Broadcasting Co. for C. P., and renewal of license of KVOS.
- KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted special temporary authority to operate from 9 a. m. to 1 p. m. and from 6 to 10 p. m., PST, during the months of July and August (instead of unlimited time as licensed), in order to observe regular vacation period.
- KBKC—Columbia Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to use Type D-100 transmitter, the final amplifier of which consists of one RCA 813 tube which is modulated by two RCA 809 tubes with power of 175 watts, on board the yacht *Geoanna*, on the frequencies of **4797.5, 6425, 8655 kc.**, for the period July 1 to July 25, 1939, for relay broadcast of a series of special programs incident to the Honolulu Yacht Regatta to be broadcast by Radio Station KNX.
- KAAC—Columbia Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to operate Amateur Station W6LS, licensed to Leo Shepherd, as a relay broadcast station on **4797.5, 6425 and 8655 kc.**, for the period July 1 to July 25, 1939, for the purpose of establishing the necessary cue circuit for a series of special programs incident to the Honolulu Yacht Regatta to be broadcast by Radio Station KNX.
- WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted special temporary authority to operate WORC new directional antenna as authorized in B1-P-2270 during daylight hours for the period July 1 to July 10, 1939, in order to facilitate equipment tests for proof of performance measurements.
- WBTH—Williamson Broadcasting Corp., Williamson, W. Va.—Granted special temporary authority to operate until 11 p. m., EST, on June 29, 1939, in order to broadcast civic celebration in City of Williamson.
- WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 8:30 p. m. to 12 midnight, EDST, on July 25, 1939, in order to broadcast a special program under the auspices of the local National Guard, Company H, 172nd Infantry.
- WGRC—North Side Broadcasting Corp., New Albany, Ind.—Granted special temporary authority to operate from 7 to 8 p. m., CST, on July 2 and 9, in order to carry special revival programs of the Volunteers of America.
- KOIN—KOIN, Inc., Portland, Ore.—Granted special temporary authority to rebroadcast over KOIN and the Columbia network program material between 8 a. m. and noon, PST, on July 1, 1939, from short wave stations licensed to the Coast Guard (Coast Guard Cutter Onondaga operating on **2698 kc.**, and Relief Lightship 3410 kc.), in connection with ceremony of turning Lightship Service over to the Coast Guard.
- KFRO—Voice of Longview, Longview, Tex.—Granted extension of special temporary authority to operate from local sunset (July, 7:30 p. m., CST) to 11:05 p. m., CST, using 100 watts only, on Sundays, July 2, 9, 16, 23 and 30, 1939, in order to broadcast church services.
- KHGB—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Denied special temporary authority to operate from local sunset (July, 7:45 p. m., CST) to 10:30 p. m., on July 2, 9, 16, 23, and 30, 1939, in order to broadcast church services; to operate from local sunset to 10 p. m., CST, on July 3, 10, 17, 24, and 31, 1939, in order to broadcast "Okmulgee Little Theater of the Air."
- WILM—Delaware Broadcasting Co., Wilmington, Del.—Denied special temporary authority to operate simultaneously with station WAZL from 8:30 p. m., EDST, to the conclusion of baseball games on July 19, 1939, and from 8 p. m., EDST, to the conclusion of baseball games on August 8 and 15, 1939, in order to broadcast the baseball games of the National and American Leagues.
- WPTF—WPTF Radio Company, Raleigh, N. C.—Denied extension of special temporary authority to operate from 11 p. m. to 12 p. m., EST, for the period beginning July 9, 1939, and ending in no event later than 3 a. m., EST, August 1, 1939, in order to broadcast programs as described in letter of May 27, 1939.
- WPG—City of Atlantic City, Atlantic City, N. J.—Denied special temporary authority to operate Sunday July 2, 1939, from 3:15 p. m. to 4:30 p. m., EST, for continuation report of baseball started shortly before commencement period.
- W2XWC—Kalamazoo Laboratories, Inc., Irvington, N. J.—Granted C. P. to move television broadcast station from Irvington, N. J., to Carlstadt, N. J. (approximately 12 miles), and to continue operation for an additional 30 days from July 6, 1939, with power of 500 watts, **2000-2100 kc.**, 12 midnight to 6 a. m., on a non-interference basis.
- WESG—Cornell University, Elmira, N. Y.—Granted C. P. to change tubes in transmitting equipment, conditionally, upon a temporary basis only.
- W1XOK—The Yankee Network, Inc., Boston, Mass.—Granted license to cover C. P. for a new fixed special relay broadcast station on an experimental basis, to operate with power of 50 watts, frequencies **133030, 134850, 136810 and 138630 kc.**, unlimited time in accordance with Sections 40.04 and 41.04, to be used to relay high fidelity programs using frequency modulation from a site in Boston, Mass.; granted conditionally.
- WJBW—Charles C. Carlson, New Orleans, La.—Granted license to cover C. P. and modification thereof authorizing installation of new equipment, moving of studio and transmitter, and extension of commencement and completion dates; granted conditionally.
- WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Granted modification of C. P. extending completion date from July 17, 1939, to September 17, 1939.
- WSKB—McComb Broadcasting Corp., McComb, Miss.—Granted modification of C. P. for approval of antenna and studio site at Berthadale Road at Highway 24, McComb, Miss., and studio at Main St., McColgan Hotel, McComb, Miss., provided the marking of the tower is specifically inserted in the permit.
- WTMA—Y. W. Scarborough & J. W. Orvin, d/b as Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted license to cover C. P. and modification thereof authorizing erection of new station in Charleston, S. C., to operate on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.
- WPAY—Vee Bee Corporation, Portsmouth, Ohio.—Granted C. P. to make changes in equipment; frequency **1370 kc.**, power of 100 watts, unlimited time.
- W2XWG—Kalamazoo Laboratories, Inc., Irvington, N. J.—Granted extension of special temporary authority to operate a composite television transmitter, to be located in Carlstadt, N. J., for radio television transmission in the **2000-2100 kc.** band, for operation between the hours of 12 midnight and 6:00 a. m., on a non-interference basis, with a power of 500 watts, emission A5 only, for test and experimental purposes only, for the period July 7 to August 5, 1939.
- WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate Eastern daylight saving

time instead of Eastern Standard Time as licensed during period when daylight saving time is in effect but in no event later than 3:00 a. m., EST, October 1, 1939.

KFVS—Oscar C. Hirsch, tr. as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Granted special temporary authority to operate simultaneously with Station WEBQ from 7:30 p. m. to 9:00 p. m., CST, July 4, 1939, in order to broadcast an address by U. S. Senator Bennett Champ Clark and other activities of the American Legion Picnic.

KQV—KQV Broadcasting Company, Pittsburgh, Pa.—Adopted an order setting for hearing at 10:00 a. m., on July 12, 1939, in the offices of the Commission in Washington, D. C., the application for modification of license.

WINC—WSMK, Inc., Dayton, Ohio.—Granted special temporary authority to operate daytime using new transmitter and directional antenna authorized in C. P. as modified to facilitate field measurements to substantiate phase monitor for a period not to exceed ten days.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Denied special temporary authority to rebroadcast sustaining programs to be received from international broadcast stations W3XE, W3XAL, and W8XX over Station WPRP, on a non-commercial experimental basis only, for a period not to exceed thirty days.

WPG—City of Atlantic City, Atlantic City, N. J.—Denied special temporary authority to operate Sundays from 3:15 p. m. to 4:30 p. m., EST, for purpose of maintaining continuity in certain baseball broadcasts and on Fridays from 2:00 p. m. to 3:00 p. m., EST, for purpose of broadcasting worthwhile programs of interest to the public generally such as an educational feature description of certain baseball games and musical program for a period of thirty days.

APPLICATIONS FILED AT FCC

550 Kilocycles

WDEV—Lloyd E. Squier & Wm. G. Ricker, d/b as Radio Station WDEV, Waterbury, Vt.—Modification of license to increase power from 500 watts to 1 KW.

640 Kilocycles

WGAN—Portland Broadcasting System, Inc., Portland, Maine.—Construction permit to install new transmitter, make changes in directional antenna system, for night use, change frequency from 640 to 1390 kc., increase power from 500 watts to 1 KW night, 5 KW day, change hours of operation from limited to unlimited.

920 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colo.—Modification of C. P. (B5-P-1540) to change frequency, power and time, install new antenna and move transmitter, further requesting installation of new transmitter and move transmitter from north of Denver, Colo., to 56th Ave. & Pecos St., Denver, Colo., and extend commencement and completion date 30 and 180 days respectively.

1210 Kilocycles

WPIV—Petersburg Newspaper Corp., Petersburg, Va.—Modification of C. P. (B2-P-1475) for a new station requesting approval of antenna, and approval of studio and transmitter sites at Wythe St., Petersburg, Va. Amended: Antenna changes and give transmitter site as Colonial Heights, Va., and studio site at corner Sycamore and Tabb Sts., Petersburg, Va.

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Modification of license to increase power from 100 watts, 250 watts day, to 250 watts day and night.

1250 Kilocycles

WKST—Keystone Broadcasting Co., New Castle, Pa.—Construction permit to install new transmitter, increase power from 250 watts to 1 KW.

1310 Kilocycles

KCRJ—Central Arizona Broadcasting Co., Jerome, Ariz.—Construction permit to move transmitter 50 feet from Lower Hogback, Jerome, Ariz., to Main Road, Jerome, Ariz., and

studio from 711 Main St., Jerome, Ariz., to Main Road (across from High School), Jerome, Ariz.

WEBR—WEBR, Inc., Buffalo, N. Y.—Modification of license to increase power from 100 watts, 250 watts day, to 250 watts day and night.

1380 Kilocycles

WING—WSMK, Inc., Dayton, Ohio.—Modification of C. P., B2-P-1575, as modified, for new transmitter, increase in power, change in hours of operation, install directional antenna for night use, and move transmitter, further requesting extension of completion date from 7-1-39 to 8-1-39.

1400 Kilocycles

KLO—Interstate Broadcasting Corp., Ogden, Utah.—License to cover C. P. (B5-P-489) as modified for equipment changes, installation of directional antenna for day and night use, increase power, and move of transmitter to new site.

1500 Kilocycles

WTMC—John T. Alsop, Jr., Ocala, Fla.—License to cover C. P. (B3-P-2148) for a new station.

MISCELLANEOUS

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

XXXX—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs originating in NBC's studio at 30 Rockefeller Plaza, New York City, or any points in U. S. where network programs may originate, to station CMX, Havana, Cuba.

W7XCY—Oregonian Publishing Co., Portland, Ore.—License to cover C. P. (B5-PRE-257) for equipment changes, increase in power, and new frequencies, in accordance with new rules.

FEDERAL TRADE COMMISSION ACTION

COMPLAINTS

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

C. R. Anthony Company, Oklahoma City, Okla., operator of 57 retail department stores in Oklahoma, Kansas, Texas and New Mexico, is charged with violation of the Robinson-Patman Act through illegal acceptance of brokerage fees in a complaint.

Other respondents are Burrell-Berger, Inc., Miss Plaza, Inc., Samuel R. Parnes, Inc., and Gorgeous Frocks, Inc., all of New York, described in the complaint as the "sellers."

It is alleged that C. R. Anthony Company, under the name of The Anco Company, maintains an office at 1450 Broadway, New York, and that its employees attached to that office, working on a salary basis, purchase for and in the name of C. R. Anthony Company the requirements of its retail department stores, consisting of women's apparel and other merchandise, from various New York sellers including the four named in the Commission's complaint.

The complaint alleges that the seller respondents and other sellers pay and deliver to C. R. Anthony Company, under the name of The Anco Company, so-called brokerage fees and commissions which amount to an agreed percentage on quoted sales prices, and that C. R. Anthony Company, the sole party with an interest in and the actual purchaser in the transactions, without performing any

services for or on behalf of the sellers, accepts the payments in violation of the brokerage section of the Robinson-Patman Act. (3834)

Burrell-Berger, Inc.—See C. R. Anthony Company.

Economy Men's Hat Company, Inc.—Misleading representations in the sale of hats made from old materials is alleged in complaints issued against two New York companies. The respondents are Economy Men's Hat Company, Inc., and Rosalind Nissenbaum, Lena Nissenbaum and Samuel Gilman, individually and as officials of the company, 5 Elizabeth St. and Morben Hat Works, Inc., and Morris S. Altman, individually and as an officer, 162 Green St.

Purchasing old, worn and used felt hats, the respondents in both cases are alleged to renovate them and in some instances to provide new trimmings, sweatbands and size labels so that they appear as new hats made from felts which have never been worn, and to sell them to dealers without any marks to inform the public that they are in fact made from old and previously used felt hat bodies and renovated to look like new. (3837-3838)

Gorgeous Frocks, Inc.—See C. R. Anthony Company.

Industrial Plants Corporation, 90 West Broadway, New York, is charged in a complaint with misrepresentation in the sale and distribution of pliers and wrenches. The respondent is alleged to represent that its pliers and wrenches are nickel plated, when this is not a fact. The complaint alleges that such misleading representations result in unfairly diverting trade to the respondent from its competitors. (3835)

Morben Hat Works, Inc.—See Economy Men's Hat Company, Inc.

Samuel R. Parnes, Inc.—See C. R. Anthony Company.

Miss Plaza, Inc.—See C. R. Anthony Company.

Prudential Sales Corp.—False advertising and use of lottery plans in selling merchandise to ultimate consumers is alleged in a complaint issued against Prudential Sales Corporation, 230 East Ohio St., Chicago.

Advertising matter on the face of lottery push cards distributed by the respondent, including use of the word "Packard" and a picture of an electric dry shaver, is alleged to deceive buyers into believing that the pictured shaver is a "Packard Lectro Shaver," when in fact the respondent's electric dry shavers are not Packard Lectro Shavers.

Use of the word "Elkskein" in advertising sports jackets allegedly deceives buyers into believing that the respondent's garments are made of the skin of an elk when in fact this is not so and their value is but a fraction of that of jackets made from genuine elkskin.

Blankets allegedly are advertised in a manner misleading the public into believing that they are composed entirely of wool.

The respondent is alleged to represent that gifts, prizes or premiums are given free to agents when in fact the so-called gifts are not free but are regular compensation for selling the respondent's merchandise and their cost is included in the cost of other articles sold for the respondent by agents. (3839)

Wahl Company—Misleading representations in the sale of fountain pens is alleged in a complaint issued against The Wahl Company, 1800 Roscoe St., Chicago.

The respondent is alleged to represent directly or by implication that ink cannot leak from its Eversharp fountain pen equipped with a so-called "Safety Ink Shut-Off" device, when the pen is uncapped and the pen point exposed; that ink cannot leak from the pen into the cap when it is screwed tightly over the pen point, and that this pen possesses more than twice as much ink capacity as competing fountain pens.

The complaint alleges that in fact ink can leak from respondent's fountain pens under the conditions mentioned; that the so-called safety device does not prevent ink which is in the feed mechanism immediately prior to attachment of the cap, from leaking into the cap after it is screwed tightly over the pen point, and that such ink does leak into the cap when the pen is shaken or jostled. The complaint also alleges that the ink capacity of Eversharp pens is substantially less than the amount claimed. (3836)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

Bobs Candy & Pecan Company—Lottery methods in the sale of merchandise to ultimate purchasers is prohibited under orders issued against an Albany, Ga., and a Chicago dealer.

Bobs Candy & Pecan Company, Albany, Ga., the Commission finds, sold to dealers certain assortments of candy and nut confections so packed and assembled as to involve a lottery scheme when so sold and distributed to consumers.

Morris L. Rauer, individually, and formerly trading as Earl Chrome Manufacturing Company, now in business under the name Earl Chrome Company, 2757 Lincoln Ave., Chicago, is found to have supplied Wisconsin, Indiana and Iowa merchants with punch-boards as a means of selling the respondent's radios, clocks, cocktail shakers, coffee sets and novelty merchandise. It is further found that the respondent, by use of the trade name Earl Chrome Manufacturing Company, represented himself to be the manufacturer of the products he sold, when in fact he did not own or control a factory. (3580-3426)

Earl Chrome Manufacturing Company—See Bobs Candy & Pecan Company.

King Candy Company, Fort Worth, Tex., has been ordered to cease and desist from lottery methods in the sale and distribution of candy to ultimate consumers.

The respondent was found to have been selling to dealers certain assortments of candy for distribution to consumers by use of push-cards and punch-boards.

The order directs that the respondent cease and desist from supplying or selling lottery devices to others, to enable such persons to sell or distribute merchandise, and from selling or disposing of merchandise by the use of such devices. (3437)

STIPULATIONS

The Commission has entered into the following stipulations:

C-E-Z-R Company—Anna Greenberg and Belle Greenberg, co-partners trading as C-E-Z-R Company, Omaha, Nebr., have entered into a stipulation to discontinue misrepresentations in the sale of an eye wash preparation. The respondents agree to desist from representing directly or by implication that "C-E-Z-R Eye Drops" are a competent treatment in the relief of tired or fatigued eyes, or are unique in the manner in which they act to cleanse the eyes. They admit that eye fatigue results primarily from over-use of the extrinsic and intrinsic muscles of the eyes and cannot be competently relieved by medication, but only by periods of rest. (02391)

Deimel Linen-Mesh System Company, 376 Post St., San Francisco, has entered into a stipulation to discontinue misrepresentations in the sale of underwear.

The respondent agrees to desist from the use of the trade name or trade mark "Dr. Deimel Linen-Mesh Underwear" to designate garments not entirely made of linen, or from the use of the words

"linen" or "linen-mesh" in any way to designate such garments unless the other fibers present are at the same time identified and with equal conspicuousness.

The respondent further agrees to cease representing directly or by implication that Dr. Deimel Linen-Mesh Underwear is the one or only underwear that gives "temperature control," that quickly absorbs perspiration and allows it to evaporate or that has been recommended by leading physicians for 40 years.

Other representations to be discontinued are that the respondent's product will eliminate the possibility of colds or of catarrh or of bronchitis when substituted for woolen undergarments, or works constantly to prevent skin rashes and eczema, and that a change to this type of underwear greatly lessens the danger of pneumonia. (02390)

Siticide Company—In a stipulation accepted and supplemental to one entered into June 23, 1936, the Siticide Company, Commerce, Ga., agrees to discontinue misleading representations in the sale of its product "Siticide", a treatment for scabies.

The respondent will cease representing directly or by implication that a single application of Siticide will cure the itch caused by scabies parasites; that Siticide penetrates the skin, or that the itching sensation accompanying scabies disappears immediately upon, or without the lapse of an appreciable length of time following, the application of Siticide to the skin. (01427)

FTC CLOSES CASE

The Federal Trade Commission has closed without prejudice its case against International Association of Ice Cream Manufacturers, Washington, D. C., its officers and member companies, who were charged with activities tending to restrain trade in the sale of ice cream in interstate commerce and to discourage the operation and use of counter ice cream freezers.

Respondent association members named in the complaint as being representative of the 500 ice cream manufacturer and distributor members were National Dairy Products Corporation, New York, The Borden Company, New York, Golden State Company, Ltd., San Francisco, Midwest Dairy Products Corporation, DuQuoin, Ill., French-Bauer, Inc., Cincinnati, and Southwest Utility Dairy Products Company, Oklahoma City, Okla. Respondent association officers at the time the complaint was issued were: G. G. Kindervater, president; W. R. Cammack, vice president; Madison H. Lewis, treasurer, and Robert C. Hibben, executive secretary.

The closing order points out that subsequent to issuance of the complaint the entire files of the proceeding were, at the request of the Attorney General, transmitted to the Department of Justice and that criminal indictments were brought by that Department against the respondents in Chicago, the cases being known as the Government against The Borden Company, and others, and against National Dairy Products Corporation and others.

The Commission closed its case without prejudice to its right to reopen it should future facts so warrant.