

THE WEEK IN WASHINGTON

Ninety-seven per cent of all BMI stations have renewed their licenses for 1941-42. On its first birthday, BMI is the leading producer of hit tunes. (p. 313.)

The George Foster Peabody Radio awards for "outstanding meritorious public service" during 1940 were awarded last week at a dinner in New York. CBS, WLW, WGAR, KFRU and Elmer Davis were the winners. (p. 315.)

Exhibits of broadcast material and equipment for the first time will be an official part of the NAB convention this year. (p. 317.)

Cost-per-inquiry advertising again comes to the NAB's attention. (p. 317.)

Stations should continue their Moving Day promotion until all push-button sets are adjusted. (p. 318.)

Three amendments to the NAB By-Laws will be submitted to the NAB convention this year. (p. 318.)

The Association of American Railroads joined the NAB in seeking legislation for national daylight saving. (p. 320.)

The FCC vacated its revocation orders in the "Texas Cases." Andrew D. Ring resigned as assistant chief engineer at the FCC. (p. 320.)

BMI

LICENSE RENEWALS GO OVER THE TOP

Renewal license contracts from 97 per cent of all BMI stations had been received on April 2nd, according to Carl Haverlin, BMI's Director of Station Relations. Mr. Haverlin indicated that the few remaining stations

failed to send in the contracts because of the absence or illness of station executives whose signatures are required and he expects to hear from them within the next few days. The letters submitting the signed contracts have expressed enthusiasm over the achievements of BMI during its first year and have given assurance of strong and active support for the future. New contracts cover the period from April 1, 1941 to March 31, 1942.

BMI CELEBRATES FIRST ANNIVERSARY

Born one year ago, Broadcast Music, Inc., has become the largest publisher of music in the country and the most prolific producer of hit tunes. It has broken all records for publishing best sellers written by composers who were unknown before—young Americans who, until 1940, had not had an opportunity to present their songs to the listening public. Such hits of BMI's first year include *I Hear a Rhapsody*, *There I Go*, *You Walk By*, *I Give You My Word*, *So You're the One*, *High On a Windy Hill*, *Practice Makes Perfect*, *The Same Old Story*, *It All Comes Back To Me Now*, *Let's Dream This One Out*, and *The Wise Old Owl*.

BMI licensed its first music on April 1, 1940. The song bearing contract number one, *We Could Make Such Beautiful Music*, which has been known as the BMI theme, is still heard frequently on the air and enjoys a continuous sheet music sale. Since that time BMI has acquired the rights to more than 250,000 songs of every variety. At the present time it occupies more than 25,000 square feet of office space, has a pay roll of 300 employees, and has moved Tin Pan Alley from 46th Street and Broadway to 47th Street and Fifth Ave-

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You Can't Afford to Miss the NAB Convention

May 12, 13, 14, 15

New Jefferson Hotel

St. Louis



NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W.

WASHINGTON

Phone NATIONAL 2080

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

BMI

(Continued from page 313)

nue. More than 100,000 printed units of music are shipped out of BMI production offices every week to broadcasting stations, taverns, hotels, retail music stores, and to other users or vendors of music.

The phase of BMI activity which has won the heart of the public is its willingness to examine the work of new composers regardless of the time and effort involved. Out of more than 100,000 songs thus submitted, BMI has gleaned a catalogue of some 600 popular numbers—"more fresh and interesting material," in the words of a conductor, "than would ordinarily be submitted by a music publisher in six or seven years."

BMI BARDS GET BOOTY

Checks to BMI songwriters in payment for performance of their music over the air are going out as we go to press. They chalk up another "first" to the credit of BMI. It is the first time that writers have been paid for the use of their music in this country without regard to any consideration except the number of performances. The checks are being transmitted in a letter from M. E. Tompkins, BMI Vice-President, who says:

"BMI's program logging service has been operating since January 1st, and your payment of performance royalties for the first quarter of 1941 will be accurately computed in accordance with actual performances for the first time in the history of musical copyright in the United States. Meanwhile the results already obtained by us from our logging service have enabled us to estimate your performances for the last quarter of 1940 with some accuracy, and we take pleasure in enclosing herewith our check representing voluntary payment for performance royalties for October, November, and December of 1940 as estimated from a test check of programs.

"In sending you this payment, we wish to express again our deep appreciation for your cooperation, and to assure you that the opportunity of authors to be compensated for performances, upon a fair and determinable basis, is now definitely established and will be perpetuated."

Norman Weiser, Associate Editor of Radio Daily, who is himself one of BMI's successful lyric writers, noted in his column, "Plenty of smiles along Tin Pan Alley these days as the performance pay-offs from BMI are beginning to arrive in the mail."

BMI FEATURE TUNES

April 7-14

1. WALKIN' BY THE RIVER
2. WISE OLD OWL, THE
3. MY SISTER AND I
4. FRIENDLY TAVERN POLKA
5. G'BYE NOW
6. WHAT D'YA HEAR FROM YOUR HEART
7. HIGH ON A WINDY HILL
8. YOU WALK BY
9. HERE'S MY HEART
10. IT ALL COMES BACK TO ME NOW
11. MAY I NEVER LOVE AGAIN
12. LOAFING ON A LAZY DAY
13. TALKING TO THE WIND
14. BREAKFAST FOR TWO
15. WITH A TWIST OF THE WRIST
16. WHERE'S THE CAPTAIN'S HAT

NEW NUMBERS AMONG THE LEADERS

The *Billboard* and *Variety* lists of sheet music best sellers and coin machine leaders as usual show surprising amount of difference, but two statements are true of both—the proportion of BMI numbers remains approximately what it has been for the past several weeks, and there are some new numbers among the tops. *Amapola*, a Marks number, holds the number one spot on three lists and is well up on the others. *It All Comes Back to Me Now*, one of BMI's own numbers, appears for the first week on *Billboard's* list of the six biggest money makers in the coin machines and for the second week among *Variety's* top ten. *The Wise Old Owl* is climbing among the sheet music best sellers. Peer's *Maria Elena* is another newcomer.

BMI TUNES IN PICTURES

Broadcast Music, Inc. has arranged for the publication of several songs to be introduced in forthcoming picture productions. Contracts have been signed with the Walt Disney studios to publish the title song of the next Disney full-length feature picture *The Reluctant Dragon*, to be released about May 1st.

The song, *I Am the Reluctant Dragon*, is an outstanding novelty number and BMI officials are convinced that they can turn it into a hit. Present plans don't call for the publication of any other numbers in the picture so that the full attention of BMI's Professional Department will be concentrated on the *Dragon*. The contract is the result of three months' negotiation between the Disney studios and BMI.

The Reluctant Dragon is taken from Kenneth Gra-

hame's *Dream Days*. It has been rewritten from the original story and characteristic Disney touches added.

BMI will have the song *Madame Will Drop Her Shawl* in the forthcoming *South of Panama*, co-starring Virginia Vale and Roger Pryor and released through Producers Releasing Corporation. Announcement is anticipated soon of the BMI songs to be included in the next Judy Canova picture, *Puddin' Head*.

The new Dr. Christian picture *Interlude*, the shooting of which will start April 15th, will be 100% BMI. There will be four songs—*When Love is New*, *Make Believe Land of Dreams*, *Get Alive*, and *The Rhythm is Red, White and Blue*. The BMI Professional Department will concentrate on *When Love is New*, which was written by Claude Sweeton and Jack Owens. The songs in *Puddin' Head* were written by Jack Owens, who is regarded by BMI officials as one of the most promising of their discoveries.

MORE MEXICAN HITS FROM PEER

Maria Elena, a waltz, written by the Mexican songwriter Lorenzo Barcelata, and published by Peer International, affiliated with Broadcast Music, Inc., is rapidly gaining a place among best song sellers. Last week more than 5,000 copies of sheet music and orchestrations were shipped out, mainly to the middle-west where the song is exceptionally popular. Written in 1933 and enjoying a big sale in Latin-American countries, new English lyrics by S. K. Russell have brought the song to the forefront. During the past few weeks Wayne King, Lawrence Welk, Bobby Byrne, Jimmy Dorsey, Tony Pastor, and Gene Krupa have recorded the number and coin machines in all sections of the country are featuring their recordings.

Un Momento, the latest composition by Alberto Dominguez, who wrote *Frenesi* and *Perfidia*, was published last week by Peer. English title for the song is *Rendezvous in Rio* and the English lyric is by Marjorie Merton.

Dominguez, who recently was a guest star on an international hook-up over NBC, is planning to leave New York shortly on a visit to Hollywood before returning to Mexico City, where he is musical conductor at Station XEW.

BMI CONTINUES TO PIONEER

Another revolutionary step in the advancement of radio-music has been achieved by Broadcast Music, Inc. through the development of two color orchestrations. Although colored arrangements have been used before in piano music, this is the first time that complete orchestrations have been printed in two colors. Since BMI began operation, all orchestrations made by the broadcasters' organization have been cross-cued—a system of arranging that enables orchestrations to be used by groups of four

or five pieces or full symphony orchestras. In the newly developed BMI method of arranging, the cross-cued parts that are played by small groups are printed in a reddish-orange color that makes them stand out in striking contrast to the remainder of the score.

The new two-color printing, it was explained by BMI arrangers, is expected to "revolutionize music," as it is the most important step ever taken to simplify the playing of complicated arrangements. By using the colored arrangements, which are easier on the eyes than the usual all-black orchestrations, musicians in orchestras of less than symphonic size no longer have to be concerned with reading the entire score for the cross-cued sections they play, but can easily and quickly locate their parts from the notes printed in color. To get the most effective color, the BMI Arranging Department experimented with a number of shades, finally selecting the reddish-orange color as offering the greatest contrast. Beginning this week, all BMI arrangements of favorite standard, classical, and salon music will incorporate the new two-color printing.

Peabody Radio Award Winners

The George Foster Peabody Radio Awards for "outstanding meritorious public service" in the broadcasting industry during 1940 were announced March 29 by S. V. Sanford, Chancellor of the University System of Georgia, at a dinner in New York.

The awards, comparable to the Pulitzer awards in the field of journalism, went to the Columbia Broadcasting System, among the networks; Station WLW, Cincinnati, among the large stations; Station WGAR, Cleveland, among the medium sized stations; Station KFRU, Columbia, Missouri, among the small stations, and Elmer Davis, CBS reporter.

In addition, the following stations were cited:

LARGE STATIONS

WSB, Atlanta, Georgia. Cited for its distinguished public service contributions to a localized area in the South.

KNX, Los Angeles, California. Cited for meritorious service to a localized area in the Far West.

WLS, Chicago, Illinois. Cited for meritorious service to agriculture.

WCAU, Philadelphia, Pennsylvania. Cited for its program series, "Wake Up America," a contribution to national defense.

WBAP, Fort Worth, Texas. Cited for its distinctive series of prison broadcasts.

WOR, New York City. Cited for its contribution in broadcasting the "American Forum of the Air."

WJZ, New York City. Cited for its contribution to broadcasting the "Town Meeting of the Air."

WGEO, (short wave) Schenectady, N. Y. Cited for its service to the Byrd expedition at the South Pole.

MEDIUM-SIZED STATIONS

WJJD, Chicago, Illinois. Cited for its service to education in broadcasts to schools.

WQXR, New York City. Cited for the high standards of its musical programs.

WOW, Omaha, Nebraska. Cited for its enterprise in originating "The President's Birthday Ball of 1940".

KSTP, St. Paul, Minnesota. Cited for its distinguished broadcast, "America Calling."

WBNX, New York City. Cited for its public service to foreign language groups in greater New York.

WRC-WMAL, Washington, D. C. Cited for its enterprise in originating the "Mile O' Dimes" public service feature.

SMALL STATIONS

KVOS, Bellingham, Washington. Cited for promoting a better understanding between Canada and the United States through its Armistice Day program.

The awards, authorized by the Regents of the University System of Georgia last May, were approved by an advisory board which included:

Bruce Barton, president, Batten, Barton, Durstine, and Osborne, Advertising, New York City

John H. Benson, President, American Association of Advertising Agencies, New York City

Virginius Dabney, Editor, Richmond (Va.) *Times-Dispatch*

Norman H. Davis, Chairman, American Red Cross

Jonathan Daniels, Editor, Raleigh (N. C.) *News and Observer*

Mark Ethridge, Vice President and General Manager, Louisville (Ky.) *Courier-Journal* and *Times*

Waldemar Kaempffert, Science Editor, New York *Times*

Alfred Knopf, Publisher, New York City

Grace Moore, Metropolitan Opera Company, New York City

Dr. John W. Studebaker, United States Commissioner of Education

Mrs. Marjorie Peabody Waite, daughter of George Foster Peabody whose name the awards bear

Edward Weeks, Editor, *Atlantic Monthly*, Boston, Massachusetts

The Columbia Broadcasting System, Dr. Sanford said, was selected among the networks, "among other reasons, for offering a schedule of broadcasts which combined commercial and sustaining programs in such a way as to constitute a structure definitely in the public interest; for giving its listeners more than 10,000 non-commercial broadcasts in 3,500 hours of unsponsored, public service programs; for regarding its schedule as a curriculum for adults and children in which lighter entertainment served as an ingredient to make the more vital programs palatable; for covering adequately the significant news of the year; for promoting Pan-American unity and understanding through its 'School of the Air'; for aiding education with special schoolroom services and such programs as 'Invitation to Learning', 'The Human Adventure', 'Reporting to the Nation', 'The People's Platform', and 'Columbia's Country Journal'; for giving religion a major place in its public service activities; and for its manifold and continuous interest in serious music and other cultural subjects."

Station WLW, Cincinnati, received its award among large stations "for being a pacemaker in the conception and execution of distinctive public service programs; for recognition of the principle that clear-channel stations should be sectional rather than local in their service, but at the same time should not duplicate the work of the networks; for offering broadcasts of a type slightly above the level of the mass radio audience; for spending three times as much on public service programs as the average

for 50,000 watt stations; and for serving the interests of all groups, including rural as well as urban listeners."

Station WGAR, Cleveland, was selected "for its success, despite the restricted facilities of a regional station, in serving the diverse interests and widely different cultural backgrounds of greater Cleveland; for promoting a better understanding among these various groups; for assuming a responsibility to those 65 per cent of Cleveland's foreign-born or first generation listeners who do not easily understand English by broadcasting programs in languages which represent the principal foreign populations of this metropolitan area—Hungarian, Italian, Slovene, Czech, Slovak, Polish and Roumanian; for its program, 'Wings over Jordan', begun five years ago to bring about a better understanding between the white and colored peoples of Cleveland; for its cooperation with governmental agencies in the interest of national unity, civic consciousness, community health and welfare; and for its unique news service featuring items of special interest to some twenty small communities."

Station KFRU, Columbia, Missouri, received its award "for making the most of its opportunities to serve its local audience; for giving its listeners educational features of local origin, including programs of classical music with interpretative comments and helpful broadcasts in the interests of better farming; for doing a superior job of public service despite limited equipment, circumscribed finances, and a small personnel."

Elmer Davis was selected for "his terse, incisive and impartial reporting of the news, day by day."

Dr. Sanford's address was broadcast by the coast-to-coast network of the Columbia Broadcasting System.

The idea for the Peabody awards, which are to be made each year, originated with Lambdin, Kay, Director of Public Service at station WSB, Atlanta. He discussed the need for "something comparable to the Pulitzer prize" for radio with Dean John E. Drewry, of the Henry W. Grady School of Journalism of the University of Georgia, who, in the fall of 1939, laid the matter before Dr. Sanford. Dean Drewry also discussed the matter with the broadcasting industry at the 1940 convention of the National Association of Broadcasters in San Francisco where his proposal to have the awards made by the University of Georgia received unanimous endorsement. Together, the Henry W. Grady School of Journalism and the NAB set up the mechanics for making the awards.

Broadcasting stations from 24 states and the District of Columbia, as well as the three major networks, submitted entries. A faculty committee of the University of Georgia carefully examined the material submitted by the stations and recommendations of this committee formed a basis of selections approved by the advisory board.

Addressing himself to the broadcasting industry, Dr. Sanford said tonight that he hoped "these Peabody awards will serve increasingly as an incentive to higher standards of public service."

"We of the University of Georgia and the School of Journalism in particular, feel that radio is very much a part of our educational program," he added. "The creation of these George Foster Peabody Radio Awards is but the latest step in our efforts to be of educational assistance to an important agency of communication. With the cooperation of the National Association of Broadcasters, our Advisory Board, and the executives of the radio industry itself, these Awards should from year to year serve not only as a measurement of the achievements by broadcasters, but as a continuous reminder of the social obligations of radio. Mr. W. B. Lewis, vice president in charge of broadcasts of the Columbia Broadcasting System, has stated the point well thus:

"The award is a very healthy plan to compel those of us who are engaged in the daily work of putting radio programs on the

air, to stand aside and once again evaluate our activities over an entire year in terms of objectives and achievements. * * * The compilation of our exhibit provided a real stimulus to the individual members of the departments involved. And this experience was, we are sure, duplicated by that of every competing station and network.'

"We of the University of Georgia hope and believe that this thought is shared throughout the broadcasting industry."

William S. Paley accepted the award on behalf of CBS; James D. Shouse for WLW; Eugene Carr for WGAR; C. L. Thomas for KRFU, and Elmer Davis for himself. C. E. Arney, Jr., spoke in behalf of the NAB.

NAB Convention

Promotion Exhibit Question Box No. 3

Question: Will the exhibits at the Convention be put in the halls and in the lobbies, or will there be a special exhibit hall?

Answer: There will be a special exhibit hall. The Crystal Room of the New Jefferson Hotel in St. Louis has been designated as such. This room is 75 feet long, and 35 feet wide, and will provide plenty of space for every exhibitor.

Question: Will individual stations have to mount their exhibits themselves?

Answer: No. If the entries are shipped to the Convention according to the regulations the Committee in charge will see that the panels are properly hung, at no expense or bother to the individual stations.

Question: If a station sends material which does not conform to the rules of the Committee what is the result?

Answer: Such exhibits which do not conform to the rules will not be displayed in the Crystal Room, and will not be entitled to any awards.

The closing date for entries is May 3. Shipment is to be made to the New Jefferson Hotel, St. Louis, c/o NAB Promotion Exhibit Committee.

EXHIBITS

For the first time, the exhibits of broadcast equipment and materials will be made an official part of the convention this year. The Board of Directors in formulating the Associate Membership Plan adopted a provision to the effect that only those who are associate members will be eligible to hold exhibits in connection with the convention. While this will cut down the number of exhibits, it will give assurance that those who do exhibit are sufficiently interested in the industry's problems to support its trade association. In an early issue of the

REPORTS, a complete list of the exhibitors will be given. This week a questionnaire went out to all associate members seeking information regarding their exhibit plans.

The promotion exhibit should not be confused with these associate member exhibits. While associate members are eligible to display promotional material along with the display of similar material made by member stations, the promotional exhibit will be made in the Crystal Room, one of the large public rooms in the hotel. The associate member exhibits will be in private rooms throughout the hotel. Every indication points to an exceptional promotion exhibit and the committee, headed by Howard Peterson, WOW, is working diligently.

BANNER ATTENDANCE PROBABLE

Ray Dady, KWK, and his Housing Committee have done a really commendable job in handling the requests for hotel reservation at St. Louis hotels. The advance reservations, incidentally, far exceed those at any previous NAB convention. For many weeks all of the suites available at the Jefferson Hotel have been taken. A very limited number of twin bedded rooms are yet available but there are plenty of double bedded rooms and singles. There are, of course, suites at other hotels than the Jefferson, many of them nearby. Don't let the fear of lack of proper accommodations deter you from planning your trip to the convention.

Incidentally a check-up shows a very limited number of reservations from the far west. This is surprising in view of the fact that the mid-western broadcasters were so numerous at the San Francisco convention last year. Many of the mid-western broadcasters have expressed the hope that the western broadcasters will reciprocate by being present at St. Louis. It is going to be a grand convention and Merle Jones, chairman of the General Committee, has the local plans well in hand.

Sales

COST-PER-INQUIRY

Contingent and cost-per-inquiry deals, some new and some old, continue to be reported by member stations to the NAB Department of Broadcast Advertising. This week's mail brought information on the following:

The Bible Press, Richmond, Va.
Murray Hill Topman & Co., 505 Fifth Ave., New York City, on behalf of an insecticide powder.

Frasek Company, Martlex Bldg., White Plains, N. Y., with a postage stamp offer.

Duensing & Co., 35 East Wacker Drive, Chicago, on behalf of Waterbury fountain pens.

Continued cooperation in calling these free offer and per-inquiry deals to the attention of the Department will be appreciated. Each of these companies has been advised that it is the opinion of the Department of Broadcast Advertising that their proposals are

opposed to the best interests of radio stations, and each has been invited to give serious consideration to a paid radio campaign, if they wish to obtain maximum results and maintain the continued goodwill and cooperation of the broadcasting industry.

PELLEGRIN REPORTS

Frank E. Pellegrin, newly appointed Director of the Department of Broadcast Advertising, assumed his duties at headquarters April 1. Pellegrin comes from Omaha, where for the past three years he has been sales manager of the Central States Broadcasting Company—KOIL, Omaha, and KFAB, Lincoln.

Promotion

RADIO'S MOVIN' DAY

Many station executives have indicated that they are continuing the broadcast of announcements urging listeners to have their push buttons reset. This is sound technique. The telephone rush to get push buttons changed, noted on March 29, is over. Now comes the orderly change over of buttons which will take some weeks. Unless stations continually drive home the change over message their listeners may neglect to have the job done as speedily as possible.

The Mayors of five more cities who proclaimed Radio Movin' Day, previously unreported, represent:

Charleston, S. C.; Muncie, Ind.; Tacoma, Wash.;
San Bernardino, Cal.; Toledo, Ohio

When H. H. Born, business manager, WHBL, Sheboygan, Wis., received Governor Heil's proclamation it was set up in the composing room of the Sheboygan Press. Mats were pulled and mailed to the twenty-two Wisconsin communities having broadcast stations.

WBIG, CBS affiliate in Greensboro, N. C., and WSJS, owned by the Winston-Salem Journal and Sentinel, on NBC Red, exhibited some real Tar Heel cooperation during Movin' Day promotion.

The former station bought space in the Winston-Salem Journal and WSJS bought spot announcements over WBIG.

James C. Wallace, KAST, Astoria, Ore., ran a six hundred line ad in the Astoria-Budget on March 17, which also illustrated the well-known radio cooperation. After explaining the facts of change over Mr. Wallace listed "Important Changes on Stations Heard in the Astoria Area" and urged readers to save the listings. Stations noted were located in Portland, Seattle, Tacoma, Los Angeles, San Francisco, Sacramento and San Jose.

WDGY, Minneapolis, arranged an excellent cooperative promotion for itself as well as other Twin City stations, and stations in Fergus Falls, Winona, Superior-Duluth, Hibbing, Moorhead, Willmar, Virginia, Albert Lea and St. Cloud.

A deal was made with one of the station's clients, Central Coop. Livestock Association, which distributed 100,000 notices of new dial settings of Minnesota stations.

WDGY's wave length is 1130 which suggested to Program Manager Stone a program called the "1130 Matinee." Quarter hour started March 1 at 11:30 a. m. and is still running. A special Saturday afternoon program known as the "1130 Club" has been running four weeks, 1:10 to 3:30 p. m. Both shows continue to urge listeners to have their push buttons changed.

Amendments to By-Laws

Three proposals to amend the By-Laws of the NAB have been authorized by the Board of Directors for submission to the membership.

Article XIII of the By-Laws requires that proposed changes shall be "submitted by mail to the last recorded address of each member at least 30 days before the time of the meeting which is to consider the change." The meeting to consider the change is the Nineteenth Annual Meeting, to be held at St. Louis, May 12 to 15 inclusive. This is, therefore, your notice of the following proposed amendments.

I

To provide for nomination of Directors-at-Large and selection of succeeding convention city by the members, the following amendment is proposed, without recommendation by the board as to nomination of Directors-at-Large and with recommendation as to succeeding convention city:

(1) Amend Article V by striking out Section 1 thereof and inserting in place thereof the following new Section 1:

SECTION I. ANNUAL

A. A stated or annual meeting of the members shall be held in each year at such place as is determined by the members at their previous annual meeting and at such time as is determined by the Board of Directors. At such meeting Directors-at-Large shall be nominated and Directors-at-Large and Network Directors shall be elected by the members by vote in an open session thereof to succeed such directors whose terms then expire. At such meeting there shall likewise be transacted any other business that may be then properly and legally presented.

B. No city shall be eligible for balloting as the place for the ensuing annual meeting unless certified by the Secretary-Treasurer to have complied with the following requirements:

1. At least ninety days prior to the annual meeting any city desiring to invite the next annual meeting shall so notify the Secretary-Treasurer in writing.

2. At least thirty days prior to the annual meeting such city shall inform the Secretary-Treasurer in writing, in such detail as he may require, as to its facilities to accommodate the annual meeting, whereupon if its said facilities shall appear to be adequate, the Secretary-Treasurer shall certify the city as qualified.

3. The invitation of any qualified city shall be presented to the membership by a member from the district in which such city is located.

C. The names of cities extending official invitations in accordance with paragraph (B) above shall be posted in the order of presentation and the membership shall select three such cities in the order of their preference for the next annual meeting.

D. The Secretary-Treasurer shall immediately negotiate with one or more hotels and community agencies in the city first preferred, the standard form of contract required of hotels and communities to which the annual meeting is awarded. If he is unable to negotiate satisfactorily as to such city, he shall similarly negotiate as to the city second preferred, and if he is unable to negotiate satisfactorily as to such city, he shall similarly negotiate as to the city third preferred. In the event he is unable to negotiate satisfactorily as to any of the three cities preferred by the membership, the Board of Directors shall fix the place of the annual meeting.

(2) Amend Article VII by striking out Section 4 thereof and inserting in place thereof the following new Section 4.

SECTION 4. NOMINATION OF DIRECTORS-AT-LARGE AND NETWORKS DIRECTORS. Nominations for each of the six Directors-at-Large, as defined in Section 2, above, shall be made from the floor at a business session of the annual meeting. Nomination speeches for any nominee shall not exceed in the aggregate one minute's duration. Nominations of any classification shall be closed when nominees of that classification total thirty. All names shall be posted as nominated. During the morning session of the second day of the annual meeting, each of the said respective networks shall certify to the President its nominee or nominees for Network Director, as defined in Section 2 above, whereupon such nominees shall be deemed to have been placed in nomination, and shall be so reported to the members during that session.

(3) Amend Article VII by striking out Section 5 thereof and inserting in place thereof the following new Section 5:

SECTION 5. ELECTION OF DIRECTORS-AT-LARGE AND NETWORK DIRECTORS. Election of Directors-at-Large and Network Directors shall proceed as follows:

A. The President shall appoint an Elections Committee of three persons. The President shall appoint the Chairman.

B. The Elections Committee shall compile a list of Active Members eligible to vote in the elections.

C. The Elections Committee shall distribute coupon ballots.

D. The Elections Committee shall on the second day of the annual meeting announce a time and place for balloting and shall supervise such balloting. No ballots shall be received after the balloting session adjourns.

E. The Election Committee shall prepare ballots in blank and in coupon booklet form with not less than four ballots in each coupon book. Ballot number one shall be used for the election of the Network Directors. Ballot number two shall be used to vote for not more than four nominees in each classification for Directors-at-Large. Ballot number three may be used by writing thereon the names of the first, second and third preference of cities for the next annual meeting; provided, however, that the use of Ballot number three may be waived at the discretion of the Chairman of the Elections Committee and a voice or standing vote substituted. Ballot number four shall be used to vote for two nominees for Directors-at-Large in each classification as outlined in Section 2 above; provided, however, that no ballot shall be cast for more than one nominee of the two nominees in each classification receiving the highest number of votes on Ballot number two; and provided, further, that no ballot shall be cast for more than one nominee of the two nominees in each classification receiving the lowest number of votes on Ballot number two.

F. Immediately after the conclusion of balloting, the Elections Committee shall proceed to count the ballots and announce the results; provided, however, that the results of the final ballot shall be announced during the annual meeting at the time and place designated by the President.

G. The two Director-at-Large nominees receiving the highest number of votes in the final balloting in each of the three classifications, shall be declared elected.

II

To provide for membership dues-classification in \$100,000 brackets at an increase of \$25 dues for each bracket, for net receipts from \$600,001 to \$1,000,000, the following amendment is proposed, with recommendation of the board:

Amend Article IV by striking out Section 1 thereof and inserting in place thereof the following new section 1:

SECTION 1. Effective January 1, 1941, each active member shall pay dues on net receipts from the sale of time received during the previous calendar year. Net receipts from the sale of time are defined as billings based on gross rate for broadcasting service less time and advertising agency discounts, if any, and including net billings to the networks. No member shall be required to state its actual volume but to name annually to the Secretary-Treasurer on his call the class into which its volume falls. It is understood that each Active Member is in honor bound not to name a smaller classification than that into which its volume actually falls. The annual dues, payable monthly in advance, shall be as follows:

Class	Range of Income	Monthly Dues
A	\$ 0 \$ 15,000	\$ 5.00
B	15,001 36,000	10.00
C	36,001 60,000	15.00
D	60,001 80,000	20.00
E	80,001 120,000	30.00
F	120,001 160,000	40.00
G	160,001 200,000	50.00
H	200,001 300,000	75.00
I	300,001 400,000	100.00
J	400,001 500,000	125.00
K	500,001 600,000	150.00
L	600,001 700,000	175.00
M	700,001 800,000	200.00
N	800,001 900,000	225.00
O	900,001 1,000,000	250.00
P	1,000,001 2,000,000	400.00
Q	Over 2,000,000	500.00

III

To provide for reallocation of territory affecting Districts 2, 3, 8, 9, 11 and 14, the following amendment is proposed, with recommendation of the board:

Amend Article III, Section 4, District 2, by striking out the period and adding the following: "and New Jersey."

Amend Article III, Section 4, District 3, by striking out the comma and the word "New Jersey."

Amend Article III, Section 4, District 8, by striking out the period and adding the following: ", excluding the counties of Ontonagon and Gogebic."

Amend Article III, Section 4, District 9, by striking out all after "Illinois" and adding the following: ", Wisconsin, excluding the counties of La Crosse, Monroe, Juneau, Adams, Marquette, Waushara, Portage, Wood, Jackson, Trempealeau, Buffalo, Pepin, Pierce, St. Croix, Dunn, Chippewa, Eau Claire, Clark, Marathon, Lincoln, Taylor, Rusk, Barron, Polk, Burnett, Washburn, Sawyer, Price, Oneida, Vilas, Iron, Ashland, Bayfield and Douglas."

Amend Article III, Section 4, District 11, by striking out all after "North Dakota" and adding the following: ", South Dakota, excluding the counties of Fall River, Shannon, Bennett, Todd, Mellette, Waushara, Washington, Custer, Pennington, Jackson, Jones, Stanley, Haakon, Meade, Lawrence, Butte, Harding, Perkins, Ziebach, Armstrong, Dewey and Corson, and Wisconsin, including the counties of La Crosse, Monroe, Juneau, Adams, Marquette, Waushara, Portage, Wood, Jackson, Trempealeau, Buffalo, Pepin, Pierce, St. Croix, Dunn, Chippewa, Eau Claire, Clark, Marathon, Lincoln, Taylor, Rusk, Barron, Polk, Burnett, Washburn, Sawyer, Price, Oneida, Vilas, Iron, Ashland, Bayfield and Douglas, and Michigan, including the counties of Ontonagon and Gogebic."

Amend Article III, Section 4, District 14, by striking out all after "Wyoming" and adding the following: ", Montana and South Dakota, including the counties of Fall River, Shannon, Bennett, Todd, Mellette, Waushara, Washington, Custer, Pennington, Jackson, Jones, Stanley, Haakon, Meade, Lawrence, Butte, Harding, Perkins, Ziebach, Armstrong, Dewey and Corson."

Legislation

DAYLIGHT SAVING

Last Friday the Board of Directors of the Association of American Railroads passed a resolution that the officers of the Association should support H. R. 3789, the McLean Bill providing for daylight saving time on a nation-wide basis. The desirability of this legislation was called to their attention by the NAB which is, under resolution of the Board of Directors, actively supporting the Bill.

FEDERAL LEGISLATION

HOUSE

H. R. 4228 (HOBBS, D-Ala.) JUDICIAL CODE—To amend the Judicial Code by adding thereto a new section authorizing, for the purpose of detecting or preventing certain crimes, the Federal Bureau of Investigation of the Department of Justice, when specifically authorized by the Attorney General of the United States, to intercept, listen in on, or record telephone, telegraph, or radio messages or communications; and making such authorizations and communications, and testimony concerning same, admissible evidence; and for other purposes. Referred to Committee on Judiciary.

SENATE

S. 1253 (WHEELER, D-Mont.) COMMUNICATIONS ACT—To amend section 605 of the Communications Act of 1934. Referred to Committee on Interstate Commerce.

STATE LEGISLATION

SOUTH CAROLINA:

H. 487 (MOORE, et al) ALCOHOLIC LIQUORS—PUBLIC ADVERTISEMENT—to render unlawful the public advertisement of alcoholic liquors and beverages, and to provide a penalty for violation thereof. Referred to Committee on Judiciary.

FEDERAL COMMUNICATIONS COMMISSION

REVOCATION ORDERS VACATED

Need for continued broadcast service and other public interest considerations led the FCC to vacate its orders of revocation in the so-called "Texas cases," it announced.

Though hidden management revelations provided "ample foundation" for revocation, the Commission deems that the program service of the six stations involved is in the public interest, being for the most part in communities not otherwise provided with broadcast facilities. Therefore, in view of subsequent acts by the licensees to remedy unlawful aspects of past operation, the Commission agreed to license five of the stations on a temporary basis for 90 days, during which time they must show that James G. Ulmer has relinquished all interest in their operation. Further, the Commission is keeping the records in all six cases open for use in any future proceedings which might involve these licensees.

Today's decisions affect KGKB, East Texas Broadcasting Co., Tyler, (B-110); KRBA, Red Lands Broadcasting Association, Lufkin (B-104); KSAM, Sam Houston Broadcasting Association, Huntsville, (B-108); KTBC, State Capitol Broadcasting Associa-

tion, Austin (B-102); KNET, Palestine Broadcasting Association, Palestine (B-103), and KGFI, Eagle Broadcasting Co., Brownsville (B-122).

With reference to its decision and order in the cases of stations KRBA, KSAM, KTBC, KNET and KGFI, licensed on a 90-day basis, the Commission observes:

"The primary and moving figure in all of these cases was Dr. James G. Ulmer. His actions coupled with lack of understanding displayed by the other principal participants in the proceedings with respect to the duties of radiobroadcast licensees, particularly concerning the requirement of the Communications Act of 1934 and the Rules and Regulations of the Commission, combine to present a clouded and dubious history for each of the stations involved. But we think in this respect that the various licensees in the light of the several hearings will accord, in the future, more respect and, consequently, a stricter adherence to such duties and requirements."

Because station KGKB has endeavored to purge itself of unlawful past operation, the Commission will permit the licensee to continue operation of this station, but warns that this is not to be construed as in any way approving Dr. Ulmer's past activities in connection with the station. "To the contrary," comments the Commission, "we unequivocally condemn these activities and the complete disregard of the duties of radiobroadcast licensees shown by the other principal participants in this proceeding."

The Commission was faced with the circumstance that in none of the areas in which these stations are located, except Austin, is there any station to serve as a medium for community expression other than the particular stations involved. No question had been raised that the program service was not in the public interest.

Commissioner Payne dissented in all six cases and Commissioner Case in the case of KGKB.

WBAX LICENSE RENEWAL DENIED

Application by John H. Stenger, Jr., for renewal of license of broadcast station WBAX, at Wilkes-Barre, Pa., was denied by the FCC, following oral argument before the Commission on its Proposed Findings of Fact and Conclusions (B-115) to that effect, dated September 18th last. The station is accordingly given until 3 a.m., July 1 next to get off the air.

In adopting its proposed findings, the Commission reaffirmed its previous conclusions as amended:

"Upon the foregoing findings of fact the Commission concludes:

"1. The applicant is not financially qualified to continue the operation of the station.

"2. In view of the facts recited above with respect to false representations made to the Commission by the applicant in applications and other documents, it is apparent that his character is not such as to qualify him to hold the license of a radiobroadcast station.

"3. In practical effect, the station licenses heretofore granted to the applicant for the operation of Station WBAX, and the rights therein granted have been transferred to Glenn D. Gillett, Marcy Eager, and Stenger Broadcasting Corporation without obtaining the consent of the Commission thereto in writing, in violation of the provisions of Section 310(b) of the Communications Act of 1934, as amended.

"4. The radio transmitting apparatus described in licenses heretofore issued to the applicant for the operation of Station WBAX has been used and operated by Glenn D. Gillett and Marcy Eager, directly and through agents, and by Stenger Broadcasting Corporation, through its officers and directors, particularly with respect to the control of physical operation and programs broadcast, in violation of the provisions of Section 301 of the Communications Act of 1934, as amended.

"5. The applicant has relinquished control of this station and his right to exercise same; and has failed to discharge properly the obligations made incumbent upon him in licenses which he has received from the Commission.

"6. The granting of the application for renewal of license of Station WBAX will not serve public interest, convenience, or necessity."

The Commission made the supplemental observation that the "control actually exercised by Gillett and his associates went beyond the terms of the contract, and beyond the activities reasonably to be contemplated therefrom."

Commissioner Craven, concurring, stated: "I concur with the ultimate result, but believe that the denial should be without prejudice to the filing of an application for transfer of license to a person satisfactory to the Commission as to qualifications under the law."

WBAX, using power of 100 watts, has been operating on a temporary basis since March 29 on 1240 kilocycles, and on 1210 kilocycles previously.

RING RESIGNS

After nearly 12 years of active Government service in radio broadcast engineering, Andrew D. Ring has resigned as Assistant Chief Engineer of the FCC to engage in private engineering practice. He will be associated in Washington with Ralph L. Clark, who has also resigned from the Commission engineering staff for this purpose.

Mr. Ring is following out an intention of long standing to enter private practice as soon as certain engineering problems had been followed through by the Commission to successful conclusions. Last of these was the North American Regional Broadcasting Agreement, effective March 29, with which Mr. Ring had been associated in a technical capacity since he was a technical adviser to the Havana conference in 1937.

A native of Tennessee and graduated from the University of Tennessee, Mr. Ring joined the Federal Radio Commission July 1, 1929, as senior engineer. He has been Assistant Chief Engineer for the Federal Communications Commission since the latter was established in 1934.

Technical progress in which Mr. Ring played an active part has included establishment in 1930 of empirical standards of allocation as a basis for determining broadcast service and interference; adoption of automatic frequency controls in 1932; directive antenna to prevent interference and otherwise improve service, adopted that same year; Standards of Good Engineering Practice and Rules and Regulations Governing Standard Broadcast Stations, resulting from an engineering conference in 1939; the recent debut of commercial FM, with new principles of allocation on the basis of area served; substantial developments in television, and international broadcast aided by use of directive antenna and maximum power requirement.

Mr. Ring has been with the Commission during a period which has been decisive of many important engineering problems in the broadcasting field. He has brought to his work here both a long experience and a rare degree of competence. It will be difficult to fill his place at the Commission.

COOPER RESIGNS

The FCC has accepted the resignation of Robert M. Cooper, Assistant to the General Counsel. Mr. Cooper has been with the Commission for about two years. During that time he has been active in connection with litigation, the chain broadcasting inquiry, the proposed telegraph merger, and other important matters.

Chairman James Lawrence Fly said that Mr. Cooper's services had been of great value to the Commission. "Mr. Cooper is an excellent lawyer with long experience in the regulatory field," commented the Chairman. General Counsel Telford Taylor stated that Mr. Cooper had contributed effectively to the Commission's activities in numerous important branches of its work, and paid high tribute to his ability.

Mr. Cooper has had several offers of other employment but did

not announce his plans for the future. He will continue to handle several matters which have been specifically assigned to him by the Department of Justice.

IMPROVED RECEPTION UNDER FREQUENCY SHIFT NOTED

Advice received by the FCC indicates that the change of frequencies effected by standard broadcast stations on March 29th, as required under the North American Regional Broadcasting Agreement, was accomplished with a minimum of inconvenience to listeners as well as to broadcasters.

The shift was made according to schedule, without untoward incident. Broadcasters report that their listeners evinced no particular confusion, thanks to the advance explanations made by both radio and the press in a public effort, which was assisted by Governors' proclamations and cooperation of civic, technical and other groups.

Early reports to the FCC are to the effect that improved reception has been noted in general. Some isolated reports of interference have been traced to specific cases in which final adjustments were not completed at the exact time the reallocation became effective.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

Following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 7. They are subject to change.

Thursday, April 10

NEW—Granite District Radio Broadcasting Co., Murray, Utah.—C. P., 1500 kc. (1490 kc. when Havana Treaty is effective), 250 watts, unlimited.

Friday, April 11

KGNO—The Dodge City Broadcastgng Company, Inc., Dodge City, Kans.—Modification of license, 1340 kc., 500 watts night, 1 KW day, unlimited. Present assignment: 1340 kc., 250 watts night, 1 KW day, unlimited.

FUTURE HEARINGS

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

April 21

Consolidated Hearing

WPAY—Chester A. Thompson (Transferor), and The Brush-Moore Newspapers, Inc. (Transferee), Portsmouth, Ohio.—Transfer of control of Corp., 1370 kc., 100 watts, unlimited.
WPAY—Vee Bee Corporation, Portsmouth, Ohio.—Renewal of license, 1370 kc., 100 watts, unlimited.

Joint Hearing

NEW—The Yankee Network, Inc., Boston, Mass.—C. P., 44300 kc., coverage 19,230 square miles.
NEW—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—C. P., 43100 kc., coverage 20,437 square miles.

April 30

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—C. P., 1410 ke., 1 KW, unlimited, DA night.

May 14

WHB—WHB Broadcasting Company, Kansas City, Mo.—C. P., 710 ke., 5 KW, DA night and day, unlimited time.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—C. P., 710 ke., 10 KW, unlimited, DA night.

May 21

Consolidated Hearing

NEW—R. B. Terry, D. A. Rawley, C. M. Waynick and H. A. Cecil, d/b as High Point Broadcasting Co., High Point, N. C.—C. P., 1370 ke., 100 watts, unlimited time.

NEW—Ralph L. Lewis, Greensboro, N. C.—C. P., 1370 ke., 100 watts, unlimited time.

May 26

Consolidated Hearing

WCAM—City of Camden, Camden, N. J.—Renewal of license, 1280 ke., 500 watts night, 500 watts LS, shares WTNJ and WCAP.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Renewal of license, 1280 ke., 500 watts night, 500 watts LS, shares WTNJ and WCAM.

WTNJ—WOAX, Incorporated, Trenton, N. J.—Renewal of license, 1280 ke., 500 watts night, 500 watts LS, shares WCAM and WCAP.

WTNJ—WOAX, Incorporated, Trenton, N. J.—C. P., 1230 ke., 1 KW night, 1 KW day, unlimited, DA day and night.

NEW—Trent Broadcast Corp., Trenton, N. J.—C. P., 1230 ke., 1 KW, unlimited, DA day and night.

June 2

NEW—Symons Broadcasting Co., Ellensburg, Wash.—C. P., 1110 ke., 1 KW, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WSTV—The Valley Broadcasting Co., Steubenville, Ohio.—Granted modification of license to change hours of operation from specified to unlimited time, 1340 ke. (NARBA), power 250 watts night and day (B2-ML-1051).

WBRK—Harold Thomas (assignor), Monroe B. England (assignee), Pittsfield, Mass.—Granted consent to assignment of license for station WBRK from Harold Thomas to Monroe B. England; station operates on 1340 ke. (NARBA), 250 watts, unlimited time (B1-AL-298).

KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted construction permit to increase night power from 1 KW to 5 KW and install directional antenna for day and night use; 1300 ke. (NARBA), 5 KW day, unlimited time (B5-P-3030).

WLOG—Clarence H. Frey & Robert O. Greever, Logan, W. Va.—Granted construction permit to increase power from 100 watts night and day to 250 watts night and day and make changes in equipment; 1230 ke. (NARBA), unlimited time (B2-P-3109).

KGY—KGY, Inc., Olympia, Wash.—Granted construction permit to install new antenna and increase time of operation from unlimited except when station KTW is operating, to unlimited; 1240 ke. (NARBA), 100 watts night and day (B5-P-3071).

David Rosenblum, d/b as Butler Broadcasting Co., Butler, Pa.—Granted construction permit for new standard broadcast station to operate on 680 ke., 250 watts, daytime only;

exact transmitter site to be determined with Commission's approval (B2-P-3046).

DESIGNATED FOR HEARING

Colonial Broadcasting Corp., Norfolk, Va.—Application for construction permit for new standard broadcast station to operate on 1200 ke. (1230 ke. under NARBA), 250 watts, unlimited time; exact site and antenna system to be determined (B2-P-3039).

WABY—Adirondack Broadcasting Co., Inc., Albany, N. Y.—Application for modification of license to change frequency from 1400 ke. (NARBA), to 1240 ke. under NARBA; 250 watts night and day, unlimited time (B1-ML-1053).

MISCELLANEOUS

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate with power of 100 watts from local sunset (March 6 p. m. CST) to 9:30 p. m. on March 31, in order to broadcast political addresses only; from local sunset (April 6:30 p. m., CST) to 11 p. m., April 1, 1941, in order to broadcast City of Aurora election returns, and from sunset 11 p. m., CST, April 15, 1941, in order to broadcast election returns in communities adjacent to the City of Aurora only.

WSBT—The South Bend Tribune, South Bend, Ind.—Granted special temporary authority to operate unlimited time on 960 ke., 250 watts night, 500 watts daytime for the period March 29, 1941, to not later than April 27, 1941, pending completion of construction in accordance with permit, provided Station WFAM (also licensed to The South Bend Tribune) license be surrendered.

WHAL—Harold F. Gross and Edmund C. Shields, Saginaw, Mich.—Granted modification of construction permit which authorized a new station to be operated on 950 ke., 500 watts, daytime hours, for change in frequency to 980 ke. in accordance with NARBA; no authority to operate hereunder will be granted prior to March 29, 1941.

W2XBS—National Broadcasting Co., Inc., New York City—Granted extension of special temporary authority to operate television broadcast station W2XBS with special emission in addition to A3 emission on Channel No. 1, in order to conduct experimental tests for the National Television Standards Committee and the National Broadcasting Co., Inc., for the period beginning April 1, 1941, and ending not later than April 30, 1941.

KAAK—American Airlines, Inc., Washington, D. C.—Granted special temporary authority to operate aircraft radio station KHALI on frequency 2790 ke. between 7:30 p. m. and 8 p. m. CSDT on March 29, 1941, in order to relay broadcast program in connection with opening of the International Flower Show at Dallas to radio station WRR.

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Denied special temporary authority to operate from 7:30 p. m., EST, to the conclusion of State Semi-final basketball game on March 25, 1941, in order to broadcast said game only.

KBTM—Jay P. Beard, tr/as Regional Broadcast Co., Jonesboro, Ark.—Denied special temporary authority to operate with power of 250 watts nighttime on March 28, 1941.

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—Granted authority to determine operating power by direct measurement of antenna input on 600 ke. under NARBA, for period beginning 3 a. m. EST, March 29 (B3-Z-720).

KSEI—Radio Service Corp., Pocatello, Idaho.—Granted authority to determine operating power by direct measurement of antenna power on 930 ke. under NARBA, for the period beginning 3 a. m. EST, March 29 (B5-Z-722).

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted authority to install automatic frequency control equipment for auxiliary transmitter on 790 ke. under NARBA (B2-F-195).

KVRS—Wyoming Broadcasting Co., Rock Springs, Wyoming.—Granted authority to determine operating power by direct measurement of antenna power on 1400 ke. under NARBA, for the period beginning 3 a. m. EST, March 29 (B5-Z-719).

W6XYZ—Television Productions, Inc., Los Angeles, Cal.—Granted modification of construction permit (B5-PVB-33, which authorized a new television station) for extension of commencement and completion dates to April 15 and October 15, 1941, respectively (B5-MPVB-38).

W2XMT—Metropolitan Television, Inc., New York City—Granted modification of construction permit (B1-PVB-40, which

- authorized a new television station), authorizing extension of commencement and completion dates to June 1, 1941, and January 1, 1942, respectively (B1-MPVB-37).
- WGEA—General Electric Co., So. Schenectady, N. Y.—Granted modification of construction permit (B1-PIB-25, which authorized increase in power, additional frequencies and new transmitter in international broadcast station) for extension of completion date to July 1, 1941 (B1-MPIB-22).
- KGET—General Electric Co., San Francisco, Cal.—Granted modification of construction permit (B5-PIB-24, which authorized installation of new transmitter and increase in power of international broadcast station) for extension of completion date to July 1, 1941 (B5-MPIB-23).
- KALW—Board of Education of San Francisco Unified School Dist., San Francisco, Cal.—Granted modification of construction permit (B5-PED-14, for new non-commercial educational broadcast station) for extension of completion date to May 14-41.
- WHIZ—WALR Broadcasting Corp., Zanesville, Ohio—Granted modification of license to change name of licensee to Southeastern Ohio Broadcasters, Inc., for period beginning 3 a. m., EST, March 29 (B2-ML-1056).
- WBEN—WBEN, Inc., Buffalo, N. Y.—Granted modification of construction permit (B1-P-2757, for new transmitter, directional antenna for night use, increase in power to 5 KW, and move of transmitter), for extension of completion date to June 1, 1941 (B1-MP-1200).
- WKST—WKST, Inc., New Castle, Pa.—Granted modification of construction permit (B2-P-2809, to install directional antenna for night use, change hours of operation to unlimited, using 1 KW day and night), for changes in D.A. system, and to request 1280 ke. under NARBA (B2-MP-1206).
- WOV—Greater New York Broadcasting Corp., New York City.—Granted license to cover construction permit (B1-P-2753) for new equipment, increase in power, installation of directional antenna, for period beginning 3 a. m. EST, March 29 (B1-L-1341). Also granted authority to determine operating power by direct measurement of antenna input on 1130 ke. under NARBA, for period beginning 3 a. m. EST, March 29 (B1-Z-700).
- WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted license to cover construction permit (B3-P-2476, which authorized installation of new transmitter, increase in power and installation of D. A. for day and night use, and move of transmitter) for the period beginning 3 a. m., EST, March 29 (B3-L-1339). Also granted authority to determine operating power by direct measurement of antenna input for period beginning 3 a. m., March 29 (B3-Z-696).
- WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Granted license to cover construction permit (B4-P-2674) which authorized increase in night power using directional antenna at night, for period beginning 3 a. m., EST, March 29 (B4-L-1342). Also granted authority to determine operating power by direct measurement of antenna input for period beginning 3 a. m., March 29 (B4-Z-701).
- Greenville Broadcasting Co., Portable-Mobile (Area of Greenville, N. C.).—Granted construction permit for new relay broadcast station; frequencies 1622, 2058, 2150, 2790 ke.; 40 watts; to be used with WGTC, Greenville, N. C. (B3-PRY-236).
- WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted authority to install automatic frequency control equipment, on 1310 ke. under NARBA (B3-F-178).
- WKAT—A. Frank Katzentine, Miami Beach, Fla.—Granted construction permit to use formerly licensed W.E. 250 watt transmitter as auxiliary, and install new crystal oscillator for 1330 ke. (1360 ke. under NARBA) (B3-P-3120).
- WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted modification of construction permit (B3-P-2641, authorizing installation of directional antenna system for night use, increase power to 5 KW and move transmitter), for 1310 ke. under NARBA, changes in D.A. system, and extension of completion date to 180 days after grant (B3-MP-1216).
- WELI—City Broadcasting Corp., New Haven, Conn.—Granted modification of construction permit (B1-ML-868, which authorized increase in power and changes in directional antenna), for 960 ke. under NARBA, changes in directional antenna, and extension of commencement and completion dates to 1 day and 180 days after grant respectively (B1-MP-1209).
- WRC—National Broadcasting Co., Inc., Washington, D. C.—Granted modification of construction permit (B1-P-243, as modified, which authorized increase in power, installation of DA for night use), for extension of completion date to May 5, 1941 (B1-MP-1207).
- WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Granted modification of construction permit (B2-P-2459, which authorized move of transmitter, increase in power, installation of new transmitter and antenna) for approval of transmitter site at NE Corner of Woodward Heights Blvd. and Huron St., Ferndale, Mich. (B2-MP-1147).
- WAPF—City of Flint, Flint, Mich.—Granted motion to dismiss from hearing docket the application for a new airport station to operate on 278 ke., 15 watts, unlimited time.
- WNYC—Municipal Broadcasting System of the City of New York.—Dismissed without prejudice petition for intervention in the hearing on application of Camden Broadcasting Company for a new station in Camden to operate on 800 ke., 500 watts, unlimited time.
- Butler Radio, Inc., Tyler, Texas.—Dismissed motion for leave to amend application for construction permit to specify frequency 1400 ke. under NARBA.
- Ralph L. Lewis, Greensboro, N. C.—Dismissed motion for leave to amend application to specify frequency 1400 ke. under NARBA.
- Symons Broadcasting Co., Ellensburg, Wash.—Granted motion to continue hearing now set for April 1 for a period of 60 days in re application for construction permit to operate on 1110 ke., 1 KW, unlimited time.
- WAGA—Liberty Broadcasting Corp., Atlanta, Ga.—Passed motion for leave to amend application with regard to directional antenna, in reconstruction permit to change frequency, etc.
- WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Denied motion for continuance of oral argument now scheduled for March 31, in re application for renewal of license.
- KOMA—KOMA, Inc., Oklahoma City, Okla.—Granted extension of time to April 30 within which to file amendment to application for construction permit to change frequency, etc.
- KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted motion to continue hearing now scheduled for March 31 for period of 30 days, on application for construction permit to change frequency, etc.
- WDAS—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—The Commission on its own motion consolidated the hearing and continued same to May 26, on applications of renewal of licenses for WCAM, WCAP and WTNJ, and for construction permits for Trent Broadcast Corp., WTNJ and WDAS. Motion of WDAS to continue hearing dismissed.
- Mollin Investment Co., Riverside, Calif.—Denied as in cases of default the application for construction permit for a new broadcast station. Applicant failed to appear and offer evidence in support of the application to use 1390 ke., 50 watts, daytime only.
- Columbia Broadcasting System, Inc., Boston, Mass.—Passed petition to intervene in the hearing on application of The Outlet Co. for a new station in Providence, R. I., to operate on 44,300 ke., 16,370 square miles.
- Columbia Broadcasting System, Inc., Boston, Mass.—The Commission on its own motion continued hearing now scheduled for April 7 to April 21, on applications of Yankee Network, Inc., Worcester Telegram Publishing Co., and Columbia Broadcasting System, Inc., for new FM stations.
- WJAR—The Outlet Co., Providence, R. I.—Passed petition for leave to intervene and enlarge issues in re applications of Yankee Network, Inc., and Worcester Telegram Publishing Co., Inc., referred to above.
- Columbia Broadcasting System, Inc., Boston, Mass.—Passed motion to grant amendments to change frequency and change site in re its application for new FM station.
- KAWN—A. W. Mills, Gallup, New Mexico—Granted extension of special temporary authority to remain silent for the period March 31 to April 29, pending action on application to install new equipment (B3-S-922).
- W71NY—Bamberger Broadcasting Service, Inc., New York City.—Granted special temporary authority to operate frequency modulation station commercially on 47,100 ke., 100 watts, special emission for FM at 444 Madison Ave., New York City, for a period ending no later than May 17, 1941, pending completion of construction under (B1-PH-46 and B1-MPH-8).
- WMVA—Martinsville Broadcasting Co., Martinsville, Va.—Granted modification of construction permit (B2-P-2226

which authorized a new station to operate on **1420 kc.**, 100 watts night, 250 watts day, unlimited hours, for change in frequency to **1450 kc.** under NARBA. No authority to operate will be granted prior to March 29.

The Yankee Network, Inc., Boston, Mass.—Granted special temporary authority to originate the broadcast of a Stanley Cup Hockey play-off on March 29, in Boston, to be carried over the wires of AT&T or a subsidiary to Toronto, there to be broadcast by stations of Canadian Broadcasting Corp.

The Yankee Network, Inc., Boston, Mass.—Granted special temporary authorization to originate the broadcast of a Stanley Cup Hockey play-off on April 3, in Boston, to be carried over wires of AT&T or a subsidiary to Toronto, there to be broadcast by station CKCL from 9 p. m. EST, to conclusion of game.

WYNE—Board of Education, City of New York.—Granted extension of special temporary authorization to continue to operate non-commercial Educational Broadcast Station WYNE on **41100 kc.**, for the period April 1 to April 30, pending action on application for construction permit for frequency modulation and until construction is completed in accordance with terms of application.

W2XOY—General Electric Co., New Scotland, N. Y.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on frequency **43200 kc.**, 2500 watts, special emission for FM, with transmitter located at New Scotland, N. Y., for the period April 1 to April 30, 1941.

KEMA—May Seed & Nursery Co. (assignor), May Broadcasting Co. (assignee), Shenandoah, Iowa.—Entered order dismissing application for voluntary assignment of license of relay station KEMA (B4-ALRY-11).

WSVS—Board of Education, City of Buffalo, N. Y.—Granted authority to install automatic frequency control equipment on **1400 kc.** under NARBA (B1-F-202).

KSCJ—Perkins Brothers Co. (The Sioux City Journal), Sioux City, Iowa.—Granted modification of construction permit (B4-P-2290, which authorized installation of directional antenna for night use, and increase in power) for changes in directional antenna on **1360 kc.** under NARBA, and extension of completion date to 180 days after grant (B4-MP-1236).

National Broadcasting Co., Inc., New York, N. Y.—Granted special temporary authority to rebroadcast program over WEF and the Red Network entitled "Defense of America," from 7 p. m. to 7:30 p. m. EST, March 29, 1941, to be received from U. S. airplane in flight over Cleveland, Ohio; reception to be effected by special temporary receiving station by NBC in Cleveland.

APPLICATIONS FILED AT FCC

550 Kilocycles

KOAC—Oregon State Agricultural College, Corvallis, Oregon.—Modification of construction permit (B5-P-2422) for new transmitter installation of directional antenna increase in power and move of transmitter, for extension of completion date from 4-14-41 to 7-14-41.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—License to cover construction permit (B5-P-3078) for new transmitter.

570 Kilocycles

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modification of license to change hours from specified to unlimited. Facilities of WOSU (agreement attached).

WOSU—The Ohio State University, Columbus, Ohio.—Construction permit to install new transmitter, change frequency, power and hours from **570 kc.**, 1 KW specified hours to **880 kc.** (**820 kc.** under NARBA), 5 KW, limited, to local sunset at Dallas, Texas.

KUTA—Jack Powers, Frank C. Carman, David G. Smith and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Modification of construction permit (B5-P-2342) for new transmitter, directional antenna for day and night use, change frequency, increase power and move of transmitter, requesting changes in equipment, change directional antenna (day and night) increase power to 1 KW night, 5 KW day; change proposed transmitter site, extend commencement date to 60 days after grant and completion date to 180 days thereafter.

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Construction permit to install new transmitter, changes in directional antenna (day and night use) and increase power from 1 KW to 5 KW. Amended: re antenna.

620 Kilocycles

WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Modification of license to increase power from 500 watts night using directional, 1 KW day to 1 KW day and night using directional antenna night.

680 Kilocycles

WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of construction permit (B3-P-2216) as modified, for new equipment, increase in power and changes in directional antenna, requesting extension of time from 4-16-41 to 6-1-41.

890 Kilocycles

KFUO—Evangelical Lutheran Synod of Missouri, Ohio and Other States, Clayton, Mo.—Authority to determine operating power by direct measurement of antenna power on **850 kc.** under NARBA.

920 Kilocycles

NEW—Alamance Broadcasting Co., Inc., Burlington, N. C.—Construction permit for new broadcast station on **890 kc.** (**920 kc.** under NARBA), Class III, 1 KW, daytime. Amended: stock ownership.

KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—Authority to determine operating power by direct measurement of antenna power.

KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—License to cover construction permit (B5-P-2577) as modified for move of transmitter, install new transmitter, increase in power and directional antenna for day and night use.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Modification of construction permit (B5-P-2848) for directional antenna, increase in power, requesting **950 kc.** under NARBA and changes in directional antenna.

940 Kilocycles

WCSH—Congress Square Hotel Co., Portland, Maine.—License to cover construction permit (B1-P-2535) as modified for increase in power and installation of directional antenna for day and night use.

WCSH—Congress Square Hotel Co., Portland, Maine.—Authority to determine operating power by direct measurement of antenna power.

950 Kilocycles

WRC—National Broadcasting Co., Inc., Washington, D. C.—Modification of construction permit (B1-P-243) as modified, requesting **980 kc.** under NARBA.

970 Kilocycles

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Construction permit changes in equipment, directional antenna for night use, increase power to 50 KW, move transmitter. Amended to specify **1000 kc.** under NARBA, and change directional antenna.

980 Kilocycles

NEW—Greensboro Broadcasting Co., Inc., Thomasville, N. C.—Construction permit for a new station on **980 kc.** under NARBA, 1 KW power, daytime, transmitter Greensboro, N. C. Amended: Studio site changed from Thomasville to site to be determined, Greensboro, N. C.

990 Kilocycles

WBZ—Westinghouse Electric & Manufacturing Co., Boston, Mass.—License to cover construction permit (B1-P-2998) for new transmitter, directional antenna for day and night, and move of transmitter. Amended: To change name to Westinghouse Radio Stations, Inc.

- WBZ—Westinghouse Electric & Manufacturing Co., Boston, Mass.—Authority to determine operating power by direct measurement. Amended: To change name to Westinghouse Radio Stations, Inc.
- WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Modification of license to change hours from daytime (NARBA) to limited to Knoxville, Tenn.

1020 Kilocycles

- KYW—Westinghouse Electric & Manufacturing Co., Philadelphia, Pa.—Authority to install automatic frequency control on **1060 kc.** NARBA. Amended to change name to Westinghouse Radio Stations, Inc.

1120 Kilocycles

- WISN—Hearst Radio, Inc., Milwaukee, Wis.—Modification of construction permit (B4-P-2608) as modified for new transmitter, directional antenna day and night, increase power and move of transmitter, requesting **1150 kc.** under NARBA, changes in directional antenna and extension of completion date to 180 days after grant.

1210 Kilocycles

- WEBQ—Harrisburg Broadcasting Co., Harrisburg, Ill.—Construction permit to move transmitter to lower floor same building, install new transmitter changes in antenna and **1240 kc.** under NARBA.
- KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Authority to determine operating power by direct measurement on **1240 kc.** under NARBA.
- WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Authority to determine operating power by direct measurement on **1240 kc.** under NARBA.
- WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Authority to determine operating power by direct measurement on **1250 kc.** under NARBA.
- KFXM—J. C. Lee & E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Authority to determine operating power by direct measurement on **1240 kc.** under NARBA.

1220 Kilocycles

- KWSC—State College of Washington, Pullman, Wash.—Modification of construction permit (B5-MP-2911) for changes in equipment, automatic frequency control, requesting extension of completion from 4-9-41 to 10-9-41.
- KWSC—State College of Washington, Pullman, Wash.—Modification of construction permit (B5-MP-1240) for changes in equipment, automatic frequency control, requesting authority to install automatic frequency control for **1250 kc.** under NARBA and extend commencement date to 10 days after grant and completion to 180 days thereafter.

1230 Kilocycles

- NEW—Greater Houston Broadcasting Co., Inc., Houston, Texas.—Construction permit for new broadcast station on **1230 kc.**, Class IV, 250 watts, unlimited time.

1260 Kilocycles

- WTOC—Savannah Broadcasting Co., Savannah, Ga.—Modification of construction permit (B3-P-2944) as modified, requesting increase in power from 1 KW night, 5 KW day to 5 KW day and night, changes in directional antenna for night use, and **1290 kc.** under NARBA, and extension of commencement and completion dates.
- KOIL—Central States Broadcasting Co., Omaha, Nebr.—Modification of construction permit (B4-P-2609) for installation of directional antenna for night use, increase in power, requesting **1290 kc.** under NARBA and changes in DA.

1270 Kilocycles

- WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Construction permit to increase power from 1 KW, 5 KW LS to 5 KW day and night, make changes in directional antenna for day and night use, requesting **1309 kc.** under NARBA.

1310 Kilocycles

- WJPR—John R. Pepper, Greenville, Miss.—Construction permit to change frequency from **1310 kc.** to **1600 kc.** (under NARBA), power from 250 watts to 1 KW, install new transmitter. Amended: To change type of transmitter.
- WFBG—The Gable Broadcasting Co. (Lessee), Altoona, Pa.—Authority to determine operating power by direct measurement on **1340 kc.** under NARBA.
- WGAU—J. K. Patrick, Earl B. Braswell, Tate Wright, C. A. Rowland & A. L. Brannen, d/b as J. K. Patrick & Co., Athens, Ga.—Authority to determine operating power by direct measurement.

1330 Kilocycles

- WSAI—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-P-2221) as modified for increase in power, directional antenna for night use, move of transmitter, for **1360 kc.** under NARBA, changes in directional antenna and extension of completion date from 7-15-41 to 180 days after grant.

1340 Kilocycles

- WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Authority to determine operating power by direct measurement of antenna power.
- WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Authority to transfer control of corporation to Bradley R. Eidman.
- KXRO—KXRO, Incorporated, Aberdeen, Wash.—Authority to install automatic frequency control equipment on **1340 kc.**

1370 Kilocycles

- WFOR—Forrest Broadcasting Co., Inc., Hattiesburg, Miss.—License to cover construction permit (B3-P-3015) for changes in equipment and increase power.
- KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—Authority to determine operating power by direct measurement on **1400 kc.** under NARBA.

1390 Kilocycles

- KUJ—KUJ, Incorporated, Walla Walla, Wash.—License to cover construction permit (B5-P-2610) as modified, for change of frequency, increase power, new transmitter and changes in antenna and move of transmitter on **1420 kc.** under NARBA.
- KUJ—KUJ, Incorporated, Walla Walla, Wash.—Authority to determine operating power by direct measurement.

1400 Kilocycles

- NEW—George Grant Brooks, Jr., Scranton, Pa.—Construction permit for new station, Class IV on **1370 kc.**, **1400 kc.** under NARBA, 250 watts, unlimited time. Antenna, transmitter and studio sites to be determined, Scranton, Pa. Requests facilities WARM.

1420 Kilocycles

- WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Modification of construction permit (B1-P-1877) as modified for a new station, requesting extension of completion from 4-17-41 to 5-17-41.
- WAPO—W. A. Patterson, Chattanooga, Tenn.—Authority to install automatic frequency control on **1150 kc.** under NARBA.
- WAOV—Vincennes Newspapers, Inc., Vincennes, Ind.—Construction permit to make changes in equipment and increase power from 100 watts to 250 watts.

1450 Kilocycles

- NEW—South Florida Broadcasting, Inc., Miami, Fla.—Construction permit for new broadcast station on **1500 kc.**, 250 watts, unlimited time. Amended to change frequency to **1450 kc.** under NARBA.

1500 Kilocycles

- KEYS—Earl C. Dunn and Chas. W. Rossi, d/b as Nueces Broadcasting Co., Corpus Christi, Texas.—License to cover con-

struction permit (B3-P-2931) as modified for a new broadcast station. Amended: to specify **1490 kc.** under NARBA. KRNR—News-Review Co., Roseburg, Oregon.—Construction permit to request **1490 kc.** under NARBA, increase in power from 100 watts night, 250 watts day to 250 watts day and night and changes in antenna. KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Construction permit to change frequency from **1500 kc.** (**1490 kc.** NARBA) to **610 kc.**, increase power from 250 watts to 1 KW, install directional antenna for night use, new equipment and move transmitter locally.

FM APPLICATION

K45LA—Don Lee Broadcasting System, Los Angeles, Calif.—Modification of construction permit (B5-PH-26) for new high frequency broadcast station, requesting change in coverage from 7000 to 7585 square miles, changes in antenna, move studio locally, and extend commencement and completion dates to 60 days after grant and 180 days thereafter respectively.

TELEVISION APPLICATION

W8XCT—The Crosley Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PVB-23) which authorized new television station, requesting extension of completion date from 4-28-41 to 10-28-41.

MISCELLANEOUS APPLICATIONS

WRCA—National Broadcasting Co., Inc., Bound Brook, N. J.—License to cover construction permit (B1-PIB-29) as modified for increase in power, change in frequencies and equipment. International Station. WNBI—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of construction permit (B1-PIB-28) as modified requesting additional frequencies **11890** and **15150 kc.** and extend commencement and completion dates to immediately and 30 days thereafter, also make changes in equipment. KALW—Board of Education of The San Francisco Unified School District, San Francisco, Calif.—License to cover construction permit (B5-PED-14 as modified) for new non-commercial educational broadcast station. NEW—San Diego Unified School District, San Diego, Calif.—Construction permit for a new non-commercial educational broadcast station to be operated on **42300 kc.**, 1000 watts, unlimited time, special emission for frequency modulation.

FEDERAL TRADE COMMISSION ACTION

COMPLAINTS

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

Bard-Parker Co., Inc., and its subsidiary and selling agent, Parker, White & Heyl, Inc., both of Danbury, Conn., are charged, in a complaint, with misleading representation in the sale "Bard-Parker Formaldehyde Germicide."

According to the complaint the respondents, in periodical and circular advertisements disseminated in various States, represent that "Bard-Parker Formaldehyde Germicide" is an efficient, practical and certain sterilization medium for surgical and dental instruments, and that it is a safe substitution for heat sterilization.

The complaint alleges that while the respondents' preparation has germicidal properties it will not, when used in accordance with the technique ordinarily associated with sterilization, destroy all forms

of bacteria, and is neither an efficient and certain sterilization medium nor a safe substitute for heat sterilization. (4478)

Bengor Products Company—A complaint has been issued charging Benjamin Gordon and Louis Gordon, trading as Bengor Products Co. and Magnet Merchandise Co., 878 Broadway, New York, with the use of lottery methods in the sale of merchandise. The respondents sell drug sundries, notions, household specialties, and other novelty merchandise.

The respondents, according to the complaint, sell to dealers assortments of merchandise so packed and assembled as to involve the use of a lottery scheme or game of chance when the merchandise is sold to the consuming public. Push card devices are used, the complaint alleges.

Charging that the respondents' practices have been contrary to Federal Government public policy and the Federal Trade Commission Act, the complaint grants the respondents 20 days for filing answer. (4474)

Boyer Brothers—Trading as Boyer Brothers, William E. Boyer and Robert J. Boyer, Altoona, Pa., have been served with a complaint charging the use of lottery methods in the sale of candy.

The respondents, according to the complaint, sell to wholesale dealers and jobbers assortments of candy, and cause push cards which are designed to be used with the assortments to be transported by means of the respondents' salesmen and otherwise to such dealers and jobbers, who, in turn, assemble the push cards and candy into single assortments for sale to the retail trade. The complaint alleges that retail dealers sell the candy to the public in accordance with the respondents' sales plan. The respondents, according to the complaint, thus supply to others the means of conducting lotteries in the sale of their candy.

Charging that the respondents' practices have been contrary to Federal Government public policy and the Federal Trade Commission Act, the complaint grants the respondents 20 days for filing answer. (4475)

Charles B. Joyce Company—A complaint has been issued charging Morris L. Myers, trading as Charles B. Joyce Co., 2425 North Halsted St., Chicago, with the use of lottery methods in the sale of merchandise. The respondent sells radios, clocks, flashlights, clothing, and novelty merchandise.

The respondent, according to the complaint, sells to dealers and other purchasers assortments of merchandise so packed and assembled as to involve the use of a lottery scheme when the merchandise is sold to the consuming public. Punch board devices are used, the complaint alleges.

Charging that the respondents' practices have been contrary to Federal Government public policy and the Federal Trade Commission Act, the complaint grants the respondent 20 days for filing answer. (4476)

Ragsdale, Inc.—A complaint has been issued charging an East Orange, N. J., group with misleading representations in the sale of instruction courses, outfits and supplies represented as offering an opportunity for a person to establish a candy business in his home. The respondents are W. Hillyer Ragsdale and Annie M., Marshall D., and Ida J. Ragsdale, trading under the names W. Hillyer Ragsdale, W. Hillyer Ragsdale, Inc., and Ragsdale Candies, 307 North Walnut St., East Orange, N. J.

The complaint alleges that through advertisements in periodicals circulated in various States the respondents represent that their outfits and instruction afford an opportunity for all men and women, regardless of prior training, experience, or capital, to enter the home-made candy making business; that such persons, upon purchase of the outfits and instructions, because of the respondents' help, will be enabled to set themselves up in a profitable business which can be operated from or in the home, and that by use of the methods outlined in the respondents' course and the equipment, tools, and supplies furnished, and because of the assistance given, all such men and women are assured of success and a steady income from the start either on a part-time or full-time basis.

Alleging that there is no basis in fact for the various assurances given by the respondents to prospective purchasers of their instruction and equipment, the complaint charges violation of the Federal Trade Commission Act and grants the respondents 20 days for answering the charges. (4472)

Stetson China Co., Inc., 1801 West 74th St., Chicago, distributor of dinnerware, is charged, in a complaint, with misrepresentation.

The complaint alleges that the respondent corporation disseminated printed matter representing that certain of its products are a reproduction of expensive, imported chinaware and that the prices are special or reduced, when in fact the chinaware offered is of ordinary quality and the prices advertised as special are in fact the regular retail prices. (4477)

CEASE AND DESIST ORDERS

Commission has issued the following cease and desist orders:

Air Conditioning Training Corporation, Youngstown, Ohio, and three of its officers, has been ordered to cease and desist from misrepresentations in the sale of courses in air conditioning and refrigeration conducted wholly or partly by correspondence. The respondent officers are Benjamin M. Klekner, Morris A. Gluck, and Leon J. Knight.

Commission findings are that in radio continuities broadcast over more than 75 stations having interstate reception, in advertising literature, and through their salesmen, the respondents represented, among other things, that graduates are assured employment in the air conditioning and refrigerating industry; that jobs are either guaranteed or promised; that the courses are given with the industry's cooperation or are sponsored by industry members, and that industry members will employ graduates.

According to findings, students completing the courses are unable to find employment, except in rare instances; industry members refuse to hire such graduates unless they can show substantial practical experience, and many industry members prefer to employ college graduates for installation work or trained men from the plumbing, electric and pipe-fitting trades for service work.

The Commission order directs the respondents to cease making such representations concerning the availability of employment for graduates and the cooperation of the industry, and, further to discontinue representing that industry members formulated or assisted in formulating the respondents' courses, and actively participated in the school's conduct; that the respondents' salesmen are vocational directors or experts; that part time work in servicing air conditioning and refrigeration equipment is available to students while pursuing the respondents' courses; that such students are qualified for that work, and that the industry's demand for men cannot be satisfied through the usual channels.

The order further directs the respondents to cease representing that starting wages for their graduates are higher than apprentice wages in the industry; that persons other than those having previous mechanical experience, or who have demonstrated an aptitude for mechanics, are qualified to pursue the respondents' courses and occupy positions in the industry requiring technical skill and scientific knowledge; that the tuition fee is less than is stated in the respondents' contract; that there are no charges other than tuition cost, or that students may take the laboratory training without completion of tuition payments, and that the laboratory or shop equipment is of greater extent and more comprehensive than it is in fact. (4182)

Claro Laboratories, Inc., South Bend, Ind., and its owners, Joseph Ferdinand Claro Przybysz (also known as Joseph Ferdinand Claro) and Frances Przybysz, have been ordered to cease and desist from misrepresentations in the sale of "Claro Hair Remover."

The Commission order directs the respondents to cease representing that their preparation constitutes a safe or non-irritating means of removing superfluous hair, or that it will permanently remove such hair or retard its growth.

Commission findings are that because of the barium sulphide and potassium hydroxide in the respondent's preparation, its use will dissolve that portion of the hair above the skin with which it comes in contact, but will not affect the roots of the hair or retard hair growth and will not permanently remove superfluous hair. The respondent's preparation, according to findings, is not safe or non-irritating because under the conditions of use it will irritate the skin and is likely to cause severe dermatitis and chemical burns. (3663)

Consolidated Book Publishers, Inc., 537 Dearborn St., Chicago, has been ordered to cease and desist from making misleading representations concerning its "Standard American Encyclopedia" and "Universal Dictionary of the English Language," which, according to findings, have been sold to newspapers and motion picture theaters for use as premiums to stimulate circulation or attendance, and to news agencies, the trade, and to retailers for sale to the public.

Commission findings are that the respondent represented in advertisements circulated in various States that the Standard American Encyclopedia is available to the public at a low price only because of its sponsorship by the American Home Library Foundation, represented as being a beneficent and educational institution. However, the findings relate that the American Home Library Foundation did not represent an organization of the type claimed, but was an affiliate corporation cooperating with the respondent in the sale of the encyclopedia for a profit, and that its activities did not lower the price of the books.

The Commission order prohibits the respondent from making such representations and further directs it to cease advertising that the encyclopedia is a "Giant" home reference library; that the editorial cost of its production was a million dollars; that the supply is limited and that the "de luxe" edition's binding is made of anything other than imitation leather.

The order further directs the respondent to discontinue representing that the Universal Dictionary of the English Language is new throughout or is anything other than an American publication of a dictionary first published in England in 1932 under the same name by another publisher except for specified changes which, in fact, were made.

Under the order the respondent also is prohibited from representing that the definitions of the words or phrases of the 1932 edition of the dictionary have been newly written or rewritten; that 12 years or any longer period than was actually required was needed to prepare the dictionary for publication and in publishing the first edition, and that Oxford University or any such educational institution sponsored or contributed in any way to its publication. (4440)

Electrical Laboratories Co., Inc., 49 East 21st St., New York, manufacturer of aerial eliminators, antennae and other devices for use in connection with radio receiving sets, has been ordered to cease and desist from misrepresentations in the sale of its "Walco Aerial Eliminator" or "Dynamic Antenna."

The Commission order directs the respondent to cease advertising that its device improves selectivity and tone, gives volume and distance equal to outdoor aerials and with better selectivity, and ends all dangers of lightning, storms, and short circuits, except insofar as these dangers may be due to the maintenance of an outside aerial.

Under the order, the respondent corporation also is prohibited from representing that its device eliminates clicks and noises resulting from wind and rain, except insofar as these may be due to the physical movement of an outside aerial resulting from such causes.

Commission findings are that the selectivity of receiving sets is dependent upon design, quality, workmanship, and other factors, and is not improved by the use of the respondent's device in place of an outdoor aerial. (3707)

Erie Laboratories, Inc.—A Cleveland group has been ordered to cease disseminating false advertisements in the sale of a medicinal preparation known as "Mrs. Bee Femo Caps" and as "Femo Caps," and "Bee Caps." The respondents are: Erie Laboratories, Inc., also trading as Mack Pharmacal Co., Allied Pharmacal Co., also trading as Erie Laboratories, Inc., and Melvin Rose, David F. Berland, and Rosen Kottenburg, officers and directors of Allied Pharmacal Co., all of 2108 Payne Ave., Cleveland.

The Commission order directs the respondents to cease and desist from disseminating advertisements which represent that their preparation is an effective treatment for delayed menstruation and is safe or harmless, or which fail to reveal that use of the product may cause gastro-intestinal disturbances and excessive congestion and hemorrhage of the pelvic organs or other serious injury to health. (4282)

Trudeau Candies, Inc., 287 East 6th Street, St. Paul, Minn., has been ordered to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

The Commission order further directs the respondent to cease and desist from supplying to others candy or any other merchandise, together with punch boards, push or pull cards or other lottery devices, or from supplying such devices, either with assortments of candy or other merchandise or separately, which devices may be used in selling or distributing such merchandise to the public. (4376)

STIPULATIONS

The Commission has entered into the following stipulations:

Boutross Brothers—George Boutross, trading as Boutross Brothers, 320 Fifth Ave., New York, importer, has entered into a stipulation in which he agrees to cease employing the word "Tuscanny" or the letters "Tusc." or any simulation of the word Tuscany as descriptive of articles not actually made in the Italian district or province of Tuscany of linen thread. The stipulation points out that true Tuscany lace is a hand-made fillet lace of grape design produced from linen thread in the Tuscany district of province of Italy. The respondent also stipulates that he will cease using the word "manufacturers" or any word of similar implication on his stationery or printed matter so as to imply that he manufactures the articles he sells, or owns and controls the plant in which they are produced. (3053)

John H. Breck, Inc., Springfield, Mass., entered into a stipulation in which it agrees to cease making certain representations in the sale of medicinal preparations or cosmetics known as "Breck's Hair Tonic", designated by the number 1A, 1B, or 3, "Breck's Lather-Oil pH8 Shampoo", "Breck's Special Scalp Cream", "Breck's No. 1 Hair Cream", "Breck's No. 2 Hair Cream", and "Breck's Ointment."

The respondent corporation agrees to desist from advertising, directly or by implication, or by pictorial illustration or otherwise, that any of its medicinal preparations or cosmetics, whether used alone or in combination with any other product, is a departure from other systems of treatment for the alleviation of hair and scalp troubles, or is a competent treatment or effective remedy for eczema of the scalp, psoriasis, alopecia areata, or for headache, troublesome monthly periods, or sick stomach.

Under its stipulation, the respondent further agrees to cease representing, among other things, that any of its products is an effective remedy for adhesions or that it will bring about a normal condition of the scalp connective muscles; will cause hair to grow, save the old hair, stop or prevent falling hair or atrophy of the hair or the excessive loss of hair; that any such product will start or encourage new growth, quicken the growth of hair or delay the graying of hair; or will prevent the loss of hair following erysipelas, scarlet fever, and other diseases, or conditions, or restore or aid in restoring hair where the loss is due to such causes. (02757)

Ferd. T. Hopkins & Son—Ferd. T. Hopkins, trading as Ferd. T. Hopkins & Son, 430 Lafayette St., New York, has entered into a stipulation in which he agrees to cease advertising that "Mother-sill's Seasick Remedy" will prevent or stop travel sickness or that it will assure travel comfort. The respondent's stipulation relates that while this preparation may help to overcome some symptoms of travel sickness, it cannot be relied upon to stop or prevent them, nor to assure travel comfort. (02755)

J. L. Hopkins & Co., Inc., 220 Broadway, New York, has entered into a stipulation in which it agrees to cease representing that its product "Red-Rat-Squill" will kill rodents other than rats and mice and is the surest and most satisfactory way to destroy rats and mice; that it will check obnoxious odors; that tests of the product guarantee uniformity of toxic strength, and that baits mixed with the preparation and exposed to the air will not, over a protracted period of time, become rancid. According to the stipulation, the use of the respondent's products will not accomplish the results claimed. (02758)

Macfadden Book Co., Inc., 205 East 42nd St., New York, entered into a stipulation in which it agrees to cease representing that

the book "Hair Culture", which it sells, contains methods, advice, or instructions which, when observed and applied, will prevent, correct the cause of, or cure, baldness, dandruff, brittleness, split hair or graying hair; will prevent or stop falling hair where such condition is not caused by improper scalp hygiene, or will increase the strength of the hair. (02756)

Moderno Company—Mariano Pollina, formerly in the business of distributing health food products at 16 West 22nd St., New York, under the trade names Vimm Wheat Germ Products Co. and Moderno Co., entered into a stipulation that he would not make certain representations concerning the products should he ever resume advertising or selling them.

The respondent Pollina asserted in his stipulation that he had sold his interest in the two trade names and the food products to a corporation which is now operating.

Under his stipulation, the respondent Pollina agrees that should he ever resume the advertisement and sale of the products, he will not represent, directly or by implication, among other things, that the product "Vimm's Wheat Germ Oil Capsules" will assure good health, and will normalize, strengthen, revive or prolong reproductive functions; that "Fortified Palm-Co" will prevent tooth decay, premature aging, nervousness or acidity, and is essential for growing children and pregnant women; that "Plain Palm-Co" assures digestive vigor, is a perfect natural food containing the greatest possible concentration of vital, health-forming elements in digestible form; and that "Vimm's Whole Wheat Germ" is the world's richest natural source of Vitamins B, E, and G, a good source of Vitamins A and C, and is concentrated with iron, copper, potassium, magnesium and manganese or any of these elements. (02754)

Pioneer Manufacturing Co., 3053 East 87th St., Cleveland, stipulated that it will cease representing its product "KO" (Kills Odor) as meeting all the requirements for a perfect or ideal disinfectant. The respondent corporation also agrees to desist from the representation that its preparation will kill all forms of germs in 30 minutes or that it is effective for killing germs suspended in the air. (3052)

William Ganson Rose, Inc., 522 Terminal Tower, Cleveland, an advertising agency, stipulated that it will cease certain representations in the advertisement of "Rahnous Capsules" and "Rahnous Nasal Drops" on behalf of the distributor of those preparations, E. W. Rahn, Cleveland.

The respondent agency agrees to cease disseminating advertisements of Rahnous Capsules, Rahnous Nasal Drops No. 1, and Rahnous Nasal Drops No. 2, which represent that these products, alone or in combination, are an effective remedy, cure or preventive of colds or catarrh or that they are a competent treatment in excess of affording temporary relief from the symptoms and discomforts associated with such condition.

The respondent agency also agrees to cease advertising that by use of the preparations, alone or in combination, one will never be bothered with colds or will be enabled to forget colds, and that Rahnous Capsules are of aid in building body resistance or that they regulate the body. (02753)

W. F. Young, Inc., Springfield, Mass., has entered into a stipulation in which it agrees to cease making certain representations in the sale of the medicinal preparation "Absorbine, Jr."

The respondent corporation agrees to cease advertising that Absorbine, Jr. kills the fungi of athlete's foot so as to represent that it kills such fungi as are buried beneath the corneous layer of the skin. The respondent also stipulates that it will desist from the representation that the product has any effect upon tissues deeper than those supplied by the peripheral vascular system or that accepted laboratory tests have proved that it achieves such results.

According to the stipulation, while it is contended that the respondent's preparation kills the fungi of athlete's foot on contact, such fungi, during certain stages of development, are buried beneath the corneous layer of the unbroken skin and are then inaccessible to the product. The product has no effect on the tissues other than upon the peripheral vascular tissue structure, according to the stipulation. (02759)

The Federal Trade Commission dismissed a complaint issued last November against W. Hillyer Ragsdale, Inc., 307 North Walnut St., East Orange, N. J., charging misrepresentation in the sale of a course of instruction intended to teach students the business of manufacturing candy in the home, and in the sale of certain supplies required in candy manufacture. Dismissal was ordered because the respondent's State charter of incorporation in New Jersey had been forfeited for non-payment of taxes and the respondent corporation was not extant when the complaint was issued and served.

The Commission has also dismissed a complaint charging Moskin Stores, Inc., 370 Seventh Ave., New York, operator of a chain of retail stores, with violation of the Federal Trade Commission Act in the sale of wearing apparel.

The Commission order states that it appears that the charges in the complaint are not sustained by the evidence.

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