

ASCAP

ASCAP has submitted a proposal to the stations of the Mutual Broadcasting System, details of which were not available for this issue of the NAB REPORTS. They will appear in an early issue.

Neville Miller sent the following telegram to all member stations on Thursday, May 1:

"In order to enable NAB members to comprehend effect of Mutual-ASCAP proposal a factual analysis is being made. This will be transmitted to stations in time to be available for consideration at convention. Regards."

Convention Program

MONDAY

Morning	Meeting of various committees.
Afternoon	Golf Tournament.
Night	NAB Board meeting. (Registration all day.)

TUESDAY

Morning 10 o'clock	Opening of Convention and round table on National Defense. Speakers: Chairman Fly, General Richardson, Commander Thurber Lowell Mellett.
Luncheon	Speech by Vice President Wallace.
Afternoon	Meetings of IRNA, Independents, Clear Channels, Regionals, Local Stations, Sales Managers.

WEDNESDAY

Morning	Breakfast—Round Tables.
10 o'clock	Music Situation—BMI-ASCAP, etc.
Afternoon	Music Situation continued, Insurance Committee, Recording Standards, Daylight Saving Time.
Evening	Open Meeting on Facsimile, Television, FM and International Broadcasting.

THURSDAY

Morning	Breakfast—Round Tables.
10 o'clock	Unit Volume, Code, Radio Advertising—Col. Chevalier, speaker.
Luncheon	Mark Ethridge, speaker.
Afternoon	Labor and other industry problems, election of Directors, selection of Convention city, report of Resolutions Committee, etc.
7:30 P. M.	Annual Banquet.

FRIDAY

Morning	NAB Board meeting.
---------	--------------------

With each day there comes new evidence that the Nineteenth Annual NAB Convention, to be held in St. Louis, May 12-15, will be a most successful one.

Already reservations for accommodations at St. Louis hotels involve between six and seven hundred persons. Last year at San Francisco, when the attendance reached an all-time high of just under seven hundred registrations, the advance reservations were less than half those now on file with the NAB Housing Committee.

The New Hotel Jefferson, which is to serve as Convention headquarters, is booked to capacity, but within

(Continued on page 388)

You Can't Afford to Miss the NAB Convention

May 12, 13, 14, 15

New Jefferson Hotel

St. Louis

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*

CONVENTION PROGRAM

(Continued from page 387)

easy distance are the Statler, the Lennox, the Mayfair, the De Soto, all of which are in a position to accept additional reservations for almost any type of accommodation desired. Further removed are the Chase, Park Plaza and Coronado which offer attractive accommodations. The hotel facilities at St. Louis are adequate to accommodate all who may desire to come.

The NAB Convention Program Committee, composed of J. H. Ryan, WSPD, George H. Norton, Jr., WAVE, and Herbert Hollister, KANS, has put together a business program which promises to hold the interest of all attending. It comprehends the presentation of subjects of vital concern to all broadcasters as well as to those concerned with radio.

Vice President Henry A. Wallace heads the list of speakers. He will address the Tuesday noon luncheon session and his talk will be broadcast to the nation on all the networks. The Thursday noon luncheon is to be an executive session at which Mark Ethridge, WHAS, former President of NAB, will discuss in a most intimate manner the problems and responsibilities of the industry.

The opening business session on Tuesday morning will consist of a panel discussion of the Relation of Radio to the National Defense. Federal Communications Commission Chairman James Lawrence Fly, General Robert C. Richardson, Public Relations Director of the Army, Lowell Mellett, Special Assistant to President Roosevelt in coordinating the national defense effort, and Commander H. R. Thurber, United States Navy, will all speak.

Music, which has been a topic of paramount interest to the radio industry, will occupy the center of the stage on Wednesday. Neville Miller, President of Broadcast Music, Inc., Sydney Kaye, Vice President and General Counsel, Merritt Thompkins, General Manager, and Carl Haverlin will outline developments and an open discussion will feature the program. At the afternoon session Universal Daylight Saving will be given an airing and the problem of uniform standards for recording will be discussed.

Thursday morning's session will be devoted to the commercial aspects of radio. Colonel Willard Chevalier, Publisher of *Business Week* and one of the nation's outstanding authorities of advertising, will sound the keynote. E. Y. Flannigan, WSPD, Chairman of NAB's Sales Manager's Division, and Frank Pellegrin, Director of the NAB Department of Broadcast Advertising, will present brief talks. William Scripps, WWJ, Chairman of the Research Committee, and Paul Peter, NAB Director of Research, will present the Unit Plan of Volume Measurement and its relation to commercial radio. Edgar Bill, Chairman of the Code Compliance Committee, will discuss the commercial aspects of the Code.

Following the Thursday noon luncheon there will be a panel discussion of "Labor" with Samuel Rosenbaum, WFIL, and Joseph L. Miller, NAB Labor Relations Director, participating. Then will follow the election of Directors-at-large and the advisory vote on the Convention site for the 1942 Convention.

The banquet will be held in the spacious Gold Room of the Jefferson. Through the combined efforts of the production departments of the networks a variety show of unusual merit is assured. Adolph Opfinger, MBS, Clarence Menser, NBC, and Doug Coulter, CBS, form the committee, which is directing the activity of Nat Abrahamson, WOR, who is assembling the talent. It promises to be a snappy, entertaining offering.

Group breakfast sessions will offer those attending a wide variety of choice of sessions in which topics of peculiar interest to them will be discussed.

The wives of the St. Louis broadcasters are preparing a most interesting program of entertainment for the ladies who will be in attendance.

All in all this nineteenth annual meeting gives promise of being the biggest session in every way of the broadcasting industry.

GOING BY TRAIN

Here is an abbreviated timetable for some of the principal trains between eastern cities and St. Louis:

	Natl. Ltd.	Diplomat
Lv. N. Y. (42nd St.)	1.05 p. m.	2.45 p. m.
" Phila.	3.36 "	5.14 "
" Balt. (Mt. Royal)	5.21 "	7.05 "
" Wash.	6.30 "	8.20 "
Ar. St. Louis	1.12 "	4.50 "

	G. Wash.	FFV
Lv. Washington	6.01 p. m.	11.00 p. m.
" Richmond	5.30 "	10.35 "
" Charlottesville, Va.	8.35 "	—
Ar. St. Louis	3.35 "	10.58 "

	St. Louisan	Spirit of St. L.	American
Lv. N. Y.	1.45 p. m.	5.45 p. m.	8.35 p. m.
" North Phila.	3.04 "	7.09 "	10.02 "
" Washington	1.50 "	5.45 "	8.30 "
" Baltimore	2.35 "	6.30 "	9.17 "
" Pittsburgh	9.51 "	1.53 a. m.	—
Ar. St. Louis	8.40 a. m.	12.50 p. m.	4.45 "

(All departure time shown is Eastern Standard—add an hour for "daylight")

Labor

TECHNICIANS NOT "PROFESSIONAL"

Radio technicians, as a group, are not *professional* employees within the meaning of the Wage and Hour Act, and thus cannot be exempt, as a group, from the act's overtime provisions.

This was the opinion of Harold Stein, Wage and Hour Division attorney after a field trip and conferences with Joseph L. Miller, NAB labor relations director, and Lynne Smeby, director of engineering.

Chief engineers and supervisors may be exempt as *executives*, depending upon their duties, Mr. Stein said. Both educational requirements and duties led him to believe, however, that all technicians, as a group, could not be called professionals.

Mr. Stein and the NAB representatives visited studios and transmitters of a clear channel, regional and local station in Washington, and thoroughly canvassed the whole problem.

SALESMEN—WRITERS—ANNOUNCERS

Joseph L. Miller, NAB labor relations director, addressed the following letter this week to the Wage and Hour Division regarding the classification of salesman-writers-announcers:

A question has arisen in the broadcasting industry in connection with Section 641.5(B) of the Wage and Hour Division's Rules and Regulations.

In many radio stations, especially smaller ones, time salesmen frequently prepare (write) the commercial "copy" for use in the programs which they have sold. We consider this work "incidental to and in conjunction with the employee's own outside sales or solicitations." Are we correct in this assumption? These salesmen are undoubtedly "outside salesmen" within the meaning of the definition in all other respects. It may throw some further light on the question to point out that the writing done by these outside salesmen is of the same type as that done by other employees, many of whom are classified as "professionals" and all of whom would be classified as professionals if they met the salary qualification.

The second question carries the first a step further. Some outside salesmen not only write some of their "copy" but announce the programs they sell, reading this "copy" which they have prepared. This is especially true in the case of numerous stations which devote some or most of their time to foreign language programs.

A small station, for instance, in a community which has a large Polish speaking group will engage a Polish speaking salesman. He may have perhaps one hour a day for a Polish music program sponsored by a group of merchants catering to the Polish speaking population. He sells, writes, and announces these "participating" commercials.

We certainly would appreciate your opinion on these questions as soon as possible. If any further information is needed, please do not hesitate to call on me.

REGULAR HOURLY RATE

An employee regularly works 40 hours a week for \$20. Monday he gets a day (8 hours) off, sick leave. The employer's policy is not to dock employees for sick

leave. Saturday, the employee's normal day off, he works 10 hours. How much does he have coming?

The Wage and Hour Division says \$25.50 (40 hours at the regular rate, eight more hours at the regular rate, two hours at time and one-half). In other words, the Wage and Hour Division considers payment for sick leave as a "gift" and not a part of wages. Hence, the regular hourly rate is not changed by payment for sick leave, holidays, vacations, etc.

DISCRIMINATION

The Supreme Court upheld the Labor Relations Board this week in its contention that refusal to hire a man because of his union affiliation or activity constituted violation of the Wagner Act.

The court also held that the employer was liable for the man's salary or wages from the time he was refused employment on that ground until he was employed.

In other words, if an employer is found by the labor board to have refused employment to a union member *just because he was a union member*, then the employer is liable for the pay the union member would have received if he had been hired.

Making or helping to make a "black list," it might follow, might be held to constitute conspiracy.

COST OF LIVING

The American Federation of Labor had the following to say this week about cost of living prices:

Memories of the last war remind us that there may be no stopping a runaway price rise. Prices started upward slowly in 1915; the rise gathered speed in 1916 and 1917, swept onward in 1918 and could not be checked until two years after the war. When prices finally reached a peak in 1920, cost of living was more than double its prewar level. The collapse which followed brought a severe depression.

Fear of such price inflation led the President to set up the Office of Price Administration and Civilian Supply. This new agency has the task of stopping price increases before they go too far. It will work closely with the Division of Purchases for OPM, which buys supplies for the Army and Navy. By refusing to buy any article where the price is too high, these agencies can bring enormous pressure on anyone raising prices unduly. For they buy in huge quantities practically every kind of goods where shortages and price increases are likely to develop.

With the Price Administration to check runaway prices, experts do not expect any important general cost of living increase in the near future. They expect no more than a very gradual rise in prices. The chart below shows that, according to government figures, living costs in March 1941 were only 1% above the last quarter of 1939, and less than 1½% above March 1940. Nevertheless, workers who go out to buy find prices up in many lines. Silks are up 9% since prewar days, woollens up 6½%, blankets 14%, furniture 10½%, foods almost 5%. Since last fall, dry goods and home furnishings are up 5%; men's suits may cost \$2.50 to \$5.00 more in the near future. In clothing, lower quality material is being substituted to avoid price increases, and workers find a hidden loss. These things do not appear in the living cost index because they are outweighed by other items such as staple foods and some rents, which have not risen.

Sales

COOPERATION BEING RECEIVED

Cooperation to date from stations queried in a general mailing last week by the Department of Broadcast Advertising has been extremely encouraging.

The mailing advised stations of the aims and policies of this new Department; included samples of the new standard form for success stories, and asked that current and future station promotion pieces and success stories be sent here to establish a national clearing house and centralized files upon which all NAB members may draw.

Any station that has not yet mailed its return-card is cordially invited to do so promptly, so that the record may be completed before the NAB convention.

A considerable task lies ahead in assembling and editing all material for duplication on our standard forms, but this is being attacked with as much dispatch as possible and stations will soon have a wealth of success story sales ammunition to draw upon.

TO 4-A CONVENTION

NAB will be represented at the annual convention of the American Association of Advertising Agencies May 2-3 by Paul F. Peter, Director of Research, and Frank E. Pellegrin, Director of Broadcast Advertising. Matters discussed will be routed to the proper NAB committees for discussion at the NAB convention.

AFA PARTICIPATION PLANNED

Radio will occupy one of the most prominent places it has ever held on a convention program of the Advertising Federation of America, when that body meets in Boston May 25-29.

As published in last week's *REPORTS*, the Boston stations and networks will furnish topflight entertainment for the cabaret party Tuesday night, and the highlight of the Wednesday luncheon program will be an international conversation via short wave radio between the presidents of the American and British Advertising federations.

Radio's group meeting Wednesday morning will be presided over by Robert Peare, Advertising Manager of the General Electric Co., prominent in AFA circles. Invitations have been extended by the NAB Department of Broadcast Advertising to two nationally known speakers, and their acceptances are awaited. Finally, Russell Place, NAB Counsel, and Frank E. Pellegrin, Director of Broadcast Advertising, will conduct a frank discussion of problems and issues, and report on action

taken at the NAB convention, as well as at the 4-A meeting, as they relate to commercial broadcasting. All radio men who can are urged to attend.

NATIONAL DEFENSE BOND CAMPAIGN

Radio stations are being asked to plug the sale of National Defense bonds on a free-time basis, as a measure of cooperation with the United States government. This cooperation has been freely given throughout the nation in very creditable fashion, and is deeply appreciated by government officials in Washington. Thus far sufficient funds have not been appropriated to enable the Treasury Department to pay for advertising in any media, but NAB is assured that in the remote event that an advertising fund is made available, radio will receive its proper share.

MOTION PICTURE PLUGS REQUESTED

An unwarranted effort to capitalize on radio's desire to cooperate in the national defense movement is reported by NAB members, whereby commercial motion picture exhibitors who have scheduled the film "I Wanted Wings" are working through recruiting offices to secure free radio advertising.

The picture, made in cooperation with the Army Air Corps, encourages the enrollment of aviation cadets. Motion picture operators are sometimes successful in persuading zealous recruiting officers to approach radio stations with the statement that "this recruiting office has been directed by the War Department to cooperate in publicity for this picture. . . . I am taking the liberty of sending you spot announcements, etc. . . ."

One appropriate answer contributed by a NAB member was to the effect that "We are quite anxious to cooperate with your office in every possible way and if any of the theaters in this territory will arrange to give free showings of this motion picture, we shall gladly do everything that we can to stimulate attendance."

We wish to repeat that NAB is working in closest harmony with national defense officials in Washington, and all worthy requests for radio's cooperation are being reported to member stations. Independent requests from scattered interested sources need place no station manager in the position of feeling that he is not cooperating adequately, and no qualms need be felt about declining such requests.

CIRCUS SEASON BEGINS

As reported in *Editor & Publisher*, Ringling Bros. and Barnum & Bailey Combined Shows will spend about \$350,000 in newspaper advertising this year, according to circus executives.

Roland Butler, general press representative, wrote ANPA: "We are convinced that newspapers are doing an excellent job for us. Advance sales, which generally amount to as much as \$3,500 per stand, are mentioned only in newspaper ads. It's also a fact that the steady gains we've enjoyed since 1929 have been recorded in years when our newspaper expenditures have likewise been steadily increased. . . ."

As the circus rolls this year, it's certain that radio stations everywhere will be asked to broadcast sustaining special-events programs, plugging the circus and covering such activities as the arrival and unloading, the parade, erection of the big top, etc., as well as interviews with star performers.

Usually, when asked to purchase this time, the radio advance contact man states that he has no authority to place orders for commercial advertising, but that in a few days he will be followed by an advertising man, and that evidence of cooperation on the part of stations will have a bearing, etc.

Circuses and other traveling shows will begin to use radio widely on a commercial basis, it is believed, only after stations have presented a united front for one season or two by discouraging the free-time abuse for disguised commercials. It took the newspaper industry many years to convert the circus press agent to the purchase of space, backed up by publicity; radio stations can accelerate the process by profiting from the newspapers' example.

Meantime, any success stories you may have showing an effective job done by your station on behalf of circuses or any other amusement enterprises using commercial time, will be welcomed as a valuable contribution by the NAB Department of Broadcast Advertising as it prepares radio's case for presentation to circus executives.

PER-INQUIRY EFFORT CONTINUES

The Rogers & Smith advertising agency of Dallas, Tex., continues to seek per-inquiry deals from radio stations on behalf of an unnamed nursery account. Although previously advised that it is not the policy of NAB member stations to do business on this basis, a recent letter from the agency to a station states that "eleven stations thus far have accepted it on a contingent basis. . . . All matters pertaining to any agreement that we may reach will be held in strictest confidence. . . ."

NAB is of the opinion that legitimate and ethical advertising can be carried on freely and above-board, both by the advertiser and the medium. An inference might be drawn that a more favorable deal can be secured by one station than by others. Indeed, NAB has positive proof that in a similar per-inquiry case, reported twice previously in *REPORTS*, one station received 33⅓ per cent while others, accepting the "standard" offer, received only 20 per cent. "Strictest confidence" was prom-

ised by that advertiser likewise, but nevertheless full details were quickly uncovered by an NAB investigation.

ESPERANTO REQUESTS TIME

For information of NAB members who have been approached for free time by Esperanto clubs, and who have requested data on the headquarters office of this organization in Washington, the Department of Broadcast Advertising finds that the Esperanto Association of North America operates a one-man office here, managed on a part-time volunteer basis by Joseph Leahy, who says the association "has no money." Some financial support comes through subscriptions to an Esperanto newspaper.

The association exists to promote the study of Esperanto, designed as an international language, to promote international understanding and goodwill. Study of the language was widespread in Europe before the war, and continues in South America. In Brazil, for example, the subject is required in public schools, and official papers are said to be printed both in Portuguese and Esperanto. Never considered very important by large numbers in the United States, Mr. Leahy says the association has between 25,000 and 30,000 members here, with about 50 clubs now organized chiefly in principal cities.

Radio activity, he said, is confined to local efforts by these clubs, who prepare their own scripts with no special assistance from the headquarters office. Whether stations wish to accept these as sustaining programs lies wholly within the discretion of each station, but caution is advised because of the present world situation, and the tendency of many listeners to regard with suspicion any programs conducted in a language other than English.

SUCCESS STORIES NEEDED

To fill current requests from members, additional success stories, big or little, are urgently requested on these topics:

Furniture Florists

Please send what you have to the Department of Broadcast Advertising.

TRADE SCHOOL WANTS DEALS

The Electronic Radio-Television Institute, of Omaha, Neb., is reported to be seeking cost-per-inquiry deals. Their letter states, however, "if your policy does not allow a per lead basis, send us a schedule of your rates. . . ." They are being advised that the best interests of advertisers and stations are served by adherence to published rates. Caution should also be exercised in accepting their statement that "Our school is the oldest school in this locality, and so far as we know, is the only school which has been given a high recommendation by govern-

ment authorities for the purpose of training radio operators and engineers in the armed forces." This statement is believed to be incorrect on both counts, and is being investigated by NAB.

BMI

KAYE STAYS AT BMI

Sydney M. Kaye, BMI's First Vice President and General Counsel, denied the report contained in *Variety* to the effect that he was giving up his active participation in BMI. Mr. Kaye said:

"My law firm and I have been associated with Judge Thomas D. Thacher in the preparation of the case of newspaper-radio stations and presentation of it to the Federal Communications Commission. The fact that I have undertaken this additional legal work does not in any way mean that I am going to give up my active participation in BMI. The major work of organization of BMI has been accomplished, and this, of necessity, reduces the volume of work which I must personally do. I regard BMI as a continued responsibility and I intend to give to BMI all of the time that it needs."

NEW HIT

BMI announces the acquisition of the sensational hit of the West Coast, "Hut Sut Song," through an agreement with the Schumann Music Company of Los Angeles. Both BMI's Los Angeles and New York offices regard the song as a number one potential.

HEMISPHERIC SOLIDARITY

Music Week, which runs from May 3 to May 10, will be featured by the performance of the native compositions of both North America and South America, which calls for rejoicing by BMI not to mention E. B. Marks and Peer International. In addition to the very well known *Frenesi*, *Perfidia*, and *Amapola*, several Latin-American compositions with English lyrics are now widely heard on the air. Among them are *Two Hearts That Pass in the Night*, *Yours*, *Maria Elena*, *Rendezvous in Rio* by Alberto Dominguez, *Green Eyes*, and *Dawn (Divina Mujer)*. Among the native American tunemakers, Sheriff Jimmy Davis of Shreveport, La., is the Abou Ben Adem with *You're My Sunshine*, *Worried Mind*, and *It Makes No Difference*. BMI will be host during the week to groups associated with the music industry who have expressed desires to get behind the scenes of a modern music company.

BMI EXHIBIT AT THE NAB CONVENTION

In addition to its movie showing BMI in action, those attending the NAB Convention will see the evolution of *My Sister and I* from the first penciled manuscript through the various changes made—progress in the arranging and autographing departments, recordings and transcriptions, and the application to it of the new BMI "color cueing." This application of two colors to music printing is a revolutionary advance in music orchestration and has met such enthusiastic reception by musicians that it looks as if it will become a permanent feature in music printing.

Broadcasters will also have an opportunity to see how it was possible for BMI to turn out in one week more music than the entire music industry had produced in a month.

BMI FEATURE TUNES

May 5 - May 12

1. MY SISTER AND I
2. WALKIN' BY THE RIVER
3. WISE OLD OWL
4. FRIENDLY TAVERN POLKA
5. G'BYE NOW
6. WHAT D'YA HEAR FROM YOUR HEART
7. HERE'S MY HEART
8. WITH A TWIST OF THE WRIST
9. TALKIN' TO THE WIND
10. THE RELUCTANT DRAGON

BMI FEATURE TUNES

"Going Strong," *Billboard's* title for the leaders in record sales and in coin machine popularity, aptly describes the position of BMI published and BMI controlled tunes for the week ending April 25. The music machine lists *There'll Be Some Changes Made*, *It All Comes Back To Me Now*, *Amapola*, *Oh, Look At Me Now*, *Wise Old Owl*, and *The Wise Old Owl* in the first division, with *Friendly Tavern Polka*, *G'bye Now* and *Do I Worry* "Coming Up." The list of best sellers in *Billboard's* record buying guide includes the same songs in the following order: *Oh, Look At Me Now*, *Wise Old Owl*, *There'll Be Some Changes Made*, *It All Comes Back To Me Now* and *Amapola*. Among the possibilities listed as likely prospects for music machine successes are *Number 10*, *Lullaby Lane*, *Yours*, and *Walkin' by the River*. *Walkin' by the River* by Una Mae Carlisle and Bob Sour, it is predicted by *Billboard*, will become "an exceedingly profitable item for the boxes." *Amapola*, the E. B. Marks sensational revival, continues to lead all lists with the exception of "songs with the most radio plugs," where *Do I Worry*, which comes to BMI through Melody Lane and Peer International, has reached the top position. This torchy rhythm tune, written by two young Hollywood writers, Stanley Cowan and Bobby Worth, has caught hold in the past two weeks.

Fast Seller

My Sister and I is the fastest selling BMI song to date and the first outstanding hit since *I Hear A Rhapsody*. No other BMI song had attracted the same amount of sales five weeks after it began selling. The success of *Sister* is stimulating sales of *Walkin' by the River*, *Wise Old Owl*, *Friendly Tavern Polka* and *G'bye Now*.

I Went Out of My Way

In contrast to the thousands of uninteresting songs that are submitted to BMI, there appears every now and then a "natural." Of such was *You Walk By*, which despite necessary revisions in construction, brought forth genuine enthusiasm from the BMI Editorial Staff. Now comes a song, *I Went Out Of My Way*, by Helen Bliss which is one of those songs that pleases both expert and layman at the first hearing. BMI stopped the presses when Miss Bliss came in with this tune and went to work to turn it out in record time.

Helen Bliss is a Cleveland girl, recently employed as a sales girl in Macy's Department Store in New York City, who came to the big town about a year and a half ago determined to make her way as a songwriter. She gives full credit to Benny Goodman for launching her career as a songwriter. About two years ago, Benny was playing at the Palace Theatre in Cleveland and Miss Bliss, after hearing half a dozen of his performances, determined to meet the great Goodman. Through the kind offices of Norman Siegel, radio editor of the Cleveland Press, an appointment was arranged. Goodman liked the song and took a piano copy with him to the west coast. Some months later he played it on one of his commercial broadcasts from Hollywood and commented over the air that the writer showed marked promise. That prediction was enough to send Helen Bliss packing off to New York with another song in her handbag. Regent Music Co., Benny Goodman's own publication firm, now clearing through BMI, accepted the song Miss Bliss brought them but because of the intricate construction of the tune, suggested Charley Hathaway, an arranger, as a collaborator. That song turned out to be *The Moon Won't Talk* which is gradually climbing into the ranks of best selling sheet music and is a fast growing favorite in "juke" boxes all over the country. Records of the song are finding ready sale, especially those made by Benny Goodman, Bob Chester and Ginny Sims. Bing Crosby has also featured the song in his broadcasts.

All of her songs were written without collaboration, as she finds it more convenient to work that way.

"I first think of a title," she says, "and then I pick out a tune on the piano, after which I turn my attention to the lyrics. Sometimes it takes me four or five weeks before I am satisfied that my song is ready for submission to a publisher."

Change of Name

The new Dr. Christian picture with 100% BMI songs will be called *They Meet Again* instead of *Interlude*. 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*, written by Claude Sweeton and Jack Owens.

Opportunity Without Prejudice

In addition to popularizing Una Mae Carlisle's tune, *Walkin' by the River*, within a few weeks, Broadcast Music, Inc., has promoted the work of many other colored composers. *There'll Be Some Changes Made*, a tune popular since 1929 with jazz and swing enthusiasts climbed rapidly to popularity when the name bands began playing it after BMI made it available for broadcasting. *Changes* was written by Benton Overstreet, pianist, and Billy Higgins, a comedian featured in many musical shows. Higgins died five years ago at the age of sixty.

One of the earlier BMI tunes, widely heard now in restaurants and hotels, was *Don't the Moon Look Pretty*, by Leroy "Stuff" Smith of *I've A' Muggin'* fame. When "Stuff" first visited the offices of BMI at 580 Fifth Avenue, he whistled the tune of *Don't the Moon Look Pretty*. Milton Rettenberg, Chief of the Editorial Staff, liked the music, transferred it to the piano, and put the notes on paper. "Stuff" is better known as an orchestra leader and violinist than he is as a composer, but he scored a hit with his BMI song.

Among the other composer-musicians to attract the attention of BMI were Count Basie, whose Kansas City style band set the nation a' jumping, Lionel Hampton, vibraphone star extraordinary, Fletcher "Smack" Henderson, one of the foremost arrangers of modern American music and Cab Calloway the "King of Hi-De-Ho." The works of these four great musicians are made available by BMI through an agreement with Regent Music.

Jimmie Lunceford signed a contract with BMI whereby all the recordings of his music and his special orchestrations are available for performance. He has his own publishing house and in announcing his allegiance to Broadcast Music, Inc., said, "This contract ought to show what I think about BMI. The BMI way of dealing with writers is the best thing that has happened to American music."

BMI has also published the highly interesting work of Sidney Bechet the "young old man of jazz" who gained fame on two continents in the early 20's and 30's, as a clarinetist and soprano saxophonist. In 1919, when Bechet was touring Europe with the Sam Wooding band, Amsemeret, the celebrated French critic, went into a literary ecstasy over the technique and virtuosity of the young New Orleanian and called his performance "the greatest thing since the Brandenburg Concert." Sidney Bechet is not well known by the radio public but BMI hopes that some day he will be.

Musical Boys and Girls

National Boys' and Girls' Week found BMI's Vice President and General Manager, M. E. Tompkins, serving as chairman of the Greater New York Committee which included Mayor LaGuardia, Attorney General John J. Bennett, Theodore Roosevelt, Bronx Borough President, J. J. Lyons and Manhattan Borough President Stanley Isaacs. BMI shared the publicity with Benny Goodman, Gene Krupa, with the Hotels Pennsylvania, New Yorker and Governor Clinton, where the winners posed for pictures. Music Day, Thursday, May 1st, was celebrated by a special visit to BMI by the boys and girls showing outstanding promise in music, selected from thirty-one children's aid societies, boys' athletic leagues, and allied youth movement groups. Mr. Tompkins acted as host and the visitors received the inside story of the music business and how hits are made.

Miscellaneous

LIST "USO" RADIO COMMITTEE

Seventeen broadcast executives have accepted membership on the National Radio Committee of the United Service Organizations for National Defense, headed by NAB President Neville Miller.

Committee members are:

Edgar Bill, President, WMBD, Peoria
 Burrige D. Butler, Chairman, KOY, Phoenix
 Martin Campbell, Managing Director, WFAA, Dallas
 Roger W. Clipp, General Manager, WFIL, Philadelphia
 Edwin W. Craig, President, WSM, Nashville
 Roy L. Harlow, Vice President, Yankee Network
 Jack R. Howard, President, Scripps Howard Radio, Inc.
 Henry P. Johnston, General Manager, WSGN, Birmingham
 Harold A. Lafount, WOV, New York
 Howard Lane, McClatchy Radio Stations
 Alfred J. McCosker, President, WOR, New York
 Edwin C. Noble, President, WMCA, New York
 William S. Paley, President, Columbia Broadcasting System
 William J. Scripps, General Manager, WWJ, Detroit
 Griff Thompson, Vice President, WBBC, Brooklyn
 Niles Trammell, President, National Broadcasting Company
 Lewis Allen Weiss, Vice President, Don Lee Broadcasting System

The "USO" is composed of the Young Men's Christian Association, The National Catholic Community Service, the Salvation Army, the Young Women's Christian Asso-

ciation, the Jewish Welfare Board and the National Travelers Aid Association.

Thomas E. Dewey of New York is National Chairman and Walter Hoving is President.

The campaign has the endorsement of President Roosevelt, Secretary of War Stimson, Secretary of the Navy Knox, General George C. Marshall, Chief of Staff, as well as leaders in all walks of life in the nation.

The \$10,765,000 program is to provide service club facilities and recreational activities in 339 locations adjacent to camps, naval stations and defense centers throughout the United States and its overseas bases. The government will provide the buildings.

CHINA RELIEF SEEKS \$5,000,000

The seven China relief agencies that heretofore have been doing the bulk of Chinese relief and rehabilitation now are combined in a united, nationwide campaign for \$5,000,000 under the name United China Relief.

United China Relief is registered with the State Department. Its campaign now is developing. It will include recorded plays, statements by prominent people and spot announcements which will be distributed to radio stations for their entertainment and public service value to American listeners.

James G. Blaine, president of the Marine Midland Trust Company of New York, is chairman of United China Relief. Directors include Pearl S. Buck, former Ambassador William C. Bullitt, Paul G. Hoffman, Thomas W. Lamont, Henry R. Luce, John D. Rockefeller, 3d, Col. Theodore Roosevelt, Jr., David O. Selznick, President Robert G. Sproul of the University of California and Wendell L. Willkie.

In the course of its campaign, United China Relief plans to make radio material available to station program managers both through local committees being formed in key cities throughout the country and through national headquarters, 1790 Broadway, New York City.

FORUM PROGRAMS

The American Civil Liberties Union has asked the NAB to supply it with a complete list of radio forums dealing with local problems *regularly* broadcast. The NAB would appreciate it if all stations carrying such programs would send in their names and brief descriptions.

CHAMBER OF COMMERCE

In taking action on final resolution here at the annual convention this week, the United States Chamber of Commerce referred the radio broadcasting situation to its Board of Directors for further consideration. The study was asked for by an unnamed member organization of the United States Chamber as follows:

Radio Broadcasting, with a declaration that the rapid growth in the use of radio for entertainment and educational purposes,

as well as communications purposes, has made necessary regulation to prevent disorder and interference in the use of the air. The characteristics of radio render this essentially a problem for federal rather than state control. Regulation of radio communication should not invade private management. It should be based upon the principle that the interest of the listening public is the paramount consideration in radio broadcasting. Other forms of communication are primarily for the service of the sender, but broadcasting serves the listener. No regulation should attempt to force upon the public undesired program matter. Station owners, like newspapers and magazines, must be free to select and edit their program material.

AGAINST BOOK COLLECTIONS

The advisability of a station endeavoring to collect books and old magazines for the new Army was a question put to NAB this week.

The Army advised against such promotions. Officials reported that experience indicates that only about ten per cent of the books donated are suitable. Gift books include everything from fairy stories to subversive literature and grammars. The amount of time required for a book promotion can be more effectively employed, from both a service and civilian morale point of view, along other directions, according to Army headquarters.

Definite suggestions are available to station managers who write Ed Kirby, Radio Section, Bureau of Public Relations, War Department, Washington, D. C.

CONTEST ON WJZ-BLUE

In connection with her weekly program, Alma Kitchell's Brief Case, over WJZ-Blue, Miss Kitchell is promoting a letter writing contest. Writer of best letter on "How Radio Helps Me to be a Better Prepared Citizen" gets console radio on May 28.

WORKS WITH SERVICEMEN

Working toward a closer tie-up with radio servicemen for mutual benefit, J. B. Conley, general manager of WOWO-WGL, Fort Wayne, Ind., has made the studios available to a local servicemen's group for its monthly meeting. An entire year's program of meetings is being worked out, featuring movies, lectures, and discussions. The group held its first meeting April 25, with about 140 servicemen and "hams" in attendance. The tie-up can be attributed directly to the cooperation between servicemen and WOWO-WGL during the "Radio Movin' Day" promotion.

Legal

ASCAP CASES ARGUED

On Tuesday and Wednesday of this week the Nebraska and Florida ASCAP cases were argued before the Supreme Court of the United States. William J. Hotz, Special Assistant to the Attorney General of Nebraska, argued

for the Attorney General of Nebraska, and Lucien H. Boggs of Jacksonville, Florida, and Tyrus A. Norwood, Assistant Attorney General of Florida, made the oral argument for the Attorney General of Florida. ASCAP was represented by Judge Thomas J. Haight and Frank Wideman.

In both cases ASCAP had secured an injunction against enforcement of the state statutes declaring illegal monopolies and price-fixing combinations in the field of performing rights. The specially constituted Federal court in Nebraska had held the Nebraska statute unconstitutional; a similar court in Florida had declared the 1937 Florida statute and parts of the 1939 statute unconstitutional. Appeals were taken to the Supreme Court. The last opinion day scheduled is June 2.

COPYRIGHT AND LIBEL INSURANCE

The NAB Insurance Committee met in New York Thursday to consider two plans of copyright and libel insurance which have been submitted. It is expected that their analysis and recommendations, if any, will be released at or before the convention at St. Louis May 12.

FEDERAL LEGISLATION

HOUSE

H. R. 4521 (Kramer, D.-Calif.) **COPYRIGHT**—To amend section 64 of the copyright law (title 17, U. S. C.) so as to make copies or reproductions of prints and labels available upon payment of the required fee. Referred to Committee on Patents.

H. R. 4522 (Mrs. Rogers, R.-Mass.) **DAYLIGHT SAVING**—To provide daylight saving between the last Sunday in March and the last Sunday in October in each year. Referred to Committee on Interstate and Foreign Commerce.

STATE LEGISLATION

FLORIDA:

S. 268 (Whitaker, et al.). **RECORDED MUSIC**—Prevents claims for additional compensation, fees or payment after sale, of phonograph records or transcriptions of any form of recorded music. Referred to Committee on Judiciary "C".

S. 269 (Whitaker, et al.). **RADIO DEFAMATION**—Amends Sec. 1, Chapter 19,616, Acts of 1939, relating to civil liabilities of owners, licensees and operators of radio broadcasting stations for radio defamation or libel statements. Referred to Committee on Judiciary "C".

MAINE:

S. 567 (Majority of Committee of Conference). **ADVERTISING**—To prevent fraudulent advertising.

RHODE ISLAND:

H. 1055 (Kiernan). **COPYRIGHTED MUSIC**—Declaring to be an unlawful monopoly and its purpose to be in restraint of trade certain combinations of persons and corporations, and the regulation thereof. Authors, composers, publishers and owners of musical compositions prohibited from charging fees for copyrighted music. Referred to Committee on Judiciary.

FEDERAL COMMUNICATIONS COMMISSION

POLICY WITH RESPECT TO NEWSPAPERS

In keeping with FCC policy not to grant new applications by newspaper interests for high frequency (FM)

broadcast facilities pending determination of the general question of newspaper control of broadcast facilities, the Commission is also placing in its pending files all applications by newspaper interests for new standard broadcast stations, as well as applications for transfer of control of existing standard broadcast facilities to newspaper interests. Such action is intended to protect newspapers from incurring substantial radio expenditures prior to the Commission's fact-finding inquiry.

This supplemental action is in conformity with Order No. 79, of March 20, which provides that Commission investigation and public hearing "shall also include consideration of statement of policy or rules, if any, which should be issued concerning future acquisition of standard broadcast stations by newspapers." Date for this hearing will be set in the near future.

In the case of standard broadcast stations already licensed to newspaper interests, improvements in facilities may be permitted if the proposed increase in service is shown to be in the public interest, convenience and necessity, and in conformity with prescribed engineering requirements.

"HEIL HITLER" STATION SEIZED

Search by the National Defense Operations Section of the Federal Communications Commission for unauthorized radio transmission which trespassed on Government frequencies and purported to be in the service of "foreign agents" today culminated in the arrest at Peoria, Illinois, of Charles W. Johnson, who identified himself as a senior student in electrical engineering at a certain mid-western institute. Johnson's home revealed illegal equipment, which was seized by a United States Marshall, and Johnson was charged with violating Sections 301 and 318 of the Communications Act.

The monitoring stations in the Commission's national defense operations were originally enlisted to trace signals from an unlicensed radio station, the operator of which called himself "Fritz" and frequently concluded his transmissions with "Heil, Hitler". No identifying call letters were used.

Listening-in procedure revealed this operator to have more than average knowledge of certain codes and ciphers. In fact, he claimed on the air to be a cryptographer for a signal unit in a German army of occupation. His general procedure was to broadcast that he was a foreign agent and to attempt to engage in communications between United States Government stations. In so doing, he declared that he was relaying information from foreign agents. On one occasion he implied that Government channels would be "jammed" by high-powered radio stations being constructed for that purpose. At another time he sent out a message in cipher which, when decoded, proved to be in German and related to certain foreign troop movements. In his transmissions "Fritz" made effort to obtain military information.

The following excerpts are typical of "Fritz's" communications:

"Staff plans are now coming in, but they are very detailed and long. Too much trouble to re-encipher again.

"Tell your cryptographer that this is a columnar position (Fritz proceeded to transmit the cipher message).

"I am a cryptographer. You must give me some information in exchange for this stuff. Give me the location of (gave several U. S. Government station calls.)

"This station is now in hands of enemy. Your insolence will not be tolerated by German troops. This station now in control of German Signal Corps.

"Name here is Hans VonKeitel, Heil Hitler.

"I want your codes and ciphers. Give them to me or else we will jam this net with big rig.

"You will be in concentration camp. I am a cryptographer for this signal unit in the German Army of Occupation.

"I am on the ADMIRAL SCHEER and never dock. (When asked where he was located 'Fritz' said 'Off coast of Madagascar'.")

When the signals were first intercepted, there was no indication of where "Fritz" was located. The task of hunting down his station involved the use of highly specialized equipment recently perfected for the Commission's national defense field forces. The transmitter was finally traced to Johnson's residence on North Sheridan Road in Peoria. When the officers entered Johnson tried to destroy his equipment but was prevented.

Besides having the close cooperation of various Federal agencies in this ether hunt, the Commission's field staff was personally assisted by United States Commissioner William H. Moore, United States District Attorney Howard L. Doyle, United States Marshals Eugene Ahernds and C. T. Curry, and Chief of Police Leo F. Kamins of Peoria.

STATISTICAL YEARBOOK

Financial and operating data relating to common carriers and broadcast stations subject to the provisions of the Communications Act have been assembled in a single volume entitled "Statistics of the Communications Industry in the United States", which has just been placed on sale by the Superintendent of Documents, Government Printing Office, Washington, D. C., at a price of 25 cents a copy.

These statistics, compiled by the Accounting, Statistical and Tariff Department of the Federal Communications Commission from reports filed with the Commission, are being presented in yearbook form for the first time. The initial volume covers the year ended December 31, 1939.

The publication includes summary data, individual company data and intercorporate relationships of telephone, telegraph, cable and radiotelegraph carriers, and financial and operating data relative to standard broadcast stations and networks.

The compilation replaces mimeographed material heretofore issued at intervals and is augmented by statistical tables formerly included in the Commission's annual report to Congress.

PROCEDURE REVISED

The FCC announced that its procedure for examination of standard broadcast, high frequency broadcast, international, and television radio applications by the staff departments has been further revised with a view to more expeditious handling, extending the principle of simultaneous consideration of applications announced October 19, 1940 (mimeograph No. 44324).

Under the new procedure, applications falling within the above classes will be required to be filed in triplicate instead of in duplicate as formerly. However, in the case of such applications designated for hearing, applicants will no longer be required to accompany their appearances with an additional copy of the application.

In all other respects, the procedure announced in the Commission's release of October 19, 1940, will be continued.

It is not the intention of this change in procedure (amending Items *d* and *f* contained in Section 1.351, and Section 1.382(b) of the Commission's Rules of Practice and Procedure) to require filing of additional engineering data, since three copies of maps and other technical material are already furnished with broadcast applications.

STL BROADCAST RULES AMENDED

The Commission en banc on April 29 amended the rules, effective immediately, governing STL (Studio Transmitter Link) broadcast stations so as to provide for the utilization of stations in this service by licensees of international broadcast stations.

Conforming with the Commission's action, the amended rules will permit the holding of not more than two STL broadcast station licenses in connection with each license for an international broadcast station.

RULE CHANGE

The Commission en banc today amended Section 1.351, items *d* and *f*, and Section 1.382(b) of the Commission's Rules of Practice and Procedure, so as to require the furnishing by applicants of three copies of standard broadcast, high frequency broadcast, international, and television radio applications instead of duplicate copies as heretofore.

The effective date of these amendments will be May 1, 1941.

ASSIGNMENTS

The FCC announces that the work, business and functions of the Commission for the month of May have been assigned as follows:

- | | |
|-------------------------|---|
| Commissioner Wakefield: | Designated to determine, order, report or otherwise act upon all applications or requests for special temporary standard broadcast authorizations. |
| Commissioner Craven: | Designated to hear and determine, order, certify, report or otherwise act upon: (a) except as otherwise ordered by the Commission, all motions, petitions or matters in cases designated for formal hearings, including all motions for further hearing, excepting motions and petitions requesting final disposition of a case on its merits, those having the nature of an appeal to the Commission and those requesting change or modification of a final order made by the Commission; provided, however, that such matters shall be handled in accordance with the provisions of Sections 1.251 and 1.256, inclusive, of the Commission's Rules and Practice and Procedure; (b) the designation pursuant to the provisions of Sections 1.231 to 1.232 of the Commission's Rules of Practice and Procedure of officers, other than Commissioners, to preside at hearings. |

FEDERAL COMMUNICATIONS COMMISSION DOCKET

Following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 5. They are subject to change.

Monday, May 5

KFJI—KFJI Broadcasters, Inc., Klamath Falls, Ore.—C. P., 600
kc., 500 watts night, 1 KW LS.

Tuesday, May 6

NEW—Wayne M. Nelson, Concord, N. C.—C. P., 1380 kc., 1 KW, daytime.

Wednesday, May 7

KFNF—KFNF, Incorporated, Shenandoah, Iowa.—Renewal of license, 890 kc., 500 watts night, 1 KW day, SH-KUSD.

FUTURE HEARINGS

During the past week the Commission has announced the following future hearings and oral arguments in broadcast cases. They are subject to change.

May 19

Hearing to be held in Pensacola, Florida, Beginning May 19 and Continued Thereafter in Panama City, Florida and Ocala, Florida, as Follows:

Pensacola, Florida, in Court Room, County Court Building.
Panama City, Florida, in Court Room, County Court House.
Ocala, Florida, in U. S. Court Room, 2nd Floor, U. S. Post Office Bldg.

WTMC—Ocala Broadcasting Company, Inc., Ocala, Fla.—In the matter of revocation of license of station.

WDLP—Panama City Broadcasting Company, Panama City, Fla.—In the matter of revocation of license of station.

May 22

Oral Argument Before the Commission

NEW—Hobart Stephenson, Milton Edge, Edgar J. Korsmeyer, d/b as Stephenson, Edge & Korsmeyer, Jacksonville, Ill.—C. P., 1150 kc., 250 watts, daytime.

NEW—Helen L. Walton & Walter Bellatti, Jacksonville, Ill.—C. P., 1150 kc., 250 watts, daytime.

May 23

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

May 28

KRBC—Reporter Broadcasting Company, Abilene, Tex.—C. P., 940 kc., 1 KW, unlimited, DA-night and day. Present assignment: 1420 kc., 250 watts, unlimited.

WRDO—WRDO, Incorporated, Augusta, Me.—Renewal of license, 1370 kc., 100 watts, unlimited time.

June 2

To be Held in Atlanta, Georgia

Court Room to be Assigned Later

WGST—Georgia School of Technology, Atlanta, Ga.—Renewal of license (main and auxiliary), 890 kc., 1 KW night, 5 KW LS, unlimited time.

June 24

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—C. P., 1500 kc., 250 watts, unlimited. Present assignment, 1310 kc., 100 watts, S-WHAT.

June 26

WKZO—WKZO, Incorporated, Kalamazoo, Mich.—C. P., 590 kc., 5 KW, unlimited, DA-night. Present assignment, 590 kc., 1 KW, unlimited, DA-night.

July 7

KWTO—Ozarks Broadcasting Company, Springfield, Mo.—C. P., 560 kc., 1 KW, night, 5 KW, day, unlimited, DA-night.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—Granted authority to transfer control of the Copper Electric Co., Inc., licensee of Station KSUN, from James S. Maffeo and Lawrence R. Jackson to Carleton W. Morris (463¼ shares, or 58.7% of the issued and outstanding capital stock of the licensee corporation, for a total consideration of \$6,001; station operates on 1200 kc., 250 watts, unlimited time (B5-TC-245).

WESX—North Shore Broadcasting Co., Salem, Mass.—Granted construction permit to make changes in equipment and increase power from 100 watts night and day to 250 watts night and day; 1230 kc. (B1-P-3052).

WHBL—Press Publishing Co., Sheboygan, Wisc.—Granted construction permit to install directional antenna for night use and increase power from 250 watts night, 1 KW day, to 1 KW night and day; 1330 kc. (B4-P-2972).

KRJF—Sarah M. Scanlan, Executrix of estate of Jos. D. Scanlan, Deceased (Transferor), Sarah M. Scanlan (Transferee), Star Printing Co. (Permittee), Miles City, Mont.—Granted authority to transfer control of corporation from Sarah M. Scanlan, executrix of the estate of Joseph D. Scanlan, deceased, to Sarah M. Scanlan. The purpose of the application is to assign and transfer 403 shares of common voting stock in Star Printing Co., permittee of station KRJF from Sarah M. Scanlan in her representative capacity as executrix to herself personally. Station operates on 1340 kc., 250 watts, unlimited time (B5-TC-262).

Alamance Broadcasting Co., Inc., Burlington, N. C.—Granted construction permit for new standard broadcast station to operate on 920 kc., 1 KW, daytime only; exact transmitter site and antenna system to be determined with Commission's approval (B3-P-3093).

K47SL—Radio Service Corp. of Utah, Salt Lake City, Utah.—Ordered issuance of construction permit for new FM station with condition that no construction facilities shall be undertaken or completed until Commission has acted on the general newspaper-ownership question under Order No. 79.

W55M—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—Ordered issuance of construction permit for new FM station under last proviso of Order No. 79, upon finding that public interest, convenience and necessity will be served by construction at this time, and without prejudice to determination of newspaper issue.

DESIGNATED FOR HEARING

West Allis Broadcasting Co., West Allis, Wis.—Application for construction permit for new standard broadcast station to operate on 1480 kc., 250 watts, daytime only; applicant requests local operation on regional channel (B4-P-3045).

KFJM—University of North Dakota, Grand Forks, N. D.; Dalton Le Masurier, Grand Forks, N. D.—Application for renewal of license of KFJM (B4-R-657) and application for modification of license of KFJM to change hours of operation from unlimited to specified hours (3 to 5 p. m., daily) and change studio site to University Campus, Grand Forks, N. D. (B4-ML-1048); to have consolidated hearing of above two applications and application of Dalton Le Masurier for new station to operate on 1440 kc., 500 watts night, 1 KW day, S. H., requests facilities of KFJM (B4-P-3084).

WTAQ—WHBY, Inc., Green Bay, Wis.—Application for construction permit to make changes in directional antenna system to use same pattern day as now used at night; involves loss of service to over 100,000 listeners; 1360 kc., 500 watts night, 5 KW LS.

RENEWAL OF LICENSES

Granted renewal of the following developmental broadcast station licenses for the period May 1, 1941, to May 1, 1942:

W3XDD, Whippany, N. J.; W3XPY, Whippany, N. J.;

W8XO, Mason, Ohio; W10XF, National Broadcasting Co., Inc. (portable); W10XR, National Broadcasting Co., Inc. (portable-mobile).

W9XC—Central Broadcasting Co., near Mitchellville, Iowa—Extended license of developmental broadcast station expiring May 1, 1941, to June 1, 1941, pending receipt of application for renewal of license (B4-SEX-22).

WBOE—Cleveland City Board of Education, Cleveland, Ohio.—Granted renewal of non-commercial educational broadcast station license for the period May 1, 1941, to May 1, 1942 (B2-RED-1).

Granted further extension upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event longer than June 1, 1941, of following television stations:

W3XE, Philco Radio and Television Corp., Philadelphia, Pa.; W3XP, same company, portable (area of Philadelphia, Pa.), (B2-SVB-8, B2-SVB-19).

Granted further extension upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event longer than June 1, 1941, of following high frequency broadcast stations:

W2XVP, New York City; W9XLA, Denver, Colo.; W4XA, Nashville, Tenn.; W5XAU, Oklahoma City, Okla.

MISCELLANEOUS

KECA—Earle C. Anthony, Inc., Los Angeles, Cal.—Granted modification of construction permit (B5-P-2698, which authorized increase in power and installation of DA for night use) for change in directional antenna on **790 kc.** under NARBA (B5-MP-1251).

WTNA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted modification of construction permit (B3-P-2985, for new transmitter, installation of DA for night use, increase in power to 1 KW, change in frequency from **1210 kc.** to **1220 kc.**, and move of transmitter), for installation of new transmitter, requesting **1250 kc.** under NARBA, changes in DA system, and extension of commencement date 30 days after grant and completion date to 60 days thereafter (B3-MP-1262).

KOIL—Central States Broadcasting Co., Omaha, Neb.—Granted modification of construction permit (B4-P-2609, which authorized installation of DA and increase in power), for changes in DA and **1290 kc.** under NARBA (B4-MP-1245).

WDDB—Delta Broadcasting Co., Escanaba, Mich.—Granted modification of construction permit (B2-P-2854, which authorized a new broadcast station) for approval of vertical antenna, approval of studio site, transmitter site and installation of new transmitter, **1490 kc.**, 250 watts, unlimited time (B2-MP-1143).

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Granted modification of construction permit (B5-P-2845, for installation of DA, increase in power) for **950 kc.** under NARBA and changes in directional antenna (B5-MP-1244).

WFDF—Flint Broadcasting Co., Flint, Mich.—Granted modification of construction permit (B2-P-2451, as modified, which authorized installation of new transmitter and directional antenna for day and night use, increase in power, change of frequency, and move of transmitter), for changes in directional antenna for day and night use, requesting **910 kc.** under NARBA (B2-MP-1224).

KMO—Carl E. Haymond, Tacoma, Wash.—Granted modification of construction permit (B5-P-2707, for new transmitter and increase in power from 1 to 5 KW), for authority to install new transmitter, make changes in antenna system, requesting **1360 kc.** under NARBA, and extension of commencement date to 30 days after grant, completion date to 90 days thereafter (B5-MP-1263).

WKRO—Oscar C. Hirsch, Cairo, Ill.—Granted modification of construction permit (B4-P-3022, which authorized a new station) for approval of transmitter and studio sites, approval of antenna, and **1490 kc.** under NARBA (B4-MP-1226).

KWSC—State College of Wash., Pullman, Wash.—Granted modification of construction permit (B5-P-2911, for changes in equipment), authorizing installation of automatic frequency control equipment on **1250 kc.** under NARBA, and extension of commencement date to 10 days after grant and completion date to 180 days thereafter (B5-MP-1240).

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted modification of construction permit (B2-P-2658, as modified, which authorized installation of new transmitter, increase

in power to 5 KW) for **950 kc.** under NARBA, changes in directional antenna and extension of completion date to 180 days after grant.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Granted modification of construction permit (B1-P-1704, which authorized installation of new transmitter and DA system, change in operating time from daytime to unlimited, increase in power from 500 watts to 1 KW, and move of transmitter) for extension of completion date to May 25, 1941 (B1-MP-1275).

WHYN—The Hampden-Hampshire Corp., Holyoke, Mass.—Granted license to cover construction permit (B1-P-1701), which authorized a new station specifying **1400 kc.** under NARBA, 250 watts, unlimited time (B1-L-1374). Also granted authority to determine operating power by direct measurement of antenna power (B1-Z-787).

WKEU—Radio Station WKEU, Griffin, Ga.—Granted additional time to operate April 21 through May 17, 1941, in order to broadcast a revival program only, subject to condition that each program is non-sponsored and further subject to the condition that station operate under this authority only during the time Rev. J. M. Hendley's actual participation in such program (B3-S-819).

WBAA—Purdue University, West Lafayette, Ind.—Granted special temporary authority to operate from 5 to 6 p. m. on May 2, 9, 13, 23, from 5:45 to 8:30 p. m., May 3; from 4 to 5 p. m., CST, May 4, in order to broadcast Purdue baseball games and Gala Week activities only (B4-S-501).

W1XOJ—The Yankee Network, Inc., Boston, Mass.—Granted extension of special temporary authority to rebroadcast certain programs of station W1XPW for a period beginning May 1 to July 1, 1941.

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Granted motion for continuance of hearing now scheduled for May 8 for period of 60 days, on application for construction permit to change hours of operation to unlimited on **560 kc.**

WGST—Georgia School of Technology, Atlanta, Ga.—Granted motion for continuance of hearing now scheduled for May 1 for period of 30 days, on application for renewal of license of WGST.

WRDO—WRDO, Inc., Augusta, Maine.—Granted petition in part for continuance of hearing for period of 30 days from April 28, in re application for renewal of license.

WTFL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Granted petition for continuance of hearing for period of 60 days on application now scheduled for April 25 for construction permit to change frequency from **1310 kc.** to **1500 kc.**, increase power from 100 watts to 250 watts, and time from sharing with WHAT to unlimited.

The Lorain County Radio Corp.—Granted motion to strike from files reply memorandum brief of Radiomarine Corp. of America, in re application of Lorain County Radio Corporation's application for coastal harbor facilities at Lorain, Ohio, Port Washington, Wis. and Duluth, Minn., and of Radiomarine Corp. of America for coastal harbor stations at West Dover, Ohio, and Buffalo, N. Y.

W1XSO—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43700 kc.**, 1 KW, special emission for FM, with transmitter located at Avon, Conn., for period May 1 to July 1, 1941.

W1XOJ—The Yankee Network, Inc., Paxton, Mass.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **44300 kc.**, 50 KW, special emission for FM, with transmitter located at Paxton, Mass., for the period May 1 to July 1, 1941.

Stephenson, Edge & Korsmeyer, Helen L. Walton & Walter Bellati, Jacksonville, Ill.—Scheduled for oral argument on May 22, 1941, in re Proposed Findings of Fact (B-130) on applications of Hobart Stephenson, Milton Edge, Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, and Helen L. Walton & Walter Bellati, for construction permits for new stations at Jacksonville, Illinois.

WMAS—WMAS, Inc., Springfield, Mass.—Granted motion to dismiss without prejudice application for construction permit to change frequency from **1420** to **910 kc.**, and increase power from 250 watts to 1 KW night, 5 KW day, DA.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted motion to withdraw application for modification of construction permit to add 500 watts night and operate unlimited time.

- High Point Broadcasting Co., High Point, N. C.—Granted petition for order to take depositions in re application for new station to operate on **1370 ke.**, 100 watts, unlimited time.
- WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Petition for enlargement of issues in re application to change frequency, increase power and operating time, withdrawn.
- KOMA—KOMA, Inc., Oklahoma City, Okla.—Granted request for extension of time to May 15 within which to file amendment to application for construction permit to change frequency and increase power to 50 KW.
- James F. Hopkins, Inc., Detroit, Mich.—Granted motion for leave to amend application for high frequency broadcast station to specify a different location, antenna and required coverage, to be filed within 2 weeks, and application moved from hearing docket.
- KOVO—Clifton A. Tolboe, tr./as Citizens Voice & Air Show (Assignor) and KOVO Broadcasting Co. (Assignee), Provo, Utah.—Motion to dismiss application for voluntary assignment of license without prejudice, withdrawn.
- WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Granted modification of construction permit (B1-P-1877, for new station) for changes in directional antenna and requesting **1420 ke.** under NARBA (B1-MP-1223).
- WBAA—Purdue University, W. Lafayette, Ind.—Granted modification of construction permit (B4-P-2604, which authorized installation of new transmitter and DA for night use, increase in power, change in hours of operation, and move transmitter), for change in type of transmitter, and changes in DA for night use on **920 ke.** under NARBA (B4-MP-1208).
- WSBT—The South Bend Tribune, South Bend, Ind.—Granted modification of construction permit (B4-P-900, which authorized changes in equipment, installation of directional antenna for day and night use, change frequency, hours of operation and move of transmitter) for changes in directional antenna for day and night use, requesting **960 ke.** under NARBA, and extension of completion date to 90 days after grant (B4-MP-1227).
- WDBJ—Times-World Corp., Roanoke, Va.—Granted modification of construction permit (B2-P-2522, as modified, for installation of directional antenna and increase in power to 5 KW) for change in frequency to **960 ke.** under NARBA (B2-MP-1202).
- WKBH—WKBH, Inc., La Crosse, Wisc.—Granted modification of construction permit (B4-P-2733, to move transmitter, install new transmitter and directional antenna for night use and increase power from 1 to 5 KW) for authority to install new transmitter, requesting **1410 ke.** under NARBA, and changes in directional antenna system, extension of commencement date to 60 days after grant and completion date to 180 days thereafter (B4-MP-1261).
- WEAN—The Yankee Network, Inc., Providence, R. I.—Granted modification of construction permit (B1-P-2037, which authorized increase in power and changes in DA), for changes in DA on **790 ke.** under NARBA (B1-MP-1253).
- WCAM—The City of Camden, Camden, N. J.—Granted authority to determine operating power by direct measurement of antenna power, **1310 ke.** under NARBA (B1-Z-793).
- KGB—Don Lee Broadcasting System, San Diego, Cal.—Granted authority to determine operating power by direct measurement of antenna power, **1360 ke.** under NARBA (B5-Z-784).
- WLOF—Hazlewood, Inc., Orlando, Fla.—Granted authority to determine operating power by direct measurement of antenna power, **1230 ke.** under NARBA (B3-Z-777).
- KMYC—Marysville-Yuba City Broadcasters, Inc., Marysville, Cal.—Granted authority to determine operating power by direct measurement of antenna power, **1450 ke.** under NARBA (B5-Z-806).
- WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted modification of construction permit (B4-P-2063, which authorized installation of new transmitter, increase in power, change in hours of operation, installation of DA for day and night use, and move of transmitter) for change in type of transmitter, changes in DA for day and night use on **1390 ke.** under NARBA, and extension of commencement and completion dates to 30 and 180 days after grant respectively (B4-MP-1266).
- WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Granted authority to determine operating power by direct measurement of antenna power (B2-Z-761).
- WNOE—WNOE, Inc., New Orleans, La.—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-788).
- KSAL—KSAL, Inc., Salina, Kans.—Granted license to cover construction permit (B4-P-2765), which authorized increase in power and changes in directional antenna system, **1120 ke.** (**1150** under NARBA), 1 KW, unlimited time, DA at night (B4-L-1371). Also granted authority to determine operating power by direct measurement of antenna power (B4-Z-763).
- KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted modification of construction permit (B5-P-2721 for installation of DA for day and night use, and increase in power) for changes in DA system, and requesting **1320 ke.** under NARBA (B5-MP-1272).
- KRCO—Columbia Broadcasting System, Inc., Portable-Mobile (area of Los Angeles).—Granted license to cover construction permit (B5-PRE-377, which authorized a new relay station), frequencies **33380, 35020, 37620, 39820 ke.**, 100 watts, to be used with applicant's standard broadcast station KNX, Los Angeles (B5-LRE-345).
- WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted modification of construction permit (B4-P-2608, as modified, for new transmitter, installation of DA for day and night use, increase in power and move of transmitter) for **1150 ke.** under NARBA and changes in DA, also extension of completion date to 180 days after grant (B4-MP-1242).
- WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted modification of construction permit (B1-P-2730, to install new transmitter, increase power and make changes in DA), for changes in directional antenna system, and requesting **1370 ke.** under NARBA (B1-MP-1265).
- United Theatres, Inc., and Enrique Abarca Sanfeliz, San Juan, P. R.—Issued final order adopting Findings of Fact and Conclusions denying application of United Theatres, Inc., for new station at San Juan, P. R., and granting conditionally the application of Enrique Abarca Sanfeliz for new station at San Juan, P. R. (B-134).
- WTMC—Ocala Broadcasting Co., Inc., Ocala, Fla., WDLF—Panama City Broadcasting Co., Panama City, Fla.—Continued hearings now scheduled for May 5 to May 19, 1941, in re revocation of licenses of Stations WTMC and WDLF.
- WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted special temporary authority to broadcast a program originating in an Army transport airplane from 4:30 to 4:45 p. m., CST, April 24, 1941 (B4-S-595).
- W55NY—William G. H. Finch, New York, N. Y.—Granted modification of construction permit which authorized new high frequency broadcast station, for change in location of transmitter from 1819 Broadway, New York, to 10 East 40th St., New York, change in type of transmitter and approval of antenna system (B1-MPH-20).
- KIJG—Eagle Broadcasting Co., Inc., area of Brownsville, Tex.—Granted further extension upon a temporary basis only of relay broadcast station license, pending determination upon application for renewal of license, to not later than June 1, 1941 (B3-SRY-10).
- W8XFM—The Crosley Corp., Cincinnati, Ohio.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43200 ke.**, 1000 watts power, special emission for frequency modulation, with the transmitter located at Corner Vine and Fifth Streets, Cincinnati, Ohio, and described as Crosley, Type EDS-213-N, maximum rated carried power output 1000 watts, for period May 1, 1941, to not later than June 29, 1941.
- C. M. Jansky, Jr., & S. Bailey d/b as Jansky & Bailey, Washington, D. C.—Granted extension of temporary authority to operate a high frequency experimental broadcast station on **43200 ke.**, 1000 watts power, special emission for frequency modulation, with transmitter located at 1219 Wisconsin Ave. at Georgetown, D. C., and described as Composite, maximum rated carrier power 1000 watts, for period May 1, 1941, to not later than June 29, 1941.
- KFAS—Midnight Sun Broadcasting Co., Fairbanks, Alaska.—Granted special temporary authority to relay broadcast to Radio Station KFAR a 15-minute emergency program in connection with the Tanana Ice Breakup on or before May 15, 1941, using a 40-watt, Lear crystal controlled transmitter, type UT-6 on frequency **6125 ke.**
- W2XBS—National Broadcasting Co., Inc., New York City.—Granted special temporary authority to operate a specially constructed 1 KW peak power, special emission laboratory

model FM transmitter alternately with the regular W2XBS transmitter on Channel No. 1 for the purpose of making field observations, for a period not to exceed 30 days.

W2XWG—National Broadcasting Co., Inc., New York City.—Granted extension of special temporary authority to operate Station W2XWG on **45100 kc.**, 1000 watts power, A4 and special emission for frequency modulation at 350 Fifth Ave., New York City, for the period May 1, 1941, to not later than June 29, 1941, pending final authorization and completion of construction of applicant's new high frequency broadcast station.

W3XEZ—RCA Manufacturing Co., Inc., Camden, N. J.—Granted extension of special temporary authority to operate Class 1 experimental radio station W3XEZ on **44960 kc.**, 1000 watts power, A3, A4 and special emission for frequency modulation, using a 1 KW FM broadcast transmitter, type FM-1-B, for the purpose of conducting field strength survey; authority to be from April 27, 1941, until further order of the Commission but not later than May 27, 1941, subject to the condition that no interference results to any high frequency broadcast station.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Denied extension of special temporary authority to operate on **1390 kc.** with power of 500 watts during the hours vacated by Station WSBT (6 to 7 a. m., 12 to 3 p. m. and 8 to 12 midnight, CST), for the period April 27 to May 27, 1941, to broadcast sponsored programs as well as non-sponsored programs only, pending completion of construction in accordance with construction permit for unlimited time operation.

WBST—The South Bend Tribune, South Bend, Ind.—Granted extension of special temporary authority to operate unlimited time on **960 kc.**, 250 watts night, 500 watts daytime for the period April 27, 1941, to not later than May 27, 1941, pending completion of construction in accordance with permit B4-P-900 as modified, provided operation on additional hours is for non-commercial programs only.

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—Granted extension of license upon a temporary basis only and upon the express condition that it is subject to whatever action may be taken by the Commission upon the application for renewal of license pending before it and pending disposition of application for consent to transfer control then having been filed, in no event later than May 29, 1941.

WPAT—North Jersey Broadcasting Co., Inc., Paterson, N. J.—Granted modification of construction permit for authority to install new transmitter; **930 kc.** (B1-MP-1281).

W9XYH—Head of the Lakes Broadcasting Co., Superior, Wisc.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43900 kc.**, 1000 watts power, special emission for frequency modulation, with transmitter located at 39th St. and Tower Ave., Superior, Wisc., and described as General Electric and Composite 1 KW amplifier, Type 4-GF1A1, maximum rated carrier power output 1000 watts, for period May 1, 1941, to not later than July 1, 1941.

W51R—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Granted special temporary authority to operate frequency modulation station commercially on **45100 kc.**, special emission, transmitter at 89 East Ave., Rochester, N. Y., from May 1 to not later than July 1, 1941, pending completion of construction (B1-PH-75).

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Granted request to dismiss application for transfer of control of Lake Region Broadcasting Co., licensee of WLAK, from J. P. Marchant, D. J. Carey, Melvin Myer, W. Walter Tison, The Tribune Co., transferors, to Russell E. Baker, transferee (B3-TC-260).

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Continued hearing now scheduled for April 30, 1941, until May 23, 1941, in re application for construction permit to change frequency to **1410 kc.**

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—Granted extension of special temporary authority to operate on frequency **1420 kc.** for the period April 27, 1941, until Radio Station WWSR is authorized to conduct program tests but ending in no event later than May 7, 1941.

WMBO—WMBO, Inc., Auburn, New York.—Denied special temporary authority to remain silent after 9 p. m., LST, from April 28 to not later than May 27, 1941.

WREN—WREN Broadcasting Co., Inc., Lawrence, Kans.—Dismissed Petition for Amendment of Order of the Commission filed by WREN on March 31, 1941, directed against the Commission's action in designating application (B4-P-2272) for hearing, without prejudice to the filing by petitioner of a motion for leave to amend application in accordance with Sec. 1.73 of the Commission's Rules and Regulations.

KGU—Marion A. Mulrony and Advertiser Publishing Co., Ltd., Honolulu, T. H.—Granted petition for rehearing, petition for recall of construction permit and stay order; set aside action of February 18, 1941, and memorandum decision of February 25, granting application of Hawaiian Broadcasting System, Ltd., for a new station in Honolulu to operate on **1310 kc.** with 250 watts power, unlimited time, designated said application for hearing, and recalled construction permit heretofore mailed to Hawaiian Broadcasting System, Ltd.

W1XOJ—The Yankee Network, Paxton, Mass.—Granted 60-day special temporary authority to operate high frequency experimental FM station W1XOJ on a commercial basis with call letters W43B, without prejudice to the issues in the hearing.

WSBT—South Bend Tribune, South Bend, Ind.—Dismissed petition for reconsideration of action by individual Commissioner; Thompson, Commissioner, reconsidered his action in granting additional time non-commercially, and applicant was granted 10 days' authority to operate with additional time commercially, subject to filing with the Commission information as to reason for delay in getting equipment.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted petition to reconsider and grant without a hearing the application for renewal of license; cancelled hearing, and granted renewal of license to operate on **1000 kc.**, 5 KW, unlimited time.

APPLICATIONS FILED AT FCC

570 Kilocycles

KGKO—KGKO Broadcasting Co., Ft. Worth, Texas.—Modification of license to maintain studios in Fort Worth and Dallas, Texas.

600 Kilocycles

NEW—Genesee Broadcasting Corp., Flint, Mich.—C. P. for new broadcast station on **600 kc.**, 1 KW power, unlimited time, directional antenna day and night.

610 Kilocycles

NEW—West Publishers, Inc., Houston, Tex.—Construction permit for new broadcast station on **610 kc.**, 1 KW power, unlimited time, DA-N. Amended: Install new transmitter, changes in directional antenna for night use, specify transmitter site, change applicant from a Corporation to a Partnership composed of J. M. West, J. Marion West, Wesley W. West and P. M. Stevenson. Studio site specified as Sterling Building, Houston, Tex.

620 Kilocycles

WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—License to cover C. P. (B1-P-1934) as modified for new station.

WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Authority to determine operating power by direct measurement.

740 Kilocycles

NEW—Fred Jones, Mary Eddy Jones, and W. E. Hightower, d/b as Fred Jones Broadcasting Co., Tulsa, Okla.—Construction permit for a new broadcast station to be operated on **690 kc.**, 50 KW, unlimited hours, directional antenna day and night. Amended: To make changes in directional antenna and requesting **740 kc.**, 25 KW night, 50 KW day.

770 Kilocycles

KXA—American Radio Telephone Co., Seattle, Wash.—Construction permit to move transmitter locally.

880 Kilocycles

WHB—WHB Broadcasting Co., Kansas City, Mo.—Construction permit to install new transmitter.

920 Kilocycles

- KTKC—J. E. Richmond, Percy M. Whiteside, Homer W. Wood, and Visalia Publishing Co., d/b as Tulare-Kings Counties Radio Associates, Visalia, Calif.—Construction permit to change frequency from 920 kc. to 940 kc., increase power from 1 to 5 KW, install new transmitter and make changes in directional antenna for day and night use.
- KFNF—KFNF, Inc., Shenandoah, Iowa.—Authority to determine operating power by the direct method.

930 Kilocycles

- WPAT—North Jersey Broadcasting Co., Inc., Paterson, N. J.—Modification of C. P. (B1-P-2624) for new station requesting authority to change transmitter, requesting 930 kc. under NARBA.
- WBEN—WBEN, Inc., Buffalo, N. Y.—Modification of C. P. (B1-P-2757) as modified for 930 kc. under NARBA and changes in directional antenna.

960 Kilocycles

- WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Modification of C. P. (B3-P-2952) for increase power and installation of directional antenna for night use, requesting changes in DA on 960 under NARBA.

970 Kilocycles

- WCSH—Congress Square Hotel Co., Portland, Maine.—License to cover C. P. (B1-P-2535) as modified for increase in power and installation of directional antenna for day and night use. Amended: Specify 970 kc. under NARBA.
- WCSH—Congress Square Hotel Co., Portland, Maine.—Authority to determine operating power by direct measurement. Amended: Specify 970 kc.

1150 Kilocycles

- WTAW—Agricultural & Mechanical College of Texas, College Station, Texas.—Authority to determine operating power by the direct method.

1230 Kilocycles

- KBTM—Jay P. Beard, d/b as Regional Broadcasting Co., Jonesboro, Ark.—Authority to determine operating power by the direct method.

1240 Kilocycles

- KDLR—KDLR, Inc., Devils Lake, N. D.—Authority to determine operating power by direct measurement.
- KBIZ—J. D. Falvey, Ottumwa, Iowa.—License to cover C. P. (B4-P-2499) as modified for new station.
- KBIZ—J. D. Falvey, Ottumwa, Iowa.—Authority to determine operating power by direct measurement.
- KOCA—Oil Capitol Broadcasting Assn., Kilgore, Texas.—Authority to determine operating power by the direct method.

1260 Kilocycles

- WNAC—Yankee Network, Inc., Boston, Mass.—Modification of C. P. for changes in directional antenna on 1260 kc. under NARBA.

1330 Kilocycles

- NEW—Findlay Radio Co., Findlay, Ohio.—Construction permit for new station on 1300 kc., 250 watts daytime. Amended: To request 1330 kc., 1 KW power, daytime hours, changes in antenna, new transmitter and transmitter site to be determined Findlay, Ohio.
- WLWL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Modification of license to change from directional antenna day and night to directional antenna night only.

1340 Kilocycles

- NEW—Lake Worth Broadcasting Corp., Lake Worth, Fla.—Construction permit for a new broadcast station to be operated on 1340 kc., 250 watts, unlimited hours.
- KWIM—Lakeland Broadcasting Co., Willmar, Minn.—Construction permit changes in equipment and increase power from 100 watts to 250 watts.

1360 Kilocycles

- WSAI—The Crosley Corp., Cincinnati, Ohio.—Modification of C. P. (B2-P-2221) as modified for 1360 kc. under NARBA changes in directional antenna and extension of completion date. Amended: To use directional antenna day and night.

1380 Kilocycles

- KWK—Thomas Patrick, Inc., St. Louis, Mo.—Authority to install new automatic frequency control equipment.

1400 Kilocycles

- WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Modification of C. P. (B2-P-2967) for new transmitter.

1410 Kilocycles

- WING—Great Trails Broadcasting Corp., Dayton, Ohio.—Modification of license to make changes in directional antenna on 1410 kc. under NARBA.

1450 Kilocycles

- WMAS—WMAS, Incorporated, Springfield, Mass.—Authority to determine operating power by direct measurement.
- KBPS—Benson Polytechnic School (R. T. Stephens, Agt.), Portland, Ore.—Construction permit install new transmitter, antenna and increase power from 100 to 250 watts.

1490 Kilocycles

- NEW—Granite District Radio Broadcasting Co., Murray, Utah.—Construction permit for new broadcast station on 1500 kc. (1490 kc. under NARBA), 250 watts, unlimited time. Amended: re stockholders.

1500 Kilocycles

- WIGM—George F. Meyer, Medford, Wis.—Modification of C. P. (B4-P-2501) for new transmitter, changes in antenna (1490 kc. under NARBA), increase in power from 100 watts to 250 watts, move transmitter and extend commencement and completion dates 60 to 180 days respectively.

1530 Kilocycles

- WCKY—L. B. Wilson, Inc., Cincinnati, Ohio.—Modification of license to change from directional antenna for day and night use to directional antenna after sunset at Sacramento, Calif.

1560 Kilocycles

- WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—License to reinstate B1-L-1334, use old transmitter as auxiliary.

FM APPLICATIONS

- NEW—M. A. Leese Radio Corp., Washington, D. C.—Construction permit for a new high frequency broadcast station to be operated on 47100 kc; coverage: 5,600 square miles; population: 899,946.
- NEW—WFIL Broadcasting Co., Philadelphia, Pa.—Modification of C. P. (B2-PH-73) for new high frequency broadcast station specifying operating constants to provide coverage of 9300 square miles and change type of antenna.

TELEVISION APPLICATION

- W2XWV—Allen B. DuMont Laboratories, Inc., New York, N. Y.—License to cover C.P. (B1-PVB-30) as modified for new television station.

MISCELLANEOUS APPLICATIONS

- KFDM—Beaumont Broadcasting Corp., Beaumont, Tex.—Construction permit to install new transmitter, directional antenna for day and night use, increase power from 1 KW to 5 KW, move transmitter to Near Highway 124, approximately 6 mi. SW of Beaumont city limits.
- WBOS—Westinghouse Radio Stations, Inc., Hull, Mass.—License to cover C. P. (B1-PIB-23) as modified which authorized move of station, increase power and changes in equipment.

KALW—Board of Education of the San Francisco Unified School District, San Francisco, Calif.—Modification of C. P. (B5-PED-14) as modified to extend completion date from 5-14-41 to 8-14-41.

WEKG—Paducah Broadcasting Co., Inc., Mobile.—License to cover construction permit (B2-PRE-376) for a new relay broadcast station.

FEDERAL TRADE COMMISSION ACTION

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.

Dean Cabot—Charging misrepresentation in the sale of "Caboteks", a medicinal preparation for women, a complaint has been issued against Charles Campbell Buttenfield, Sr., trading as Dean Cabot, 227 North Homewood Ave., Pittsburgh.

The complaint alleges that in advertisements disseminated in various States the respondent represented his product as a cure or remedy for delayed menstruation and as being safe for use when in fact the preparation is not a cure, remedy or competent treatment for this condition and is not safe for use as it contains the drugs ergotin, apiol green, oil savin, and quinine sulphate in quantities sufficient to cause serious and irreparable injury to health if used under conditions prescribed in the advertisements or under customary or usual conditions.

The complaint further charges that advertisements of his product disseminated by the respondent are false advertisements in that they fail to reveal the possible consequences of use of the product under these conditions (4494).

Marshall Field & Co., Chicago, has been served with a complaint charging violation of the Federal Trade Commission Act in the sale of rugs which it manufactures under the name of Karastan Rug Mills.

The complaint alleges that the respondent, in promoting the sale of certain rugs manufactured at its plant in this country, has described these products, which closely resemble true Oriental rugs in appearance, by the names of "Karastan", "Karashah", "Karavere", "Kara Kirman" and "Kharol".

Pointing out that there are true Oriental rugs known as "Karabagh", "Karadagh", "Karageuze", "Karaman", "Karahissar", "Karajah" and "Kirman", the complaint alleges that the respondent's use of its designations tends to create the mistaken belief that its products are genuine Oriental rugs when in fact they have been woven on power looms in its own factory in the United States and are neither made in the manner of the true Oriental rug nor possess all of its characteristics.

The complaint further charges the respondent with describing certain of its rugs as "Oriental reproductions" or "authentic Oriental reproductions" when in fact they are not exact copies or reproductions of true Orientals in structure or method of manufacture, but merely simulate them in appearance. The complaint alleges that while the respondent in some instances has endeavored to copy the designs of particular Oriental rugs, in others it has used designs which it has created and which are adaptations or combinations of Oriental motifs (4493).

Radio Wire Television, Inc.—Charging misleading representations in the sale of radio receiving sets, parts and accessories a complaint has been issued against Radio Wire Television, Inc., 100 Sixth Ave., New York. The respondent has branch offices in Chicago, Boston and Atlanta.

The complaint alleges that the respondent advertises a "One-tube battery set" with which "you can tune in the world", also a "Two-tube AC-DC kit" and a "Two-tube AC-DC set".

The complaint charges that the respondent's "One-tube battery operated all-wave set" is not an all-wave radio set and that it cannot tune in the world. Further, the complaint alleges, the re-

spondent's so-called "Two-tube AC-DC kit" and "Two-tube AC-DC set" are not two-tube radio sets. According to the complaint, they are not equipped with two fully functioning tubes, respectively, but are on the contrary merely equipped with one detecting, amplifying or receiving tube and with one nonfunctioning or tuning beacon tube or rectifying tube. The complaint alleges that the rectifier tubes do not serve as amplifying or detecting tubes and do not perform any recognized and customary function of a radio receiving tube in the detection, amplification and reception of radio signals or programs.

The complaint points out that a substantial number of purchasers believe that the greater the number of actually functioning tubes in a radio receiving set the better it performs and the greater and clearer is its power of detecting, amplifying and receiving radio waves (4491).

Disabled American Veterans of the World War Rehabilitation Department—Charging misleading use of the name of the Disabled American Veterans of the World War, a national patriotic organization, in the sale of historical books, a complaint has been issued against the Disabled American Veterans of the World War Rehabilitation Department, a commercial corporation with headquarters at 104 South Michigan Ave., Chicago. The complaint also names as respondents Frank J. Mackey, L. C. Maier, Daniel C. Moore and Robert T. Mackey, officers of the corporation.

The complaint alleges that the respondent corporation has a contract with the Disabled American Veterans of the World War under which that organization sponsors the sale of the respondent corporation's two sets of books "Progress of Nations" and "Forward March", and that the Disabled American Veterans' group receives from the respondent a 10 per cent royalty on all gross sales of the books.

According to the complaint, the respondents, through their salesmen and by other means, have misleadingly represented that their salesmen are representatives of the Disabled American Veterans of the World War; that the respondents' books are being sold only to certain selected customers; that the Disabled American Veterans of the World War receives the entire profit derived from the sale of the books; that a person purchasing the respondents' books is in effect making a contribution to the patriotic organization, and that the funds derived from sale of the books will be used by the Disabled American Veterans' organization to defray expenses of its activities in combatting anti-American and subversive organizations and influences in the United States.

The complaint charges, however, that the respondents sell their books as an ordinary commercial transaction for their own profit; that the only profit derived by the Disabled American Veterans' organization from sale of the books has been the royalty; that the sale of the books has not been restricted to any group but that they have been sold indiscriminately to the public, and that the respondent corporation's use of the corporate name "Disabled American Veterans of the World War Rehabilitation Department" constitutes a misleading representation that the respondent corporation is identical with or is connected with the Disabled American Veterans' organization.

According to the complaint, a further deceptive and misleading practice of the respondents is their wrongful representation that certain literature published by the Disabled American Veterans' organization endorses the respondents' books, when in fact such literature relates only to the general aims and purposes of the Disabled American Veterans' organization and has no reference to the respondents' books (4492).

STIPULATIONS

The Commission has entered into the following stipulations:

Belem Products Co., 1009 Isabella Ave., Houston Tex., stipulated to cease advertising that its preparation "Locao Belem" will grow hair and is a remedy or cure for baldness, falling hair, aggravated conditions of the scalp, dandruff, and other scalp conditions. The respondent also agrees to desist from advertising that its product rejuvenates the scalp, stimulates or revitalizes hair cells, and adds new life to hair; that the product has been subjected to laboratory tests by the Food and Drug Administration and that, upon analysis by that administration, has been found to comply with the "Pure Food and Drugs Law" (02785).

Coryell, Inc.—F. Orlo Johnson and E. B. Masters, 7392 Churchill St., Detroit, have entered into a stipulation to cease certain representations in the sale of their preparation "Nu-Hair".

The respondents agree that in disseminating advertisements of their preparation they will cease employing the brand name "Nu-Hair" in such a way as to infer that it will grow or produce hair.

The respondents also agree to desist from advertising that their preparation represents a professional secret of a scalp specialist; is a scientific or revolutionary hair, scalp, or skin preparation, and is recommended by leading beauty shops.

The respondents further stipulate that they will cease representing their product as being capable of preventing, removing or relieving baldness, dry or itchy scalp, or other hair or scalp ailments; of conserving or restoring the natural oils secreted by the scalp or of controlling or helping to control the glandular activity of the scalp (02783).

Hasco, Inc.—A stipulation involving war orders for machinery and tools has been accepted from Hasco, Inc., 661 Frelinghuysen Ave., Newark, N. J.

According to the stipulation, the respondent corporation purchases machinery and tools and sells them to foreign powers engaged in the European war.

The stipulation relates that for the purpose of locating and purchasing used machinery and tools intended for sale and shipment abroad, the respondent adopted the trade name "Imperial Air Industries" and used it in advertisements together with the words "American Purchasing Office," when in fact the corporation is neither sponsored by nor has any official connection with a foreign government as indicated by its trade name containing the word "Imperial".

Under its stipulation the respondent corporation agrees to cease and desist from using the words "Imperial Air Industries", alone or with the words "American Purchasing Office" as a trade name in connection with advertising, purchasing or selling its products.

The respondent also stipulates that it will cease employing the word "Imperial", alone or with the words "Air Industries" or with the words "American Purchasing Office" or other words in any manner implying that the respondent corporation is sponsored by or officially connected with a foreign government (3090).

Landers, Frary & Clark, New Britain, Conn., have entered into a stipulation to cease representations tending to convey the impression to purchasers that certain electrical heating pads distributed by the respondent are capable of maintaining different, distinct temperatures. According to the stipulation, the operation of the switches used with the respondent's pads, advertised as "Three-Speed Pads", does not maintain three distinct temperatures but only regulates the length of time required to heat the pads to a single maximum temperature (3086).

C. W. Marks Shoe Company—Stipulations to discontinue certain representations in the sale of shoes have been accepted from C. W. Marks Shoe Co., Chicago, wholesaler; International Shoe Co., and Samuels Shoe Co., Inc., St. Louis manufacturers, and Geo. E. Keith Co., Campello, Mass., manufacturer.

C. W. Marks Shoe Co. agrees to cease employing the word "Doctor" or the abbreviation "Dr." in connection with a name or with any other words as a trade name, brand or designation for its products so as to imply that they are made in accordance with the design or under the supervision of a physician and contain special scientific or orthopedic features which are the result of medical determination or services. According to the stipulation, the respondent corporation caused the words "Dr. Kelly's Air-Flex Shoes" to be stamped on certain shoes for women and "Dr. Kelly's Plastic Arch" on certain of its shoes for men, when in fact the shoes so marked were neither made under the supervision of a physician nor did they contain special scientific or orthopedic features.

International Shoe Co., Samuels Shoe Co., Inc., and Geo. E. Keith Co. stipulate that they will cease using the word "Alligator" or other similar word to describe shoes not made from alligator hide, provided that the word "Alligator" may be used to describe the finish of shoes which are made from materials other than alligator leather and are finished or embossed to resemble it, when this word is immediately accompanied by other words clearly indicating that the designation refers only to the pattern embossed on such materials (3084-3085-3087-3089).

Nolan Company—Frank D. Seiple, operating as The Nolan Co., Greenville, Pa., has entered into a stipulation to cease advertising that his preparation "Slumber Ointment" is a competent treatment for ringworm in all cases, or in any cases except those involving superficial ringworm infection and that it is a competent treatment for athlete's foot, unless expressly limited to superficial organisms and the relief of itching. The respondent also agrees to desist from advertising that his product is of value in treating eczema, salt rheum, grease and rubber poisoning, skin diseases, or poisoning, beyond that of temporary relief from the itching which may accompany these conditions (02784).

Scientific Products Company—Trading as Scientific Products Co., Frank L. Moscow, 3462 North Clark St., Chicago, distributor of a preparation intended for use as a treatment for hosiery and lingerie, stipulated to cease employing the words "No More Runs" or other similar words having the effect of conveying to purchasers the impression that use of this preparation on such fabrics will eliminate the possibility of or prevent runs. The respondent also agrees to cease representing that his preparation will make fabrics fade-proof (3088).

CEASE AND DESIST ORDERS

Commission has issued the following cease and desist orders:

Associated News Photographic Service, Inc., and Blackstone Studios, Inc., both of 20 West 57th St., New York, and Leo Fried and William Shapiro, officers and principal stockholders of both corporations, have been ordered to cease and desist from misrepresentations in the sale of photographs and photographic prints.

Commission findings are that as a sales plan to induce persons to pose for and buy photographs the respondents have misleadingly represented and implied that such pictures are for immediate "press release" or publicity purposes when actually the respondents are not in the business of taking spot or current news pictures and the number of pictures they occasionally sell to newspapers represents a minor portion of their business.

According to findings, the respondents' agents contact persons of more or less prominence by telephone, advising them that the "Associated News" or the "Associated News Photographic Service, Inc." desires their pictures or that the pictures are wanted for the "Associated News" files for service to newspapers or for other publicity purposes. Commission findings are further that the proofs are delivered by the respondents' representatives, or mailed to the prospective customer with an accompanying letter requesting such person to "make your selection for press release" and stating that if such person should desire some finished portraits "we shall be glad to meet your requirements". According to findings, a representative of the respondents, calling on the prospective customer ostensibly to deliver the proofs or to obtain the one selected for "press release" engages in a sales procedure which frequently is successful in selling pictures.

With minor exceptions, the findings continue, the respondents take the pictures without prior arrangements for compensation and rely upon being able to sell finished pictures to a reasonable proportion of the persons photographed. They succeed in 25 to 30 per cent of the cases, according to findings, and their prices customarily range from \$2.50 to \$75 or more per finished print.

In its findings the Commission points out that the Associated Press, widely known newsgathering agency, maintains the Associated Press "News Photographic Service" for obtaining news pictures and distributing copies to member newspapers but that copies of such pictures are not furnished or sold to the persons who appear in them.

The Commission order directs that the respondents, in connection with the solicitation of permission to make photographs or the offering or sale of photographs, cease and desist from using the word "News" or words of similar import in the corporate name of the respondent Associated News Photographic Service, Inc., or as a part of any other trade or corporate name, to describe a business which is principally that of selling photographs to persons photographed, and that they cease representing or implying to prospective customers that the respondents are news or press photographers, or that any photograph solicited is for press or publicity purposes, unless such photograph is actually for immediate news or press use (3561).

D. D. D. Corporation, Batavia, Ill., has been ordered to cease and desist from misrepresentation in the sale of "D. D. D. Prescription", advertised as a treatment for skin ailments and conditions.

The Commission order directs D. D. D. Corporation to cease disseminating advertisements which represent that "D. D. D. Prescription" is a cure or remedy for eczema, pimples or hives or has therapeutic value in treating these ailments or in treating skin disorders caused by internal or systemic conditions in excess of affording temporary relief from the symptom of itching.

The respondent is further ordered to cease advertising that its preparation has therapeutic value in treating skin blotches or rashes when due to systemic or constitutional conditions, or has therapeutic value in treating athlete's foot, insect bites and ivy and oak poisoning in excess of that afforded by the temporary alleviation of the symptom of itching or the use of an antipruritic, astringent, antiseptic, and mildly germicidal agent.

The Commission order further directs that the respondent cease representing, through use of the words "and other externally caused skin eruptions" or similar phraseology in connection with diseases or conditions which may be of a systemic or internal origin, that such diseases and conditions are solely of external origin or that the respondent's preparation has therapeutic value in treating them regardless of their origin.

The order also directs the respondent to cease representing, through use of the words "stop itching" or other similar words, that its preparation will either permanently or temporarily eliminate the disease or condition causing the symptom of itching or has any therapeutic value in excess of that afforded by the temporary alleviation of the symptom of itching or the use of an antipruritic, astringent, antiseptic, and mildly germicidal agent (3972).

Jane Blanchard Geary, trading as Dr. Jane Blanchard, 2817 East St., N. S., Pittsburgh, has been ordered to cease misrepresentation in the sale of a medicinal preparation designated by the names "Dr. Blanchard's Female Compound and Regulator," "Dr. Jane Blanchard's Compound Regulator" and "Dr. Blanchard's Regulator."

The Commission order directs the respondent to cease disseminating advertisements which represent that her preparation is a competent or reliable regulator of conditions peculiar to women, possesses therapeutic value in the treatment of delayed or suppressed menstruation, is a tonic or a blood purifier or is safe or harmless.

The respondent is further ordered to cease disseminating advertisements which use the term "Dr." or "Doctor" as a part of the respondent's trade or as part of the name of the preparation or which otherwise represent that the respondent is a medical doctor; or which advertisements fail to reveal that use of the product may cause colitis and other serious consequences (4449).

National Lacquer Manufacturing Company—An order has been issued amending a complaint which charged Jacob Swimmer, trading as National Lacquer Manufacturing Co. and as National Titanium Co., 123-131 Eleventh St., Brooklyn, with misleading representation in the sale of paint.

According to the complaint as now amended, the respondent has since transferred his place of business to 2330 East 37th St., Vernon, Calif., and from that address has mailed letters to various States bearing the inscription "National Titanium Co., Pacific Coast Division," thereby representing that his Vernon, Calif., office is only a branch of his business and that he has other branches or divisions in various parts of the country. The amended complaint alleges that the respondent has only the one place of business at Vernon, Calif.

The amended complaint further charges that the respondent's letters sent from Vernon, Calif., also contained the misleading representations alleged in the original complaint. That complaint has charged the respondent with representing that he maintained warehouses in cities other than Brooklyn, when such was not a fact; with price misrepresentations and other misleading assertions, and with failure to disclose that his product "Genuine Synthetic Outside White Paint" was a reconditioned, redissolved paint product (4088).

Pascal Co., Inc., Seattle, Wash., has been ordered to cease and desist from making misleading representations in the sale of "Breatheasy," a medicinal preparation.

The Commission order directs the respondent to cease disseminating advertisements which represent that "Breatheasy" is a cure, remedy or competent treatment for chronic bronchitis, or for eczema, hives or other skin diseases, or which advertisements fail to reveal that the respondent's preparation cannot be safely used by persons ill of high blood pressure, toxic goiter, diabetes or heart disease.

The respondent is also ordered to cease representing that its preparation is a remedy, cure or effective treatment for heart disease or cardiac distress; for gastric ulcer; for inflammation of the nose, throat, tonsils, larynx or lungs, or for neuralgia or neuritis (3768).

Hamilton Ross Factories, Inc., Chicago, distributor of chinaware, glassware, plated silverware, cutlery and other merchandise, has been ordered to cease and desist from certain misrepresentations.

Commission findings are that the respondent, using the word "Factories" in its corporate and trade name, has implied that it owned, controlled or operated a plant in which the products it sells have been made, when in fact at the time the Commission complaint issued against the respondent, and for several years prior thereto, the respondent was not a manufacturer.

The Commission further finds that the respondent advertised in newspapers circulated in various States that certain of its silverware is "heavily plated," a term which implies to purchasers that this ware is of a quality and grade superior to the lower grades of plated silverware. In fact, the findings continue, such silverware is not heavily plated but corresponds approximately to Grade A-1 of household silverware, the lowest grade to which quality marks are regularly applied.

The Commission order prohibits the respondent from representing that it manufactures the products it sells unless and until it actually owns and operates or directly controls the plants in which such products are made, and directs the respondent to cease making the representations as found concerning use of the term "heavily plated" as applied to plated silverware (4040).

Sherry's Cut Rate Drug Co., Inc., Bluefield, W. Va., has been ordered to cease and desist from disseminating advertisements which represent that the preparation known as "Mrs. Bee Femo Caps" constitutes a competent or effective treatment for delayed menstruation, and that its use is safe or harmless, or which advertisements fail to reveal that use of the product may cause gastrointestinal disturbances and other serious consequences.

In September, 1940, the United States District Court for the Southern District of West Virginia issued an order restraining the respondent from further dissemination of certain advertisements of its preparation until the Commission issued a complaint against the respondent and finally disposed of the proceeding (4345).

Sommerville Manufacturing Co., Somersville, Conn., and its selling agents, J. J. O'Donnell and Clinton Ellis, trading as O'Donnell and Ellis, 450 Seventh Ave., New York, has been ordered to cease and desist from making misleading representations in the sale of textile fabrics.

Commission findings are that the respondent manufacturing corporation, through the respondent selling agents, sells its fabrics to coat and garment manufacturers and that through the use of labels the respondents have represented that certain fabrics and the garments manufactured therefrom are composed entirely of fiber made from camel's hair when in fact they have contained substantial percentages of wool, mohair, and other fibers.

The Commission order directs the respondents to cease using the words "Camel's Hair" or "Camel" or other terms descriptive of camel's hair on labels or otherwise to describe any fabric or product not composed wholly of camel's hair, provided that when fabrics or products are composed in part of camel's hair and in part of other fibers such terms may be used as descriptive of the camel's hair content if other words truthfully designating each constituent fiber are used in immediate connection and in type of at least equal conspicuousness.

The respondents also are ordered to cease employing any pictorial design of a camel in connection with any description of fabrics or products in which camel's hair is not the predominating fiber, and to cease representing in any manner that fabrics or products which they offer or sell contain camel's hair in greater quantity than is actually the case (4324).

John J. Tracey Co., 11102 Merchandise Mart, Chicago, distributor of toilet articles and soap, has been ordered to cease and desist from using the word "English" or other similar words to describe soap not made in England.

Commission findings are that the respondent corporation represented that its soap is of English origin by printing on the shipping cartons and boxes and by stamping on the soap the representations "English Lilac", "English Honeysuckle", "English Orchid," "English Carnation", and "Flaroma English Cold Cream Soap", when in fact these soaps were made in the United States (4315).

April Index

	Page
Advertising Club of Baltimore to Honor WBAL	372
Aluminum Discs	352
Broadcast Music, Inc.	313-332-355-366
Acquires New Hit Tunes	366
ASCAP Situation	349
Bards Get Booty	314
BMI at Work	366
Celebrates First Anniversary	313
Continues to Pioneer	315
Copyright Infringement and Libel Insurance	367
Demand for BMI Music	332
Feature Tunes	314-332-356-367
HAS Things in Control	355
License Renewals Go Over the Top	313
Lullaby Lane is Road to Success	333
More Mexican Hits from Peer	315
Mother's Day Song	366
Music Booms "Pot O' Gold"	333
Music for the Army	366
New BMI Song Makes Hit—"My Sister and I"	332
New Hit Makers to the Fore	355
New Lyrics for Familiar Music	367
New Numbers Among the Leaders	314
Seven Months' Change	356
Tunes in Pictures	314
Tunes Sung by Movie Audiences	367
Consumer Education Conference—April 7-9	352
Defense Job Training	373
Engineering	336
Interference Conference	336
Weather Stations	336
Federal Communications Commission	320-337-356-373
Cairo Treaty	357
Consolidation of Four Brooklyn Stations	
Authorized	356
Cooper Resigns	321
FM Applications	337
Gross Heads Engineering Division	337
Improved Reception Under Frequency Shift	
Noted	321
Monopoly Report	338-373
Orders Hearing on Southeastern Texas Communications Problems	338
Radio Apparatus for Use in Emergencies	373
Revocation Orders Vacated	320
Ring Resigns	321
WBAX License Renewal Denied	320

	Page
Frequency Modulation Applications	337
Labor	352
Job Changes	352
Legislation	320-337-371
Daylight Saving	320-372
Federal Legislation	320-337-371
State Legislation	320-337-372
NAB	317-331-333-350-365
Amendments to By-Laws	318
Convention	317-331-350-365
Banner Attendance Probable	317
Exhibits	317
Golf Tournament	331
Ladies Invited	331
Non-Member Stations	332
Program Shapes Up	350
Promotional Display and Exhibits	317-331
Registration Fee	331
St. Louis Broadcasters Lay Plans	351
District Meetings	333-351
District 5	351
Districts 3 & 7	333
Insurance Committee Meets	368
Insurance Rates	368
"Malaya" Matter	334
Pellegrin Reports	318
Publications	372
Newspaper Owned Stations Organize	372
Ohio State Education Conference—May 4-7	351
Peabody Radio Award Winners	315
Promotion	318-335
"56 Days" Successful	335
Public Relations Job	336
Radio's Movin' Day	318
Sales	334-352-370
AFA Convention—May 25-29	370
Advertiser Threatens Suit	335
American Meat Institute	370
Aviation Schools Good Prospects	353
Code Committee	370
Cooperative Advertising Approved	335
Cost-Per-Inquiry	317-335-353
Bible Press	317
Frasek Company	317
Hicks Advertising Agency	355
Mendenhall Manufacturing Company	354
Murray Hill Topman & Company	317
Rogers & Smith Advertising Agency	335
Develop Replacement Revenue	370
Duensing and Company—Waterman Fountain Pens	317
Free Time Requests	353-371
Fish and Wildlife Service	371
Forstmann Woolen Company	371
Investment Bankers Association of America	
—Selvage & Smith	371
Selvage & Smith	371
Society of Inter-American Relations	354
You Can Defend America	371
Golden Glint Company, Inc., Invitation to Cut Rates	371
Radio Checking Service	353
Sales Manager's Meetings	334-352
Fourth District Meeting	334
Savings and Loan Gains	370
Sears-Roebuck Buys Baseball	353
Success Stories Needed	353