



PROPOSED BY-LAW AMENDMENTS

Pursuant to the provisions of the By-Laws official notice is hereby given to all stations of the following proposed amendments to the By-Laws. These amendments will be submitted for action at the business session of the forthcoming Annual Meeting (NAB Executives War Conference) to be held in Chicago, August 28 to 30 inclusive.

Proposal 1. Amend Article IV to read as follows:

"ARTICLE IV

"DUES

"Section 1. Effective January 1, 1945, each active member shall pay dues on net receipts from the sale of time received during the previous calendar year. Net receipts from the sale of time are defined as billings based on gross rate for broadcasting service less time and advertising agency discounts, if any, and including net billings to the networks. No member shall be required to state its actual volume but to name annually to the Secretary-Treasurer on his call the class into which its volume falls. It is understood that each Active Member is honor bound not to name a smaller classification than that into which its volume actually falls.

"The annual dues shall be payable monthly in advance.

"For the purposes of determining dues, the stations shall be classified as to range of income as follows:

Class	Range of Income	
A	\$ 0	\$ 15,000
B	15,001	36,000
C	36,001	60,000
D	60,001	80,000
E	80,001	120,000
F	120,001	160,000
G	160,001	200,000
H	200,001	300,000
I	300,001	400,000
J	400,001	500,000
K	500,001	600,000
L	600,001	700,000
M	700,001	800,000
N	800,001	900,000
O	900,001	1,000,000
P	1,000,001	2,000,000
Q	2,000,001	4,000,000
R	4,000,001	6,000,000
S	6,000,001	8,000,000
T	8,000,001	10,000,000
U	10,000,001	12,000,000
V	12,000,001	16,000,000
W	16,000,001	20,000,000
X	Over 20,000,000	

"The Board of Directors shall determine each year the monthly dues applicable to each of the above classifications, and the schedule of dues so adopted shall be mailed to each member station at least 30 days prior to the beginning of the fiscal year to which the schedule is applicable.

"Section 1A. Effective January 1, 1942, active members whose stations are located in the territories or insular

possessions of the United States shall for the duration of the war pay dues upon the basis of fifty per cent of the dues provided in Section 1 of this Article.

"Section 2. The Board of Directors shall determine the dues for various classes of Associate Membership."

NOTE: The foregoing amendment is proposed by the unanimous vote of the Board of Directors. In discussing the suggestion the Board voiced the opinion that the amount of the dues attaching to each classification should not be "frozen" in the By-Laws. The Board feels that greater flexibility in looking after the financial affairs of the Association would be produced by the adoption of the amendment. Under the By-Laws the Board is given authority to authorize expenditures without any restrictions. They feel that similar authority should be given them with reference to the raising of revenue.

Proposal 2. That Article V, Section I (a) of the By-Laws be amended by adding thereto the following proviso:

Proposal 2: "That there be added to Article V, Section 1-A the following proviso:

"'Provided the Board of Directors shall have power by a two-thirds vote of its members present at a duly called meeting or by a two-thirds vote by mail ballot to cancel any annual meeting if it is deemed such action is necessary or desirable in the public interest.

"In event of cancellation of the annual meeting the District Director members of the Board shall constitute a nominating committee for the purpose of nominating Directors-at-Large for the ensuing one year term, and the President shall be authorized to accept by mail in accordance with the provisions of Article VII, Section 4, nominations from the respective networks for Network Directors. Such nominations shall be presented to the membership in writing after which 15 days shall be allowed for filing additional nominations endorsed in a petition signed by any ten members of the Association in good standing. Within 30 days thereafter a complete list of all nominations shall be mailed, together with a secret ballot, to all members in good standing of the Association. All ballots shall be returnable to the Secretary-Treasurer. The President shall appoint an Elections Committee of not less than three, nor more than five members who shall, with the Secretary-Treasurer within 20 days after the mailing of such ballots canvass such ballots and announce the result of such election. Directors-at-Large and Network Directors thus elected shall serve for one year or until the next annual meeting.'"

NOTE: This amendment is recommended by the Board Sub-Committee on By-Law Revision. The purpose of the proposal is to meet the situation which would arise in event emergency conditions required the cancellation of the Annual Membership Meeting. As the By-Laws now read, no machinery is provided for the nomination and election of Directors-at-Large except by nomination from the floor at the Annual Membership Meeting and balloting at that

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J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of War Activities*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

PROPOSED BY-LAW AMENDMENTS

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same meeting. The proposed amendment would make it possible to hold a referendum vote if emergency conditions necessitated such procedure.

Proposal 3: Amend Article VII, Section 4 to read as follows:

"Section 4. NOMINATIONS OF DIRECTORS-AT-LARGE AND NETWORK DIRECTORS. Nominations for each of the six Directors-at-Large, as defined in Section 2, above, may be made, in the alternative, as follows: Each duly accredited representative of an Active Member in attendance at the annual membership meeting shall be provided at the time of registration with a nominating ballot and with a certified list of all persons eligible to be nominated as Director-at-Large in each of the respective classifications; each such representative shall be entitled to write in the space designated on said ballot the names of two persons from among the names appearing on the certified list in each classification. The representative shall then sign his name to such nominating ballot and deposit the same in a receptacle to be conveniently provided therefor. At the opening of the general sessions on the second and third days of said Annual Membership meeting the Secretary-Treasurer shall post on a bulletin board located in the room where the sessions are held a complete list of all nominations deposited during the previous day; Provided, that the Elections Committee, hereinafter provided for shall certify to the Secretary-Treasurer the eligibility of the persons nominated for election in the class for which they are nominated. At the business session of said membership meeting, which shall be held not earlier than the afternoon session of the second day thereof, additional nominations for Director-at-Large in any classification may be made from the floor. Nominations thus made shall be posted as nominated. During the morning session of the second day of the annual meeting, each of the said respective networks shall certify to the President its nominee or nominees for Network Director, as defined in Section 2, above, whereupon such nominees shall be deemed to have been placed in nomination, and shall be so reported to the members during that session."

NOTE: This amendment is likewise recommended by the Board Sub-Committee on By-Law Revision. Its purpose is to liberalize the method of nominating Directors-at-Large. Under the By-Laws as they now read nominations can be made only from the floor at the business session. The amendment would permit any member in good standing to file nominations during the convention prior to the holding of the business session. It likewise retains the right of nomination from the floor.

WAGE ORDER AFFECTS BROADCASTERS

The Wage and Hour Division of the Department of Labor recently issued a wage order which affects all broadcasters. Effective July 17, the order provides: "Wages at a rate of not less than forty cents per hour shall be paid under Section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the Communications, Utilities, and Miscellaneous Transportation Industries, * * *." The order further provides that the employer "shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time * * *." The scope of definitions, according to the order, covers all occupations which are necessary to the operation, including clerical, maintenance, and selling occupations. As previously stated, the order becomes effective July 17.

"DON'T CHANGE HORSES IN THE MIDDLE OF THE STREAM"

Chairman James Lawrence Fly of the FCC made public his reply to the protest by the copyright owners that their musical composition "Don't Change Horses in the Middle of the Stream" had been barred by the major networks on the ground that it possesses political significance. Chairman Fly's letter follows:

"I have received your telegram of June 30, 1944, in which you allege that your musical composition 'Don't Change Horses in the Middle of the Stream' has been barred by NBC, CBS, Mutual and the Blue Networks on the ground that it possesses political significance.

"Under the Communications Act of 1934, as amended, the Commission possesses no affirmative powers with respect to particular presentations over radio stations, except broadcasts by candidates for public office which fall within the scope of Section 315 of that Act. The matter of which you complain is not within the purview of Section 315. The Commission's power with respect to the programs of existing station licensees is limited to determining in the light of the station's entire operation whether the station has been operating in the public interest.

"The statutory duty to operate in the public interest includes the obligation to afford a well-rounded, and not one-sided presentation of controversial public issues. From the single incident which you recite it could not be concluded that the organizations involved are pursuing a one-sided and biased policy. The utmost which you contend is that the networks have made an erroneous and unwarranted judgment as to the character of the song.

"Your interest in calling this matter to our attention is appreciated."

PROGRAM MANAGERS START SERIES OF BULLETINS

Beginning with this issue of NAB REPORTS and scheduled at least monthly hereafter, the NAB Program Managers' Executive Committee presents a series of articles on the job of programming and being a program manager. Members of the Committee and others selected because of their ability and experience will analyze the entire radio programming picture.

These articles are to appear as "Special Program Manager's Bulletins" and will be numbered so that they may be collected and preserved in a special folder in station program departments. They will constitute an excellent program manager's handbook.

The first articles, presented this week as "Special Program Manager's Bulletin No. 1," are the "Foreword," by Harold Fair, Program Director of WHO, Committee Chairman, and "The Program Manager's Obligation to Man-

agement and Audience," by Irvin Abeloff, Program Service Manager of WRVA, Committee member.

Harold Fair, as Committee Chairman, invites the reaction of station managers and program managers to this series.

The project was authorized by the Committee early this year and articles have been in preparation since that time under the direction of Abeloff and George Sutherland, WFCL.

INCREASED PRODUCTION EXCLUDES RADIO

NAB investigated the situation following radio and press reports of early resumption of civilian goods production. Inquiry was limited to facts concerning turntables, transmitters and microphones. Findings follow:

1. New transmitters will be unavailable for domestic use at least until 1945.
2. New turntables, same.
3. New microphones are believed to be in sufficient supply so as to eliminate any "hardship." Supply will be used for replacement, not to increase the number of "mikes" in use.

PANEL 4 ALLOCATION MEETING

The second meeting of the Allocation Committee P4a was held on July 11 at the Hotel Statler in Washington. This Committee is the allocation group of Panel 4 on Standard Broadcasting.

Present at the meeting were the Chairman, A. D. Ring; Vice Chairman, Stuart L. Bailey; Secretary, Clyde M. Hunt. Approximately 35 committee members, alternates and observers from several governments attended the meeting. Howard S. Frazier, Panel 4 chairman, was also present.

The session opened shortly after 10:00 a. m. and adjourned at 6:00 p. m., with a brief recess for lunch. The following reports were recommended by the Committee for approval by the panel:

1. "Proposed Standards for Determining Areas and Populations Receiving Primary Service from Broadcast Stations," by George P. Adair.
2. "The Use of Ultra High Frequency Relays to Control Standard Broadcast Satellite Transmitters," by Grant R. Wrathall.
3. "Standards of Measurement in Connection with Proof of Performance Data on Directional Antennas to be Submitted to FCC," by Stuart L. Bailey.
4. "Operation of Compressor Amplifiers," by Italo A. Martino.
5. "Recommendation for a Flat Transmitter Audio Frequency Response Characteristic." (This proposal already adopted by the Panel 4 Transmitter and Receiver Committees.)

Other subjects discussed by the Committee were as follows: The Use of Inter-city Program Radio Relays, Blanketing Interference Standards, the Use of Frequencies from 200 to 400 KC and 3 to 17 MC for Rural Coverage, A Proposal for a Standard Frequency Control Station of Sufficient Power to Serve the North American Continent, Horizontal Power Increases for Standard Broadcast Stations of All Classes, and Methods of Establishing Interference Standards When such Interference Results from Two or More Stations.

Although no date was set for the next meeting, the committee is now endeavoring to complete work on all remaining agenda items. It is probable the next meeting will be held early in September.

SPEEDY ACTION FOLLOWS APPEAL TO STRIKERS OVER 5 PITTSBURGH STATIONS

EDITOR'S NOTE: *How broadcasting delivered in a Pittsburgh emergency and saved several thousand tons of invasion steel is told in the following story . . . all of which proves that "Radio Reaches People."*

On Thursday, June 14, at 8 o'clock PM, there occurred a flash one-day strike of about 60 men in three crews of the "C" soaking pits at the Pittsburgh Works of the Jones & Laughlin Steel Corporation. The "soaking pits" are the heating furnaces where steel ingots are heated to exact temperature for rolling (about 2400°F.) Since all steel to be rolled must pass through these furnaces the strike immediately resulted in slowing down other operations. If it had continued through a second day, the entire works might have been shut down, throwing 10,000 persons out of work and losing 6,000 tons a day of steel for the invasion.

After a Friday forenoon meeting of government conciliators and Navy officers with union local officials, it was believed that the sixty men in the 3 soaking pit crews might be induced to start back to work on the 4 PM turn, that day, and thus avert the disaster of closing an entire big steel works in this critical hour.

Some of the men could be reached by telephone or telegraph but the idea of turning to radio as the quickest method of getting word to the 60 men on strike occurred to Commissioner Charles R. Ward, United States Conciliation Service. Accordingly, he prepared the following brief spot announcement:

"A meeting is called by the Government officials for the Jones & Laughlin Steel Corporation "C" Pits crew at A.O.H. Hall, 2715 Sarah Street, at 2 o'clock this afternoon."

The Publicity Department of Jones & Laughlin, with less than an half-hour time-margin, before the noon news broadcasts, immediately got in touch with the station managers of KDKA, WJAS, WCAE, KQV, and WWSW. Sensing an opportunity to be of immediate practical service to the war effort, the 5 Pittsburgh radio stations each had the notice broadcast between noon and 1:30 p. m., in some instances, more than once.

Here are the interesting results. Of the 60 men the notice was intended for—60 individuals in a possible 1,000,000 listening audience—exactly 54 showed up. Each man stated he either heard or was told of the radio call. The strikers listened to Commissioner Ward, Lieutenant Charles Dunlop, USN, and their local officials and voted to go back to work.

The first crew was on the job at 4 o'clock, the regular hour for going to work. The soaking pits resumed their functions and the great steel works, 100% on war production, was saved from a complete shut down.

The officials of the Jones & Laughlin Steel Corporation credit radio with doing a remarkable and patriotic job of making it possible to end a work shut down that would have lost several thousands more tons of invasion steel. As it was about 1,000 tons of steel production were lost by the one-day walk out.

WHAS HAS FULL-TIME RELIGIOUS COORDINATOR

On the first of August C. E. Burns becomes the full-time Religious Coordinator of station WHAS, Louisville. His appointment by Manager W. Lee Coulson is in line with the station's determination to improve devotional programs on the air.

For the past two years WHAS has been endeavoring to better the quality of its daily devotional programs with

ministers of various denominations presiding. After this period of experimentation it was believed that greater progress would be made by finding the proper leader and putting him to work.

In Mr. Burns the station feels that the proper man has been found. For the past four years he has been President of Milligan College in East Tennessee. In addition to broad experience in religion and religious education Mr. Burns has had training and experience in teaching, in personnel and social science work.

Program will be fifteen minutes, Mondays through Fridays. Its aim will be to help listeners to be better men and women, to live happier lives. Program will be non-denominational in character and will stress church attendance at the church of the individual's choice.

PARENTS ACCLAIM NEW WMAZ PROGRAM

WMAZ, last year's duPont Award winner, has come forward with another public service series which is receiving highest praise from Macon parents and teachers. Program is called Juke Box Parade and runs for 45 minutes each afternoon at 4 o'clock.

Four boys and four girls of high school age, selected by city's Teen-Age Club director, participate each afternoon and, after invitation appearance, may return for any subsequent programs.

Tables are set up in studio and drinks and ice cream are "on the house." A juke box plays recordings called for by the boys and girls who dance to the music. During the program each reads a commercial announcement with \$1 awards to the best boy and best girl announcers. There's a jitterbug contest on Friday for a \$5 prize.

"Red" Cross produces the programs and plays accompaniment for Lew Kent and Walter Graham who alternate daily in singing one song, while other MC's that day's program. After the song any boy or girl may attempt same selection and for "adequate" performance receives \$5.

Parents are enthusiastic over station's attempt to keep teen-agers busy either in studio or home at a radio. Forty school teachers who observed a broadcast last Friday told station Manager Wilton Cobb "it is the finest thing WMAZ has ever done for Macon's young people."

NOTES FROM LISTENER ACTIVITY OFFICE

Dorothy Lewis will address the Westinghouse Radio Workshop at KYW on July 12th, speaking on the subject of "Listeners and Broadcasters, Partners in Progress." While in Philadelphia, she will confer with Ruth Chilton, President of the Association of Women Directors.

On Thursday, July 13th, there will be an organization meeting of the New York Radio Council at the Town Hall Club. At that time, broadcasters and representatives of organizations and educational institutions will discuss plans for council projects. Mrs. Harold V. Milligan, of the National Council of Women, temporary chairman, will preside.

Dean John E. Drewry of the University of Georgia, Mr. Edward Weeks, Editor of the *Atlantic Monthly*, Mrs. Elizabeth Ames of the George Foster Peabody Foundation, and Dorothy Lewis, NAB Coordinator of Listener Activity, will hold a planning meeting on next year's Peabody awards on Thursday, July 13th, in New York City.

On July 15th, there will be an "Inter-City Quiz" by two radio councils—Omaha and Des Moines. There will be studio audiences in each city and executives of each radio council will serve on the panels. Among those participating in Des Moines are Edward Barrett, Director of Radio

at Drake University, Forrest Spaulding of the Des Moines Public Library. Mr. Woody Woods of WHO arranged the broadcast.

An Intermountain Radio Conference is to be held at the University of Utah, Wednesday, July 19, under the joint auspices of the Summer Session and the Intermountain Radio Council. Organizations affiliated with the Intermountain Radio Council have been invited to send two representatives, preferably the President and the person designated as the Radio Chairman.

The program is as follows:

- 10:00 a.m.—Dr. Roald F. Campbell, Chairman
"The Role of Radio in Education"—Dean John T. Wahlquist
- 12:00 noon—Luncheon—Mrs. Charles L. Walker, Chairman
Talent Program by KDYL and KSL artists
- 2:00 p.m.—Ralph W. Hardy, Program Director, KSL
"Understanding Radio Production"
- 7:00 p.m.—Alvin G. Pack, Program Director, KDYL
Radio Demonstration and Clinic

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, July 17. It is subject to change.

Thursday, July 20

WSAP—Portsmouth Radio Corporation, Portsmouth, Virginia.—
C. P., 1240 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WJJD—H. Leslie Atlass, Ralph L. Atlass & Ralph Louis Atlass (Transferors), Marshall Field (Transferee), WJJD, Inc. (Licensee), Chicago, Ill.—Granted consent to transfer control of WJJD, Inc., licensee of station WJJD, from H. Leslie Atlass, Ralph L. Atlass and Ralph Louis Atlass (Transferors) to Marshall Field, representing 7875 shares, or 52.5 per cent of the issued and outstanding common stock, and 259½ shares, or 28.8 per cent of the issued and outstanding preferred stock of the licensee for a consideration of \$696,000 for the shares, plus or minus an adjustment in price for any increase or decrease in net worth of the licensee between January 31, 1944 and the "Accounting date." (B4-TC-372).

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted modification of license to change main studio location to Chicago, so that station will be identified as a Chicago station in lieu of Gary, Ind. (Comr. Walker voting "No").

George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—Granted construction permit for a new station, pursuant to policy of January 26, 1944, to operate on 1340 kc., with power of 250 watts, unlimited time (B3-P-3586).

Western Radio Corp., Pasco, Wash.—Granted construction permit for new station, pursuant to policy of January 26, 1944, to operate on 1340 kc., with power of 250 watts, unlimited time (B5-P-3587).

KGEK—Elmer G. Beehler, Sterling, Colo.—Granted modification of license to change hours of operation on Sunday in order to operate from 2:30 to 4:45 p. m. MST (B5-ML-1197).

Stanley G. Boynton, Detroit, Mich.—Granted extension of authority to transmit programs to CKLW, Windsor, Ontario, Canada (B2-MP-126).

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Granted construction permit to reinstate (B2-P-334 as modified by B2-MP-1740) which authorized change in frequency from 1230 to 1480 ke., changes in equipment, increase in power from 250 to 1 KW, and installation of DA for night use (B2-P-3649).

WLWL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted petition for continuance of hearing now set for July 12, to Sept. 12, 1944, in re application for construction permit (Docket 6582).

Gene L. Cagle, Fort Worth, Texas.—Granted motion to dismiss application for new station to operate on 1340 ke., 250 watts, unlimited time (Docket 6592).

WABI—Community Broadcasting Service, Bangor, Maine.—Deferred for consideration with petition to reconsider and grant, the motion to accept amendment to application (B1-MP-1673) for modification of construction permit.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted petition to intervene in the hearing on application of WGBG, Greensboro, N. C., for construction permit to operate on 850 ke. (Docket 6595).

WJZ—Blue Network Co., Inc.—Granted motion for continuance to Oct. 9, 1944, of hearing now set for July 10, in re application of KOB for modification of construction permit to operate on 770 ke. (Docket 6584), and for application for license to cover construction permit (Docket 6585).

Rochester Broadcasting Corp., Rochester, N. Y.—Granted petition to amend application for construction permit for new station, to make changes in stockholders and directors of applicant; application not removed from hearing docket (Docket 6606).

KOBH—Black Hills Broadcast Company of Rapid City, Rapid City, So. Dak.—Granted construction permit to change frequency from 1400 to 1380 ke., and increase power from 250 watts to 5 KW; install a new transmitter and directional antenna for nighttime use and change transmitter site (B4-P-3580).

WLLH—Merrimac Broadcasting Co., Inc., Lawrence, Mass.—Granted construction permit to increase power of synchronous amplifier from 100 watts to 250 watts, and make changes in transmitting equipment (B1-P-3603).

KRMD—Radio Station KRMD, Inc. (Assignor), T. B. Lanford, R. M. Dean, Mrs. T. B. Lanford, Sr., and Mrs. R. M. Dean, a partnership, d/b as Radio Station KRMD (Assignee), Shreveport, La.—Granted consent to assignment of license from Radio Station KRMD, Inc., to T. B. Lanford, Mrs. T. B. Lanford (his mother), R. M. Dean, and Mrs. R. M. Dean (his wife), a partnership, d/b as Radio Station KRMD. There is no monetary consideration involved, the purpose is to change licensee from a corporation to a partnership (B3-AL-413).

KINY—Edwin A. Kraft, Juneau, Alaska.—Granted reinstatement of construction permit (B-P-3089) as modified, which authorized increase in operating power from 1 to 5 KW, installation of new transmitter and changes in equipment (B-P-3622).

WSUN—City of St. Petersburg, Fla., St. Petersburg, Fla.—Granted renewal of license for the period ending May 1, 1946.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted renewal of FM broadcast station license for the period ending May 1, 1945.

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, Owner), Rochester, N. Y.—Granted modification of construction permit which authorized change in frequency, increase in power, etc., for 30-day extension of completion date, from Aug. 1, 1944.

WSPR—WSPR, Inc., Springfield, Mass.—Granted license (B1-L-1809) to cover construction permit which authorized increase in daytime power to 1 KW, and changes in equipment. Also granted authority to determine operating power by direct measurement (B1-Z-1601).

WEJL-WEJR—National Broadcasting Co., Inc., New York City.—Granted authority to operate relay broadcast stations WEJL and WEJR in conjunction with standard station WMAQ, Chicago (in lieu of standard station WEAJ, New

York), for a period ending no later than July 29, 1944 (B1-SRE-68 and B1-SRE-49).

DESIGNATED FOR HEARING

Myron E. Kluge, Earl E. Williams and C. Harvey Haas, a partnership, d/b as Valley Broadcasting Co., Pomona, Calif.—Designated for hearing application for construction permit for new station to operate on 1580 ke., 250 watts, unlimited time (B5-P-3610).

DOCKET CASE ACTION

The Commission announces its Proposed Report (P-32) recommending denial of the applications of W. D. Haden Company for renewal of the ship station license for radio station WOAF located on board Haden Barge No. 45, and of Parker Brothers and Company, Inc., for renewal of the ship station license for radio station WDUG located on board Barge No. 20. The denial was proposed on the finding that stations WOAF and WDUG have been operated in violation of the terms of their licenses (Section 8.27 of rules) and in violation of Sections 8.35(a) and 8.109 of the rules, and that a showing that the applicants intend to discontinue such improper operation has not been made.

Ship service, as defined in the Commission's rules, was not intended for the purposes for which the applicants have used Stations WDUG and WOAF. The Commission believes, however, that communication service other than that presently available in the Houston-Galveston area is needed. In order that the communication services needed by these applicants may be made available, the Commission will consider applications for construction permits of one or more provisional stations to be operated by the applicants in such manner as will provide the communication service needed by the applicants, and will continue the existing licenses of stations WOAF and WDUG on a temporary basis for a period not to exceed 60 days from the date of adoption of a final report and order. In this connection the Commission's Proposed Report states:

"It must be understood that the Commission is not condoning the violation of its rules and regulations by the applicants, and that in denying the renewal applications for the renewal of the ship station licenses, without prejudice to the filing of applications for provisional stations, the Commission is acting only for the purpose of permitting the applicants to provide themselves with communication service apparently needed for the furtherance of the war effort."

The Commission announced adoption of Proposed Findings of Fact and Conclusions (B-199), proposing to deny application of Joe L. Smith, Jr., licensee of station WJLS, Beckley, West Virginia, for construction permit to make changes in equipment for operation of a local station on the regional frequency of 560 kilocycles with 100 watts power at night, 250 watts day, unlimited time. (Station now operates on 1240 kilocycles with 250 watts, unlimited time.)

The Commission concludes that the granting of a permit as applied for to change the frequency assignment of station WJLS from a local to a regional frequency and operate as proposed, would not be conducive of efficient use of the regional frequency and would run counter to sound allocation principles, and "would extend the daytime service area of the station to include an area of 1390 square miles with an estimated population of 110,741; however, there would be loss in service to a population of approximately 17,000 persons in an area of 63 square miles from WCHS, one of only two stations from which primary service is available in the area, and the nighttime service of WJLS would be subject to excessive interference. The population residing between the normally protected contour and the contour actually protected would be 108% as great as the population included within the interference free service area or 10.8 times greater than the allowable maximum contemplated under the Commission's Rules and Regulations (Sec. 3.29) and Standards of Good Engineering Practice (pp. 3, 4)."

LICENSE RENEWALS

The Blue Network Co., Inc., Washington, D. C., was granted renewal of relay broadcast station licenses for the period ending May 1, 1946, for the following stations: WJNL, WJNM, WJNQ, WJNW, WJNX, WJNZ, WJOD, WJOG, WJOQ.

The Blue Network Co., Inc., San Francisco, was granted renewal of relay broadcast station licenses for the following stations:

KFEZ, KFFB, KFFH, KFFS, KFFV, KFFW, KFFY, KFGG, KFGK, KFGM, KFGR, KFGY, KFGU, KFFQ, KFGL, for the period ending November 1, 1946.

The Blue Network Co., Inc., was granted renewal of relay broadcast station licenses for the period ending November 1, 1946, for the following Chicago stations: WBUL, WBUS, WJMD, WJMF, WJMK, WDAT, WJML, WJNH, WJNI, WJNK;

For the following New York stations: WJLM, WJLO, WJLP, WJLQ, WJLT, WJLX, WJLY, WJLZ, WJMP, WJMT, WJNE (WJMU, Port Washington, N. Y.).

The National Broadcasting Co., Inc., was granted renewal of relay broadcast station licenses for the period ending May 1, 1947, for the following Washington, D. C., stations: WEJD, WEJE, WEJS, WEJT, WNB, WNB, WNCU, WNTJ, WEJC.

The National Broadcasting Co., Inc., was granted renewal of relay broadcast station licenses for the period ending November 1, 1946, for the following San Francisco stations: KEJA, KEJB, KEJC, KEJG, KEJH, KEJI, KNBG, KFSM, KEJK, KEJL, KEJP, KFFJ, KFFK, KFFP, KHCM;

For the following New York Stations: WEJI, WEJA, WEJJ, WEJL, WEJN, WEJR, WEJU, WEJW, WIEW, WMEF, WNB, WNB, and WAOB, Port Washington, N. Y.

For the following Chicago stations: WEJM, WEJV, WIE, WMFS, WNBE, WNEP, WNK, WEJH, WEJX.

MISCELLANEOUS

Designated for hearing on August 15, 1944, at an hour and place to be designated, the petition of the UAW-CIO, Columbus, Ohio, directed against the Commission's grant without hearing on May 16, 1944, of the application of United Broadcasting Company (WHKC), Columbus, Ohio, for renewal of license; and directed that pursuant to provisions of Sec. 308(b) and 312(a) of the Communications Act the United Broadcasting Co. (WHKC) shall file with the Commission on or before the 5th day of August a statement of fact concerning the operation of its station WHKC, with particular reference to the allegations of the UAW-CIO petition, and as to whether or not the station has been operated in the public interest.

The UAW-CIO petition alleges that Station WHKC is throttling free speech and is, therefore, not operating in the public interest in that (a) the station has a policy not to permit the sale of time for programs which solicit memberships, discuss controversial subjects, race, religion and politics; (b) the station does not apply this practice uniformly, but on the contrary applies that policy "strictly to those with whom the management of Station WHKC disagrees, including petitioners, and loosely or not at all with respect to others"; (c) the station unfairly censored scripts submitted by petitioners.

In re application of Arde Bulova and Harry D. Henshel, New York, New York (For consent to transfer control of Wodaam Corporation, licensee of Radio Station WOV, New York City, to Murray Mester and Meyer Mester, New York, N. Y.). Adopted an order granting petition for rehearing filed by Richard E. O'Dea; reversed the Order of the Motions Commissioner of June 28, 1944, denying the petition of Richard E. O'Dea to intervene in the hearing on the application for transfer of control of Wodaam Corp.; and permitted the petitioner, Richard E. O'Dea, to intervene in said hearing (Docket No. 6598).

The Commission adopted an order designating for hearing the application for license of Texas Star Broadcasting Company (KTHT), Houston, Texas, before the Commission on July 10, 1944, or at such later date as may be fixed upon request of applicant, upon the following issues: (1) To determine the truthfulness and accuracy of representations made by or in behalf of the applicant in the application (B3-P-3006) for construction permit, in the course of the hearings on the application, and in communications and documents addressed to the Commission; and (2) To determine the qualifications of the applicant to operate the broadcast station for which a license is requested in the public interest. The Commission further ordered that the request for authority to begin program tests be deferred, for consideration at the conclusion of the hearing or on July 18, 1944, whichever is earlier, and also ordered that Scripps-Howard Radio, Inc., and Greater Houston Broadcasting Company, Inc., be given notice of this proceeding and the opportunity to present evidence on the above issues.

At the same time, the Commission adopted Orders (1) denying a petition filed by the Greater Houston Broadcasting Company, Inc., to intervene and for rehearing and other relief; and (2) denying petition for rehearing filed by Scripps-Howard Radio, Inc.,

and for reinstatement of its application for construction permit (B3-P-2926) and for other relief.

WEHS—WHFC, Inc., Chicago, Ill.—Granted request for extension of time to comply with procedural conditions attached to grant of construction permit for erection of a new FM station.

The following applications for C.P.'s for FM broadcast stations were placed in the pending file in accordance with Commission policy of Feb. 23, 1943:

The Birmingham News Co., Birmingham, Ala.; The Blue Network Co., Inc., Los Angeles; Central Ohio Broadcasting Co., Columbus, Ohio; Cornell University, Ithaca, N. Y.; Florida Broadcasting Co., Jacksonville, Fla.; Owensboro Broadcasting Co., Inc., Owensboro, Ky.; St. Lawrence Broadcasting Corp., Ogdensburg, N. Y.

Westchester Broadcasting Corp., White Plains, N. Y.—Placed in the pending file in accordance with Commission policy of Feb. 23, 1943, the application for new commercial television station.

APPLICATIONS FILED AT FCC

790 Kilocycles

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Voluntary assignment of license to Blue Network Company, Inc.

820 Kilocycles

WAIT—Gene T. Dyer, Evelyn M. Ringwald, Elizabeth M. Hinzman, Adele Moulds, Vivian Christoph and Wm. F. Moss, a partnership, d/b as Radio Station WAIT, Chicago, Ill.—Voluntary assignment of license to Gene T. Dyer, Evelyn M. Dyer, Gene T. Dyer, Jr., Adele Moulds, Louis E. Moulds and Grace V. McNeill, d/b as Radio Station WAIT.

920 Kilocycles

WGST—Georgia School of Technology, Atlanta, Georgia.—License to cover Construction Permit (B3-P-3611) for changes in transmitting equipment and increase the maximum rated carrier power of auxiliary transmitter.

1100 Kilocycles

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Voluntary assignment of license to KJBS Broadcasters, a partnership consisting of William B. Dolph, Hope D. Pettet, Elizabeth N. Bingham, D. Worth Clark, Helen S. Mark, Glenna G. Dolph, Edwin P. Franklin and Alice H. Lewis.

1230 Kilocycles

KTHT—Texas Star Broadcasting Co., Houston, Texas.—License to cover Construction Permit (B3-P-3006) which authorized construction of a new Standard Broadcast Station.

KTHT—Texas Star Broadcasting Co., Houston, Texas.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

NEW—J. W. Birdwell, Nashville, Tenn.—Construction Permit for a new Standard Broadcast Station to be operated on 1240 kilocycles, power of 250 watts and unlimited hours of operation.

1250 Kilocycles

WSAU—Northern Broadcasting Co., Inc., Wausau, Wisc.—Construction Permit to change frequency from 1400 kc. to 1250 kc., increase power from 250 watts to 5 KW, install new transmitter, directional antenna for night use and move transmitter.

1310 Kilocycles

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Transfer of control of licensee corporation from Georgia A. Burley to Charms Company—21 shares—55.3%.

1340 Kilocycles

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Voluntary assignment of license to S. O. Ward, tr/as Radio Station WLAK.

- WAIR—C. G. Hill, George D. Walker, and Susan H. Walker, Winston-Salem, N. Car.—Modification of License to change name of licensee to C. G. Hill and George D. Walker d/b as WAIR Broadcasting Company.
- WENT—Sacandaga Broadcasting Corp., Gloversville, N. Y.—Authority to determine operating power by direct measurement of antenna power.
- WENT—Sacandaga Broadcasting Corp., Gloversville, N. Y.—License to cover construction permit (B1-P-3404) which authorized construction of new standard broadcast station.

1360 Kilocycles

- WSAI—The Crosley Corporation, Cincinnati, Ohio.—Voluntary assignment of license to Marshall Field.

1390 Kilocycles

- WGES—Gene T. Dyer, Vivian I. Christoph, Gene T. Dyer, Jr., F. A. Ringwald, Louis E. Moulds, Grace V. McNeill, Wm. F. Moss, d/b as Radio Station WGES, Chicago, Ill.—Voluntary Assignment of license to John A. Dyer, Vivian I. Christoph, Elizabeth M. Hinzman, F. A. Ringwald and Wm. F. Moss, d/b as Radio Station WGES.

1450 Kilocycles

- KDNT—Harwell V. Shepard, Denton, Texas.—Authority to determine operating power by direct measurement of antenna power.
- NEW—Joseph H. McGillyvra, Agnes I. McGillyvra and Adam J. Young, Jr., d/b as Binghamton Broadcasting Co., Binghamton, New York.—Construction Permit for a new Standard Broadcast Station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- WKLA—Karl L. Ashbacher and Grant F. Ashbacher d/b as Ludington Broadcasting Co., Ludington, Mich.—Modification of Construction Permit (B2-P-3406 for a new Standard Broadcast Station) for change in type of transmitter and extension of commencement and completion dates.

1480 Kilocycles

- WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Construction Permit for reinstatement of B2-P-3334 as modified which authorized change in frequency from 1230 kc. to 1480 kc., increase power from 250 watts to 1 KW, changes in equipment and installation of directional antenna for night use.

1490 Kilocycles

- WMRN—The Marion Broadcasting Co., Marion, Ohio.—Transfer of control of licensee corporation from Howard F. Guthery and Florence Guthery to R. T. Mason—101 shares common stock, 50½%.
- NEW—Inter-City Advertising Co., Columbia, S. Car.—Construction Permit for a new Standard Broadcast Station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

1560 Kilocycles

- NEW—Fred Weber, E. A. Stephens, and William H. Talbot, d/b as Texas Broadcasters, Houston, Texas.—Construction Permit for a new Standard Broadcast Station to be operated on 1560 kc., power of 1 kilowatt and unlimited hours of operation.

FM APPLICATIONS

- NEW—Leonard A. Versluis, Grand Rapids, Mich.—Construction Permit for a new High Frequency (FM) Broadcast Station to be operated on 46100 kc., with coverage of 6,460 square miles.
- NEW—Banks of the Wabash, Inc., Terre Haute, Ind.—Construction Permit for a new High Frequency (FM) Broadcast Station to be operated on 48700 kc., with coverage of 7,442 square miles.
- NEW—Hearst Radio, Inc., Baltimore, Maryland.—Construction Permit for a new High Frequency (FM) Broadcast Station to be operated on 43700 kc., with coverage of 8,857.6 square miles.
- NEW—The Crosley Corporation, Dayton, Ohio.—Construction Permit for a new High Frequency (FM) Broadcast Station

to be operated on 46100 kc., with coverage of 8,000 square miles.

- NEW—The Philadelphia Inquirer, a Division of Triangle Publications, Inc., Philadelphia, Penna.—Construction Permit for a new High Frequency (FM) Broadcast Station to be operated on 48100 kc., with coverage of 15,500 square miles.
- NEW—Voice of Alabama, Inc., Birmingham, Ala.—Construction Permit for a new High Frequency (FM) Broadcast Station to be operated on 44700 kc., with coverage of 17,200 square miles, *AMENDED* to change requested frequency to 45900 kc.

TELEVISION APPLICATION

- NEW—The WGAR Broadcasting Co., Cleveland, Ohio.—Construction Permit for a new Commercial Television Broadcast Station to be operated on Channel #3, 66000-72000 kc.

MISCELLANEOUS APPLICATIONS

- W2XCB—Columbia Broadcasting System, Inc., Arca of New York, N. Y.—License to cover construction permit (B1-PVB-46 as modified) for a new experimental television relay broadcast station.
- WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of construction permit (B1-PIB-45 as modified) which authorized construction of a new international broadcast station for extension of completion date from 8-7-44 to 11-7-44.
- NEW—Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to Station CKLW, stations owned and operated by the Canadian Broadcasting Corp., and stations licensed by the Canadian Minister of Transport for the period beginning 9-1-44.
- NEW—WBNS, Inc., Area of Columbus, Ohio.—License for a new Special Relay Broadcast Station using the equipment licensed to WRBC to be operated on 31220, 35620, 37020 and 39260 kc., power of 10 watts and A3 Emission.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why cease and desist orders shall not be issued against it.

Ovelmo Co. and J. C. Hutzell, its president, 1404 West Main St., Fort Wayne, Ind., selling and distributing medicinal preparations described as "Ovelmo Treatment," including preparations designated "Ovelmo Cream," "Ovelmo Germicidal Soap," "Ovelmo Tonic Tablets," "Ovelmo Antacid Laxative Tablets," and "Ovelmo Elimination Tablets," are named as respondents in a complaint charging them with false advertising and misrepresentation. (5186)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Alameda County Nursery, 2332 Telegraph Ave., Oakland, Calif., selling and distributing seeds and plants, have stipulated

to cease use of the phrases "amazing new strawberries," "amazing new vegetables," "amazing new seeds," "amazing strawberry plants," "brand-new type" or other phrases of like connotation as descriptive of any plants or seeds that are not, in fact, new or amazing; representing that Roland Reed has spent "more than twenty years" or any period of time in developing the strawberry plants distributed by them; use of any representation tending to convey the belief that their strawberry plants may be depended upon to produce satisfactory fruit when grown in the home; or representing that the price charged for their products is a special or introductory price. They further agree to cease representing that the plants or seeds purchased from them require no care, cultivation, plant food or fertilization, or that the seeds or plants offered for sale by them cannot be purchased from stores; and to discontinue use of the statement "Tuberchokes . . . 10 for \$1.00." until they actually supply the number of complete tubers indicated when filling orders for them. (3863)

Chrisalty Laboratories, 49 Dickerson St., Newark, N. J., selling and distributing a medicinal preparation designated "B₁'s," represented as having a beneficial therapeutic effect in the treatment of fatigue and nervousness, and Chambers & Wiswell, Inc., 38 Newbury St., Boston, Mass., an advertising agency disseminating advertisements for Chrisalty Laboratories, have stipulated with the Federal Trade Commission to cease representing that the preparation will have a beneficial therapeutic effect in the treatment of fatigue, nervous irritation, nervousness, nervous fatigue, nervous exhaustion, jittery nerves, lack of pep, loss of appetite or lack of energy; will prevent nervous conditions without confining such representations to those conditions which would be caused by a deficiency of vitamin B₁; or representing through the use of the brand name "B₁'s" that the preparation contains that factor of the Vitamin B Complex which has been designated Vitamin B₁ and that the preparation contains four of the factors which are known to make up the Vitamin B Complex. (03227)

Feldbaum Fur Corp., 134 West 29th St., New York City, manufacturing and distributing fur garments, has stipulated to cease and desist in its trade publicity, invoices or labeling, from use of the word "Lapin" to designate or refer to products made from rabbit peltries unless compounded with the common English name of the fur, for example, "Lapin—Dyed Rabbit." (3868)

Jandel Furs, 1412 F St., N. W., Washington, D. C., selling and distributing furs and fur garments, have stipulated to cease and desist from the use of the term "Leopard Cat" or other words denoting leopard to describe furs or fur garments made from peltries of South American spotted cats or of any animals or species other than the true leopard (*felis pardus*); from use of the word "Mouton" to describe furs made from lamb peltries, unless compounded with the common English name of the fur, as for example, "Mouton—Dyed Lamb"; from the use of the word "Lapin" to refer to products made from rabbit peltries unless compounded with the common English name of the fur, as for example, "Lapin—Dyed Rabbit"; and from use of the word "Caracul" either with or without the word "Kid" to describe products made from goat peltries or from any peltries other than those authoritatively recognized as caracul. (3866)

Lapp Laboratories, Inc., Nevada, Iowa, and H. Earl DeLapp, trading as DeLapp & Company, Waseca, Minn., selling and distributing livestock and poultry feed products designated "Mo-Lactas," "Poultry Blockett" and "Flavex," have stipulated to cease representing that "Mo-Lactas" is a distiller's molasses

soluble in concentrate form, contains approximately 30 per cent of organic water soluble mineral, or contains any "organic minerals"; that one part of Mo-Lactas is equal to three or four parts of ordinary black strap or sorghum, is used efficaciously to replace either bulk molasses or dried buttermilk, or that pound for pound it can replace bulk molasses as a source of carbohydrates or dried buttermilk as a source of protein; that it aids in preventing mycosis or coccidiosis; that by its use it is possible to increase hatchability or that it has any value for such purposes; that "Poultry Blockett," when given to properly fed chickens, is excellent or even effective as a worm prevention, builds up disease resistance or stimulates growth and egg production; that "Flavex" is an ideal or a competent substitute for dried buttermilk, or that it offers nutritive ingredients in excess of those found in buttermilk, or, where added to a properly balanced diet, stimulates feather growth or improves hatches. (3864)

Marshall-Wells Co., Duluth, Minn., selling and distributing hardware and building materials, including an asphalt composition roofing material bearing the brand or label "Trinidad Mica Coated Smooth Surfaced Roofing," has entered into a stipulation in which it agrees to cease and desist from use of the word "Trinidad" on brands, labels or designations of such products, the asphaltic content of which is not from the Island of Trinidad, British West Indies, or in any other way representing that Trinidad asphalt is included in their composition. (3865)

Miller & Weisman, 333 Seventh Ave., New York, manufacturing and distributing fur garments, have stipulated to cease and desist in their trade publicity, invoices or labeling, from the use of the term "Leopard Cat," or other words denoting leopard, to describe furs or fur garments made from peltries of South American spotted cats or of any animals or species other than the true leopard (*felis pardus*). (3867)

Nathan Breeding Farms, Cuddebackville, N. Y., conducting a poultry breeding farm for production of baby chicks, has stipulated to cease and desist from use of the term "pullorum clean," or any similar term or representation tending to convey the belief that the flocks producing his chicks have been tested for pullorum disease and certified by an official State agency having responsibility under the National Poultry Improvement Plan for the accuracy of such testing. (3870)

Roselawn Poultry Farm, R.F.D. 10, Dayton, Ohio, selling chicks, eggs for hatching, pullets and cockerels, have stipulated to cease representing that their hens were first in official egg-laying production, when the records made by them in official contests were not better than those of all other entries; that their hens were first in official livability, when in official contests they did not have a lower mortality record than all other entries; or that the respondents' hens attained any record for egg-laying or livability in any class in any contest, when such class was not officially established by the organization sponsoring the contest. (03226)

Staley Milling Co., 1717 Armour Road, Kansas City, Mo., selling and distributing a dry dog food designated "Staley Dog Food," and Potts-Turnbull Co., 912 Baltimore St., Kansas City, Mo., an advertising agency disseminating advertisements for the Staley Milling Co., have stipulated to cease and desist from using the term "meat," or any other term of similar import, to describe meat meal or any product which is not meat. (03225)