"It takes an unusual brand of wisdom to advertise when you can't meet demand—but it's the kind of wisdom that pays dividends when demand begins to peter out or gets spread around over a lot of competing manufacturers.

"I sincerely believe that it is more important for brewers to advertise today than it ever will be again.

"A nation is adopting a new habit. If I were a brewer I'd want to be mighty sure that the habit was pretty well established when, as and if enough States set their seal of approval on the repeal of the 18th Amendment.

"In order to establish a habit you've got to keep everlastingly at it. Sporadic shots never knocked down a wall of sales resistance."

--excerpt from "A Letter to a Brewer" appearing in May 4th Printer's Ink. We'll be glad to send you a reprint of this interesting article on request.

ADVERTISING'S big question is answered!

Kings Brewery takes the honors as the first of the big brewing companies in the New York Metropolitan Area to go on the Air.

And honors for being the first radio station selected to carry the advertising of a New York brewery go to WOR.

If you are in the WOR service area, we invite you to listen in to this gala all-star program of music and merriment which the brewers of Kings Beer are broadcasting over this station every Monday and Friday night from 9:00 to 9:30.

Kings Brewery, like most of New York's big breweries, need not advertise to get business TODAY. But Kings Brewery is looking ahead to TOMORROW when sales may not come so easily. They are "making hay while the sun shines"—making a host of friends for Kings Beer—establishing a brand preference that will sustain consumer demand when real competition sets in.

MORAL: Whether you are in the beer business or any other business in which radio can do a selling job for you—don't wait for competition to get a foothold before you put the powerful force of radio advertising back of your product.

WOR

America's Leading Independent Station Serving Greater New Jersey and New York Metropolitan Area

BAMBERGER BROADCASTING SERVICE, INC., NEWARK, NEW JERSEY

New York Business Office: 1440 Broadway
Chicago Office: William G. Rambeau, 360 N. Michigan Avenue
Another Reason for the Advertising Effectiveness of these Radio Stations

In New York City — WEAF
In New York City — WJZ
In Boston — WBZ
In Springfield, Mass. — WBZA

In Schenectady — WGY
In Washington, D.C. — WRC
In Washington, D.C. — WMAL
In Pittsburgh — KDKA
In Cleveland — WTAM
In Chicago — WMAQ
In Chicago — WENR
In Denver — KOA
In San Francisco — KPO
In San Francisco — KGO
In San Francisco — KYA
In Portland, Ore. — KEX
In Spokane — KGA

BROADCASTING • May 15, 1933

www.americanradiohistory.com
Linked closely with civic and social organizations and institutions, every one of these radio stations exerts an important influence on the lives and affairs of all the individuals in its area. And, by the same token, every individual is interested in each station because it is a local institution, contributing materially to the well being and prosperity of its community.

This local service and prestige, added to well-balanced program features backed by NBC, make your sales messages more effective. Creating interest and inducing action — two primary functions of advertising — are best accomplished through the use of these radio stations.
DEPRESSION NOTES . . .

A Station Is Known By The Accounts It Keeps!

In the six months period between Sept. 1, 1932, and March 1, 1933, 80% of W-G-N's clients have either renewed or extended their contracts for broadcasts over The Chicago Tribune Station. This is the highest published renewal figure that has been called to our attention. Seasonal advertisers, of course, did not renew during this period.

A Station Is Known By The Programs It Nurtures To Chain Proportions!

Since the first of the year thirty broadcasts each week have been produced by W-G-N for both the CBS and NBC networks. W-G-N is not sold by either chain as an originating station—we produce only resident programs when demanded by the advertiser. Local success has prompted our clients to increase appropriations to expand to network broadcasts!

A Station Is Known By The Company It Keeps!

Despite the tendency of some advertising media to wink at standards and policies during times of business stress, W-G-N has faithfully kept the banner high. You need never be ashamed of your neighbors on W-G-N! Thousands of dollars in revenue have been refused by W-G-N—from accounts and products that are not W-G-N caliber. Also, W-G-N has never accepted a penny for political talks—even in a presidential and a depression year. It hurts the pocketbook—but it pays in the end, in our standing with the audience and with the chain and local advertisers who insist on W-G-N.

AN INDEPENDENTLY OWNED STATION AFFILIATED WITH C-B-S

THE CHICAGO TRIBUNE STATION ON THE DRAKE HOTEL
416.4 METERS—720 Kilocycles

NATIONAL PRESTIGE . . . SUPERIOR PROGRAMS . . . 25,000 WATTS POWER . . . CLEAR CHANNEL . . . INTENSIVE ZONE 7 COVERAGE
LARGE SCALE readjustments of present broadcasting allocations, possibly comparable to the big shift of 1928, are in prospect during the next year. A momentous decision by the U. S. Supreme Court, in a case involving the Radio Commission's absolute powers in distributing radio facilities, coupled with whatever results accrue from the forthcoming North American conference for a new division of wave lengths among the nations of North America, may force the realignment in the near future.

Unexpected and unprecedented portions of the Coast to Coast broadcast station assignments at will, unless bald capriciousness is resorted to was recognized by the Supreme Court in a decision reversing the Court of Appeals of the District of Columbia in the WIBO case. Leaving no doubt as to the magnitude of the Commission's power, the opinion, delivered by Chief Justice Hughes and concurred in by the entire court, upheld the validity of the Davis amendment and the Commission's quota regulations and denied with finality station claims of property rights in their facilities.

**WK5 Gets Channel**

A STATION exists only from license renewal to license renewal, the court held, giving the Commission a free hand to delete stations in the 30 over-quota states to make way for adequate radio service in the remaining under-quota areas. The immediate effect of the decision is to sustain the Commission's order deleting WIBO and WPGC, Chicago, located in a generally over-quota state, and assigning of the 580 kc. regional channel to WJRS, Gary, Ind., in an under-quota state, even though Gary is but 30 miles from Chicago and gets service from Chicago stations.

Millions of dollars invested in stations in over-quota states are placed in jeopardy by the ruling. The only recourse to prevent what amounts virtually to the immediate transition of facilities from over-quota to under-quota states is an amendment of the radio law by Congress. Greatly over-quota states like Illinois, Texas, Washington, Minnesota, Florida, Tennessee, New York and Virginia stand to lose most.

The Court of Appeals, by majority opinion, had reversed the Commission's deletion of the Chicago stations on the ground that the Davis amendment did not require a mathematical equality in the distribution of facilities according to population. It held the Commission's decision was "arbitrary and capricious". The Supreme Court, however, held that the Commission was justified in its decision on the "weight of the evidence" in the case. It said the Court of Appeals, as a judicial body, could not reverse the Commission under such circumstances.

**Commission Awaits Parley**

WHILE some 120 cases pending before the Commission are said to involve issues relating to quota similar to those contained in the WIBO case, it is understood that the Commission plans to delay final action on them until after the North American Conference, the date of which has not yet been set. It is taken for granted that the broadcast band will be enlarged at those deliberations, and the United States may be forced to relinquish certain of its present waves, probably in exchange for new bands expected to be made available for broadcasting.

The Commission now is of the opinion, according to authoritative information, that it would be advisable to hold off any move to equalize distribution of present facilities until such time as it can make a complete revision, consistent with whatever allotments of channels for each nation are agreed upon at the international conference. A horizontal increase in power for all classes of stations, now being sponsored within the industry, might also be worked out in such a general realignment to afford improved public service.

**Power From Congress**

THE SUPREME Court first rejected the contention made by Rep. James M. Beck, (R.) of Pennsylvania, former Solicitor General who appeared as counsel for the Chicago stations, that it had no jurisdiction in the case. It also upheld the validity of the Davis amendment and the right of Congress to empower the Commission to allocate and regulate within prescribed limitations. It ruled also that the Chicago stations were given a "adequate hearing, even though no oral arguments were permitted.

In its opinion, the Supreme Court followed closely the general conclusions reached by Associate Justice Griswold and concurred in by Associate Justice Hitz, who dis- served from the opinion of the majority in the lower court.

Of great significance was the determination by the higher court that, under the radio law as now written, it does have jurisdiction to review decisions of the Court of Appeals of the District of Columbia reversing the Commission, which indicates that other cases involving similar questions and different issues may be carried to the highest tribunal.

That Congress is supreme in its power to regulate interstate commerce as it relates to radio and can delegate such powers to the licensing authority it has created.

That the Commission's quota system is valid as an act of administrative judgment in compliance with the law.

That the Commission is in no wise bound to adopt the recommendations of its examiners, but rather is required to reach its own conclusions upon the evidence.

That there undoubtedly will be a flood of applications filed with the Commission from stations or applicants in under-quota states for facilities in over-quota states, which the Commission must consider on the basis of the broad powers vested in it under the decision.

**What the Decision Means**

1. That the Radio Commission can exercise a free hand in reducing facilities in over-quota states and in assigning them to under-quota areas within certain broad limitations.
2. That stations possess no property rights in their channels and exist only by suffrage from Congress from license-renewal to license-renewal under powers delegated to the Commission.
3. That there need not be an exact mathematical distribution of broadcasting facilities among the states, although all people are entitled to equality of transmission.
4. That the Court of Appeals of the District of Columbia does not sit as a "super Radio Commission", but is a judicial body and can only review decisions of the Commission on question of law.
5. That the Supreme Court does have the jurisdiction to review, on writs of certiorari, appeals from decisions of the Court of Appeals of the District of Columbia reversing the Commission, which indicates that other cases involving novel questions and different issues may be carried to the highest tribunal.
6. That Congress is supreme in its power to regulate interstate commerce as it relates to radio and can delegate such powers to the licensing authority it has created.
7. That the Commission's quota system is valid as an act of administrative judgment in compliance with the law.
8. That the Commission is in no wise bound to adopt the recommendations of its examiners, but rather is required to reach its own conclusions upon the evidence.
9. That there undoubtedly will be a flood of applications filed with the Commission from stations or applicants in under-quota states for facilities in over-quota states, which the Commission must consider on the basis of the broad powers vested in it under the decision.

**Readjustments Loom as WIBO Loses Fight**

**By SOL TAISHOFF**

Supreme Court Confers Absolute Power on Commission In Radio Assignments; Shakeup Awaits Wave Parley
to regulate radio communications. No state lines divide the radio waves, and national regulation is not only appropriate but essential to the efficient use of broadcast radio resources. In view of the limited number of available broadcasting frequencies, the Commission has a duty to allocate them in such a manner as to secure a reasonable equality of opportunity in radio transmission and reception.

Re Property Rights

COVERING the question of property rights, the court brought out that the radio law authorized the Commission to act arbitrarily or capriciously in making a redistribution, but only in a reasonable manner to attain a legitimate end. That the Congress had the power to give this authority to delete stations, in view of the limited radio facilities available and the confusion that would result from interference, is not open to question. Those who operated broadcasting stations had no right superior to the exercise of this power of regulation. They necessarily made their investments at the light of, and subject to, this paramount authority. This court has had frequent occasion to observe that the power of Congress in the regulation of interstate commerce is not fettered by the necessity of maintaining existing arrangements which would conflict with the execution of its policy as such a restriction would place the regulation in the hands of private individuals and withdraw from the control of Congress so much of the field as they might choose by their economic and political discernment to bring within the range of their enterprises.

In Public Interest

CONGRESS, the court continued, did not seek to make a mathematical division of facilities and recognized that this might be physically impossible. "The concern of the Congress was with the interests of the people,—that they might have a reasonable equality of opportunity in radio transmission and reception, and this involved an equitable distribution not only as between zones but between states as well. And to construe the authority conferred, in relation to the deletion of stations, as being allocable only to an apportionment between zones and not between states, would defeat the manifest purpose of the act."

"We conclude that the Commission, in making allocations of frequencies, has the power to license operation by a station in an under-quotas.

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BROADCASTING • May 15, 1933

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BROADCASTING • May 15, 1933
A.P. Fails to Hamper News Broadcasts

U.P. and I.N.S. Explain Their Attitudes Toward Radio; Commentators Improve, Hearst Periods Unchanged

EVEN SO Rabid an anti-broadcast crusader as Enrout & Publisher, trade organs of the newspaper business, had to admit, after the Associated Press President and the Canadian Broadcasting Commission had been in effect one week, that news broadcasts from New York stations at least were not so voluminous and complete as usual" and that "the pattern of news commentators was unchanged for the better." That quite adequately sizes up the situation after two weeks. When it is noted that the chief broadcaster of news in the New York area is owned by William Randolph Hearst, operated in cooperation with his newspapers and using International News Service flashes, the report in Editor & Publisher is all the more significant. Enrout & Publisher also goes on to report that Jackson S. Elliott, assistant general manager of the Associated Press, has told it that "he had heard no suggestion from any A. P. member, regardless of his stand in the radio question controversy, that the resolution passed last week at the annual meeting had not been lived up in spirit and in fact."

Commentators Unstilled

AS FAR as the networks are concerned, they have not been getting news flashes from either Associated Press, United Press or International News Service since the November elections, so that the Associated Press does not employ any of its commentators. These are now getting their news from their own sources — and to the average listener there has been little noticeable difference in the quality of the broadcasts of such commentators as Longley Thomes of the San Francisco Chronicle, Boake Carter and the Richmond Times-Dispatch reporter. The only discernible difference is that they treat of fewer subjects.

As far as stations are concerned, the 100 stations owned by newspapers and the 244 stations with newspapers are still broadcasting news. Those that have connections with A. P. newspapers are limiting their news bulletins to 30-word bulletins — but this has simply meant that more news bulletins are being used to fill in the news periods. Those that have connections with newspapers taking U. P. and I. N. S. services are carrying new bulletins under the same news-by-the-minute arrangement as before. No withdrawal of any newspaper from the air as a result of the A. P. policy has been reported to BROADCASTING.

Hearst Periods Unchanged

INDEED, it is manifest that most newspapers friendly to radio or using radio to supplement their newspaper operations intend to continue as formerly. Such newspapers, if they are A. P. and I. N. S. subscribers, are plainly using their news in considerable quantity, for neither U. P. nor I. N. S. has imposed such rigid bans as the A. P. All the Hearst newspapers with their Globe Trotter radio tieups are continuing to broadcast news in the same manner as before.

Network officials have maintained a silence on the subject of news that almost indicates indifference. Yet they have been far from inactive. When big news breaks, their microphones are there — and, indeed, one of the biggest news stories of the year actually broke via network radio this month when President Roosevelt gave to use the radio again for an "account of stewardship" to the American people Sunday night, May 7. It was interesting to note that Associated Press reports of that great speech studiously avoided mentioning that it was delivered on the radio from the White House, and refused to mention that President Roosevelt thanked both NBC and CBS by name for making their facilities available. U. P. and I. N. S. dispatches, it should also be noted, made clear in their leads that it was a radio address.

Both NBC and CBS have news-gatherers at work securing the essential news needed by their commentators, at Washington, at London and at the important cities where they have member stations. One of them is getting a 150-word cable report each day at full rates from London. The commentators themselves have been using the long distance telephone to check up their facts at the actual news sources, and, as stated by one network official, they have simply been "digging more assiduously into atlases, encyclopaedias and other references for background."

This official also asserted his opinion that the news commentaries have actually improved because fewer subjects are treated by the commentators and these are being treated more comprehensively. As for being on the spot when news happens, CBS has already assigned Mr. Kaltenborn to the World Economic Conference at London and NBC is expected to assign one of its men shortly. Networks and stations — in fact, the whole radio industry — are manned so largely by former newspapermen that very little difficulty is expected in "keeping on top of the news."

That the Hearst interests do not intend to forego their opportunity to use radio to their own advantage seemed quite evident when they arranged for the relay of a talk by

The President Again Chooses Radio to Address the Nation

ON SUNDAY, May 7, President Roosevelt had his second "Brecide chat" in which he read from the Associated Press dispatches of NBC and CBS, with WOR added. At the conclusion of the address he expressed his thanks to the networks for making available to him the time in which to talk directly to the people.

On Monday night, the day after my inauguration I used the radio to talk about the banking crisis and the measures we were taking to meet it," he declared in opening his second talk. "I think that in that way I made clear to the country various facts that might otherwise have been misunderstood and in general provided a means of understanding which did much to restore confidence.

Tonight, seven weeks later, I come for the second time to give you my report,—in the same spirit and by the same means to tell you about what we have been doing and what we are planning to do."

The response to this second talk, like the first, so taxed the White House staff that it was unable to acknowledge individual messages and asked the press to publish notices of the President's appreciation.

Canada Restricts News Broadcasts by Stations

NEW REGULATIONS promulgated by the Canadian Radio Broadcasting Commission carry a definite restriction on the broadcasting of news, requiring that local news be secured by arrangements with local newspapers and that other news be restricted to bulletins authorized by the Canadian Press (affiliated with the Associated Press). The news regulations were included with other regulations as a result of recent discussions between members of the Canadian Press and officials of the Commission. The news regulation follows:

Canadian radio broadcasting stations shall not transmit any news or information of any kind published in any newspaper, periodical, or other reference for background.

The broadcasting of editorial opinions of a controversial nature is prohibited.

Robert (Believe It or Not) Ripley from Station LR4, Buenos Aires, on May 4.

Editor Complains

THAT some A. P. newspapers, particularly those owning radio stations, have happily accepted the A. P. regulations, was indicated in a letter received by BROADCASTING from the managing editor of an important newspaper in New York State. His name must be withheld, but this is what he stated:

"The new Associated Press rule is a severe blow to an Associated Press newspaper owning a radio station. The news flashes which Station — has given have helped to make it the most popular station in this territory and we simply shall have to try, therefore, to find other ways of getting the news than obtaining it from newspapers."

C. P. A. Won't Start Service

PROSPECTS of the establishment of a radio news association, long discussed in radio and newspaper circles, have been postponed indefinitely by the statement by Horace Epes, vice president and general manager of the Consolidated Press Association, that, though the C. P. A. has been urged by various stations to set up a national organization, its investigations have convinced it that "a service along press association lines planned wholly for intensive, far-reaching service is not practicable."

The C. P. A. statement follows in full:

The Consolidated Press Association has been urged by various radio stations to set up an organization for the

(Continued on page 80)

May 15, 1933 • BROADCASTING
Wynn to Open Network in June
On Seaboard With 6 Stations

Studios Near Completion; Western Union Lines
Link Stations; 30-Day Test Planned

AMALGAMATED Broadcasting System, Inc., Ed Wynn’s new network enterprise, will begin opera-
tions over a group of stations along the eastern seaboard on or about June 1, according to the celeb-
rious comedian’s latest announcement.

In a formal statement May 8 Mr. Wynn said final preparations are being made for the launching and that the actual date will be “within the next month”. Declaring that the only underestimated factor in fixing the opening date was the usual one of technical set-
ups and proving-test units, Mr. Wynn promised that the inaugural program “will be a big event on the air.” “Of this we will tell you more later,” he promised.

Boasts Seven Studios

THE ORGANIZATION is established in its new headquarters at 501 Madison Ave., known as the Amalgamated Building, and will operate seven studios. Building seven studios are being completed, with the entire project altering three floors of the building. The estimated cost will be more than $250,000, according to the Wynn announcement.

Two components of the new chain that ultimately will em-
brace more than 100 stations, will be operated at first, the announce-
ment said. These are the At-

lantic seaboard network of ten stations in the Michigan network, formed earlier this year by George W. Trendle, of WXYZ, Detroit. The Atlantic network, it was stated, will give concentrated coverage over a territory of more than 12,500,000 people, 4,500,000 receiv-

ing sets and 10,000,000 listen-

ers, including a highly in-

vasive area between New York and Washington.

On April 19, prior to the issu-

ance of this statement, Mr. Wynn, accompanied by Ota Gygi, vice president of Amalgamated and Mr. Wynn’s partner, visited Wash-

ington. At a luncheon tendered to the radio press, they said that Western Union lines had been run into the 11 stations that probably would form the first segment of the chain.

Wynn Confident

IN DISCUSSING his network plans, which would introduce an entirely new relationship between client, network and station, Mr. Wynn stated that he would believe in success. During his Washington visit, he called at the Radio Com-

mission headquarters and met the four of its five members the purposes and ideals of his enterprise. He also discussed his plans with members of the Wire Service and other friends in Wash-

ington public life, with whom he had personal acquaintance. He was also at the Seaboard’s spring dinner in Washington on April 29.

Mr. Gygi revealed that the sta-

tions to form the first unit of the network probably would be WCDATA, WENF, Philadelphia; WTJN, Trenton; WCBM, Balti-

more; WOL, Washington; WDEL, Wilmington; WMIL, Brooklyn; WTNJ, Newark; WJIE, M. Camden, N. J.; WCAP, Asbury Park, N. J., and WJBL, Red Bank, N. J. It is planned to hold a “test program” of 16-hours a day for a 30 day period to the first group of stations.

Good Offer Promised

SHOULD this test program fulfill expectations, arrangements will be made immediately for regular ser-

vice, involving payment of nomi-
nal fees by the stations, Mr. Wynn declared. While details of the con-

tracts to be offered had not been made available, Mr. Wynn stated his proposition would be far more luc-

rative than anything heretofore offered stations.

The first formal announcement did not include all of the stations mentioned by the Amalgamated official during their Washington visit. It said the parent hookup would be a combination of WBNX, WCDA and WMSG, in New York’s metropolitan area, to be known as WMET. The other stations men-

tioned were WTNJ, WENF, WDEL, WCBM and WOL.

Limit on Advertising

REGARDING future plans, Mr. Wynn asserted he had more than 100 stations “signed” and ready to accept service whenever it was off-

ered. Refusing to admit that his project can fail, he said he had been preparing for a third chain as well as a fourth, he is confident of success.

“I intend to join together many independent stations as will make the project worthwhile, pro-

viding them with 16 hours of en-

tertainment time from New York on a live and let live basis,” Mr. Wynn asserted. “Advertising credits will be limited to one minute before and after each program, and the continuity will always refer the listener to his daily newspapers or magazine.

“Any funds that have been diverted from periodicals will be restored to them.”

Mr. Wynn declared that during the program test period, local sta-

tions will have the privilege of selling announcements to local ad-

vertisers. The chain program at their own rates, and of crediting the program to the sponsors. Only live shows could be arranged. Programs will feature some of the best known names in the theatrical business.

Invested $250,000

AS TO the financing of the proj-

ect thus far, Mr. Wynn declared he had invested upwards of $250,-

000 of his own funds. While he had procured a sum of money from a group of “Detroit millionaires” at the outset, he said he had not used a dollar of it and planned to return it to these men, whom he termed his “partners”. The Michi-

gan bankers’ situation is generally responsible for this decision, he explained.

Western Union has balanced a number of lines for use by the chain, Mr. Wynn said. Despite en-

gineering claims that regular tele-

phone circuitry can be adapted for broadcasting service, he said a high degree of quality, suffi-

ciency and assurance of exclusive use, has been attained in tests al-

ready conducted.

“I consider my project an ideal-

tic success,” he said. “But I believe the time has arrived for a new deal in the radio and show business. Daytime better belongs on the air, but in a theatrical man-

ner; for that reason I am confident that my new network will be a success.”

Personally, I do not hope to make a lot of money out of the (Continued on page 20)

Circularization Asked For Fan Mail Ruling

THE NATIONAL Association of Broadcasters on May 2 asked the Post Office Department to circu-

larize generally throughout the postal service the recent ruling of Solicitor Horace J. Donnelly hold-

ing that fan mail may be trans-

mitted, unopened, from station to program sponsor, via essential inter-

mediaries, without the payment of postage.

The ruling, rendered March 16 on the basis of questions submitted in behalf of WQW, Chicago, by county counsel Louis G. Caldwell and Arthur W. Scharf, is regarded as of great importance, since it makes possible the sending of thousands of dollars annually. It was published in full text for the first time in April 1 issue of BROADCASTING.

Following publication, however, a number of inquiries from agen-

cies and stations indicated that the ruling had not been circular-

ized and that postal officials in the field were still following a regular-

ization policy. As a result the NAB with the suggestion that it general question distribution of the latest order in behalf of the in-

dustry.

Dog Food Advertisement

CALIFORNIA ANIMAL PRO-

DUCTS, Inc., Tuesday, May 3, Oakland, Cal. (Calo dog food), through its Tampa, Fla., jockey, the Walker Brokerage Co., tested radio program "Good Dog Food" on WYMA, Tampa, Fla., for a period of one month re-

cently, using 50 word announce-

ments three times. We have never offered in return for six Calo dog food pack-

age labels and 10 cents. The trial, according to the jockeys, produced splendid results and “has fully con-

vinced us of the value of radio advertising.”

New Test Campaign

LEHN & FINK PRODUCTS Co., New York, early in May began a test campaign over WCAU, Phila-

adelphia, for its new product, Law-

son Robertson’s Athletic Rub. Ap-

peal is largely to men, the new lin-

iment having been developed with the help of Robertson, Uni-

versity of Pennsylvania track coach who is also the famous coach of the Olympic track teams. Rob-

ertson appears in the program in-

terviewing athletic stars.

Special Hudson Hookup

HUDSON MOTOR Co., Detroit, Mich., will begin a Saturday night-

dance period on NBC-WEAF for-

merly operated by Lucky Strike, arranged for a special NBC-WJZ hookup of stations along for a talk to its dealers. Pro-

gram was scheduled at 2:30-3 p.m., Thursday, May 12. The idea groups played in all parts of the country to hear talks by Hudson executives. The Blackman Co., New York, ar-

ranged the broadcast.

Page 8  BROADCASTING  •  May 15, 1953
Optimism Prevades A.A.A.A. Meeting
Radio Advertising Plan Adopted by Executive Board; Charles Gannon Lauds BROADCASTING Magazine

ENCOURAGING signs for advertising, as confidence returns and buying increases, were manifested in the expressions of leaders in the advertising field attending the sixth annual meeting of the American Association of Advertising Agencies in the Mayflower Hotel, Washington, May 11 and 12.

Mr. Gannon, third annual meeting of the American Association of Advertising Agencies in the Mayflower Hotel, Washington, May 11 and 12.

Radio was absent from the formal program for the first time in several years, but considerations affecting it were very much in the discussions. But Radio was the subject of a resolution adopted by the executive board of the A.A.A.A. The resolution, adopted in the open sessions, was adopted virtually as prepared by the radio committee headed by Charles F. Gannon, chairman of the radio estate of Erwin, Wasey & Co., New York.

Resolution Planks

THE RESOLUTION contained 11 planks and was called by its framers “a program for the advertisers of radio advertising.” Salient features included a proposal that radio stations, advertisers and agencies set up an independent bureau to gather and publish data regarding the coverage of radio advertising — a counterpart to the Audit Bureau of Circulation; that the proposed standard order form for spot broadcasting be adopted; that station and combination rates be published; that the NAB set up agency recognition standards; that agency and advertiser rates be published; that agencies impose a 2 per cent fee (copyright) and other charges tending to increase radio costs be protected; and that the development of radio representatives be encouraged.

Practically all of these subjects have been discussed in recent broadcasting circles, and with the NAB, in the past few years, and it was evident that the A. A. A. A. is looking toward the NAB for wholehearted cooperation in effecting standards relating to commercial uses of radio.

Trade Journal Lauded

IN CONNECTION with the plank urging publication of information about stations, Chairman Gannon took occasion to laud the work of BROADCASTING, declaring that its thorough coverage of the news of radio has been of inestimable value to agencies and advertisers in getting a true picture of radio developments in general and commercial radio in particular.

Mr. Gannon asserted that, in addition to the publication of station rates and other data, the advertising fraternity was vitally interested in the news of station activities, particularly in the type of programming and the policies followed by stations.

The OPEN session of the convention had few incidental remarks of radio, the banquet being featured by a relay by NBC land line of Speaker Henry T. Rainey’s high pitch speech on the upturn of business conditions from Pittsburgh where he had been grounded on an airplane trip due to weather and thus prevented from attending Washington in time. The talk was broadcast over NBC. The banquet program included numerous items received by The Revellers, the Countess Alab and John Charles Thomas.

Mr. Gannon, third annual meeting of the American Association of Advertising Agencies in the Mayflower Hotel, Washington, May 11 and 12.

The morning session program included, besides Mr. Ewald’s opening address, talks on “Studies of Outdoor Traffic,” by Dr. Miller McClintock, director of the street traffic research bureau of Harvard University and “Food Distribution,” by C. W. Dipman, editor, Grocery Trade News and The Progressive Grocer; “How Does The Consumer Think, Feel, Act and Read?” by Otis L. Wiese, editor, McCALL’s Magazine; “Trends in Drug Advertising” by W. B. Person, Department of Commerce.

A symposium on “Creating Advertising in Times Like These” featured the first afternoon session. It was led by Stuart L. Mims, J. Walter Thompson Co., discussing the “Spud” account; F. G. Gifford, Full House Pub., discussing the National Canners’ Association account; Shelley E. Truesdale, on advertising the Conoco campaign, and Gilbert Kinney, J. Walter Thompson Co., speaking on a general subject.

Replies to Reformers

MR. MIMS replied to those who expressed concern over the movement to restrict advertising when he suggested he should stop trying to put a halo around advertising. “This is of the market place and can never be literally truthful to the degree urged by many reformers. All must by the very nature of its job be partisan. If what the Democrats said about the Republicans in the presidential campaign of 1932 was true, they all ought to be in jail, including the former President. If this is what the Republican says about the Democrats was true, the whole Democratic party would be in jail.” Advertising, like politics, belongs to the persuasive arts and will live in proportion as it is successfully persuasive.

Radio People Attend

RADIO figures were prominent among those attending the open session of May 11. They included H. K. Boice, CBS vice president in charge of sales; Karl Knipe, CBS sales manager; E. P. H. James, NBC sales promotion manager; Frank Mullen, NBC; Henry A. Bellows, CBS Washington vice president and manager; WJSV, Alexandria, Va.; I. Z. Buckwalter, Mason-Dixon Group; Arthur Shulman, Armstrong, City; H. K. Carpenter, WPTF, Raleigh, and Philip G. Locks, NAB managing director.

Officers Elected

THE FULL slate of officers and regional council representatives for the year 1933 will be found on Page 29 of this issue.

A.A.A.A. Radio Advertising Platform

1. Develop an independent bureau, supported by stations, advertisers and agencies, to study radio coverage through signal strength measurements, and popularity and listening habits throughout the country.

2. In advance of signal strength measurements, to continue the interchange of agency experience with local station coverage throughout the country.

3. To make available, with the cooperation of the NAB, the Standard Order Blank for Spot Broadcasting, for use between agencies and individual stations in placing spot broadcasting contracts.

4. Promote publication of all rates of stations in combination.

5. Promote payments by radio stations of standard 15 per cent agency commission and 2 per cent cash discount on station time.

6. Force the use of standard station rates for spot broadcasting.

7. Encourage the use of standard rate cards for radio stations.

8. Protect agencies’ and advertisers’ interests in case of license fees or other charges which tend to increase radio costs and which might make the medium less productive.

9. To make available, agency operating data and compensation in handling of radio.

10. Favor the development of radio representatives.

TRUTH IN ADVERTISING

IN CONNECTION with the plans of Assistant Secretary of Agriculture Turner to formulate “truth in advertising” legislation in the foods and drugs fields, elsewhere treated in this issue, the A.A.A.A. executive board passed the following resolution:

“The American Association of Advertising Agencies is in sympathy with the purpose of the Government to discourage and prevent false or unfair advertising, and will be glad to cooperate in any constructive legislation that does not hamper legitimate advertising and a reasonably persuasive appeal to the public.

The nature of optimism evident at the meeting was first struck by Henry T. Ewald, chairman of the A.A.A.A. board and president of Campbell-Wald Co., Detroit, in his opening address.

Encouraging Business Signs

“LOOKING into the future,” he said, “we find much that is encouraging. We look over the business field and we see abundant evidence of the constructive force of advertising in the relative standing of business institutions that have been able to maintain their advertising budgets, in the face of the last few years, as compared with those who have not.

“The administration here in Washington is doing much to stimulate return buying confidence and to encourage buying. The upward swing is under way. These efforts are producing results. As the wheels of industry gather speed, management must realize that only by keeping the money received in active circulation in the form of wages and salaries can a condition of continued growth be developed.

MR. Ewald declared that “the manufacturer is discovering that production is only in relation to the building of a business. He is discovering the importance of consumption in the economic scheme.

“There must not only be continuous production,” he said, “but, more important, continuous demand, and above all—continuous ability to buy.

“Advertising as a business or profession is faced by a great responsibility, and I am confident, by a great opportunity. Advertising has not and cannot change economic laws. But it has softened the impact of uncontrollable conditions. Facts indicate that consistent advertisers have suffered less than non-advertisers.”

SPEAKER RAINNEY OPTIMISTIC

THE OPEN session of the convention had few incidental mentions of radio, the banquet being featured by a relay by NBC land line of Speaker Henry T. Rainey’s high pitch speech.

Hearing the upturn of business conditions from Pittsburgh where he had been
Progress Made on Regulatory Program for Securities, Food-Drug Advertising

Both Houses Pass Stocks-and-Bonds Restrictive Bill; Broadcasters Confer With Agricultural Officials

THE ADMINISTRATION program for regulating stock and bond sales, securities of foods and drugs moved forward during the last fortnight, with the securities measure close to final enactment as BROADCASTING went to press. Proposed food and drug advertising legislation, however, is still in a draft form, but with the House of Agriculture, with little likelihood of action of any character until the 18-day reenactment of Congress.

Both Senate and House passed measures to make mandatory the "truth in securities" advertising idea, and on May 9 conferences of the two houses began deliberations to compose their differences. Having as its objective protection of the investing public by compelling publication of all pertinent facts in connection with the issuing of securities, the measure will prescribe definitely limitations within which securities may be advertised in print or by radio. The advertising restrictions will apply to all media in the same way.

Tugwell Holds Parley

FOLLOWING conferences with representatives of broadcasters, publishing and advertising groups April 29, Assistant Secretary of Agriculture Rexford G. Tugwell, chairman of the Agricultural Administration drafting legislation to revise the Food and Drugs Act so as to make its provisions applicable to all advertising of foods and drugs, decided it would probably be impossible to get a bill through Congress, it is likely that full hearings will be held before appropriate committees of House and Senate.

California Bill Limits Radio Drug Advertising

BROADCASTERS are preparing to wage another fight against anti-radio legislation introduced in the California Assembly and designed to restrict radio advertising of all patent medicines, drugs, remedies, waters and similar products. Misleading and untrue testimonials would be barred. Radio leaders intimated they would withdraw opposition if newspapers were included in the bill. Last month broadcasters were defeated in defeating a measure which would have set up state control of broadcasting in California.

RCA Turntables

THE MORE than 100 stations which already have purchased new RCA 12-inch turntables have been notified from Camden headquarters of that company that they will be supplied, gratis, with new six-inch diameter turntables including a speed reduction device which will be furnished with the turntables. RCA brought out that to the present apparatus has been equipped with 12-inch turntables designed for the smaller type transcription discs, and that the new turntables are designed to accommodate the new flexible discs.

Chesterfield Back

CHESTERFIELD returns to the air June 5 over practically the same CBS network it previously used with a new weekly program featuring Lew Holts, comedian and manager of the Ruban's Hayton orchestra. Fridays, 10:10-10:30 p.m. Norman Brothkoski will again be announcer, and host is the venerable May L. Hoge, née of Bailey & May, of New York.

Kaltenborn Will Report World Parley for CBS

H. V. KALLENBORN, noted CBS news commentator, who spoke newspaper work years ago to devote his full time to lecture platform, sails for England May 12 to report the World Economic Conference in a series of broadcasts over CBS from London. Mr. Kaltenborn, who worked in New York during the World War, was one of the speakers at the World Economic Conference in a series of conferences over CBS from London.

Swanson Recinds Ban on Broadcasts Navy, Marine Bands on Radio Again to Please Listeners

SWAMPED with letters of protest from all parts of the country, Secretary of the Navy, Claude A. Swanson, reversed the order of his predecessor issued last February prohibiting the Navy and Marine bands from broadcasting, except on the radio stations. Francis Adams, who retired as the Naval Secretary on March 4, had issued an order to the stations which stated that the services charged that the service bands created unfair competition.

"Since the elimination of Navy and Marine bands from radio, Secretary Swanson said in his order, "there have been such strong and nation-wide protests from cities, schools, hospitals, institutions and private individuals who had been enjoying the high quality of this music, that I feel, in the interests of these people, especially the invalids, the broadcasting should be resumed."

"Patriotic Hours"

"THE NAVY and Marine bands are therefore authorized to participate in regular concert broadcasts, which will be given especially for the benefit of those confined in the government and civil hospitals and institutions, and will be considered an aid toward the elimination of the amenity of the inmates. The broadcasting will be called 'Patriotic Hours'."

Prior to the Navy ban, broadcasts by the service bands, which began almost with the inception of network radio, were broadcast each week by 14 hours each week as sustaining features and were among the most popular features on the air. The Army band did not stop broadcasting since the War Department did not sustain the unfair competition charge. But Capt. W. H. Bush, president of the American Federation of Musicians, complained.

Congress Complained

ISSUED on Feb. 28—Just four days before Secretary Adams retired from office—the order banning Navy and Marine bands broadcast precipitated a furor almost immediately. The Navy was attacked by Rep. Britten, of Illinois, ranking Republican on the Naval Affairs Committee, and by Rep. Blanton (D.) of Texas. Two lame-duck members, LaGuardia, New York, and Yost, Washington, D.C., publican, defended the order. The latter charged that the military band concerts were sandwiched in between paid commercials, and that broadcasters derived a profit from them.

KTSF Gets Full Time

FULL TIME for KTSF, San Antonio, Texas, was secured on April 29 when the Southwest Broadcasting Co., operator of the station, was authorized by the Federal Communications Commission to eliminate KFUL, Galveston, Tex., with which KTSF had shared time. KFUL was licensed to WEVD, Galveston News & Tribune. KTSF now gets full Southwest network and CBS schedules.

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Using the Mail to Map Station "Circulation"

By JOHN J. KAROL*
CBS Director of Market Research

Questionnaires and Fan Letters Found Accurate Indices To Listening Areas at Relatively Low Cost

"EDUCATION by radio", the phrase which appears in the title of this Institute, seems to me to be one of the basic methods of the activities of our research department during the past few years. It is a method we have been using for some time. Observing and studying this vital new medium almost since its very inception, we have learned a great deal about it. In fact, enough to direct our thinking toward the solution of some of the "unknowns" of broadcasting.

Radio offers such a limitless and interesting field for extensive research that, measured against the other methods of media, radio takes the first steps. But we believe we have taken some significant steps and our work of this kind has been limited by radio's youth as an industry, we have learned something about the nature and extent of the listening audience.

Letter-Writing Nation
THE TECHNIQUES which we have employed are, for the most part, the familiar tools of research—the personal interview and the mail questionnaire. Broadcasting, however, offers one additional tool which has proved helpful in our research work—audience mail.

Among the "Social Effects of the Radio" listed in a chapter of "Recent Social Trends" is a statement that "Letter-writing to celebrities is a wide practice." Our experience indicates that this practice is not limited to celebrities and radio has apparently now made America the great letter-writing nation. During the past year the stations affiliated with CBS received over 15,000,000 letters. In New York City alone, CBS has received over 3,000,000 copies of mail in the past 12 months. And these figures do not include the vast quantities of mail addressed directly to program sponsors.

Morons Well Distributed
BUT the point I wish to discuss does not concern the quantity and nature of audience mail. Even though Will Durant may classify most radio fan letter writers as morons, these letters have proved of real value to us. Fortunately for the purpose of using mail in coverage studies there appears to be a fairly even pro-rata distribution of "morons" among all states and all communities in the United States. Incidentally, Mr. Durant might be somewhat embarrassed if he knew that some of the so-called "morons" from whom audience mail has been received include lawyers and university professors.

Since one of our first interests concerns the location of the listeners to our stations, our studies of audience mail have, for the most part, been quantitative in character. Certain facts concerning station coverage may be obtained from a careful statistical analysis of audience mail. For example, when Mrs. Jones, living in Kokomo, writes to the station she has been listening to and requests a certain song, that fact has been offered on a given program, it is a fact that she has heard that offer broadcast over the given station. If sufficient people in Kokomo write to the given station, it is factual evidence that the program has been received clearly on the average radio set in that city. Thus, fan mail when properly used, does offer a tool for evaluating the coverage area of broadcasting stations.

We have made good use of that tool during the past few years and it has been the basis of our published "Listening Area" maps. Our first "Listening Area" study, published in 1931, was a decisive step aimed at taking the blue sky out of radio station claims. Previous to its publication, there were several methods of determining the coverage areas of broadcasting stations. The simplest, of course, was an arbitrary circle drawn around a given station, the radius of this circle depending on the station manager's enthusiasm. Other maps were drawn, by simply plotting the total fan mail received over a period of six months or a year. These, needless to say, were also only flattery to the individual stations.

In seeking a uniform method for determining the regular listening areas of each of our stations we considered the number of possible solutions. Field strength surveys conducted by engineers had been prepared for certain stations. Aside from the prohibitive cost involved in making such field strength measurements for an entire network, these also proved to be far from ideal. Thus it did not tell us the whole answer to the problem. Engineers' field strength maps indicate where a station can be heard but fail to tell where that station is actually listened to and habitually.

Evolution of a Method

OBVIOUSLY none of these measurements was a conservative measurement of the average coverage of a radio station. So we decided to recreate average conditions as nearly as possible in making this study. We tried to select an average week, an offer of average appeal and an announcement of average length. In detail the method employed and the series of "Listening Area" maps was as follows:

First step—A souvenir radio map of no intrinsic value was devised to be offered to radio listeners.

Second step—A week was selected for making the offer over the air—a week early in October when the atmospheric conditions were average rather than favorable.

Third step—A 60-second announcement was written, offering this souvenir to radio listeners.

Fourth step—Every station on the CBS network made this announcement through its local announcer, not on a network hook-up.

Fifth step—The announcement was made for 7 days, in the morning, evening, or the evening, so that responses would represent an average audience, not a peak audience.

Sixth step—All the mail received by each station in response to these announcements was forwarded to CBS, New York, for auditing and tabulation.

Seventh step—The requests for the map were tabulated and audited by counties for each station. Let me make it clear at once that the total number of requests received by each station were not plotted as such, on a map, but the audited figures of returns by counties were compared with the population of each county to determine the ratio of requests per thousand population for each county. From these figures the maps were plotted on the following basis:

Counties which yielded more than 0.09 letter per thousand population as many requests (per thousand population) as the county in which the station itself is located. These areas are called "intense" coverage. Counties which yielded from 0.09 to 0.06 letter per thousand population were regarded as "low" areas. (Continued on page 26)
ASCAP Designates Counsel To Meet Baker on Copyright

Program Foundation Organization Completed; European Composers Sue U.S. Society

IF ANY compromise is reached between the NAB and the American Society of Composers, Authors and Publishers (ASCAP) over their dispute in music royalties to forestall litigation seeking dissolution of the alleged copyright monopoly, it will be the Baker Award speech remarks between Newton D. Baker, ASCAP special copyright counsel, and Nathan Burkan, ASCAP's Columbus, Ohio counsel. ASCAP's case has been turned over to Mr. Burkan and E. C. Mills, ASCAP general manager has departed for a month's stay in Europe.

Meanwhile, the NAB is perfecting its bill of complaints for a possible dissolution suit, and also has completed organization of the Radio Program Foundation, designed to build a broadcast-music and music pool which ultimately would release it from dependence upon ASCAP. Even should ASCF file suit, it is felt by NAB officials there would be demands for a reduction in royalties, the intention is to proceed with the Program Foundation.

Baker Awaits Word

AS BROADCASTING went to press, Mr. Baker was still awaiting word from the ASCAP general counsel, as an NAB committee headed by President Alfred J. McCosker, director of WOR, Newark, had walked out of a meeting with Mr. Mills when that official said there would be no revision of contracts "except upon explicit terms." It was stated flatly that all negotiations were off and that steps would be taken for ASCAP's dissolution.

Mr. Burkan, however, immediately invited Mr. Baker to resume negotiations. In a letter to Mr. Mills April 22, the distinguished NAB counsel declared: "We would be willing to discuss the matter only on condition that the negotiations be conducted in a 'measured service,' or a per piece plan where by stations would pay nominal royalties only on the ASCAP numbers used, and that ASCAP immediately amend the present three per cent of net receipts scale to the payment of that royalty only on receipts from programs using ASCAP music.

Mr. Baker's ultimatum was considered at a special meeting of the ASCAP board April 27. On May 1, Mr. Mills wrote Mr. Baker that his board had referred the entire matter to the ASCAP general counsel who would communicate with him at an early date.

Suit Still Threatened

REGARDING litigation, there is still a question as to whether a dissolution suit will be brought by NAB itself, in behalf of the industry, or the Justice or Federal Trade Commission, both of which areinvestigators in the ASCAP case. In any event, Mr. Baker is prepared to initiate the action, should the conversations with Mr. Burkan lead nowhere. The former Secretary of War is determined to have no sidestepping of the main issue — a reduction in the tribute paid ASCAP by all stations and permanent settlement of the difficulties, it is said.

To all reports of threatened litigation, Mr. Mills has replied that ASCAP immediately amended its bylaws to analyze its activities. "Even if the action of the broadcasters were successful and we were declared to be carriers in restraint of trade, it would provide no solution," Mr. Mills said. "Broadcasters would then be under necessity of dealing with thousands of copyright owners."

Composers Battle

MEANWHILE, ASCAP is having its troubles on other fronts. The Society of European Stage Authors and Composers, Inc., New York, has commenced a libel suit against ASCAP in the Supreme Court of New York for $200,000 damages. The suit alleges that after an agreement had been arranged last year and was ready for signature, under which CBS was to pay ASCAP $12,750 as a license fee for broadcasting music controlled by the European group, ASCAP "wrongfully and maliciously made statements about the plaintiff and its officers and its right to the works in its catalog," which caused CBS to refuse to sign the contract. It was further alleged that ASCAP was "induced by jealousy and a desire for personal gain" to prevent the consummation of the agreement.

The same copyright group also filed suit in the U.S. District Court at New York March 18 for not less than $5,000, alleging the use of its works without permission. One of the charges is that Stern, orchestra leader, and Herman Bernie, Stern's manager, as defendants, and the other was against the Marcus Loew Booking Agency, Inc. as operator of WHN, New York, alleging the song "Bag Ja," had been sung over the station without permission.

NAB Foundation Formed

ASCAP completed organization of the Radio Program Foundation in New York May 3 at a meeting of the board of trustees. Mr. McCosker was named chairman of the board and Oswald F. Schuette, director of copyright activities of the NAB, was elected president. Joseph A. Baker, chairman of ASCAP, Mr. Baker, and member of the Cleveland firm of Baker, Hostetter, Siroich and Denman, were added to the board of directors. Philip G. Loucks, NAB managing director, was chosen treasurer. The board of trustees, headed by former NAB President Alfred J. McCosker, will control the policy of the Foundation, while active management will rest with Mr. Baker.

Immediately after the meeting Mr. Schuette began conferences with copyright owners and representatives of copyright owners owning titles not included in the ASCAP pool. He said the Foundation will begin functioning with the full powers granted in the charter within a short time. Headquarters will be in New York.

While Mr. Mills was said to be going to Europe for the purpose of being interviewed by the Confederation of Performing-rights Societies in Vienna, the NAB is said to be "sawing up" European music sources for the ASCAP catalogue. The NAB Foundation, it is understood, has been approached by a number of European copyright owners, including several prominent American composers, to perform in this country.

A number of broadcasting stations in New England, it is reported, have been threatened with infringement suits by the Associated Music Publishers, Inc., a subsidiary of ASCAP, Inc., who in turn is a subsidiary of the North American Company, big public utility holding company. This company, which holds the ownership of performing rights for an European catalogue, has threatened infringement suits performed in 1951, at $250 each, or the alternative of the stations accepting performing licenses, the terms of which have not been disclosed.

In a special bulletin to all stations issued May 9, Mr. Schuette vigorously attacked ASCAP for its campaign of libel suits against minor business establishments, pointing out that this was being done "to make it pay the ASCAP officials to Congress a year ago that this would not be done. "Although ASCAP gave a formal promise to Congress a year ago that it would make no effort to collect royalties from small restaurants and other minor business establishments, it is now demanding to pay such license fees."

Urges Stations to Act

"COOPERATING broadcasting stations have sent me details of the campaigns in their localities, together with copies of the threatening letters addressed to the Society by restaurants that have radio receiving sets. Apparently there is no basis of fact in these demands it is pointed out that we should have full information concerning the methods used in different parts of the country and the stations making demands to make inquiries in their own localities concerning these operations. It will be of particular service if each station will send me copies of correspondence and other information about the methods by which the Society is endeavoring to obtain fees from small restaurants in violation of its pledge to Congress."

Advising stations to ask their Senators and Representatives to act, Mr. Schuette suggested also that the small users should "like-wise take up the matter to Chairman Siroich of the House Patents Committee, to whom the pledges were given. "Or, he concluded, "they should ask their Senators or Representatives to call the situation to the attention of the Federal Trade Commission. Both of these government agencies are investigating the ASCAP organization and its methods."

Westinghouse Moves

REMOVAL of its radio offices, radio display and store room from the Westinghouse plant at East Pittsburgh, Pa., to its manufacturing plant in Chicopee, Mass., is being effected by the company. This action follows the recent promotion of Walter C. Evans to vice-president of the house radio department in charge of sales, manufacturing and research. Mr. Evans now is making his headquarters at Chicopee Falls.
ONE OF the ominous clouds overhanging the radio industry is the 'copyright situation.' This affects directly the broadcasters, and indirectly only those who support broadcasting through their investments, and the manufacturers of radio receiving equipment, but also the large army of listeners throughout the nation.

When it is realized that the Copyright Act now in effect was passed in 1909, becomes apparent that broadcasting, and within another year it will be a quarter century old, no one will contest the fact that there should be legislation to bring this statute into step with the developments of the last 24 years.

Rights of Composers

NEITHER will any one contest the fact that it is and should be a fundamental policy of the country to protect properly the composer, author and publisher in the performance, use and distribution of their copyrighted material. It is obvious that they may be suitably recompensed for their work and effort.

On the other hand the new copyright law should be set up with justice to all and the developments of the last quarter century should have their fair bearing in the new legislation. In its time the copyright law was in truth a pale true of radio, which is proving of inestimable value as a means of disseminating information and education, as well as a morale builder throughout its entertainment features, especially in this period of depression.

The radio industry has had a decade of wrangling, fighting, upheaval and disillusion caused by unfair attempts to monopolize illegally the rights granted by the government to inventors, and as one surveys the results of this ten-year war around radio patents it should be obvious that a new deal on copyright legislation should be such that no rights as are owned to the future could ever be made the basis of oppression.

Fundamental Issues

LET US consider this problem in a common-sense way. Granting at the outset that copyright is a complicated subject, we are concerned only with the relation of copyright to the radio field and we believe that the fundamental elements in relation thereto can be understood when set forth in a simple manner.

Copyright grants to the composer, author or publisher control of his copyrighted work. He is given the right among others to control the performance and the making of copies or records of the copyrighted material.

An extremely important distinction between these two is the time element involved. A performance of the musical composition by an orchestra, for instance, begins with the first note and ends as the last note is played away. On the other hand, if a record is made of a performance a reproduction of the performance may be had at a later date as often as desired by the use of suitable reproducing means.

The United States Supreme Court did not recognize this distinction in cases which have come before it under the existing statute. This has caused considerable confusion with regard to the right to receive broadcast programs and indicates a need for redefinition by legislation.

Ruling on Hotels

THE LEADING case on this subject, Gene Buck et al vs. Jewell-Lasalle Realty Company, 283 U. S. 191, was decided in 1921. In this case a hotel's reception of a radio receiving set and loudspeaker for the use of its guests of a copyrighted musical composition broadcast from a radio station was held to constitute an infringement of such composition.

Let us consider for a moment the reasonableness of this decision creates. There can be no question that a musical composition except by the producing of air waves which reach the diaphragm of the ear give an effect which we call sound. Listeners are therefore a component element in the performance of a musical composition and the effect of radio transmission is only to enhance the number of listeners.

In the opinion above cited Mr. Justice Brandeis laid emphasis on the fact that the electrical means used to transmit the program was ineligible. He said: "In the microphone of the radio transmitter the sound waves are used to modulate electrical currents of relatively high frequencies which are broadcast. . . . These radio waves are not audible. In the receiving set they are converted into direct currents which actuate loud speakers to produce again in the air sound waves of audible frequencies.'

Suggests Protective Law on Copyright

Revision of 1909 Act to Restrict Performance Fees To Station Originating Broadcast Proposed

By C. C. (CY) COLBY
Former President, RMA

HOW FAR can the copyright owner go in collecting royalties for public performances where radio is concerned, such as recordings and transcriptions, programs originating in network studios, hotel receivers, etc.? The man in the business of broadcasting has lost sight of this important issue because he has been absorbed with his own troubles with the American Society and the broadcasters.

In this article, the former president of the Radio Manufacturers Association and former president of Samson Electric Co., now a Boston attorney, invades these little discussed aspects of copyright, which happen to be of vast importance to the entire industry. He offers a definite legislative program to correct existing evils.

Justice Brandeis laid emphasis on the fact that the electrical means used to transmit the program was ineligible. He said: "In the microphone of the radio transmitter the sound waves are used to modulate electrical currents of relatively high frequencies which are broadcast. . . . These radio waves are not audible. In the receiving set they are converted into direct currents which actuate loud speakers to produce again in the air sound waves of audible frequencies.'

Double Performance

BECAUSE of this inaudible interference means of electrical transmission and reproduction in the hotel or of a musical composition was held to be another performance.

If we follow out this theory of the reception of an inaudible electrical means of transmission to a logical conclusion it would mean that where transmission was by carrier wave frequency over wires the musical composition transmitted would be re-performed where received because such transmission is inaudible.

It would seem naturally to follow that where the transmission of a program by the use of wires in the ordinary amplifying system, inasmuch as the electrical means interposed between the original air waves and the air waves set up in the loud speaker is inaudible, there be another performance.

For instance assume a large audience before whom the musical composition was being rendered, which audience could hear the direct air waves while thousands beyond the range could hear only by means of an electrical amplifying system through the reaction of the secondary air waves set up by the loud speakers of the system. Here then would be a double performance in the presence of a single audience.

Re Record Making

THERE is but one place where the instruments are and the instrumentalists are playing. Here is the performance. When the music ceases the reproduction, whether local or at a distance transmitted by electrical means, ceases. It is simultaneous. In point of time that performance is over. The interference of transmission means has simply enlarged the audience.

Let us for a moment consider the situation of recorded performances. Here the performance has been reduced to permanent form, a record, to be played and by the use of suitable reproducing means a reproduction of the performance may be had—yes, is intended to be had, at a later date.

The performance of the musical composition took place in the recording studio. It is over. It is probable that no one outside the recording studio heard it. The intent in making a record is a reproduction of the composition may be had through the use of suitable mechanical or electrical means later at will so long as the record shall last.

The record of a musical composition is analogous to a published book, the only difference being that brought to the mind through the ear by suitable reproducing means, rather than by eye. The use of the record is made for sale and distributed through the trade like the book. Once sold it cannot be controlled by the manufacturer in the case of a record or a publisher in the case of a book.

A Trap for Performer

THE TIME to protect a copyright owner in the case of records is when the license to record the composition is given, but he should be given no more right to interfere with the use or re-use of the recording than is permitted in the case of a printed copy of a published copyright.

Under the Copyright Act of 1909 intent to infringe is not essential. Consequently if the reception of copyright is to be considered a performance within the meaning of the act a situation is created which is not limited in thousands of unintentional infringement cases, as an operator of a receiving set has no adequate means of informing himself in advance as to the musical compositions to be played or whether the broadcast is licensed as to each or any of them.

The result of this situation is to set a trap for the operator and provokes means for the copyright owners to work an extensive racket in demanding royalties of all those in the audience, dance hall—in fact any place where the public is admitted.

Means of Relief

MR. JUSTICE BRANDEIS in the case above mentioned sensed the possibilities and proposed relief when he said: "it may be that (Continued on page 26)
Building and Loan Program Stabilizer
In Banking Holiday

"Hoss Sense" Hiram Restores Confidence of D. C. Public

By WILLIAM S. QUNTER
Secretary, Building Ass'n., Council District of Columbia

THIS is a true story of a fictitious radio character successfully stood guard over more than $75,000,000 worth of savings during the critical days of the bank holiday. It is also another instance of radio being able to do something which would have been impossible in any other advertising medium.

Last January the 17 building and loan associations of the District of Columbia, which comprise the Building Association Council, first considered the possibilities of using radio as a medium to tell people of the services of those associations. The original plan was to use a series of spot announcements in connection with Thrift Week.

Homely Character Proposed

DISCUSSION of the matter with the Henry J. Kaufman Advertising Agency, however, brought a suggestion of the use of radio. Shannon Allen, head of the Kaufman radio department, carefully analyzed the particular job we wanted done and then suggested a program idea to do.

This suggestion contemplated the creation of a character, whose homely humor and mannerisms, with his remarks an entertainment value and whose obvious good intentions and sense of weight to what he had to say relative to building and loan associations.

Evolution of Program

THAT this character might logically, and in an entertaining way, deliver his remarks, two other characters, a nephew and the nephew's wife, were utilized. The scene was laid in a typical middle class Washington home. Simple scene of hungry, barefooted nephew, a rather gullible chap, established a perfect foil for the Uncle Hiram.

And so, "Hoss Sense" Hiram, in a very modest schedule of three times a week in five minute peeks, started on Wednesday, April 17. Suspended for the summer, this program will return to the air in September for 26 more weeks.

From the beginning it was apparent that in "Uncle Hiram" we had a means of calling public attention to points which heretofore had been difficult to make clear. He very shortly established a following and earned a reputation as a man of few words, but, when he spoke, spoke with authority and "hoss sense".

Role in Bank Holiday

THEN the bank holiday!

Building and loan associations as well as banks were affected by the bank holiday. The Building Association Council, always hopeful of the public was hoping for the best, wanting to believe that all was well, anxious to be assured—but within, extremely sceptical.

But they believed "Hoss Sense" Hiram!

For weeks he had been coming into the homes of the old man and the old gentleman. They had confidence in him, and in his judgment on things. Fortunately, "Hoss Sense" in his regular calls had been commenting on things of the moment, so there was no stepping out of character when he began going to the mat with the local fiscal situation.

The nephew and his wife voiced every word of the father, and those that were in the public mind at the moment. Quietly, forcefully, and sincerely,的带领下等, "Hoss Sense" in his regular calls had been commenting on things of the moment, so there was no stepping out of character when he began going to the mat with the local fiscal situation.

AND THEN came the test.

The Treasury Department lifted its straining orders. The doors were open again. People had the opportunity of indicating their confidence in the building and loan associations. "Hoss Sense" had been the only spokesman for the council during the holiday, but evidently he had done his job well, for deposits immediately exceeded withdrawals.

The Building Association Council of the District of Columbia thoroughly convinced that radio, as a medium for reaching a great number of people, can be utilized to achieve the desired objective, i.e., the distribution of a service or a product. Success depends on planning a program which will be constructed with which the same time puts over the idea desired by the sponsor.

Roper's Plan Still Before Roosevelt

More Commission Dismissals Slated to Meet Budget Cut

ALL REMAINS quietly officially on the Roper plan which was placed before the organization plan, which first incorporated a proposal to transfer radio regulation to the proposed Broadcasting Bureau of the Department of Commerce. The proposal, submitted to President Roosevelt by the Federal Communications Commission, has been revised in several details, but how radio regulation is affected remains undisclosed.

The abolition of the Commission have been presented to the White House, to Secretary of Commerce Hopkins, to other administration officials. These are understood to have influenced sentiment against any immediate change in the present form of radio regulation.

Reports that the entire Roper plan, or the portion affecting time being at least, were denied by Secretary Roper. He said that proposal is before President Roosevelt. It is known that the Commission plan.

The series of economic conferences with foreign emissaries has prepared the way for a continuation of this and other governmental reorganization programs, it was said.

Meanwhile, the Commission is continuing its reorganization plans, with the proposed reduction in its appropriation effective July 1. Chief Examiner Ellsworth Sanford, and Chairman W. Pratt, both Republicans, are expected to leave the Commission next month to make way for new Democratic appointees in the legal division, with Ralph L. Walker and George H. Hill, both Democratic, to take their places. The former newspaperman, attacked

Covered by Franklin W. Strong, former newspaperman, attacked the former Examiner, most of the questions are frequently misleading, listeners often claim to regular station, despite the fact that it delivers unsatisfactory service to them.

For example, XER, Villa Acuna, New Mexico, is sometimes regarded as a regular-service by listeners in every state of the union and every province, but it renders regular and enjoyable service to only a few southern states. However, listeners like to assert in a vague manner that it is peculiarly to a foreign station or in fact to distant stations which they can tune in with fair reliability at late hours.

The confusion between listening habits and coverage is in part occasioned by the fact that there are,listeners where there is no regular coverage and conversely, where there is coverage, there may be no listeners.

Check Urge helmets

THE DELIVERY of a broadcast transmitter is to deliver a signal over an area, and the advertiser desires to reach an area where the signal is absolutely reliable and can be used for entertainment purposes at all hours without fading or fading ground noise. Only through the delivery of such a signal can habitual listening to a good program be assured. The method of mobile and radio power established the extent of this area can be determined accurately by scientific measurement in the field and without recourse to such an unreliable criterion as listener judgment.

The distinction between coverage and listening is similar to that existing in magazine and newspaper coverage. A classified advertisement in the New York Times may secure a response from Nome, Alaska, because the paper has circulation there, but certainly no advertisement could secure Nome coverage. The delivery of a publication to an address is no guarantee that advertisement will be read. That depends upon the attractiveness of the publication, the number of competing publications being received and the competition of every other form of human activity. Circulation is merely the establishment of a potential, and not actual, reader.

Potential Listeners

THE DELIVERY of an entirely useless and unfulfilling signal to a reader, does not necessarily produce an actual listener, merely a potential listener. But it gives the advertiser the opportunity to means of a program of sufficient attractiveness to win a listening group, exactly comparable with the purchase of a newspaper through the circulation of a publication.

Therefore, the accurate determination of measured radio coverage is of utmost importance. And the advertiser as circulation is to the

(Continued on page 26)
Radio Audit Bureau Proposed At Education Institute Meeting

Canadian Criticizes Advertising Practices; Improved School Programs Urged

COLUMBUS, O.—Various views on the problem of education by radio were expressed in a symposium at the annual meeting of the National Education Association. American Radio is in the midst of a new period of growth, with the introduction of new techniques and methods of broadcasting, according to Mr. E. A. Weir, director of programs for the Canadian Broadcasting Corporation.

Mr. Weir said that the increasing tide of dissatisfaction aroused as a result of the long list of complaints against radio would not only be a threat to the growth of radio, but would seriously impair the efficiency of radio even as an advertising medium.

In his address, Mr. Weir said that the primary purpose of radio is a great entertainment and educational medium.

"The latter part of the speech is close to the truth, it does not properly express the real purpose of radio. To me the primary purpose of this great medium of communication is to form, to the highest degree the latent possibilities of the talent lying undeveloped or semi-developed in our cosmopolitan population.

Favors Foreign Exchange

MR. WEIR asserted that the promotion of national unity by radio always carried with it the danger of promoting narrow nationalism, but that Canada "seems well past that danger." The Canadian Commissioner said that the foreign program exchange which served as "one of the greatest possible sources of entertainment and education." Establishment of an "audit bureau of circulation" for radio was suggested by Herrmann S. Hettiger, instructor in broadcasting at the Wharton School of Finance and Commerce, University of Pennsylvania.

Mr. Hettiger said that if the United States broadcast an average of one program per week, the broadcast audience would be more than 50 million people.

In order to get more radio stations to cooperate in the development of foreign programs, it was suggested that the Federal Government give stations equipment and station facilities.

Radio Education is Still in Infancy

In another section of the symposium, Dr. C. M. Koon, senior specialist in education at the Office of Education, told the Institute.

"After describing the work of his office and a pamphlet recently published on "The Art of Teaching by Radio," Dr. Koon said: 

"The comparative recency explains the wide disparity of methods and fundamental concepts which exist in that field. The remarkable thing is the different methods which have been employed, but the degree to which the results attained by these methods are never equal to those obtained by other methods to points in the statement that listener research is emerging from its infancy. The time has come for an evaluation and probably greater standardization of methods."

Mr. Hettiger discussed two prevailing methods of research—the telephone interview and the house-to-house canvass, holding that the latter plan has many advantages.

In his speech, Mr. Hettiger said that the problem of radio is close to the point of no return. It is

Talking over World Fair Radio

PRACTICALLY all broadcasting stations in Chicago and many in other cities are cooperating with the radio division of the Century of Progress International Exposition in an extensive publicity campaign to promote the 1933 world's fair. One June 1 and lasting to Nov. 1.

Chicago stations of NBC and CBS besides carrying individual programs, are acting as keys for programs that are being carried over the networks. In addition, continuities are being distributed among broadcasters throughout the country with suggestions regarding the publicizing of the exposition.

The above picture shows R. Calvert Haws, chief of radio activities of the Century of Progress Exposition, discussing with Prof. Virginia Sander of the University of Cincinnati, "the Cincinnati public radio must be of service to radio listeners; the latter plan has many advantages."

The picture shows R. Calvert Haws, chief of radio activities of the Century of Progress Exposition, discussing with Prof. Virginia Sander of the University of Cincinnati, "the Cincinnati public."

Radio is still in infancy, and the methods and techniques employed are different from those employed.

Radio station program directors were urged to coach public officials in the art of public speaking before allowing them to go on the air, according to Prof. Virginia Sander of the University of Cincinnati.

Mr. Vogel said that his program create "dramatic settings, stimulating the child's imagination for reaction in plastic form."

The broadcasts are followed by drawing or painting periods, he said, and the sketches are then forwarded to a picture company. Twenty schools, with 500 to 700 pupils, have been participating in the program. Mr. Vogel said "radio for the most part is designed for the masses" and that an educational program should be suggestive rather than didactic.

May 15, 1933 • BROADCASTING

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Pape Back at WODX

W. O. PAPE, president and manager of the Montgomery Journal & Times, returned this week from his vacation at Waterdown, Ont., where he sold his half interest in that station to B. H. Hopson, his partner, and the business transactions were handled by Frederick I. Thompson, owner of the Montgomery Journal & Times. Mr. Pape has returned to his former office, of which he was co-founder.

Pape Back at WODX
doing the real job for the advertiser

because the best programs gather the biggest audience in . . . . . .

29 major markets

*CITIES OF MORE THAN 10,000 POPULATION

OWNED AND OPERATED BY
L. B. WILSON INCORPORATED

Associate Station of the National Broadcasting Company
The WIBO Decision

RIGHTLY or wrongly, the United States Supreme Court has spoken with finality on the radio law. Its ruling in the WIBO case gives the Radio Commission absolute powers in the parceling out of radio facilities, even to the point of taking them away from one party and giving them to another. That the decision has thrown fear into the hearts of station owners in every one of the 30 over-quota states, goes without saying. This fear is not based solely on the court's decision. It grows out of a lack of confidence in the Commission itself. If the Commission were really a judicial board, administering the law without fear or favor, there would be no quarrel from any quarter with the Supreme Court's decision. But the fact remains that politics all too often has swayed its decisions. To see more stations snuffed out of existence, regardless of their public service merits, simply because the weight of political influence was against them, would render the whole federal regulation of radio a mockery.

It is to be hoped that the Commission will use its new power to purge the radio waves of those licensees whose past and present records show they are not fit to serve the public. Bringing about an equalization this way would be hailed by the better class of broadcasters. But for worthy licensees to be subjected to political budgeining simply because they happen to be in over-quota areas, is rank injustice. There is no point in bemoaning the Supreme Court's decision. It is too late to quarrel with the NAB for failing to have intervened in the case on behalf of the industry so that WIBO and WPCC would have had better representation. If those who believe the Davis amendment has already served its purpose are sincere, they should extend their efforts to have it repealed. That is the only way the teeth can be taken out of the Supreme Court decision—that or a more vigorously independent Radio Commission.

Getting the News

THE EDICTS of the Associated Press and the American Newspaper Publishers Association limiting news on the air appear to have more bark than bite. In practice, the resolutions adopted by the presses groups have not very greatly altered the functions of either the networks or stations in the broadcasting of news. Those of the press who had in mind a definite ban on radioing the news must be sadly disappointed.

Radio people generally seem quite indifferent about the actions taken at the recent press meetings. The networks and their commentators have found legitimate ways of getting what news they want and need without press association help, for the press by no means can have a monopoly on news. Local stations interested in supplying news are still getting it in almost substantial quantity as before, for the A.P. is not the only press association in the field.

From our observations, and from reports coming to us from the field, there is scant perceptible difference between the new dispatches and comments which the country's leading stores are contained in "The Daily Planning Guide", just published by the Sales Promotion Division of the National Retail Dry Goods Association, 225 W. 34th St., New York. The guide is a reference manual consisting chiefly of sales calendars for every month in the year. It is designed to aid in planning advertising operations and help the retailer to feature the right merchandise for each occasion and use the most attractive selling arguments in connection with each special event.

WESTINGHOUSE'S Octopus Roy Cohen Murder Mystery, which the celebrated author wrote especially for the microphone, is about to become a book and take its place on the long shelf of Cohen mystery stories. Later it may become a play on Broadway. "The Townsend Mystery", as the serial now being broadcast over an NBC-WJZ network Mondays, Wednesdays and Saturdays at 7:15 p.m., EST, is known, will be brought out by American Fiction Publishers, early in the summer, and probably will be the first radio script ever presented as a book without alteration or revision.

Push Power Up

WHY NOT INCREASE the powers of all broadcasting stations horizontally? Engineers say there is everything to gain and nothing to lose. The Radio Commission, however, clings to the terms of its ancient regulations which rigidly limit the output of stations in the clear, regional and local channel categories. If all stations on any particular wave length were boosted in the same proportion, that is, if 50 kw. stations were advanced to 250 kw., 1 kw. regions to 5 kw., and 100 watt locals to 500 watts, there would be infinite improvement all around. It would simply be an "improved status quo"; to quote the eminent engineer, Julian Crewe, former Federal Radio Commission vice president. Static and electrical disturbances would be overcome, all stations would push out their service areas and fading would be reduced. There would be no changes in the relative strength of the various classes of stations, and inter channel interference therefore would remain the same.

When it is realized that a 50 kw. station—the most powerful allowed by the Commission—actually generates less than 70 horse-power, or about the energy produced by a skiver, one gets a clear picture of the broadcasting power situation. The danger of blanketing by so-called "super-power" stations has been prevented only by the production of more selective receivers.

Perhaps the time for the Commission to consider a horizontal increase in power will come within a few months. Changes in the commission's regulations will be necessitated after the forthcoming North American wave length conference at Mexico City. Whatever is done will take a year or more to effect. Why not a real boost of power right now? It would certainly carry out that fundamental principle in the radio law which calls for service "in the public interest, convenience and necessity," for every station would enjoy a larger audience without any added interference.
HARRY KENNETH CARPENTER

IF THERE is one individual in the broadcasting business who might be called the "standard" or "archetype," it is Carpenter, genial general manager of WPTF, Raleigh, N. C., better known to his host of friends in and out of radio as "Carp." A chairman of the commercial section of the National Association of Broadcasters, he is also chairman of the drafting standards and codes relating to commercial practices, standard order blanks, standard coverage and data surveys, standard rate cards and standard commercial credits.

Whenever there is a meeting of the big trade associations of advertisers or agencies, "Carp" is on hand for the NAB to consult about matters affecting broadcasting. At both the NAB annual convention and the ASCB convention, he presents a comprehensive report on the commercial side of radio, and among his lecture topics is a large batch of recommendations and resolutions put forward for the convention. Always an enthusiast about any task before him, he gives freely of his time and energy in the work that concerns itself largely with the all-important dollars and cents problems of broadcasting.

Carpenter is another of those broadcasters who just happened into radio. Let him tell you, in his own words, how it came about:

"I was manager of the Goodyear Industrial University (Akron) and was attending a Vaudeville minstrel show for the Goodyear Friars Club, the book of which I had written. On May 1, 1925, Ward Orman, Goodyear's champion free balloonist, was entered in the national balloon races and was the first man that day to carry a radio receiver set in the races. "Goodyear owned WEAR in Cleveland and was anxious to provide a continuous musical program for the entire night of May 1, so that Van Orman would have something to tune in order to get weather reports every 15 minutes. The races first year started from St. Joseph, Mo., and Van Orman expected the prevailing winds to carry him near Cleveland. Inasmuch as the race had been staged, I was asked to take the entire cast to Cleveland to furnish coverage and announcements for May 1. This was the first time I had ever been inside the studio, but I ran a continuous program from 7 p.m. to 5 a.m. "Along about midnight, the only announcer the station had at that time complained that his voice was giving out and asked me if I didn't want to do some announcing. I announced intermittently from midnight until 5 a.m.—my initial microphone appearance. I was interested in radio as I saw it that night, and succeeded in convincing the advertising department of Goodyear to such an extent that I was allowed to stay on WEAR just a week later." That was "Carp's" start in radio, and WEAR was purchased by the Willard Battery Co. and consolidated with WTAM, he carried on as manager of the combined stations, continuing until 1928 when the stations again changed ownership. Alterations of policies and methods of operation caused him to resign that summer. He joined WPTF, operated by the Durham Life Insurance Co., in September, 1928, and has been associated with it since.

Harry Kenneth Carpenter was born in Beattyville, O., Jan. 7, 1884, of English-Scottish parentage. He attended the Ravenna, O., elementary school and later went on to high schools of the same town until 1913. During the following two years he attended Case and Kent State University, in Ohio, and while he did not receive a degree, he did obtain a certificate to teach in Ohio's public schools.

Interested in athletics and athletics, young Carpenter was captain of various teams during his high school years, and also produced several amateur shows. During his summer vaca-
EDWARD GOVE, chief engineer of WHK, Cleveland, and an amateur photographer, will exhibit some of his best color views: the studies to the Cleveland Photographic Society soon. Three of his views were taken in northern Canada and a fourth of an airplane from his office window.

G. S. TURNER, formerly assistant federal radio supervisor at Chicago, is now acting inspector in charge of the Atlanta office.

CLYDE WHITE, assistant to Carl Meyers, chief engineer of WGN, Chicago, and a licensed pilot, transported in his own plane the equipment used by WGN to pick up the Kentucky Derby at Churchill Downs May 6.

DEAN GARVER, for many years chief technician at KNX, Hollywood, has been appointed chief engineer of XEAW, Reynosa, Mexico.

Goes Commercial ANOTHER educational station turned commercial May 12 with the transfer of WJBH from Bucknell University to Charles S. Blue by authority of the Radio Commission. The Commission also authorized removal of the station from Lewisburg, home of the university, to Sunbury, Pa. It operates on 1210 kc. with 100 watts, specified hours.

Ed Wynn's New Network Plans (Continued from page 8)

Chief Engineer Long and Owl WHAM, Rochester, lost its 35,000-volt power supply April 21 when this great horned owl settled on an open-wire transmission circuit to enjoy a meal of sparrow hawk. Its wing spread of four feet, eight inches, was sufficient to reach from the line to a transmission within eight miles, with resultant 1700-watt kites and a minimum of two minutes off the air for WHAM. The Rochester station has arrangements whereby the transmitter may be fed power from either Rochester or Canandaigua. When the owl flashes over in radio, the breaker is thrown, and it was necessary only to shift to the opposite feed. The photograph shows John J. Long, Jr., WHAM chief engineer, and the owl.

no- whatever the CKLW staff, and probably it explains CKLW's record-breaking performance and prosperity.

Representing the combined facilities of CKOK, Detroit-Windsor, and CJGC, London, Ont., CKLW offers the greatest measure of dollar-for-dollar value in the Middle West.

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Economic Issue Raised In Removal of KICK THE RADIO Commission's decision authorizing KICK to move from Red Oak to Carter Lake, Ia., a suburb of Des Moines, was sustained by the Court of Appeals for the District of Columbia in an opinion May 1. The station operates on 1420 kc. from Des Moines.

Appeals from the Commission decision were taken by WOW and WAAW, Omaha, and KOIL, Council Bluffs, Iowa, contending there was no necessity for the proposed change of location. The court held, however, that it did not appear that the operation of KICK in the Omaha area "would to any appreciable extent curtail the advertising business of the present stations in the area. It was the first time that the economic issue ever had been raised.

New Erie Station A NEW station for Erie, Pa., to take over the facilities of WERE, the old WERE of that city, deleted several months ago for violation of regulations, was authorized by the Radio Commission. The application, which was granted by the application of Leo J. Omelian, of Erie, who purchased the equipment at an auction sale, to operate on 1420 kc. with 100 watts night and 250 watts day, unlimited time, without designating the application for hearing. Under the rules, the decision is temporary for 20 days. A hearing is automatic if there is protest.
WBBM
(Western Key Station of the Columbia Broadcasting System)
—is now carrying the largest volume of advertising in its history

WBBM is carrying more local and national 'spot' advertising than ALL the other major Chicago stations combined—with three out of four of its clients on renewals. Sales in 1933 are 14.1% ahead of 1932. Sales in 1932 were 15.2% ahead of 1931. You don't have to theorize about these results!

For Complete Details and "Open-Time" write to:

WBBM—410 N. MICHIGAN AVENUE, CHICAGO
or to RADIO SALES, INC.—485 Madison Ave., New York
Humor

Dallas

ing shrubs), schedule, - "The Adventures of toothpaste) Inc., Morse, "The Deerslayer." Hand-

weeks, Chicago (kitchen cleaner) except Sunday, weeks.

Mfg. Milwaukee. T. Comer

Cristo" transcriptions

bars) for three transcriptions

by D'Arcy

station handles account. WEAF, with the "Red Pageant Moun-

gin, handles account.

VENTORY".

in May, 1919, signed

10:30, EDST.

TV.

network; Mondays, Wednesdays

Mondays, Wednesdays

series, weekly

on May 23 will carry "Jack Dempsey's Gymnasium" on CBS Tuesdays, Wednes-

EX-LAX, Inc., Brooklyn, N. Y., on May 12 renewed its "Magic Voice" program on CBS. The show

TIDEWATER OIL SALES CORP., New York (Tyril and Veedol) has

EDST. 13 weeks. The Joseph Katz Co., handles account.

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of the "Crockemville Moun-

tines" if on May 7. WGN, Blackhawk, Ill., handles account. WEAF has also signed Shef-

five programs a week; by WGN, Chicago, using quarter-hour musical programs 6 afternoons a week

by WGN, Chicago, using quarter-hour musical programs 6 afternoons a week

"Noon Day Wonder Bakers" back to an 8-station

on May 15 will continue without those stations.

Increasing May, using dramatic adaptations of Cooper's "The Deerslayer," Hand-

and the Travelers Quartet for 17 additional

Dow and Chicago, using "Noon Day Wonder Bakers" new hour, 11-12, EDST. 13 weeks. The Joseph Katz

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effect until May 16, and is scheduled to continue through the summer.

MURDER MYSTERY, a three-act mystery play, will be presented by the New England Theatrical

and Veedol, has extended its "Morning Travelers" Quartet for 17 additional weeks beyond May 22 on a 16-station

in five parts; EDST, 11:30-12:30, 12:30-1:30, 1:30-2:30, 2:30-3:30, and EDST; 13 weeks. The Joseph Katz Co.,

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When in Rome do as the Romans do . . .

The "locals" know their way around . . . .

WKRC has consistently carried more local advertising than any other Greater Cincinnati station.

With a full 19 hour schedule—a preferred position on the dial (550 kilocycles)—the finest of technical equipment—the only local outlet for the ever popular Columbia Network programs—is it any wonder that local advertisers favor WKRC? They know that here RESULTS are realities . . not promises!

Consult your own Cincinnati jobbers and dealers before you schedule a radio advertising campaign in their area. Learn from them the reason why WKRC carries more local advertising than any other Greater Cincinnati station.

---

WKRC CINCINNATI, OHIO 1,000 WATTS

New York and Chicago Sales Representatives RADIO SALES, Inc.

AN EVENING SCHEDULE OF MORE THAN 70% COLUMBIA PROGRAMS
CBS reports the following hookup changes: Acme White Lead & Color Works on April 23 added KSL; Gulf Refining Co. on May 3 replaced WDOX with WSPA; Coral Products Refining Co. on June 1 will add WJAS and on July 10 will add CKLW; Gold Dust Corp. on May 8 added WARC; Barbara Gould on May 11 replaced WDBI with WTAR; Nonspic on June 10 will add WPT.

LOUIS PHILIPPE, Inc., has added a Sunday program, 2:45-3 p.m., starting April 4, to bring "Armida, International Songs through the air.

TASTYTEA, Inc., on May 11 changed its "Tastyteat Jesters" program on an NBC-WJZ network to Thursdays, 7-8-9 p.m.

HOUSEHOLD FINANCE Corp. has extended its contract on NBC-WJZ to Dec. 26.

CBS Shifts Programs, Changes Sunday Setup

A NEW Sunday night program schedule was inaugurated by CBS May 14. The shift divides the "John Henry—Black River Giant" sustaining broadcasts into twice-a-week presentations in place of the present schedule, which calls for two episodes in the one evening. It will also bring to the network a new series of radio dramas presented by the Columbia Dramatic Guild. From 8 p.m. to the 10:45 p.m. spot, inclusive, the new lineup is as follows: 8: "The Gypsies"; 8:30: "Chicago's Weekly Variety Show"; 9: "Columbia Dramatic Guild"; 9:30: "Andre Kostelanetz and His Orchestra"; 10: "John Henry"; 10:15: "The Columbia Revue"; 10:45: "Quiet Harmonies".

You pay a low price for thorough southern coverage on WSM, the national response you get is velvet.

EXCLUSIVE NATIONAL REPRESENTATIVES
EDWARD PETRY AND COMPANY
NEW YORK, CHICAGO, SAN FRANCISCO

AGENCIES AND REPRESENTATIVES

ROGER REYNOLDS, formerly Southwestern extension manager of the American Weekly, is the new Atlanta office of Edward Petry & Co., station representatives, effective June 1. Offices already are maintained in New York, Chicago and San Francisco.

APPOINTMENT of Domie S. Hastreiter as head of the Detroit office of Scott Howe Bowen, Inc., was announced May 4. Mr. Hastreiter succeeds Joseph R. Spadea, who has been transferred to New York headquarters. Previously it had been indicated that the Detroit office would be closed.

CAMPBELL-MITHUN, Inc., new Minneapolis agency, has been appointed to handle the advertising of the following accounts which have used radio: Land O' Lakes Creameries, Inc.; McLaughlin Gormley King Co., Minneapolis (insecticides) and Northwest Bancorporation.

BATTEN, Barton, Durstine & Osborn has been appointed by P. Duff & Sons, Inc., Pittsburgh (Duff's ginger bread, quick-cooking bread and flour) to handle its advertising. Company has previously used radio.

ITS MINNEAPOLIS office still functions at Crichfeld & Cogan, Minneapolis, and announces that it is placing the following accounts which have previously used radio: Jacob E. Decker & Sons, Mason City, Ia. (ham, bacon, lunch, etc.); Zinn-Baxter Baking Co., Duluth, Minn., and Durkee Awood Co., Minneapolis (automotive accessories).

HENRY H. PATTEE & CO., with offices in the New England Bldg., Kansas City, is a new agency headed by H. H. Pattee and Ivan Flannery formerly with KMBC and WMT. It will specialize exclusively in radio accounts.

B. THEODORE CREAMER, Advertising manager of the new Los Angeles office of Howard & Stewart, Inc., is handling the account of Coffee Products of America, Inc., Los Angeles.

H. W. KASTOR & Sons Co., Chicago, handles the following accounts: Pratt Food Co., Philadelphia (animal and pet food) and Mars, Inc., Chicago (candy).

MILTON J. BLAIR, vice president of Mr. Walter Thompson, discussed "The Cost of Advertising" in a talk over WMAQ, Chicago, May 3, in the series sponsored by the Advertising Council of the Chicago Association of Commerce.

LEO FITZPATRICK, general manager of KDKA, Pittsburgh, has been added to the new accounts of the Derrick-Campbell-Walwood-Ewald and Gordon K. MacEdward, Advertising Dis- plays, Inc., among the new deters of the Detroit Adclub.

GEORGE L. PRICE, formerly secretary, The Transfer Movers Co., Los Angeles, has joined the Corwin Corp., Pasadena, as radio and continuity writer.

LIEBMAN BREWING CO., Brooklyn, is placing its advertising through Calkins & Holden, New York.

FIDELIO BREWERY, New York, has placed its advertising agency with E. T. Howard Co., Inc., New York.

KINGS BREWING CO., Brooklyn, N. Y., has appointed W. S. Lockhead as advertising manager. Advertising placed direct.

PROSPECTS

CONCERNS that have previously used radio and that make up their lists for advertising campaigns during the next few months are reported by the National Directory of Advertisers as follows: Western Electric, Los Angeles; Los Angeles Times; Los Angeles Exchange, Los Angeles (citrus products); San Diego-California Club, San Diego, Calif. (consumer goods); Auto Policy Company, Inc., San Francisco (petroleum, soft drinks, etc.); General Cas- bana Corp., Batavio, Ill. (Italian balm); DDD Corp., Batavia, III. (medicines); B&B Structured Dinnerware, Portland, Me. (sea foods, vegetables, etc.); Faultless Mills Co., Baltimore (dry goods); Del-Mer-Mc Tavern, Shore Ass'n, Inc., Salisbury, Md. (hardware, clothing, etc.); Flying telephone Co., Ashland, Mass. (tele- phone electric clocks); Firestone Foot- wear, Akron, Ohio (footwear); Telepeton, Inc., Detroit (medicines); Scott & Bowne, Bloomfield, N. J. (producers); G. W. Van Slyke & Horton, Albany, N. Y. (sewing machine); D'Orry Permuter Co., New York (toilet- tos); General Foods Corp., New York (cigarettes, cigars, tobacco); Crosley Radio Corp., Cincinnati.

HAAS, BARUCH & Co., Los Angeles (irises canned and preserved goods) makes up lists during June and July. Also Delle, December, using radio along with other media.

Emil Brisacher & Staff, Los Angeles.

PURITAN CHEMICAL Co., Atlanta (insecticides) has appointed the John- son-Stills-Franklin agency to place its advertising, which will include radio and newspapers.

CHAR-TEX Co., Minneapolis, a division of the Detroit Chemical Co., 349 Stinson Blvd., Minneapolis, is testing radio locally for a new mouth wash, account being handled by Crichfeld & Co., Minneapolis.

KFOX, Long Beach Cal., now conducts a Spanish department, offering the same programs of music, news and special shows as the English writer and announcer as well as Spanish entertainers. The new department is playing an important role in reaching the Mexican and Spanish speaking population. It is under the direction of Senor de la Fuente, native of Mexico, who conducts an early morning program at 6 a.m. called "El Despertador," or "The Early Riser.

CAPTAIN HENRY'S Showboat, sponsored by the E. R. W. R. Co., a division of the WEAP by Maxwell House Coffee Co., is being reproduced in a Paramount talkie short release.

KFC, Los Angeles, has started to broadcast a spelling bee three times weekly through the cooperation of 34 schools, each school selects a team from the senior class. These, by rotation, will appear before the KFC microphone until eliminations leave one contestant from each school. Finals will be between these candidates, with the first prize a scholarship in the University of Southern California.

THE DAILY ILLUSTRATED TIMES, Chicago tabloid newspaper, is now broad- casting its news program each weekday morning over WJJID, Chicago. This is in addition to twice weekly "The Daily Illustrated Times" and daily periods over WJJS, Gary, Ind.

KHL, Los Angeles, has started a new program called "Way Out West," Thursday nights. This is in addition to WJJS, KHL, which is being heard in a number of communities, including the lives of aviation headliners. Program will go over the Dan Lee CBS network.

WOR, Newark, reports that 15,000 students have enrolled for its four courses in French, Italian, Spanish and German. A second French course was recently started under the title of "A Little French for Little Folks.

WNAC, Boston, furnished the Yankee Network and CBS a dramatic bit of spot news coverage on May 5 when Jim Smith, acc reporter for the Bos- ton "Evening American," related the events leading up to the solution of the McMath kidnapping in a broadcast on the new police station at Harwich- port, Mass.

WHAT is believed to be the only Chinese program presented by an all-Chinese cast as a regular feature over a middle western station is broadcast each Thursday night by WGES, Chicago. Under the supervision of the CHINESE DAILY NEWS, Chicago, the program presents a cast of 16, a Chinese orchestra, songs and dance. Gene Dyer, director, breaks into the program periodically to explain in English various phases of the entertain- ment. The series is intended primarily to promote a friendly feeling for the Chinese in Chicago.

THE WEEKLY audience for the "Do- Nut frolic" at KNX, Hollywood, has reached a peak. The cast has moved to Freeman Lang's stage at 1345 Gordon Street, Hollywood, for weekly penmanship, and broadcast performance.

THE MORRIS B. SACHS department store, Chicago, disposed of 1500 eggs over the station in one evening. This is the first in a series of efforts to bring to the listeners the sponsorship of seven time signals on the preceeding "Chicago WWAQ, Chi- cago, early in March.

KDB, Santa Barbara, Cal., on April 30 celebrated its second anniversary of special program to the Delone Lee CBS chain. Herbert Witherspoon, at one time on the commercial staff of KDL, is manager of KDB.

STUDIO NOTES

The National Life & Accident Insurance Company, Inc.

NASHVILLE, TENNESSEE

Page 24

BROADCASTING • May 15, 1933
New England Expecting Larger Radio Audience In Summer Than Winter

Mr. Phelan, who presides at the advent of the automobile radio receiver, points out, every survey showed New England's summer audience to be 30 per cent of the winter. "With the sale of many hundred thousand small receiving sets and automobile radios, it is safe to state there will be a larger audience this summer in New England than there was last winter." Declaring that New England becomes the mecca for vacationists from May to October, Mr. Phelan said there will be no relaxation in broadcasting this summer.

"When you have nearly 5,000,000 people spending $500,000,000 to 8,500,000 people spending $3,785,000,000, you have an idea how important the vacation industry is to New England," he added.

A NEW station for Greenville, N. C., was recommended to the Radio Commission May 12 by Chief Examiner Yost on application of William Avera Wynne. Assignment requested is 1420 kc., 100 watts, daytime.

The accumulation of money is a step toward getting United States, Canada, and Mexico operating stations on the same frequency. The new station is to be used for public service only, and is not expected to make much money.

The station is expected to have a range of 30 miles, and will be operated by W.A. Avera Wynne, who has been a radio enthusiast for a number of years.

EQUIPMENT

RCA VICTOR Co., Camden, N. J., reports the sale of a 10 kw. broadcast transmitter to be installed at Los Angeles, Bolivia, to operate on 600 kc. Order also included a 1 kw. short wave transmitter to operate on 6,000 and 12,500 kc.

HERALDO de CUBA, Havana newspaper, has ordered a Model 100IC broadcast transmitter from RCA Victor Co., Camden, N. J. It will operate with 1 kw. on 1100 kc.

E. E. GRIFFIN, former chief technician with radio stations in Los Angeles, Ingwood and Pomona, Calif., but for the last three years chief engineer with the Universal Microphone Co., Ingwood, has been promoted to vice president of Universal in charge of factory production and the precision laboratory.

THE CONTROL staff at WHAM, Rochester, has installed a panel mounting long-short wave receiver to tune in NAA, Arlington, for time checks. Electric clocks on Rochester current vary as much as 15 seconds in five hours.

WESTERN TELEVISION Co., Chicago, has secured an order from the National Revolutionary Party of Mexico for a 1 kw. television transmitter to be operated in Mexico City in connection with its broadcasting station XFO. Engineer Armando Canto has been sent to Mexico City to make the installation.

KGIR Gets Increase

AN INCREASE in day power from 500 watts to 1 kw. was given KGIR, Butte, Mont., by the Radio Commission May 5. The station also was authorized to install new equipment.

These hundreds of thousands look upon WLS not merely as a medium of entertainment. They plan their daily farm work, their shipments to market, trading operations, and many other activities after hearing these vital economic reports over WLS. To them, WLS means dollars and cents made or saved.

WLS farm reporters are farm trained—educated in agriculture and journalism. They know the problems of agriculture. Not only do they arrange and broadcast a market and weather service, but they bring news of farm legislation, spot reporting of State Fairs, International Livestock Expositions, Poultry Shows, and other news equally important.

This great audience that depends upon WLS for this "dollars and cents" service will listen to advertisers' messages built by the men and women of WLS who know their market. Now is the time to go after that market—midwest farm conditions are improving day by day.—Fall particulars as to rates and coverage will gladly be furnished upon request.

50,000 Watts
870 Kilocycles

The Prairie Farmer Station
BURRIDGE D. BUTLER
President
GLENN SNYDER
Manager
1230 West Washington Boulevard
CHICAGO

From the very first, WLS has been committed to an inviolable program of constructive service to farmers and all others dependent upon agriculture. Throughout the day, immediately after market and weather reports are released through official sources, WLS reporters rush to the microphone and a great army of listeners learn the price of hogs, trend of the butter market, what's doing in the fruit and vegetable market, and what the weather man says.

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Mail and Index to “Circulation”  
(Continued from page 9)

ratios of 1/3 or 1/4 instead of 1/2 but we found that the ratios used were readily comprehensible and sufficiently broad for clear distinction between the areas.

On this basis, then, “Listening Area” maps were prepared for each station on the CBS network. It was then noted that the total number of requests received by any station had very little bearing on the size or shape of its “Listening Area” maps. But the requests per thousand population to the “home” county was the important factor. It was our belief that relying too much on population would eliminate variables due to difference in returns from each station. But we checked this point by experimenting in New York City. One map using the above formula was prepared on the basis of 2,000 letters and another on the basis of 10,000. The primary “Listening Areas” were identical and the secondary areas checked very closely. The map based on 10,000 letters showed a few additional counties of “occasional” coverage.

Directional Tendencies

IN LOOKING through this series of “Listening Area” maps several interesting facts are evident. In the first place, almost without exception the maps are not circular in shape but have a grotesque shape which shows no direct geographical congruity with the station concerned. For example, the “Listening Area” of Columbia’s station, Dallas extends southward from Arkansas to Mexico in a lateral band frequently only a few counties wide, but over 200 miles long. And other stations, for example, Boston, show a “Listening Area” in almost direct contrast. The intense “Listening Area” of the Boston station is scarcely 50 miles wide but extends southward and south for almost 300 miles. It is interesting to note that the primary “Listening Areas” at many stations far within the field strength maps prepared by engineers. The “Listening Area” maps do not indicate the area within which a given program can be covered, but indicate the areas it will reach at the outset, by laws of average, and to the relative degree of habitual listening to the station in each of those areas.

Basis of Market Data

BECAUSE of their accurate county divisions, these maps have given BROADCASTING an opportunity so valuable as to be the market data for the territories covered by each station. Such figures as the number of families, radio sets, subscription automobiles, etc., permit the broadcast advertiser, for the first time, to evaluate carefully each station’s market and present his own research to proof his claims.

The second “Listening Area” study has just been completed and is now on the press. We can speak with confidence concerning the “Listening Area” method now that we have seen the close correlation between the two groups of maps. Almost without exception, the second “Listening Area” study, conducted two years later, checks with the first “Listening Area” maps. Where there are significant differences, these can usually be accounted for by changes in equipment increase or decrease, removal of transmitter site, change in program policy or other special factors.

I should like to point out that these maps make no attempt to show the number of listeners to a program on any one occasion.

We are frequently asked for this information, but this is an elusive figure that changes from quarter-hour to quarter-hour every day of the week. The number of listeners to a specific program can be determined only by telephones surveys and similar types of investigations.

Mail Questionnaire

OUR “Listening Area” maps did not even tell us how many people actually listened to each station regularly and habitually. In compartmentalizing the composite “Listening Area” map for the entire CBS network, we were able to make use of a significant change in the age of regular listeners to each station. But these figures were obtained in another way and this writing is made to that empirical—employed—the mail questionnaire.

As a matter of fact the mail questionnaire has been the basis of most of the research reports which we have prepared. It was first used by us to check up on the popularity of the stations affiliated with CBS. In a sense, this first study was a private inventory of Columbia’s assets. Since that time the mail questionnaire conducted for us by Price, Waterhouse and Company, public accountants, have become very valuable.

EDITOR’S NOTE—The remainder of Mr. Karol’s discussion of this subject will be carried in the June 1 issue of BROADCASTING.

Copyright Straitjacket  
(Continued from page 13)

Copyrighted material is broadcast the performance is only at the broadcasting station.

2. Where a license to broadcast copyrighted material is given it should cover any reception of this program wherever transmitted, re-transmitted or re-produced provided it be used only for the purpose for which the license was granted and meets in point of time simultaneously with the performance in the originating station.

Where this is a chain program broadcast, the performance is only in the originating broadcast station studio.

4. Where copyrighted material is broadcast without license the station originating the broadcast only shall be chargeable under the copyright.

In this manner the copyright owner may fully protect himself as he is not obliged to license for accounts of any sort, but he should not be permitted to grant such a license with full knowledge of the use of broadcast transmission and then be allowed to collect an additional royalty from the unsuspecting and defenseless public.

Coverage Standards  
(Continued from page 14)

newspaper or magazine advertiser. And it is a more direct criterion of the advertiser’s opportunity than a census of listeners to another advertiser’s program of greater or less attractiveness delivered at a different hour with altered program and tabulation of cumulative results attained by all advertisers on a given station.

Furthermore, the actual value of coverage can be determined by measuring stations can be compared both geographically and on the basis of cost per receiving installation with similar data on competing stations.

*Abstract of remarks before radio group of the Advertising Club of New York.
Sweeping Effects of WIBO Case
(Continued from page 8)

state on a frequency theretofore assigned to a station in an over-qua state, provided the Commission does not act arbitrarily or capriciously."

That a station exists only from license renewal to license renewal was made evident by the highest court. Answering the contention of Rep. Beck that the deletion of WIBO and WPCC was arbitrary, since no proceeding had been instituted for the revocation of their licenses, the court said that Section 14 providing for revocation permits such action in cases of false statements or for failure to operate as the license required or to observe regulations.

"But the question here," the Court continued, "is not with respect to revocation under Section 14, but as to the equitable adjustment of allocations demanded by Section 9. The question is not simply as to the service rendered by particular stations, independently considered, but as to relative facilities,—the apportionment as between states."

"In granting licenses the Commission is required to act 'as public convenience, interest or necessity requires.' This criterion is not to be interpreted as setting up a standard so indefinite as to confer an unlimited power. The requirement is to be interpreted by its context, by the nature of radio transmission and reception, by the scope, character and quality of services, and, where an equitable adjustment between states is in view, by the relative advantages in service which will be enjoyed by the public through the distribution of facilities. In making such an adjustment the equities of existing stations undoubtedly demand consideration. They are not to be the victims of official favoritism. But the weight of the evidence as to these equities and all other pertinent facts is for the determination of the Commission in exercising its authority to make a 'fair and equitable allocation.'"

Considered Needs at Gary

"IN THE instant case the Commission was entitled to consider the advantages enjoyed by the people of Illinois under the assignments to the state, the services rendered by the respective stations, the reasonable demands of the people of Indiana, and the special requirements of radio service at Gary. The Commission's findings show that all these advantages were considered. Respondents say that there has been no material change in conditions since the general reallocation of 1928. But the Commission was not bound to maintain that allocation if it appeared that a fair and equitable distribution made a change necessary. Complaint is also made that the Commission did not adopt the recommendations of its examiner. But the Commission had the responsibility of decision and was not only at liberty but was required to reach its own conclusions upon the evidence."

"We are of the opinion that the Commission's findings of fact, which we summarized at the out-
Applications

May 2

WSAR, Fall River, Mass.-CP to make changes in equipment.

WJAY, Cleveland—Modification of license to change from 610 kc., 500 w., power, D to 590 kc., 250 w., night, unlimited time.

KEOA, Little Rock, Ark.—Modification of license to increase power from 500 w. to 1 kw., WICJ, Little Rock, Ark.—Modification of license to change hours of operation from specified hours to unlimited time; NEW, Los Angeles—Grant modification of license to change time from 1500 to 1600 kc., 100 w., 500 w., unlimited time.

KEA, Los Angeles—Modification of license to change from 1000 kc., 100 w., 500 w., unlimited time, facilities of WCUL, Rapid City, S.D.—CP for new station 1000 kc., 100 w., 500 w., unlimited time, facilities of WCAT, Rapid City, S.D., WFXE, Marion, Ia.—License covering CP for 48000-48500 kc., 1 kw., experimental visual broadcasting.

May 4

KVOR, Colorado Springs, Colo.—Voluntary assignment of license to S. H. Patterson.

May 6

NEW, San Juan, Puerto Rico—Juan Pia for CP for a new station on 1500 kc., 100 w., unlimited time.

WYES, Cincinnati—CP to make changes in equipment and increase power from 500 w., night, 1 kw. day to 500 w., 1000 w., unlimited time, night, unlimited time in power to 1kw. 1 kw., night, unlimited time.

KEA, Long Beach, Cal.—Modification of license to change hours of operation from specified hours to unlimited time.

WMT, Waterloo, la.—Modification of license to increase power from 500 w. to 500 w., 500 w., unlimited time.

WDGY, Minneapolis—Modification of license to change in equipment and increase power from 1 kw. to 2 1/2 kw. 1 kw. 5 kw., unlimited time.

KEA, Los Angeles—Grant for change in transmitter location to 431-433 to move transmitter and studio locally.

EWA, Honolulu—Modification of license to change hours of operation in limited time period.

May 9

WARD, Brooklyn—Modification of license to change hours of operation.

WWVA, Wheeling, W. Va.—Modification of license to change hours of operation.

KBCN, El Paso, Texas—Modification of license to change hours of operation.

NEW, La Grande, Oregon—Eastern Oregon Broadcasting Co., Inc. for CP on 1500 kc., 100 w., night, 250 w. day, unlimited time (facilities of KOAC, Corvallis, Ore.), amended to include transmitter location to "be determined, near La Grande."

May 11

WEVD, New York—Modification of license to increase power from 500 w. to 5 kw.

WOB, Newark—Modification of CP to install new transmitter and increase power from 5 kw. to 50 kw. to extend commencement and completion dates to 6-16-33 and 6-2-34.

WMRO, Auburn, N. Y.—License to cover CP to rebuild station changing transmitter site locally.

WJAC, Johnstown, Pa.—Assignment of license to WJAG, Inc.

KWB, Kalamazoo, Mich.—Modification of CP to install new transmitter to change type of authorized equipment.

KQH, Little Rock, Ark.—Modification of license to changes in equipment and increase power from 100 w. to 100 w. 1 kw. unlimited time.

WBFQ, Memphis—License to cover CP as modified, in the following manner:

WFSA-WUSN, Clearwater, Fla.—License to cover CP to be replaced with new CP.

NEW, Yakima, Wash.—Herbert LeRoy Coburn for CP on 1240 kc., 500 w., unlimited time.

Decisions

May 2

WML, Washington, D. C.—Granted license for auxiliary transmitter.

KGUM, Albuquerque, N. Mex.—Granted license to change time from 1200 kc., 500 w., unlimited time.

WEZM, Oshkosh, Mich.—Granted modification of license to change specified night hours to sign off at 9 p.m. (complied with Commission regulations).

WJNK, Detroit—Granted modification of license to change frequency from 1420 kc. to 1410 kc. 100 w., unlimited time.

HR, Butte, Mont.—Granted permission to operate a crystal controlled oscillator between 2 and 8 a.m., BST, May 3 and 15 inclusive, 1500 kc. to locate.

Set for hearing: WDRE, Boston—Modification of license to change hours of operation from specified hours to unlimited time.

WUN, Great Falls, Mont.—Grant for 100 w. 500 w. unlimited time, days.

KEI, Pocatello, Idaho—Modification of license to change hours of operation from specified hours to unlimited time.

KREG, Albuquerque, N. Mex.—Grant modification of license to change time from 1500 to 1600 kc., 100 w., unlimited time.

KGER, Long Beach, Cal.—CP for new station 1500 kc., 100 w., unlimited time, facilities of WCAT, Rapid City, S.D., WFXE, Marion, Ia.—License covering CP for 48000-48500 kc., 1 kw., experimental visual broadcasting.

May 4

KVOR, Colorado Springs, Colo.—Voluntary assignment of license to S. H. Patterson.

May 6

NEW, San Juan, Puerto Rico—Juan Pia for CP for a new station on 1500 kc., 100 w., unlimited time.

WYES, Cincinnati—CP to make changes in equipment and increase power from 500 w., night, 1 kw. day to 500 w., 1000 w., unlimited time, night, unlimited time in power to 1 kw. 1 kw., night, unlimited time.

KEA, Long Beach, Cal.—Modification of license to change hours of operation from specified hours to unlimited time.

WMT, Waterloo, la.—Modification of license to increase power from 500 w. to 500 w., 500 w., unlimited time.

WDGY, Minneapolis—Modification of license to change in equipment and increase power from 1 kw. to 2 1/2 kw. 1 kw. 5 kw., unlimited time.

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Horizontal Power Increases Urged

W.C. Bridges Leads New Move; No Interference Forecast

ADVOCATES of a "horizontal increase" in station power as a logical sequel to the maximum of 1 kw. at night and 100 kw. during the last year are redoubling their efforts to persuade the Radio Commission to relax its present regulations limiting regions to 1 kw. at night and locals to 100 watts.

Taking up the cudgels in behalf of regionals, W. C. Bridges, general manager of WEBG, the ruling-Superior, is urging stations throughout the country to fall behind the move. In a letter to Broadcasting, he said that higher power for clear channel stations appears to be good engineering and in the public interest and that he is not opposing it.

Regional Rights

"HOWEVER," he added, "limiting all regionals to 1 kw. at night and a maximum of 2 1/2 kw. during the day is not serving public interest and does not follow good engineering as I understand the situation."

In his letter to regional stations urging their support, Mr. Bridges wrote:

"With the lid slowly being taken off power for clear channel stations, we have a feeling here that something along the same line is due regional channel stations."

"During the summer months, 1 kw. at night is not being improved upon, if the transmitter is located in the midst of a small city, in which coverage is only desired regionally. Otherwise, if a thunder storm comes along or the electric stove has a loose connection, it is just too bad. The daytime situation is better, but we have been unable to find a good engineering reason why 5 or 10 kw. shouldn't be made available.

A test case involving applications of four stations on the 940 kc. regional channel for increases from 1 to 5 kw. was heard by the Commission last year. The Commission denied the applications on the ground that the regulations limit power to 1 kw. at night on regionals and that the quota regulations also precluded their approval. The stations contended that through a parallel increase they would be enabled to give a higher quality service and increase the number of service areas without creating additional interference, and that the applications were in accord with the most modern trends in broadcasting technique.

Aside from raising the powers of regional stations proportionally, the horizontal increases have in mind the boosting of local station powers from 100 to possibly 500 watts. In some quarters it is believed this whole power question will be considered following the forthcoming conference in Mexico City on reduction of wave lengths among North American nations. The date for the conference has not yet been set.

Theranoid is Hit

ThERANOID, INC., of New York, Philadelphia, Trenton, Cleveland, Detroit and Washington, was ordered by the Federal Trade Commission to cease advertising that the use of its appliance, a solenoid belt having magnetic properties, produces a physical-therapeutic effect on the human body or is likely to aid in treating diseases. The company has been using programs over 19 stations, and also has conducted an extensive newspaper advertising and direct-mail campaigns.

Rocke Company Moves

ROCKE PRODUCTIONS, Inc., creators of radio entertainment, has moved its New York offices to the RKO Building, 1270 Sixth Ave., in Radio City. Headed by Ben Rocke, Norman Livingston and Sid Wolf, the company has begun specializing in the development and production of commercial programs "to fit each product and marketing situation."

New A.A.A.A. Officers

W. C. D'ARCY, president of the D'Arcy Advertising Co., St. Louis, was elected chairman of the board of the A.A.A.A. by the Federal Trade Commission at its annual meeting May 12, succeeding Henry T. Ewald, president of Campbell-Sidney Co., Detroit. Allen L. Billingsley, president of Fuller, Smith & Ross, Cleveland, was elected secretary, succeeding G. Lynn Sumner, of G. Lynn Sumner, Inc., New York. Arthur H. Knudson, president of Erwin, Wasey & Co., was elected vice president, and E. DeWitt Hill, treasurer of Morgan-Erickson, was reelected treasurer.

The A.A.A.A. appointed John Benson, president, and Frederick R. Gamble, executive secretary, and elected the following directors: Henry T. Ewald, 3 years; G. Lynn Sumner, 3 years; Henry Eckhardt, Kenyon & Eckhardt, New York, 3 years, and Guy C. Smith, Brooks, Smith & French, Cleveland, 1 year.

Regional council representatives were elected as follows:


WIL, St. Louis, was assured full time operation when the Court of Appeals of the District of Columbia May 12 denied a petition of KFWF, St. Louis Truth Center, for an order staying the Radio Commission's deletion of KFWF.

Capper Bill is Aimed At False Advertising

A BILL to prohibit untrue, deceptive, or misleading advertising in print, over the air or through use of the mails was introduced in the Senate May 6 by Senator John A. Capper (R.) of Kansas. It was referred to the Interstate Commerce Committee. Senator Capper is publisher of Capper's Weekly and the Topeka Capital, and is also publisher of Station WBIV, Topeka. His bill follows in full text:

That any person, firm, corporation, or association who, with intent to sell or in anywise dispose of merchandise, service, or any other thing, offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto or to acquire little thereto or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made published, disseminated, circulated, or placed before the public, through the use of the mails, in interstate or foreign commerce, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular pamphlet or letter, or through broadcasting by radio, or in any other way, an advertisement of any sort regarding merchandise, service, or any other thing, offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue, deceptive, or misleading, shall be guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not more than $1,000 or imprisonment for not longer than five years, or by both such fine and imprisonment.

Announcing

THE IDEAL MIXER CONTROL

TYPE 653
VOLUME CONTROL
Type 653-MA 50 ohms
Type 653-MB 200 ohms
Type 653-MC 500 ohms
All sizes, same price
$12.50

This new General Volume Control is mechanically rugged and free from noise, even in low-impedance dynamic and ribbon-type microphone circuits. Nothing equals it in reliable performance. Note these features:

- Large number of steps, no sliding contacts on wire
- Linear attenuation up to 45 db
- Complete cutoff
- GR precision-resistor construction

Send today for this mixer bulletin

Ask us to send you Bulletin Ex-33008 which describes many tested mixer circuits for practical installation.

GENERAL RADIO COMPANY
CAMBRIDGE, MASSACHUSETTS

May 15, 1933 * BROADCASTING
The Other Fellow's Viewpoint...

5-Minute Programs

To the Editor of Broadcasting:
For quite some time, I have been following with interest the introduction of 5-minute programs on the air. Being primarily interested in half hour and 15 minute programs, I was somewhat surprised to note that you, Mr. Woodbury, also expressed the efficacy of these shorter periods, most of which consisted of longer, drawn out commercial plugs, with only 5 minutes coming to the public. I knew that I, personally, did not care to listen to them, and that probably the sponsors felt as I did. However, since I have been writing one of these 'fives' for WTAG, Worcester, I am firmly convinced that these little programs have great pulling power, if handled and spotted with a little intelligence.

WTAG has a particularly favorable spot for a program of this type, immediately following the 6 p.m. newscast when the Worcester Telegram Gazette, owners of the station. The program is sponsored by the Electric Refrigeration Bureau, and consists of a short musical opening, recorded, a 30 second commercial announcement and an original mystery-comedy with a cast of two, then a final 30 second announcement and musical closing. By ending the program at a moment when the action is right at the peak, listeners tune in for the following chapter out of curiosity. Which, of course, is nothing new. Spotted twice a week, Tuesday and Thursday, between the news bulletins and an NBC chain program, practically every set tuned to the bulletins remains for the five minute skit. Much care goes into the writing of these skits as I put into half hour dramas, and sound effects are used with a free hand. While I had naturally much rather do a longer show, I believe the five minute program is here to stay, and see no reason why it should not become a strong factor in broadcasting. The sponsors of our program are pleased with the results.

WOODBURY CARTER,
May 3, 1933.

News Broadcasts
(Continued from page 7)

collection and dissemination of general news. The matter has been given careful consideration and the decision reached by C. P. A. is against any departure from its present policies. The C. P. A., therefore, will not be connected either directly or indirectly with any such project. A thorough investigation of the whole subject convinced us that there was no need for an additional national service for newspapers and that a service along press association lines planned wholly for radio would be impracticable. Such broadcasting of C. P. A. feature news dispatches as has been permitted in the past shall be continued and confined to cities where rights to C. P. A. news are held by any newspaper. Also, C. P. A. may broadcast its dispatches by radio. These policies remain unchanged.

Both Karl A. Bickel, president of United Press, and Joseph V. Connolly, president of International News Service, were asked by Broadcasting for statements as to whether they intended to restrict their radio clients to the general policy of the A. P. regulations—and particularly whether they intended to restrict radio advertising news tigers in their radio news loop counties along the lines of the A. P. resolution. Their replies speak for themselves.

Mr. Bickel's reply follows:
I have your note asking as to the position of the United Press in relation to the generalized resolution adopted by the A. N. P. A. at the April meeting of the A. N. P. A. The only copy of the A. N. P. A. resolution which has been made public is the one published in Editor & Publisher, May 15th, 1933. We have had no other copy of this resolution from the A. N. P. A. on the subject. From reading the resolution, the one in Editor & Publisher, I would say that the United Press is substantially in harmony with it. It does not ask us to take any action which we have not taken some time ago, and, in fact, previous resolutions seem to bring the A. N. P. A. general policy in line with our own.

We have always insisted on brief bulletins broadcasted unlimitedly by newspapers in their own communities. We have insisted that commentators on the news who broadcast their reports must not be connected with any newspaper or group of newspapers, and it was shown that United Press news was broadcast locally by part of the local commercial advertising program, we have compelled the abandonment of this practice.

We do not permit the broadcasting of openings, news from the leading cities, or that issued away from the city in which the broadcasting client newspaper is published. We are in complete agreement with the provisions of the United Press and, should there be a United Press newspaper located near the exterior station, without the additional consent of that paper, we are making a new survey of our clients to determine what degree our broadcasting publishers are now utilizing the service and during which hours they are broadcasting. Whether or not this question is determined in this survey, I cannot say until we have gone over the survey.

Mr. Connolly's reply follows:
You are probably aware that International News Service is an independent service and only service to have a permanent program related to the bureau of broadcasting of its wire report. Also included is Universal Service. * * *

American Newspaper Publishers' Association has never been concerned with any policy of International News Service with regard to the broadcasting of news by the broadcasting client newspaper and the general policy of the protecting the newspapers in their property rights to the news furnished them by the wire service. The American Newspaper Publishers' Association is particularly concerned with the activities of the other press associations.

Odds On Radio
(Continued from page 6)

also brings out that the average income per radio home was $5,230, while the average income per nonradio home was $4,989. The purchase of radio equipment by income levels is classified to bear out this statement.

4. Advertising Influence

Retail merchants are shown to measure advertising at point-of-purchase, showing a distinct preference for radio. Carrying on the sales increases from the use of radio are cited, and leading trade journals, held in the hands of radio buyers, to have measured nine products advertised over CBS, displayed in drugstore windows for one week, with the following results: Robert Burns Cigars, increase of 4 to 1; Old Gold Cigarettes, 2 to 1; Frozen Smoked Tongue and Ham, 2 to 1; Pepsodent Toothpaste, 6 to 1; Coby Face Powder, 3 to 1; Eastman Kodak Films, 2 to 1; Ford, 4 to 1; Fruit Salts, 2 to 1; Pertussin, 2 to 1.
MORE PROOF...

Hundreds Request WOR Booklet

April 14, 1933

Mr. Martin Codel, Editor,
"Broadcasting",
National Press Building,
Washington, D. C.

Dear Sir:

It will interest you to know that we have
had several hundred requests for our new booklet, "THE
STORY OF WOR" through our ad in BROADCASTING on the cover
page of the April first edition.

Very truly yours,

[Signature]
Director of Sales Promotion

FOR COVERAGE SEE REVERSE SIDE

1440 BROADWAY, NEW YORK, CITY
PLEASE ADDRESS REPLY TO THE NEW YORK OFFICE

BAMBERGER BROADCASTING SERVICE, INC.
NEWARK, NEW JERSEY

Write For
Information Regarding
Rates—Coverage
and Other Data

Closing Dates
for
Advertising copy
June 1 Issue — — May 22
June 15 Issue — — June 8
July 1 Issue — — June 22
July 15 Issue — — July 8

BROADCASTING

NATIONAL PRESS BUILDING  WASHINGTON, D. C.

May 15, 1933 • BROADCASTING
RCA Victor, always foremost in improving of fidelity in broadcasting and sound motion pictures, recently has produced an interesting new instrument.

It is the Type TMV-52-A Beat Frequency Oscillator. This valuable instrument helps improve the overall fidelity of audio frequency networks. A great aid for obtaining these overall characteristics is a continuously variable audio frequency and the many advantages found in the use of the beat frequency principle makes this type of oscillator most suitable for this class of service.

The new Beat Frequency Oscillator, general appearance of which is indicated in the illustration, can also be supplied for rack mounting. It is carefully engineered throughout... a fine product characteristic of "Radio Headquarters". You are invited to write for technical details and full information about Type TMV-52-A. Address your inquiry to RCA Victor Company, Inc., Camden, N. J.

TRANSMITTER SECTION

RCA Victor Co., Inc.

(A Radio Corporation of America Subsidiary)

CAMDEN, N. J.

"RADIO HEADQUARTERS"

New York: 153 E. 24th Street
Chicago: 111 N. Canal Street
San Francisco: 235 Montgomery St.
Dallas: Santa Fe Building