How to grow bigger than you thought you could

"Look here, Philip — didn’t I see a new wing on that Danbury plant of yours?"

“You did. And if you had spent less time ogling my charming new beauty consultant, you might have noticed I’m breaking ground for another. She’s married by the way.”

“Oh, I see. Tell me — how does this completely idiotic business of yours keep on growing?”

“HA! Idiotic, eh? Do I detect a note of ghoulish envy? No matter. WOR is one reason. The only reason as far as advertising is concerned. There wasn’t a hare’s chance to hounds of my ever making a go of it until I began offering samples on a 15-minute show over WOR.”

“Indeed?”

“Yes, my dear fellow. Indeed! Indeed! Indeed! I got a dealer-distributor reception about as warm as a December dawn when I tried to launch it in New York. But WOR took care of that. Sent customers asking, prodding, demanding. Set the town on end, actually. Complete distribution the first year; 100% sales increase the second, same the third year, and still going up.”

“Amazing.”

“Reticent as ever, aren’t you, Robert?”

★ The characters in this brief sketch are fictitious. But the results aren’t. They are excerpts from one of WOR’s 73 success stories — the greatest collection of success stories ever gathered by any station anywhere.

WOR
that power-full station
Some of These Facts You May Already Know

In Phoenix, Arizona, KOY, under the same ownership and with the same principles of service as WLS, Chicago, is doing a similar fine job in its own territory.

With 1000 watts on 550 kilocycles, KOY gives Arizona coverage where coverage counts most, without waste and at lowest cost. With choice CBS programs and its own alert, local program staff it furnishes a program schedule that makes it "First in Arizona" with listeners and advertisers.

Proof of this program leadership is its fine record of local service and special events "firsts": KOY last year was the only station to broadcast from the Arizona State Fair— assembled the largest crowd ever gathered in the state at the KOY Fourth of July celebration. As for proof of its leadership in results for advertisers: For a food account, KOY returned more evidence of sales per dollar spent than any other of the 20 stations used. For a coffee company, KOY was first in returns among nine stations carrying this same schedule.

And don't think of Phoenix—or Arizona—only for its scenic beauty or as a vacation paradise. Think of the wealth and buying power—from industry, mining, agriculture—and of its high per capita retail sales—third highest in the United States.

For detailed information on all this—on Phoenix and the Arizona Network: KOY in Phoenix; KTUC in Tucson and KSUN in Bisbee-Douglas—write KOY . . . or WLS . . . or ask any John Blair man.
NEW ENGLAND is too populous, too prosperous, too definitely key market in character to sell by remote control. The effective, efficient method of radio promotion is with the Colonial Network’s 19 hometown stations.

Because these nineteen stations are a vital part of the community, your advertising actually goes where your prospects live — they hear your messages over a station that has their friendly loyalty — they buy your products in their neighborhood stores.

For years this valuable, point-of-sale contact has been delivering results consistently at economical cost for foresighted advertisers. Are you getting your 1941 share of New England business?

Memo to:
P. LORILLARD CO.
All of us thank you for your continued sponsorship of our "Soldiers' Quiz" from Camp Edwards. We all will get behind Beechnut Cigarettes and score a hit.
LT.
The Colonial Network
Even with their darkest glasses, Nebraska's Federal-State Statisticians can't see anything but a 1941 crop record! These notoriously conservative gentlemen say:

"Nebraska is going to harvest the greatest crops in a decade!"

NOW, as never before, is the time to advertise on KFAB—if you want your easy-to-get share of a booming rural and small town income!
HERE THEY COME
WESTERN ELECTRIC 1 KW TRANSMITTERS

ERE T
I
EY COME
WESTERN ELECTRIC
1 KW TRANSMITTERS

Now you can get your 1 KW-FM transmitter in a hurry.

Ready and waiting is the Synchronized Frequency Modulation Western Electric 503A-1. It's engineered by Bell Telephone Laboratories for highest quality and noise-free transmission...with a mean carrier frequency stability of better than ±1000 cycles, thanks to the famous synchronizer.


OUTSTANDING FEATURES:
Linear modulation to ±100 kc without critical adjustments at any audio frequency between 30 and 15,000 c.p.s.
Negative feedback in modulated oscillator minimizes distortion over wide range.
Interuption of the automatic frequency control does not cause departure from assigned frequency, nor does it interfere with the continuity or quality of the program transmitted.
Complete isolation of carrier frequency control from modulation and program circuits.

Western Electric
ASK YOUR ENGINEER
ONE OF A SERIES PRESENTING THE MEN WHO MAKE FREE & PETERS SERVICE

As our New York partner, Pete Peters is (despite his lack of senility!) one of the oldest men in the entire business of American radio-station representation! And that's a significant fact—but no more significant, we think, than the age of our associations with the twenty-six leading radio stations we represent.

When you come right down to cases, much of the help any representative can give you agencies and advertisers depends upon how long he has served the stations he represents—how well he knows them, their markets, their people, and the way they operate.

And this sort of intimate knowledge cannot be acquired overnight.

F&P is proud that sixteen of our twenty-six stations have been with us six years or more—that we still represent the first five stations that signed up with us, back in 1932—WHO, WOC, WMBD, WGR, and WKBW. But we are still prouder that these virtually permanent partnerships have enabled us to bring greater values to hundreds of advertisers and agencies. And that's the way we shall continue to work, in this pioneer group of radio-station representatives.

EXCLUSIVE REPRESENTATIVES:

WGR - WKBW - BUFFALO
WCLY - CINCINNATI
WDAY - FARGO
WISH - INDIANAPOLIS
WAYE - KANSAS CITY
WTCN - LOUISVILLE
WMBD - MEMPHIS
WIS - PEORIA
KSD - ST. LOUIS
WFBF - SYRACUSE
WHO - DES MOINES
WOC - DAVENPORT
KMRA - SHENANDOAH
WCSR - CHARLESTON
WIS - COLUMBIA
WFTS - RALEIGH
WDBJ - ROANOKE

SOUTHEAST:

WMBD - PEORIA
KCI - ST. LOUIS
KMBC - KANSAS CITY
WGET - KANSAS CITY
WAVE - KANSAS CITY
WTCN - MEMPHIS
WMBD - MEMPHIS
KSD - ST. LOUIS
WFBF - SYRACUSE
WHO - DES MOINES
WOC - DAVENPORT
KMRA - SHENANDOAH
WCSR - CHARLESTON
WIS - COLUMBIA
WFTS - RALEIGH
WDBJ - ROANOKE

SOUTHWEST:

WOKA - FT. WORTH-DALLAS
KXIM - KALISPELL
KXOM - MANDAN
KMUA - MIDLAND
KTUL - TULSA

PACIFIC COAST:

KECA - LOS ANGELES
KOSN - KENTUCKY
KTRN - SEATTLE
KROW - OAKLAND
WGBY - PORTLAND
KHJ - RIVERSIDE
KUOM - SAN FRANCISCO
KIRO - SEATTLE
KIST - SIOUX FALLS
WJIP - TUCSON
WNCI - PORTLAND

FREE & PETERS, INC.
Pioneer Radio Station Representatives
Since May, 1932

CHICAGO: 125 N. Michigan

NEW YORK: 247 Park Ave.

PETROIT: New Center Bldg.

SAN FRANCISCO: 115 Sutter

LOS ANGELES: 80 S. Grand

ATLANTA: 112 Pohler Bldg.
No Immediate Change Seen From Crisis
But Long-Range Effect of Emergency Causes Concern;
Program Priorities for Military Branches Seen

By SOL TAISHOFF

DECLARATION by President Roosevelt last week of an "unlimited national emergency" should cause no alarm to the broadcasting industry, since there is little likelihood of any immediate effect upon the status quo of broadcasting.

That was the consensus of both official and industry observers in Washington, after they had analyzed the President's history-making address of last Tuesday. And the President himself, at his press conference the following day, said he had no knowledge of any contemplated change in broadcasting due to the war situation.

Industry spokesmen, however, did not conceal their concern over the long-range effect, in the light of imminent war. They regarded the new outlook, coupled with FCC monopoly onslaught, as intensifying an already seriously disturbed situation.

The Same Power

At first blush some broadcasters felt that the proclaiming of the "unlimited national emergency" would immediately open the way for invoking provisions of Section 506 (e) of the Communications Act, which gives the President broad discretionary powers. Under it, he may shut down or take over any and all stations, suspend or amend existing rules and regulations and, in fact, perform any act which in his judgment will conduce to the best interests of the Nation.

Actually, however, the President has held such powers since Sept. 8, 1939, when at the outbreak of the war, he declared a "limited national emergency". The law does not distinguish between a "limited" or "unlimited" emergency. Moreover, the President has made it abundantly clear he does not intend to invoke his summary powers without specific orders covering the specific field or operation.

With hearings on the White Resolution to frustrate the FCC's monopoly regulation (slated to become effective Aug. 3), scheduled to open June 2 before the Senate Interstate Commerce Committee, there was some thought that the declaration of the unlimited emergency might result in a compromise. In some quarters, it was felt both the FCC and Congress would be released to formulate some revision of the rules due to the war conditions. This, however, was founded only on speculation.

Program Priorities

From the outset of hostilities abroad two years ago, it has been repeatedly emphasized there is no disposition on the part of the Government to molest broadcasting. Emphasis has been placed upon the contribution of radio in informing and maintaining the nation's morale. There is still no intent by Government officials to interfere with normal operations of commercial broadcast stations, though the impact of war developments may result in adjustments from time to time.

Possibility of establishment of program priorities for the military branches is foreseen. As a matter of fact, this very problem was discussed by the NAB Executive Committee at a meeting in Washington last Wednesday night, and NAB stations in the area were asked to prepare at the request of the industry's preliminary case to the Senate Interstate Commerce Committee, beginning June 2.

While no immediate concern is felt over standard broadcast operations, the same attitude did not prevail in connection with international operations. For some months, dissatisfaction has been expressed in high official quarters over the service rendered by the international broadcast stations in this country, and it was thought that if any Federal intervention occurs in radio, it will be felt first in the international field.

Meanwhile, the Defense Communications Board, set up last year to coordinate all communications in war time, has been holding regular meetings to perfect its blueprints. Subcommittees, including one headed by NAB President Miller for domestic broadcasting, likewise have been preparing extensive data for the main Board, of which FCC Chairman James Lawrence Fly is head. If proclamations pertaining to any phase of communications are issued, they will be prepared by the DCB. A number of draft proclamations already are understood to have been completed, with the further development to govern ultimate action.

The FCC May 27 announced adoption of a new rule (Section 292 of the General Rules and Regulations) under the heading "National Defense—Emergency Authorizations". The rule reads: "The Federal Communications Commission can authorize the license of any radio station during a period of national emergency to operate its facilities upon such frequencies, with such power and points of communication, and in such manner beyond that specified in the station license as may be requested by the Army or Navy."

This was viewed as having a bearing on the Presidential proclamation declaring an unlimited emergency. In effect it means that stations, whatever their classification, can be shifted as to frequency, hours of operation, and power in conformity with the wishes of the armed forces. The rule, it was explained at the FCC, was designed to insure adequate communication facilities for the military services during the emergency.

Super-Power Possible

It was pointed out that it is possible the powers of some stations may be reduced and others increased, if the armed forces desire. In the past there has been some talk of restoration of "super power" of 500,000 watts for stations strategically located to be used as homing devices by aircraft or for greater audience coverage. There is no indication, however, of any present intention of such a move.

Similarly, there has been talk of

(Continued on page 16)
WITHDRAWING from the field of talent management, CBS, at its board meeting May 28, took steps to dispose of its talent subsidiaries, the Columbia Artists Bureau Inc., and the Columbia Concerts Corp. The Columbia Artists Bureau, Inc., and the Music Corp. of America for a reported $250,000 while the controlling stock in the concert agency will be purchased by its present management, headed by Arthur Judson.

Under the terms of the sale of the Artists Bureau, Herbert Rosenthal, executive vice-president, the executives and most of the personnel will continue to function in their present capacities under the new arrangement. The sale brings under the management of NBC the one of the largest arrays of radio talent in the field, including announcers, commentators, singers and lecturers. NBC Also May Sell

Details still to be ironed out are guarantees presented to CBS by AFRA to the effect that all contractual rights accorded to the artists under CBS management will continue under the transfer, and that the artists will have the opportunity to pass on the transfer of their contracts. Negotiations on these points were still under way between CBS and AFRA as Broadcasting went to press.

The eventual sale of the talent subsidiaries had been expected, but there is no doubt that the FCC monopoly report speeded the action. It is understood a similar action is under consideration by NBC as a pos- poste of its talent subsidiary, the NBC Artists Service.

In a statement issued by CBS, it was said that "some criticism has been expressed of Columbia, in buying from and selling to itself, in some instances might not be acting wholly in the interests of the artist. Although Columbia is certain that there never has been an instance in which such a criticism was justified, it nonetheless recognizes that these not familiar with all the circumstances of network broadcasting might be led to believe otherwise."

The full text of the CBS statement follows: "Columbia Broadcasting System announces its impending withdrawal from the field of talent management. Contracts are being drawn for the sale of Columbia Artists Bureau to the Music Corp. of America, and negotiations are under way for the disposition of Columbia's stock interest in the Columbia Concerts Corp. to the managers of that concern to own the balance of stock. Columbia Artists has managed popular talent and the Concerts Corp. talent in the classical field. Both sales are subject to ratification by CBS stockholders."

"The two management corporations were originally formed in the early days of network broadcasting to assure CBS an adequate supply of talent. Columbia finds that its management of artists is no longer necessary for that purpose because artists of all kinds are now readily available to it and all other broadcasters. Some criticism has been expressed that Columbia, in buying from and selling to itself, in some instances might not be acting wholly in the interests of the artist."

"Although Columbia is certain there never has been an instance in which such a criticism was justified, it nonetheless recognizes that these not familiar with all the circumstances of network broadcasting might be led to believe otherwise."

"It is understood that the present executives of Columbia Artists Inc., of which Herbert Rosenthal is executive vice-president, will continue their functions under the new ownership. Those negotiating for complete ownership of Columbia Concerts Corp. are the present active managers, under the leadership of Arthur Judson. Columbia feels confident that the artists represented by the two management groups will continue to receive continuous and efficient service and attention to their interests as they were received from the same personnel under Columbia ownership."

Tidone Campaign

IODINE EDUCATIONAL BUREAU Inc., New York (animal feeding), has appointed Simonds & Simonds, Chicago, to handle a special advertising campaign to start July 1. Radio will be used. Lee Hammett is account executive.

Newscaster in Army

JIMMY STEVENSON, newscaster of WJR, Detroit, was summoned for Army duty late in May and will report June 2 for a four-week period of training at general headquarters of the Sixth Corps Area in Chicago. Stevenson has a major's commission in the judge-advocate department. Prior to his entry in radio Stevenson was a graduate of law in 1922 and was at one time assistant prosecutor at Detroit. During his absence, Ted Grace will fill in on the news program.

ASCAP Is Silent On Court Decision

Negotiations With NBC for New Contract Continuing

OTHER ASCAP news, pages 8, 12, 15, 40.

ALTHOUGH the ASCAP board of directors met in all-day sessions both May 27 and 28, following the decision of the Supreme Court upholding the validity of the Florida and Nebraska anti-ASCAP laws, the Society had made no official statement on the decision as Broad- casting went to press.

John Paine, ASCAP general manager, stated that "while the society is naturally disappointed at the outcome of the litigation, we feel that the result will prove much harder on the commercial users of music in those states than on the society." He pointed out that the Florida law, for instance, prohibits any copyright owners from making a deal with commercial users of music, and that it will be necessary for such users to go to the individual owners, involving much red tape and trouble.

The Supreme Court decision has not affected ASCAP's negotiations with NBC, according to the network, which stated that the discussions on the return of ASCAP music to NBC were continuing amicably. At CBS, however, it was stated that the meetings with ASCAP are temporarily halted until the implications of the decision are fully studied by the CBS legal department. "If the licensing methods are changed by this decision," CBS said, "We want to know more about it before continuing discussions with ASCAP.""

Both BMI and SESAC reported they did not think the decision would seriously affect their operations in the States of Florida and Nebraska, but neither organization made official statements on the matter pending further study of the text of the whole decision. A spokesman at BMI stated that the "cleri- cal problems involved" would probably be very troublesome, but that he thought BMI was so constructed that it could adjust itself to the restrictions of the statutes. BMI plans to notify its affiliated publishers and stations as soon as possible that such "adjustments" can be made because it was "organized originally to avoid such monopolistic tendencies as price fixing."

SESAC also reported that the decision would not affect their operations in those states because operations had been cleared previously and SESAC had done business in both Florida and Nebraska for the past five years with contracts which complied in the majority of cases with those of states statutes.

C-P-C Promotes Klek

COLGATE - PALMOLIVE - FEET Co., Jersey City, on June 30 will start advertising Klek instead of Palminol. "Keep Joy" was heard daily on NBC-Red at 10:15 a.m. and CBS at 4:30-4:45 p.m. Commercials for children's programs "Funtastic World" and "The News" on June 1 in the inter- est of Palmolive soap on 90 CBS stations, seven days a week 8:30-8:59 p.m. Agency for Klek is Ted Bates Inc., New York, and for Palmolive soap, Ward Wheelock Co., Philadelphia.

Farwell to Toscanini

MEMBERS of the NBC Symphony Orchestra on May 28 gave a farewell reception to Arturo Toscanini at the Essex House, New York, on the eve of his departure for Buenos Aires to conduct the NBC Symphony Orchestra in a series of six concerts.

Page 8 • June 2, 1941

BROADCASTING • Broadcast Advertising
Service to Democracy Theme of AFA

Blackett Suggests Use Of Quiz Programs For Education

By BRUCE ROBERTSON

CITING Advertising as a “vital instrument in a free economy, keeping open the flow of products and ideas,” Paul Blackett, vice-president and director of public relations, General Motors Corp., and chairman of the board of the Advertising Federation of America, declared the keynote of the 37th annual AFA convention, held at the Hotel Statler, Boston, May 28-29 with the theme, “Advertising—Its Service to Democracy Today”.

In his address at the Monday luncheon, which was the opening general session of the gathering, he showed how “freedom of choice in the marketplace induces that competition which is a source of progress and a protection of the customer’s pocketbook and continuing welfare.”

“Unparalleled freedom of choice in the marketplace is what our freedom of the right to advertise inescapably supports... freedom of choice in the marketplace itself a symbol of those other freedoms of choice which are the essence of our democracy. Did you ever stop to consider how one of these great freedoms grows in a sense from freedom to advertise? I mean freedom of the press and, if you please, freedom of the radio. It is their independence, as well as political—which keeps the press and the air free.”

Quiz and Defense

In the town meeting discussion of the convention theme which followed Mr. Garrett’s address, Hill Blackett, vice-president of Blackett-Sample-Hummert, suggested that the popularity of quiz shows might easily be turned to good advantage in our emergency programs. Stating that advertising can render a dual service in preparing the people of our country mentally and physically for what is to come, he declared:

“First, it is plainly apparent the nation as a whole is not at all prepared for the tax burden that lies ahead of us; many of us are not even aware of it, but they seem to feel that somehow or other someone else will pay the bill.

“Second, as you all know, the quiz radio programs are very popular in this country today. They set millions of people to thinking, so instead of asking questions such as ‘How many eggs? People the hens of the U.S. lay per annum? they could very well start the public mind thinking about the burden that lies ahead of us by asking such questions as ‘How many people are there in the United States? How many television sets are there in America? How many different sorts of taxes are there on a pair of working man’s overalls?’

Problems of Radio Advertising Probed at NAB-AFA Meeting

Rubicon Sounds Optimistic Note for the Future; Neff Urges Raising of Listening Level

PRACTICAL problems facing radio advertisers and the medium itself were taken up last Wednesday at a session of the Advertising Federation of America convention held under auspices of the NAB Department of Broadcast Advertising. Robert S. Peare, publicity director of General Electric Co. and manager of broadcasting of WGY, Schenectady, presided at the session with some 50 persons attending.

Russell P. Place, NAB counsel, analyzed the effect of the recently promulgated FCC regulations of network broadcasting on both the broadcaster and the user of advertising by radio.

Describing the regulations as a “bomb-shell” bursting upon broadcasters and public alike, although the public is “not yet fully aware of its impact,” Mr. Place said that while everyone in radio knew that the FCC report on chain broadcasting was coming, “they did not know that it was to be accompanied by regulations to implement the report, to take effect within 90 days, without hearing or argument or even informal discussion. The promulgation of the regulations is what rocked the broadcasting industry. The only balm was a vigorous dissent by two of the commissioners."

He reviewed the growth of radio, with “competition for the advertiser’s dollar and the attention of the listening public. Competition among advertising agencies, among stations, among networks for account of individual stations, and among programs for listener attention,” which he said, has resulted in providing the public with “the best programs of radio that the world has ever known.”

The new regulations, he declared, “are supposed to inject competition into the field of network broadcasting, but they operate on every single station in the country, and, if enforced, would in the opinion of an overwhelming majority of the industry, completely wreck the American industry of Broadcasting as we have known it.”

Walter J. Neff, president of Neff-Rogow Inc., New York, opened the meeting with a talk on “increasing the tune-in.” Outlining the problem of an “increasingly difficult audience in a state of flux, increasing or falling off from period to period, he said that it is the responsibility of the radio stations to raise the listening level generally and cited three specific ways in which this can be done.

First, he stated, stations in a city should get together on programming, so that a varied fare is offered the public at all times, giving each listener a chance to pick a program at least one program to his liking at every hour throughout the day. Second, there should be more inter-

(Continued on page 44)

ACCLAIMED as advertising’s “woman of the year” at the national convention of the Advertising Federation of America at Boston May 26, Beatrice Adams, of the copy department of Gardner Adv. Co., St. Louis, received the Josephine Snapp silver trophy of the Chicago Woman's Advertising Club, for her newspaper, magazine and radio copy for three Gardner- advertised products, Ky-Krip, product of the Ralston Purina Co.; I-radiated Pet Milk; and Stokey’s fruits and vegetables.

BROADCASTING • Broadcast Advertising

June 2, 1941 • Page 9
Any Person’ May File Petition
Now for Changes in FCC Rules

Only ‘Applicants’ Could File Under Former Plan: Aimed at WHDH Case but May Affect Net Rules

WHAT MAY halt immediate legal attack upon its monopoly regulations? The day may be near when the FCC’s adopted amendments to its rules of practice and procedure to permit “any person” to petition it for an amendment can be used.

Herebefore the rules have provided that only “an applicant” may petition in such fashion.

While it is understood that the changes were adopted because of the situation encountered in the clear-channel breakdown case involving grant of fulltime to WHDH, Boston, on the 850 kc. channel occupied by KOA, Denver, it nevertheless was felt by Washington attorneys that the changes would have an effect upon the monopoly regulations procedure.

Network Position

In the WHDH-KOA case, both NBC and the Clear Channel Group were denied the right to intervene in the original proceedings, on the ground they were not applicants as described in the rules now amended.

Networks, as such, are not licensees or applicants and herefore have been precluded from filing petitions as network entities. It is therefore assumed that amendment of the rules may open way for the networks to petition for hearing.

In some quarters, it was thought the new procedure establishes an administrative remedy for the networks which in a further delay in procuring a court test of the validity of the regulations. As far as known, however, this phase was not considered by the Commission in amending the rules, its attention being directed primarily to the situation encountered in the WHDH case.

It is a recognized principle of jurisprudence, according to attorneys, that administrative remedies must be exhausted before court jurisdiction can be procured in ordinary cases. The revised regulations and the accompanying announcement do not provide that the FCC will set a hearing in advance of the effective date of any new regulations. The monopoly regulations become effective Aug. 3.

Attorneys for the major networks are known to be preparing briefs to file with the Federal courts. However, this procedure presumably will not be undertaken unless it becomes desirable after Senate Interstate Commerce Committee consideration of the White Plan, beginning June 2, which, under its present manifestation, provides for a postponement of the effective date of the far-reaching rules.

Simultaneously the FCC formally announced (BROADCASTING, May 28) that pursuant to its new new regulations it has adopted a supplemental form (FCC Form No. 335) in which all applicants for broadcast facilities are required to file network affiliation, if any. Licenses are required by Section 43.1 of the rules and regulations to keep the Commission informed of contracts and arrangements, including changes, covering chain affiliations, the release stated.

The Commission added that “to fulfill the assurance given in the Commission report on chain broadcast-casting,” the rules of practice and procedure have been amended “to provide a hearing in cases where the significant time must enter or retain a contract not in conformity with the chain broadcasting rules.”

The new form inquires of the applicant whether it has any "contract arrangement or understanding, express or implied, with a network organization for the broadcasting of chain programs.”

Then the applicant is asked, in the event the application supplemented by the new form is granted, whether it proposes to broadcast network programs. If the station chooses to enter into its obligation to broadcasting network programs or enters into any arrangement or any change in arrangement with a network, the form specifies, a new supplemental form must be filed as an additional supplement to the application.

The final question reads: “If network programs are to be broadc ast, state arrangements under which they are to be obtained and attach copies of any contractual arrangement which may have been made and state on an oral understanding, a written statement of the arrangement should be submitted.”

On advice of counsel, it is known that many network affiliates already have served notice on their networks that they must supply the FCC with information on re vision of affiliation contracts, pursuant to the new monopoly regulations. Renewals must be filed by many stations 60 days in advance, or early in June.

Text of New Rules

The amended rules and regulations, broadening the scope of the former rules, are pertinent for amendment to allow entities who are neither applicants nor licensees to file petitions, follow:

The Commission en banc today announced amendment to its Procedure by striking the third proviso of Section 1.71 thereof, reading as follows:

"Provided, further, that in cases where an applicant desires a modification of a rule or regulation, he shall submit a formal petition setting forth the desired change and the reasons in support thereof.

"(a) Applications for amendment of any rule or regulation. Such petition shall show the desired change in the rules and regulations and set forth the reasons in support thereof.

"(b) If an applicant is requested by the Commission to file any documents or information not included in the prescribed application form, a failure to comply with such request will constitute a defect in the application.

"(c) Applications which are not in accordance with the Commission’s rules, regulations or other requirement are not considered for amendment unless accompanied either (1) by a petition in accordance with Section 1.71 of the Rules and Procedure as amended, or (2) by a request of the applicant for filing of, or an exception to, any rule, regulation or requirement with which the application is in conflict. Such request shall show the nature of the waiver or exception desired and the reasons in support thereof.

"(d) Defective applications will not be considered by the Commission.

NO RECORD of the late-lamented radio stations in Lincoln was complete without a picture of these tired yodelers from Tulsa, who sing on the slightest provocation, or no provocation at all. Tagged the KVQO Quartette, they wailed the famous daytime song (BROADCASTING, May 5) composed by Willard T. Egolf, commercial manager of KVQO.

Yeas' Campaign

NORTHWESTERN YEAST Co., Chicago (Macys post) is launching starts a 13-week summer campaign of threeweekly-quarter-hour transcribed musical programs on 30 stations and daily one-minute announcements on two stations. Programs are titled Songs of a Yeastman, and feature George Baker, vocalist, and Larry Larson, organist. Stations selected for the programs are KFOR-WLW, WCCO, WFAA-WSYR, WMBD, WDAF, KFAB, WNAS KLZ WQW WIBA KWTG KRCB HFDA and KFYO. KlKKL KPTL KGKL KABC KTLM KCMC WACO KVWC. KMA and WDBZ will carry the announcements. Nick MacFarland & Co., Chicago.

"Provided, further, that in cases where an applicant desires a modification of a rule or regulation, he shall submit a formal petition setting forth the desired change and the reasons in support thereof.

"(a) Applications for amendment of any rule or regulation. Such petition shall show the desired change in the rules and regulations and set forth the reasons in support thereof.

"(b) If an applicant is requested by the Commission to file any documents or information not included in the prescribed application form, a failure to comply with such request will constitute a defect in the application.

"(c) Applications which are not in accordance with the Commission’s rules, regulations or other requirement are not considered for amendment unless accompanied either (1) by a petition in accordance with Section 1.71 of the Rules and Procedure as amended, or (2) by a request of the applicant for filing of, or an exception to, any rule, regulation or requirement with which the application is in conflict. Such request shall show the nature of the waiver or exception desired and the reasons in support thereof.

"(d) Defective applications will not be considered by the Commission.

FCC Funds Asked For Foreign Check

President Proposes $674,414 For Monitoring Activities

TO CARRY ON operation of the newlyorganized Foreign Broadcast Monitoring Service during fiscal year 1943, President Roosevelt last Monday transmitted to the House a supplemental appropriation estimate for the FCC of $674,414.

The appropriation, which would be in addition to the $349,729 already provided for 1942 activities of the FCC, has been referred to the House Appropriations Committee. Speedy action is expected, although hearings had not been scheduled as BROADCASTING went to press.

The foreign service, whose function is to monitor, record and translate propaganda broadcasts originating in foreign countries and reaching the United States, will be operating about April 1 after President Roosevelt in February had granted the FCC $150,000 from Presidential emergency funds to start the project.
Oklahoma farmers listen to WKY 3 to 1 over all three other Oklahoma City stations combined!

This was disclosed by a state-wide poll of Oklahoma farmers. Asked the question, “To what Oklahoma radio stations do you listen most?”, farmers in 73 of the state’s 77 counties gave to WKY almost as many votes as to all other 13 stations in the state together. And WKY was better than a 2-to-1 favorite over the station which ran second.

The decisive preference which listeners, both rural and urban, show toward WKY is the cumulative total of years of carefully balanced programming, alert community service, and energetic showmanagement.

To reach the greatest audience of farmers, city folk, or both with your selling story in Oklahoma, put your program on WKY, Oklahoma’s decisively dominant station in every respect.

Complete details available on request.
Supreme Court Upholds State ASCAP Laws

Society Is Adjudged a Price-Fixing Monopoly in Ruling; Must Change Whole Setup in States With Such Laws

ADJUDGING ASCAP a "price-fixing" monopoly, the U. S. Supreme Court, in a unanimous opinion last Monday, upheld the rights of States to enact anti-monopoly laws directed against efforts of groups such as ASCAP to effect "unlawful combinations" for collection of royalties.

The opinions came in the so-called Florida and Nebraska cases and dealt a body-blow to efforts of ASCAP to maintain its present method of operation. Delivered by Associate Justice Hugo Black, the opinions go far beyond the consent decree entered into by ASCAP with the Department of Justice last March.

They will have no direct bearing, however, upon the operations of Broadcast Advertisers Society of America, or any other organization of ASCAP, since it does not function as a collection agency for copyright owners but has acquired permission to collect under the operation of the consent decree.

There'll Be Some Changes

The effect of the opinions is to put ASCAP out of business as at present constituted, in such States as Florida, Nebraska and Washington, which have virtually identical anti-monopoly laws. ASCAP, however, can conform to the anti-monopoly laws in these States by radically revising its method of operation and by eliminating the price-fixing element.

According to attorneys involved in the protracted litigation, ASCAP probably could continue to do business in those States by acting merely as a sales agency for its publisher and composer members, at prices established by the individual copyright owners. The blanket license method, however, is ruled out where it involves a price-fixing element.

The highest tribunal’s ruling opens the way for other State Legislatures to set up similar anti-monopoly statutes. The court did not discuss the impact of its opinion on any of the other cases from the Florida and Nebraska courts, which were under attack, limiting its judgment to the question of restraint of trade.

The magnitude of the reorganization of ASCAP which will be entailed to conform with the state laws has not yet been fully outlined. Under the consent decree, to avoid criminal action if it does business in the State, it must, among other things:

1. File complete information with the controller of the State on copyright ownership, transfer, royalty rates and charges fixed;
2. If two or more copyright owners combine, they must file per-piece prices;
3. A charge cannot be made for programs using non-ASCAP music, in spite of the economics of blanket licenses, if a per-piece basis also is offered.

Likelihood that the sweeping decisions will have a bearing on current negotiations between the networks and ASCAP for new performance contracts was immediately indicated in New York.

NBC reported that its negotiations still were in progress, but CBS said its meetings with ASCAP "are being temporarily suspended until the full implications of the Supreme Court decision are studied by the CBS legal department."

"Discussions cannot be resumed," said the network, "until both groups know to what extent the method of licensing is changed by the decision."

Only Associate Justice Frank Murphy, who was Attorney General at the time the litigation was initiated, did not participate in the court’s unanimous decision. The ruling terminates a seven-year fight, which began when the State of Montana adopted the first of a series of anti-monopoly statutes designed to curb ASCAP’s allegedly improper activities. The Montana statute since has been ruled invalid by the Supreme Court of Florida, Nebraska and Washington, which have somewhat similar laws, are Kansas and North Dakota.

A Victory for Bennett

The Supreme Court’s judgment is viewed as a 100% victory for Andrew W. Bennett, Washington attorney and former Assistant Attorney General in charge of copyright litigation. He was retained as special counsel of the NAB on copyright litigation at the time the Florida and Nebraska litigation was instituted, and assisted in the preparation and argument of the cases.

The Florida cases, on which the main opinion was based, were argued before the Supreme Court April 29-30 immediately following the ASCAP-Montana case. Lucien Boggs, of Jacksonvile, and Tyrus Norwood, Assistant Attorney General of Florida, divided the argument. William J. Hotz, Omaha attorney, argued for Nebraska. In both cases Mr. Bennett was of counsel.

THE OLD CHISEL REVived

Cisler Says Movies Are Trying to Slip in Plugs With Revival of ASCAP on MBS

CHARGING that motion picture companies already have started "the old chisel" for free radio time with the return of ASCAP music to MBS, S. A. Cisler, president and general manager of MBS, Inc., (WGRC, May 24) sounded a warning to other stations in a memorandum to MBS attorney, Fred Weber, MBS general manager.

Mr. Cisler, whose station is an MBS affiliate which has not approved the MBS-ASCAP deal, indicated that he not only had refused one "chisel" proposition from Metro-Goldwyn-Mayer, but also had "instructed our program department that this was Hollywood chatter, and to have the control man pull the switch on any network announcer who seems about to put in a plug for a movie or show."

"I am alarmed at the rising tide of chiseling by the movie boys in connection with Mutual’s return of ASCAP music," Mr. Cisler said. "Mr. Cisler, understanding that the new MBS agreement did not require the announcement of movie titles with the playing of ASCAP tunes. The Adventures in Rhythm show on May 21 specifically mentioned "The Chisel,"" he wrote. "This letter is to inform the forthcoming M-G-M picture . . . blank."

"I urge our publishers, radio, the Broadway Alliance of newspapermen, and magazines and buy radio."

The court’s 11-page opinion came in the two cases involving the Florida anti-monopoly statute. The second opinion, in the Nebraska case, also by Justice Black, covered only two pages and was decided in the same vein.

The first Florida case was that of the Attorney General of the State against ASCAP, and the cross-bill was filed by ASCAP against the Attorney General and the State. In the Nebraska litigation, the Secretary of State sued ASCAP for an appeal from the decision of the District Court of the United States in that State. The Florida appeals were from decisions of the District Court in the Northern District of Florida.

Justice Black described ASCAP as "a combination which controls the performance rights of a major part of the available supply of copyrighted music." In the Florida cases, he pointed out that the three-judge court, without passing at all upon the validity of 13 out of 29 sections of the 1937 anti-monopoly law, decided that the remaining eight sections deprived copyright owners of rights granted them by the Federal copyright laws, and that therefore the statute "must fall in its entirety."

Lower Court’s Ruling

The lower court, according to Justice Black, did this upholding the premise that the sections were invalid and the other parts of the bill were intended by the Florida Legislature to form a "harmonious whole" and to "stand or fall together."

The ultimate questions involved, said the opinion, "that we must first determine whether this act of the legislature is "reasonable." We hold that it was not . . . ."

Then the opinion recited that the court below was in error because there can be no doubt that Section 11 and other sections of the Florida statute which the court failed to pass "are complete in themselves; they are not only consistent with the statute’s purpose, but are in reality the very heart of the act, comprising a distinct legislative plan for the suppression of combinations declared to be unlawful." This section, said the opinion, was "an abridgment of lawful combinations and is complete in itself and capable of standing alone.

Reference to the ASCAP consent decree was made by the court in pointing out that in consideration of the Florida case, much confusion had been brought about by discussing the statutes as though the power of a State to prohibit or regulate monopolistic restraint of trade was identical with and went no further than the power exercised by Congress in the Sherman Act.

(Continued on page 32)
Detroiter are Marching—
to the sales counter

Let WWJ, the most
listened-to radio station
in the Detroit market,
help you influence the
buying parade toward
your product.

WWJ
National Representatives
George P. Hollingbery Company
New York - Chicago - Atlanta
San Francisco - Los Angeles

Member NBC
Basic Red Network

America's Pioneer
Broadcasting Station
Britain Fights the Enemy With Radio

Secret System Prevents Enemy Using Waves As Air Beams

The importance of radio in modern warfare—as an integral part of all modern military campaigns and a potent fighting force in an aerial war of words abroad—has never been as fully realized as it is today in wartime England. Whatever the fortunes of the British in Syria, in the Mediterranean, the Near East, or closer home over the English Channel, British radio is standing its manhood to cope with blitz conditions, is constantly expanding its activities as the war continues, according to William M. Newton, former news editor and BBC program official recently arrived in this country from London and assigned to the BBC's New York staff.

A Basic Change

"War has meant a fundamental change in the whole system of broadcasting in England," Mr. Newton said. "The problem of British radio technicians, threatened constantly by Nazi bombers setting out to attack the British Isles from bases less than an hour distant, has been to decentralize completely the broadcasting system.

"All over the country, at the outbreak of war, BBC engineers opened their sealed orders and in a matter of minutes the technical resources of the regional transmission plants were at work and the British broadcasting was placed on a war footing."

"With this pooling," Mr. Newton explained, "the transmitters knocked out by a bomb, the area is immediately serviced by another transmitter which may be a considerable distance away, and the program continues to be heard in the bombed area without interruption."

A number of powerful transmitters have been built since the outbreak of war in closely-guarded secret locations throughout England.

Another problem which faced the engineers was reorganization of the transmission system so that air channels could not be used by enemy aircraft to steer their way to target areas. Fortunately this was accomplished is confidential military information, but it is known that, contained in the sealed orders, which went out to BBC engineers on the eve of the declaration of war, were instructions for transmission changeover whereby enemy planes would be confounded rather than be used.

"This change was so efficiently planned," Mr. Newton said, "that it was effected in about an hour-and-a-half." For listeners in England, it meant that a new service is a single home service program, broadcast on two medium wavelengths, instead of a number of alternative services from London and from the scattered studios and transmitters of the various regions which constituted the BBC peace time set-up.

The present method of operation has admittedly made reception difficult at times, especially during a heavy air raid. But the English listener can always tune in on the BBC shortwave, the transmission of which has not been changed but strengthened.

BBC Often Bombed

"Although Broadcasting House in London has been repeatedly bombed," Mr. Newton said, "the white-walled building off Oxford Circus remains the symbol if not the actual operative center of British broadcasting.

"It has been necessary to protect vulnerable transmitters at the source while instituting the system for broadcasting to home listeners and to men under arms; to provide underground studios from which engineers, producers, and others could carry on even while time bombs and land mines are exploding overhead.

Accommodations had to be found for a staff that has increased 50% since the outbreak of the war, with ancient country houses peacefully invaded by actors, producers, programmers, and small towns far from London filled to overflowing.

"Pick-ups originate from points all over England as well as from Broadcasting House, and there are now two services—one for the home and one for the armed forces. At Broadcasting House, spotters stand duty on the roof overlooking Oxford Circus, ready at the approach of enemy aircraft to pull a lever and thus flash the tiny blue light which serves to warn stations far beneath the sand bagged walls. Yet even while installing beds alongside microphones and first aid stations beside engineer's control board, British broadcasters from their cramped sub-basement studios have succeeded in vastly extending the radio front."

"When the war was declared," Mr. Newton continued, "Britain was speaking to overseas listeners in nine different languages; the present number is 32, involving, beside many other considerations, the question of finding aerial elbow room for this vociferous and growing microphone league of nations. Broadcasting hours, estimated on the number of transmitters, have risen to 85 a day," Mr. Newton said.

Overseas Personnel

Thirty-one of these hourly periods represent broadcasts in English, notably news announcements and commentaries. For 24 hours a day, news bulletins and other programs are directed to France, Holland and "to territories which British bombers may be then visiting in Italy and the Reich." Special programs are also broadcast to Scandinavia, Spain, Portugal, the Near East, Turkey, Syria and Iraq.

Two hours daily are devoted to Hindustani, Afrikans, Burmese and Maltese, and such unlikely Mediterranean tongues as Cypriot are not neglected. Broadcasts to Germany were recently increased "in the hope that in the strange case of Rudolph Hess." The presence in Great Britain of complete units of the Canadian Broadcasting Corp., working side by side with representatives of South African, New Zealand, Australian and Indian broadcasting organizations emphasizes the scope of British broadcasting services.

According to BBC officials, British wavelengths have not been subject to any considerable Axis jamming. However, to insure reception of short wave programs, BBC transmits a foreign program simultaneously on several frequencies so that if the foreign listener tunes in a jammed wavelength, he can find that same program at a number of other points on the dial.

World-Wide Front

How Britain is fighting Axis jamming was described in detail in a recent report by Sir Noel Ash in a BBC controller of engineering [BROADCASTING, April 28]. The British are at present using 26 short wave frequencies for the transmission of their foreign programs.

"Rather than engaging in the negative form of radio warfare such as counter-jamming," Mr. Newton explained, "the problem from the British point of view has been to create a world-wide ether front, maintaining contact with the people of enemy countries behind the lines; with listeners in the occupied territories; with millions of neutrals, and with the men and women of the British commonwealth in all parts of the world. At the same time it has been sought to furnish entertainment programs demanded by men under arms and no less by nerve-strained listeners at home."

"Not only has the transmission system of British broadcasting been reorganized and the short wave service greatly augmented, but to national defense engineering and experimenting," "British radio," Mr. Newton concluded "can truly be considered her 'fourth armament.'"
Canadian ASCAP Loses Plea For Increased Copyright Fee

Rate Remains at 8 Cents, With An Extra Cent to Be Charged for the Use of BMI’s Repertoire

By JAMES MONTAGNE

Canadian broadcasters, after waiting since the end of February, have learned that in 1941 they will continue to pay the same 8-cent-per-receiving-set fee to the Canadian Performing Rights Society (Canadian ASCAP) as last year, and an additional 1 cent to BMI Canada Ltd.

This is the decision of the Canadian Copyright Appeal Board, contained in a report of the board to the Canadian Secretary of State, dated May 12. The board reports this decision is applicable this year only, and that before it can set fees for the 1942 term next December, it will be necessary to make an independent survey of the amount of CPRS and BMI music used on Canadian stations. It asks an appropriation of $5,000. The board also recommends revisions in the Canadian Copyright Act should be made.

Board Plans Survey

While Canadian broadcasters had hoped to obtain a rate of 5 cents for CPRS and 5 cents for Canadian BMI, they are not heartbroken about the board’s decision in view of the fact that the board plans to make its own survey this year of the percentage of music used from each copyright organization. The additional Canadian BMI fee means about $12,000 divided among the broadcasters this year for which they have the use of both catalogues. About 40% will be paid by the Canadian Broadcasting Corp. and 60% will be paid by the 74 privately-owned broadcasting stations in the larger cities paying the bulk of the 60%.

The entrance of Canadian BMI into the picture this year complicates the board’s decision, the report to the Secretary of State explains. “There has been no rupture of relations between CPRS and the members of the Assn. of Canadian Broadcasters,” the board says, “but the latter now broadcast considerate of Canadian BMI music; in respect of the quantum of revenue derived from the repertoire of ASCAP and Canadian BMI and used by CPRS, the board was furnished certain figures, but they were more or less put on question and no useful purpose would be served for the present by referring to them. If a reliable estimate of the music time of Canadian broadcast stations, occupied by music of CPRS and Canadian BMI respectively, should be required in the future in determining tariff loss to be collected by those two companies, the same should be ascertained by the board alone, and the board should also determine the time and place of procuring that information.”

In arriving at its rate decision for 1941 the board stated in its report that “Canadian broadcasters appear to desire the privilege of drawing from the musical reservoirs of CPRS and Canadian BMI, and that being the case the board must pay for the use of both, at the rates to be indicated for the present year at least, in the hope that a year’s experience may reveal some better method for dealing with the situation developed by the appearance of Canadian BMI on the scene.

Payment to BMI

“For the right of drawing from the reservoir of CPRS music, Canadian broadcasters have in the past paid a sum equal to 8 cents for each licensed receiving set in Canada, and as that right appears to be desired and is available to them for 1941 as in preceding years, it would therefore seem a good hardship, or inequitable, that they should pay the same fee for 1941 and that fee we do not propose to increase.” (CPRS had asked for an increase to 14 cents per thousand set).

“Canadian broadcasters also desire the right of drawing from the musical reservoir of Canadian BMI. The latter in its filed statement proposed to collect a sum equal to 1 cent for each licensed radio receiving set in Canada, and no very impressive reason was given to the board for raising that proposal to fee to 4 cents, as was subsequently proposed in its amended statement.”

Canadian broadcasters also discussed with CPRS a charge for performance of individual works, but the board found that “the charge for performance of individual works proposed by CPRS would be excessive,” nor did the board feel it had authority to approve forms of contract since its duty is to approve a tariff of fees. It noted that “new rates were under the copyright appeal board” and that “settled and binding new rates” were “not released.” Canadian broadcasters have been paying CPRS on a monthly basis since January 1941 on the 1940 schedule, and adjustments will now have to be made and payments started to the board as of the opinion rendered Jan. 1, 1941. In 1940 Canadian broadcasters paid CPRS $97,819,10.

TRULY A WHOPPER was the 255-pound marlin landed at Guaymas, Mexican west coast resort, by J. Edwin (Brick) Miller (right), assistant commercial manager of KTAR, Phoenix, Ariz. It was the season’s record. With him in the fishing party is Richard Simis. They caught four big marlins.

Four Cases Halted By Newspaper Issue

PURSUANT to its “crackdown” Order No. 70 the FCC May 27 placed four more applications in its pending files preparatory to determination of the newspaper-ownership issue.

The deal whereby the Grand Island (Neb.) Independent, one of a group of newspapers owned by Oscar Stauffer, was to have acquired KMMM, Grand Island, was placed in the files. The firm would buy from a corporation consisting of Don Searle, manager of KOIL, Omaha, and KFAB-KFOR, Lincoln, who owns 40% of the stock, with 20% each held by Herbert Hollister, president and co-owner of KANS, Wichita, with Mr. Searle, as well as Harry Searle Jr. and Helen Searle Blanchard.

Florida Case

The action also temporarily halted the sale of WFTL, Fort Lauderdale, Fla., by Tom M. Bryan to Ralph H. Horton, vice-president and stockholder in the Fort Lauderdale Times.

The other two applications affected by the order are those of the Courier-Journal & Louisville Times Co., publisher of newspapers of the same names in Louisville, Ky., and WOKO Inc., 25% owned by the Albany (N.Y.) Knickerbocker Press-Assay Evening News, both applicants for commercial FM facilities.

Strike Concluded At Columbia Plant

Negotiating Group’s Proposal Found to Be Acceptable

STRIKING United Electrical, Radio & Machine Workers, Local 1421, of Columbia Recording Corp. Horace and Thomas May 25 to May 26, thus bringing to a close the seven-week-old strike. Conference held between company and union officials on May 23 resulted in employees’ unanimous acceptance of the terms agreed to by negotiating committee, which, headed by Robert Kennedy, union committee chairman, called a settlement of wage increase and seniority problems. Contract, as it now stands, covers one year.

CRC boosted its originally proposed 1.7 cents increase per hour to varying amounts from 2 to 15 cents, setting current minimum hourly rate at 65 cents. However, way was left open for granting of individual wage adjustments. “X-facto rers” claims are based on a press of rising living costs. In addition, six paid holidays were granted and a vacation pay, according to William B. El con, international representative of the union.

Arbitration Plan

Principle of plant-wide, rather than departmental seniority, which proved to be outstanding stumbling block in negotiations between transcription firm and union, was maintained. Also seniority of drafted employees was guaranteed through stipulation of continued employment of former company standing upon their return from military service.

At the same time arrangements were made for speedy and satisfactory settlement of any future differences between CRC and employees by discarding the no-strike clause, insisted upon by the company during negotiating period, and instigating instead special arbitration. The new grievance procedure arbitration can be entered into if only one party so wishes. Hereafter, both sides will be in agreement on settlement by arbitration. Decision must be handed down from arbitrator within nine days, after which it is final and binding to all parties.

Word was received of a simultaneous wage increase for workers in the CRC Bridgeport, Conn., plant.

Commenting on what the union has accomplished, Mr. Elconin said: “We now believe that this contract is a step in the right direction for amicable relations between workers and CRC, and that the grievance procedure will adequately meet the problems of labor relations. We further feel that the company is much more aware of the problems of the employees, particularly those created by a rapidly rising cost of living.”

Par Beverage Test

PAR BEVERAGE Corp., New York, is testing five-minute daily newscasts on WSBY, Waterbury, and WGNY, Newburgh. More stations are to be added, according to the agency, Erwin, Wasey & Co., New York.

INSTALLATION of a $840,000 candlepower “true light” aviation beacon atop WOXAO, Don Lee Hollywood television tower was announced May 23. Said to be the most powerful beam of its kind in Southern California, the searchlight, focusing 10 miles, has a range of 20 miles. Thomas B. Lee, station owner, erected the beacon at his own expense.

June 2, 1941 • Page 15
FCC Places Net Sales at $154,823,786

Increase of 19% Over 1939 Is Shown by Official Data

AGAIN confirming to a remarkable degree the estimates made by Broadcasting last January, the FCC last week announced that net time sales for the entire broadcasting industry aggregated $154,823,787, or an increase of about 19% over the preceding year.

The official figures were based on the Commission’s data, which are divided for the broadcasting industry into networks and stations, both major and non-major.

Estimates made by Broadcasting, as published in its 1941 Yearbook number and its Jan. 27 issue, were that net time sales aggregated $157,900,000, or an increase of approximately 22% over the preceding year, when they totaled $129,988,000. The FCC’s official figures, as compared to Broadcasting’s estimates, showed a disparity of only 1.9%. The accepted margin of error in volume estimates is 3.5%.

In virtually all net time sales categories, the FCC official figures varied only a few percentage points from the Broadcasting estimates, made by Dr. Herman S. Hettinger, associate professor of marketing, University of Pennsylvania.

Expenses Increase

Dr. Hettinger, in using the more conventional figure of gross time sales, which is comparable with figures of other media, arrived at a total of $207,956,000 for 1940, constituting a new high, as compared with $171,114,000 for 1939. This also represented an increase of 21.2%. The FCC analysis, had it been projected on a gross basis, it was learned authoritatively, would have resulted in approximately the same figure.

Total broadcast expenses for the industry for 1940 were estimated as $133,850,099, as against $100,483,920 in 1939, or an increase of 32.3%. The networks had a total sale of network time of $73,769,011, which represented 47.5% of aggregate net time sales. Broadcasting had estimated a total of $70,910,000, or 44.9%.

National and regional non-network time sales, according to the FCC figures, aggregated $37,140,444 in 1940, an increase of 22% over the preceding year. This represented 23.7% of the industry’s aggregate net sales turnover, according to the Commission.

[Continued on page 16]

**Table: 1940 Combined Income Statement of U. S. Broadcasters**

<table>
<thead>
<tr>
<th>item</th>
<th>Col. 1</th>
<th>Col. 2</th>
<th>Col. 3</th>
<th>Col. 4</th>
<th>Col. 5</th>
<th>Col. 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. revenue from the sale of time</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. network</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sale of time to networks and stations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sale of time to major networks</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sale of time to networks and stations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>total sale of network time</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. non-network (before commissions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sale of time to advertisers or sponsors (including their agencies)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sale of time to national and regional advertisers or sponsors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sale of time to local advertisers or sponsors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>total sale of non-network time</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>total sale of time</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. revenue from incidental broadcast activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>talent</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>commissions, fees, and profits from obtaining or placing programs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>sundry broadcast revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>total revenue from incidental broadcast activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>total broadcast revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. total broadcast expenses of networks and stations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. broadcast service income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Standard broadcast stations**

- 31 managed and operated stations
- 74 other stations
- Total 765 stations
- Grand total

**Notes:**
1. Stations licensed to major and regional networks, and those licensed to others but managed by networks as to programs, time, or sales.
2. Five stations less after September 30, 1940.
3. Since stations with revenue of less than $25,000 for the year were not required to report details, this figure may include some amounts for national and regional network business and does include $71,156 for network business. However, the greater portion of the revenue for these stations is from time sold to local users.
4. This amount does not include the amount shown in column b as sales to major networks since, in addition to payments by regional networks to stations, it includes amounts paid by major networks to Canadian and other extra-territorial stations and to other non-political networks.
5. Total broadcast service income amounting to $25,120,000, which was paid to a 48% increase for the major networks (NBC, CBS and MBS). The 31 managed and operated stations of the networks had total broadcast revenues of approximately $17,000,000, expenses of $11,287,359, and broadcast service income of $5,712,641.

**Participation:**
- By the Commission’s Accounting Department, on the basis of reports from the industry as a whole.
- In addition to the combined income statement (published herewith), the FCC also released last week an analysis of the combined income of the three major networks and their 23 managed and operated stations, and of the five regional networks and their eight managed and operated standard broadcast stations.

**An analysis of employment data in the industry will be released within a fortnight and complete breakdowns, covering all phases of faci activity of broadcast stations during 1940 will be published in the FCC’s booklet, Statistics of the Communications Industry in the U. S. later this year.**

The FCC’s combined income

(Continued on page 5)
THERE WILL BE NO SHORTAGE OF GOOD RECORDING BLANKS

PRESTO HAS...

1. A NEW GLASS BASE DISC

When aluminum was withdrawn from civilian use we hoped to find a substitute base "almost as good."

We didn't.

We discovered that a plate glass base makes the finest recording blank we've ever produced... smoother... flatter... more uniform in thickness than any metal base disc. Recordings made on the new glass disc even sound better, crisper, clearer because of the extra rigidity of the thicker (104") base.

The envelope of coating material covering the glass gives it added strength, makes it as durable as an ordinary phonograph record. In handling thousands of these discs in our plant we have found that your breakage problem will be negligible.

Presto glass base discs have 2 holes, one for the turntable center shaft, the second for the all important drive pin which prevents slippage that might cause wow, off-pitch recordings and imperfect grooving. Each hole is bushed with a soft brass eyelet to assure a perfect fit and prevent chipping.

Use this new Presto disc for your highest quality recording. It's made in our new $250,000 disc plant. It's ready for immediate delivery in unlimited quantities. It's reasonably priced, conveniently packed in tin boxes of 12 discs each.

<table>
<thead>
<tr>
<th>LIST PRICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIZE:</td>
</tr>
<tr>
<td>PRICE EACH:</td>
</tr>
</tbody>
</table>

Phone your radio distributor now for NET DELIVERED PRICES granted to radio stations and other commercial users, on glass discs and recoating service. Give him your stock order today.

2. A NEW ALUMINUM DISC RECOATING SERVICE

If you have a supply of used aluminum discs on hand, send them to us for recoating. Within 10 days we will strip and recoat the aluminum bases and ship them back to you ready to use, as good as new.

The aluminum bases remain your property and may be recoated as many times as you like or as long as they remain flat, undented and unscratched.

Normally in recoating about 10% of the discs made in our plant have a defect on one side. We therefore reserve the right to ship you 10% of your recoated discs perfect on one side only. The single sided discs are charged for at the reduced prices shown below.

We will pay freight on shipments weighing 100 lbs. or more. Smaller quantities should be turned over to your local radio distributor to combine with other lots for bulk shipment.

This recoating service is available to you immediately. Send us your used discs today.

<table>
<thead>
<tr>
<th>LIST PRICES FOR RECOATING SERVICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIZE</td>
</tr>
<tr>
<td>12&quot;</td>
</tr>
<tr>
<td>13¼&quot;</td>
</tr>
<tr>
<td>16&quot;</td>
</tr>
<tr>
<td>17¼&quot;</td>
</tr>
</tbody>
</table>

NOTE: Other sizes not accepted for recoating.
It Sells and It Creates

Patriotic Broadcast Proves Successful On West Coast

By ROBERT J. DAVIS
Vice-President, Brinseh, Davis & Staff
Los Angeles-San Francisco

IS IT SELLING the sponsor's product and creating public goodwill for the firm? These are vital questions asked by an advertiser using radio or other advertising campaigns.

The program American Challenge is effectively doing both is offered by Ross Sawyer, advertising manager for the sponsor, so the Challenge Cream & Butter Assn., Los Angeles, who says:

"Almost since its first broadcast, The American Challenge has been a leader among all Pacific Coast radio programs. Today its Hooper Rating of 11.0 indicates conclusively that it has no small listening audience. It has proved its value on the Pacific Coast, in Los Angeles, San Francisco and Portland.

Dealers Listen

"Our salesmen are reporting many flattering comments from grocers. Of all the radio programs sponsored by advertisers of items carried in a well-stocked grocery store, it is gratifying to know that The American Challenge is among those followed regularly by dealers. Undoubtedly this is due to the timeliness of the patriotic theme. We are sure it is doing a splendid job for The Challenge Cream & Butter Assn.

"The association is entirely owned by over 32,000 farmers on the Pacific slope who produce, market and distribute direct to the grocer their own butter, cheeses, and other dairy products.

A few years ago Challenge with steady success used billboards, de luxe streamlined point-of-sale material and point-of-sale displays as an effective "traveling billboard" throughout the territory served. Newspaper space, now discarded, was used. But this wasn't enough for such a rapidly growing organization. After deliberation, it was decided to augment this current advertising with radio spot announcements.

Keeping in mind that even a one-minute spot announcement should offer the listener something in return for listening, the advertising series of programs were worked out combining some popular music and dramatized dialogue commercials. These were put into circulation throughout the territory five times a week, and proved effective. How-
Yet the truth is that NBC Radio-Recording deserves most of the credit for the swell radio shows our clients sponsor.

"We small advertising agencies are kept so busy with creative and contact work we just don't have much time to spend at radio recording sessions."

"That's why NBC Radio-Recording handles all my radio problems. NBC writes, casts, produces and records all of our spot programs. And what's more, after they're recorded, I let NBC take care of the processing, manufacture and distribution of the records. It saves time and overhead.

"And say—before you decide this is the costly way of doing things, I'd suggest you get in touch with NBC. Find out how economical their service really is. I was amazed—and so were my clients!"

* * *

Whether it's a series of simple announcements or a full-length script or musical show you're working on—why not make use of the professional services available at "Broadcasting Headquarters"? We'll work with you from script to finished pressing—in whole or in part—and record your show NBC ORTHACOUSTIC*, which means reproduction at its best.

No matter how small or large your program problem, write or 'phone today. We're all set to go to work for you.

*Registered Trademark

"I felt like a long-haired genius"
A MYSTERY quiz show Masterminds, is slated for a 13-week sustaining buildup on WGBR, Cleveland. The show was originated by Wayne Mack, WGBR director. Invited weekly are four well-known Clevelanders, whose job it is to question participants in a mystical mystery game. The narrator at the outset of the program tells what has happened, presents the dilemma to the judges, and introduces the participants in the case. The four judges may then question any of the possible villains.

Success on the part of the judges in ferreting out the bad man is rewarded with a supper party at Cleveland's Allerton Hotel. Should the judges fail, WGBR provides the same reward as consolation measure.

Barrel of Tags

NEW TWISTS to the quiz idea is Grab Bag, on WBAL, Baltimore, presented direct from the Hippodrome Theatre. Questions are selected before the program and $5 is sent out before the program starts. If the sender can show 3 bottles of the sponsor's product, he gets $10. On the stage is a huge grab-bag from which successful contestants dig for prizes. If the question is missed, $5 is placed in a jackpot which already has $25 in it to be divided in the form of a money order to the person whose name tag number has been selected from a huge barrel on the stage, which contains every number in Maryland.

Tenth Year Party

BIRTHDAY broadcast will mark the tenth year in radio this month for Dr. Alice Ives, conductor of the Elegancy's Club of the Air of WGBR, Philadelphia. The participating sponsors are donating their time for the party broadcast, to be scheduled this month. Five members of the station's staff, whose service totals 30 years, will be featured hosts, including Arnold Nygren, Charles Coleman and Jack Schutz, engineer; Jack E. Solomon, salesman, and Hal Simmonds, announcer.

Get Up With a Smile

ZANY program designed “to send the husband off to the office with a chuckle and start the day with a smile for the little woman” is heard daily at 8:30 a.m. on WEFM, New York, with Ralph “Sisters of the Skillet” Dome and Bud “Colonel Stoppnagle and Bud” Hulick as conductors from Studio X, supposedly an NBC storeroom in Radio City with bare walls and no equipment.

Buck Private

FIVE WEEKS weekly serial telling the trials and tribulations of a typical draftee in the Army is broadcast on NBC-Blue under the title of Private and His Girl. The cast includes well-known radio actors, and scripts are produced by Art Loona, saleswoman of the NBC production staff.

Home on the Air

WAKING UP the dialing public with cowboy ballads and cactus cards is the show of Happy Gordon, cowboy musical artist on KROW, Oakland, Cal.

Canadian Melting Pot

A NEW SERIES of Wednesday evening broadcasts, New Homes for Old, starting May 28 by the Canadian Broadcasting Corp., on a national network, in which European refugees who settled in Canada are interviewed. First on the list was a Czechoslovakian family new raising tobacco in Southern Ontario. This is part of a long-range program started last year with talks by official representatives of Canada's allies in the war, titled We Are Not Alone and followed early this year by a series Canadians All on the different nationalities making up the Canadian population.

Motion Picture Dramas

MOTION PICTURE dramatizations provide for a new weekly series on WWSF, Philadelphia, sponsored by the National Film Board of Canada. The program, called Motion Picture Dramas, will be broadcast at 10:15 a.m. on Sunday mornings. The major dramatizations, produced by the National Film Board of Canada, will be selected from the best of the world's motion pictures, and will be broadcast on a weekly basis. The program will feature well-known actors and actresses in leading roles, and will be produced and directed by veteran producers and directors from the National Film Board of Canada.

For Government Employees

DEDICATED to the more than $17,000 government employees, in and around Washington, Your Government and Mine, heard on WINX, Washington, is produced by the Federal employees themselves. Guest speakers from Capitol Hill and Government departments together with a Government employee and a Government employee appear weekly. All civil service exams and eligibility requirements are announced and a Civil Service Question Box is set up whereby the public submits questions by mail which are answered by experts on the air.

Your City Government

DESIGNED to give listeners an insight into the activities behind the scenes of municipal administration, WUBJ, Chicago, has inaugurated a weekly session on its City Government Program. The program is under the direction of Alderman William A. Rowan and is based upon the experiences of Chicago's leading agencies and bureaus. Featured participants in each dramatic presentation are the heads of various departments.

Business Psychology

STRESSING the values of personality in the solution of business problems, The Howl Club, conducted by Florence W. Lavey, psychologist and writer on business problems, will make its debut June 3 on WICC, New Haven. Mrs. Lavey's discussions will incorporate illustrative anecdotes by which she will answer questions on individual and group problems, as well as how to build confidence and how to deal with difficult people.

Where to Swim

BEGINNING Decoration Day and continuing through the summer, WOR, New York, is broadcasting Friday evening bulletins on bath beaches, pools, lakes and streams in the metropolitan area.
GENERAL FOODS Corp., New York, is promoting its NBC-Radio program, Maxwell House Coffee Time with a unique Father's Day tie-up with men's wear stores throughout the country. The promotion which is being featured by the trade magazine, Men's Wear, offers to the stores without cost a three-column advertising mat, which is a layout of Father's Day suggestions headed by a photo of Fanny Brice as Baby Snooks, captivated "Surprise, Daddy!" Easel counter and window cards with program credit are also being distributed. Last year, 130 stores took part in the tie-up.

Two daytime G-F shows, Portia Faces Life (40% Bran Flakes), and Young Dr. Malone (Post Toasties), will appear in fictionalized form in forthcoming issues of the fan publication, Radio Mirror. Some 10,000 posters plugging both the magazine articles and the broadcasts will be sent to newdealers and stations concurrently with the appearance of the stories. The promotional activities are being directed by Burns Lee, radio publicity chief of Benton & Bowles, New York.

Telling the World

TO PROMOTE its new program, Good Neighbors, NBC has issued a four-page brochure 13 x 17 on foolscap telling of its "radio program series designed to inform citizens of the United States about their good neighbors in the republics of Central and South America." In a full-page foreword, under the signature of Niles Trammel, the NBC president declared that the program "is our attempt to build a bridge of knowledge extending from these southern nations to us-a veritable radio highway of mutual understanding." There will be 22 broadcasts in the series which started Thursday, May 25 over the Red from coast-to-coast, 10:30-11 p.m. (EDST).

Lucky Cards

COMMERCIAL tie-in that literally pays off was started May 12 by American Tobacco Co., New York (Lucky Strike) and the NBC-Kay Kyser's College of Musical Knowledge. Cards bearing names of tobacco market and price percentages are drawn by studio audience. Holders of cards called receive a cash award amounting to the number of dollars indicated by cards. This plan has been in effect on the CBS Your Hit Parade, sponsored by the same company, since March 8.

Power Peril

A POTENT LIBATION to salute the June start of operation on increased power to WBAL, Baltimore, has been concocted by the Belvedere Hotel, same city, and known as the "50,000-Watt Cocktail." The drink, which, according to the hotel, is "packed full of pork", will be featured in the dining rooms and cocktail lounges.

Light from Raleigh

STORM LIGHTER, engraved with "WPTF, 50,000 watts", has been sent to the trade by the Raleigh station. Enclosed is a message, "Now more than ever...to North Carolina's Number One salesman!"

Merchandising & Promotion

Day for Dad—Cards That Pay—Baltimore Slug—Curbstone Fodder—Creole Duo

Voice of Omaha

WOW, Omaha, has a black and white voice, The Radio News Tower, cooperating with clients to give them publicity and enabling the station to publicize systematically every WOW program at regular intervals. More than 8,000 listeners pay 50 cents a year for it. In addition, it is sent gratis to list of more than 5,000 clients, agencies, educational, civic and radio industry leaders.

Free Food

A FREE LUNCH was given the crowd which gathered at its man-on-the-street program, on KTSA, San Antonio, by Gebhardt Chili Powder Co., to push its Devilish Sandwich Spread. Jack Mitchell m.c. of the show, handed out 500 sandwiches of the sponsor's product.

Postal Jumbos

WHEN the May 16 Battle of the Boroughs advertising Noxema on WABC, New York, featured a contest between Postal Telegraph employees in Manhattan and those in the Bronx, the company sent telegrams to 2,100 New York druggists urging them to listen. Jumbo telegrams advertising the broadcast were also displayed in 125 office windows.

Fight Ducats

FIVE PAIRS of tickets to the Joe Louis-Billy Conn heavyweight fight at New York Polo Grounds June 18 will be given to the first five listeners writing the best letters on the outcome of the fight and sending them to Jimmy Powers, who conducts the nightly sports resume program on WMCA, New York.

Service Booklet

SUCCESS of H. V. Kaltenborn's recent booklet on America's naval defenses has inspired a similar pamphlet dealing with the Army, and plans for a series on other branches of the armed services. The naval booklet, published by the Pure Oil Co., Chicago, sponsor of Kaltenborn's news analyses over the NBC-Red network, Tuesday, Thursday, Saturday, 6:46-7 p.m. (CDST), contains a brief historical sketch by the commentator; two large maps, the first showing naval bases in the Western Hemisphere, and the second picturing some of America's defense problems; photographs and biographical material on high ranking officers and descriptions of various types of fighting ships.

Pair of Pens

BASED on the theme, "Here are a good pair to write with and about", WWL is distributing to the trade a WWL pencil and an Elmer's Gold Brick pencil. The Elmer Candy Co. has just completed one year of sponsorship of the Sunday night show, Jingle Jamboree, on WWL.

We pause for station identification ...

This is KFYR, Bismarck

THE PAUSE THAT PRODUCES results for advertisers using KFYR

The regional station with the clear channel coverage

Let us sell your story

550 Kilocycles

Meyer Broadcasting Company:
Bismarck, N. Dakota
Ask any John Blair man

BROADCASTING • Broadcast Advertising
June 2, 1941 • Page 21
Priorities Problems
Slow Manufacture
Of Radio Factories

Material Shortages Becoming
More Serious to Industry

Despite lack of "official" ob-
servations indicating that the pres-
sure of defense manufactures and
material shortages gradually are
sitting a slow-down in radio manu-
facture for civilian needs, industry
comment continues to paint a dark-
ening picture for non-defense re-
tceiver and transmitter construc-
ction.

With manufacturers perfecting
steps to employ substitutes for stra-
tegic defense materials, upon which
priority restrictions are being
placed in a constantly widening cir-
cle, there now appears little doubt
in industry circles that civilian
manufacturers will continue only
under increasing difficulties. Per-
haps, however, no out-and-out admission of
this situation has come from any
official Government source.

Fly Noncommittal

FCC Chairman James Lawrence
Fly, queried at his regular press
conference last Monday, stated he
had received no official reports on
the possible effect of defense pri-
orities on the development of FM
televison. He doubted the sit-
uation would cause any postponing
of the commercial operation of
either of the new radio develop-
ments, commenting, "I don't think
the Commission's policies are going
to move in and out on those things".

Pointing out that in the field of
television, for instance, experiments
are continuing with synchronizing
pulses and color video, with com-
mercial operation in the offing,
Chairman Fly declared his faith that
"the industry will find its way
through the difficulties foreseen by
some.

While the Defense Communica-
tions Board has been considering
the problem of the shortage in materials such
as aluminum, zinc, nickel and other
metals used in radio and communi-
cations manufacture, it has made
no public comment. Since its in-
terests lie in communications fa-
cilities available for defense, there
is some doubt as to how deeply DCB
might be interested in the problem as
it affects the civilian picture, par-
ticularly in view of the unlikely-
hood of any shortage of materials for
defense communications manu-
facture.

Industry observers have indi-
cated that with priorities stretch-
ing to include such items as copper
wire as a general thing, the up-
down on the line is becoming more
apparent so far as manufacturing
materials are concerned. Accord-
ing to an OPM statement last
Wednesday, defense needs for alu-
munium in June are expected to
take from 95 to 100% of all the
metal available, including scrap.

With restricted supplies of nickel,
copper and tungsten, it was noted
that vacuum tube manufac-
tures may soon reach a point where
only defense needs can be met, with
none available for civilian use. The
material restrictions also are said
to have developed an aggravating
situation in the manufacture of
transmitters. Another problem
arises from the personnel situation,
with skilled workmen drawn into
other types of manufacture or serv-
ices, it has been said. A trend to-
ward a shift of workmen from pri-
ivate industry to Government pur-
suits, in one line or another, also
has been reported. Present indica-
tions are that manufacturers are
working on inventory materials,
with a wary eye on the future.

The increasing production diffi-
culties were reviewed May 22 in
Washington at a meeting of Radio
Manufactory Asso. officers with
OPM Priorities Division officials.
With OPM representatives indicat-
ing a cooperative and sympathetic
attitude, the RMA group submitted
to them an outline of the industry's
metal requirements for future cur-
tailed production. The schedule en-
compassed extensive use of substi-
tutes for strategic defense metals,
as agreed to by industry members
late in April.

As the first year of the concen-
trated defense effort was drawing
to a close, Congress on May 23
sent to President Roosevelt a new
law establishing priorities control,
through broad statutory powers
granted OPM, on a legal basis. So
far, mandatory priority control has
been established by the OPM Pri-
orities Division, directed by E. R.
Stettinivus Jr., to cover aluminum,
magnesium, nickel, nickel-bearing
steel, ferro-tungsten, Neoprene
(synthetic rubber), and machine
tools. Some form of control is now
imposed on 24 materials, mostly
alloys, either through outright pri-
orities or inventory controls.

SMILINGLY LOOKING ahead to the future are these radio and agency
executives upon signing of contract for Tayton T-tailor featuring Jimmie
Fidler, on 7 CBS Pacific Coast stations, starting July 1 and continuing
by The Tayton Co., Hollywood. Seated (1 to r) are: Jimmie Fidler and
F. A. Durrant, president of the Tayton Co. Standing (1 to r) are:
W. W. Burgess, company director; Z. Wayne Griffin, West Coast radio
director of BBDO, agency servicing the account; L. D. Johnson, general
manager of firm; and Jack Smalley, BBDO Los Angeles manager.

MYCALEX FACTORY

IN U. S. STARTED

Manufacture in this country of Mycalex, an electrical insulating
material adapted for high-frequency transmitting and receiving
equipment which heretofore has been produced only in England,
was announced last week by Mycalex Corp. of America.

Russell Maguire, president of Auto-Ordinance Corp., the company
responsible for the Thompson machine gun, it was stated, is estab-
lishing for the American branch of the English corporation a ma-
ufacturing plant which immediately will begin production of the stra-
defense purposes. It is adapted par-
icularly for use in aviation-radio equipment.

Reports from England prompted the move to create the American manu-
facturing plant.

Mica and Glass

A material made of ground mica
and fused glass, the insulator is
employed in radio for transmitting
tube bases, coil forms, switches,
condensers, relays, antennas, trans-
mission lines and couplings, aside
from its aircraft applications. Ex-
cept for the mycalex manufactured
by General Electric Co. and West-
inghouse under non-exclusive li-
censes obtained from the English
company, it was stated, there have not
been sufficient imports of the ma-
terial to meet orders on hand.

Mr. Maguire's company, it was
stated, will erect the requisite man-
facturing facilities in the New
York area and begin production
within 60 days. Col. Edward J. S.
Donovan, of Buffalo, is chairman of
the board of the Mycalex Corp., of
America. Frederic A. Willis, for-
er assistant to William S. Paley,
CBS president, is associated with
Auto-Ordinance Corp., and, it is ex-
pected, will be identified with the
new manufacturing company.

Court Orders Hill
To Repay Bonuses

Finds He Received Too Much
Due to Miscalculations

AMERICAN TOBACCO Co. executives,
including George W. Hill, president,
and other corporate offi-
cers, in a decision handed down
May 26 by Justice William T. Col-
lings of the U. S. District Court,
were ordered to repay the corpo-
rion $2,188,033.44 as a re-
sult of a minority stockholders' ac-
tion over the past 1938-39.

It was charged that bonuses paid
the officers were computed errone-
ously in that percentage of excess
net profit not was based on the cor-
rect net profit figure from the years
1912-1938. Mr. Hill testified in
the case last December that he had
nothing to do with the com-
putation of bonuses received by him
and other officers during those
years. This, he said, was the work
of J. B. Hawley, corporation trea-
urer.

Included in the total amount was
an item for $150,000 incurred by
the corporation for legal expenses
in a suit brought against it over an
allotment of $550,000 to a
former Federal Judge Martin T.
Manton, now serving a prison term
for "selling justice." All directors
serving during the time the indem-
nuit was approved, also were held
accountable for that payment.

Wrong Computation

The present suit was instituted by
Esther Heller and six others and
named as defendants Hill, his son
George Jr., Paul M. Hahn, Vincent
Riggio and Charles F. Neiley, all
vice-presidents.

In his decision, Justice Collins
held that the bonuses, which, with
his salary added, netted Hill Sr.,
$5,600,000 between 1925, when he
became president of the corpora-
tion, and 1939, when the action was
started, was paid out on an in-
correct computation, in that the
percentage of excess net profits
was not based on a correct com-
putation of net profit figures from
1912 to the end of 1938.

Because of the treasurer's mis-
interpretation of the bonus plan
the defendants were ordered to re-
store to the corporation the overpay-
ments in the amount of $2,018,033.
Justice Collins further held that ob-
jections made during the trial to other pay-
ments since 1938 by the defendants were null
and void, so far as miscomputation
was concerned.

The company sponsors Informa-
tion Please on NBC-Blue, Hit Pa-
Pals in the morning on KYW on
NBC-Red, supplemented by occa-
sional spot campaigns.

Nu-Maid Oleo Series

MIAMI BUTTERINE Co., Cincinnati
(Nu-Maid Oleo-Margarine) is
currently running a 10-week sched-
ule of 15-second announcements on
the Tennessee stations. Stations select-
ed are WOOL WJHL WLC
WMPS WRGB. Agency is Ralph H.
Jones Co., Cincinnati.
CBS Video Signs Notable Art Works

Objects to Be Transmitted in Black-and-White at First

COLLABORATION in presenting masterpieces of art by television was announced jointly May 26 by CBS and the Metropolitan Museum of Art, New York, with plans to start experimental televisions in simple objects in black-and-white after July 1, and leading up to the telecasting of paintings and prints in full color when the technique is more fully established.

Francis Henry Taylor, museum director, and Gilbert Seldes, CBS television program director, first discussed the project last March and since then have been working out specific techniques for the initial presentations. According to Mr. Taylor, the use of color television should be as "revolutionary for visual communication as radio was for symphony and opera," adding that he was particularly interested in ultimately transmitting the best in art to the city's schools, enabling children to view paintings without leaving the classroom.

Mobile Equipment

At the start, none of the telecasts will originate directly from the museum because national defense demands have delayed delivery to CBS of mobile television equipment. First programs, which will televise color slides the museum has made of some 250,000 items in its collection, will be picked up in the CBS television studio at 52 Vandenbilt Ave., and transmitted from the television antenna atop the Chrysler Bldg. tower. When the CBS mobile equipment is delivered, probably in August, CBS engineers will set up their apparatus in the museum at Fifth Ave. and 82d St., telecasting major objects directly. Further details of the project will be announced later in June, according to Mr. Seldes.

Rising Summer Audience Holds WOR Programs

IN VIEW of the growing importance and size of summer radio audiences, WOR, New York, has announced it will continue throughout the summer its popular travel broadcast, "Lies," and the vacation programs, notably the Bessie Beatty and Dear Imogene broadcasts, although both Miss Beatty and Imogene Wold have vacation clauses in their WOR contracts.

The policy is the result of the recent survey of summer listening and viewing by the company, of which 75% more advertisers were found using the station during the summer of 1940 as compared with the same period in 1939 and total daytime listening in the New York area during July and August 1940 showed an increase of 16% (evening listening, a 15% increase) over the same months of the previous year.

FIVE SPONSORS WITH ONE IDEA
Participating Program for Homebuilders Proves
Successful Medium in Elmira

A BUILDING supply house, a contractor, a home savings and loan association and a manufacturer of house and a paint company are bedfellows in the success story of The Elmira Progress Review, a 15-minute participating program, Tuesday, Thursday and Saturday, on WENY, Elmira, devoted to advice and sales programs for prospective homebuilders.

There's a mutual feeling among the sponsors that full exploitation of a new home, tied in with a commercial for the contractor who builds it, is the selling points in their services. Accordingly, a feature was hit upon to gain the attention of listeners by giving an eye-witness description in the middle of the program of one of the attractive new houses in one of Elmira's recent residential developments.

Mr. Haines' Story

WENY felt the program was going over big, judging by the many invitations announcer Phil Cameron, who also services the program, received to give speeches to homeowners all over the city inviting him in for cake and coffee. But they read more evidence. To check, WENY went to the first contractor to sign for participation on the program, H. Clyde Haines, who gave these results after only two broadcasts on Elmira Progress Review:

Two nibblers pushed over the line; three new inquiries and contracts definitely attributed to the Review; inquiries from three surrounding towns; new Elmira residents inquiring about building houses in Elmira, but not to his sample house. Other sponsors, too, are taking orders in the wake of the look-into-building boom.

In making up its daily format, WENY has to keep on its toes, for each program calls for servicing and advertising different sponsors. "Sponsors' messages have to dovetail with the continuity of building information and avoid clashing interests. No music is used, but the program is dressed up by a transcribed introduction featuring the voice of another announcer over the realistic sound of hammers and saws."

To keep Elmira Progress Review on an even keel, every commercial suggests and solves a definite problem of building: four separate and distinct subjects on each show which do not tie directly into a commercial itself included; the listeners tend toward specific help to the homebuilder and the counsel and advice of professionals fuddled freely, rendering a definite service to prospects.

It may be too early to forecast the size of the eventual success of the Elmira Progress Review, the station thinks, but the program has sparked a real building boom and many competing firms are trying to buy into the program—a pretty good indication of success.

Work Is Begun by NBC On Studios in New York

NBC has begun construction of two additional audience-type studios in Radio City as the first major addition to NBC's New York headquarters, since it moved there in 1934. Each studio will have a seating capacity of 450 and will be ready about October. WNBC, NBC vice-president and chief engineer, of the project, is to provide correct setting and atmosphere for theatre stars during their radio performances.

Construction details for both studios are the same, each to rise two stories from the sixth floor and each to be 100 feet long and 50 feet wide. The permanent stages, each 38 feet deep, will have color strip lighting systems. Latest developments in acoustical research and design are embodied in the units, including air-conditioning, sound absorptive and sound reflecting studio walls and veed ceilings. Design is by Mr. Hanson and William A. C. Harrop, of New York.

WFTC Damaged

WFTC, Kinston, N. C., was forced off the air for four minutes early last Monday morning when its antenna tower collapsed. Operation was resumed within four minutes, a station representative said.

A 17-year-old temporary, radiating, Jonas Wieland, owner of WFTC, the station, cited the possibility of sabotage as a cause. Wieland and many competing firms are trying to buy into the program—a pretty good indication of success.

Music, Comedy, Variety To Take Leading Place

In Summer Productions

MUSIC, comedy and variety are slated to take leading roles in the summer broadcasting picture with heavy drama and audience participation relegated to the background, according to W. Bennett Lewis, CBS New York vice-president in charge of programs, who is currently on the West Coast conferring with Charles Vanda, CBS Western division program director.

Subject of discussion is the prospective "Forecast" series to be the weekly "Late Radio Theatre" spot of Lever Bros. Co., Cambridge, when that show takes its summer leaves July 14.

As of last year when network followed a similar policy, opportunity is afforded for experimentation with new ideas and techniques. Tabled to be selected, according to Mr. Lewis, is the 10 to 16 broadcasts are showcased for possible fall sponsorship.

Defense note will be struck when two of the shows are dedicated to defense workers and those in military service. Origin will be evenly divided between East and West Coast. Van de Velde is producer of programs emanating from KNX, Hollywood.

Applegate Disposes Of KENO Interest

Las Vegas Petition Granted; Joint Scranton Hearing

CALVERT T. APPLEGATE, one-third owner of KENO, Las Vegas, Nev., was authorized May 27 by the Federal Communications Commission to sell his interest in the licensee Nevada Broadcasting Co. to his partners, George Penn Foster, KENO general manager, and Maxwell Kelch, chief engineer of the station, for a nominal sum to be agreed upon.

Under the new setup as a corporation, Mr. Foster and Mr. Kelch will each hold 48.99% of the stock, with Laura Bell Kelch holding the other .02%. KENO, which went into operation last September, uses 250 watts on 1400 kc.

Scranton Hearing

At the same meeting the Commission designated for joint hearing the applications of WARM, Scranton, Pa., for renewal of license; and George Grant Brooks Jr., New York broker, and the Anthracite Broadcasting Co., both seeking a new station in Scranton with WARM's facilities, 250 watts on 1400 kc. WARM, though operating on a special programming test license for the last year, has not yet been licensed to cover the construction permit.

Principals in the Anthracite Broadcasting Co. are R. E. Nolan, illuminating and coal company president; and four owners, a corporation, 45.2% stockholder; John C. Hart, a Mayfield, Pa., banker and mine owner, 44.8%; and Gerald A. White, a salesman and commercial manager of WGBI, Scranton, 10%.

Realities of Advertising

BROADCASTING • Broadcast Advertising

June 2, 1941 • Page 23
NAZI radio propaganda has had little or no effect on the United States, despite the vast sums of money spent and the endless efforts of the German propaganda machine to sway this country, according to a survey of shorts and long waves in wartime, published by the Foreign Policy Assn., Washington.

The report, authored by Harold Graves Jr., senior administrative officer of the FCC broadcast analyst section, and former director of the Princeton Listening Center, is based on several thousand recordings of foreign shortwave programs made since the beginning of World War II and is published in the Headline Book series of the FPA under the title, War on the Shortwave.

Works Better With Force

Nazi propaganda, Mr. Graves asserts, has scored its greatest apparent successes when accompanied by force, as in the case of France. But in the United States and Britain where German pressure can be resisted and adequate press and radio services are maintained to offset the propaganda, it has not proven effective. German radio, he claims, has gained some following in areas where ignorance is widespread—as in the Near East—and in the countries where economic inducements can be offered. Mr. Graves referred to certain Latin American countries that rebroadcast German programs primarily because the service is free. Despite this he claims, however, that the nation sufficiently confident of its leaders, with relatively stable social conditions and a sound radio and press service can withstand the barrage of foreign propaganda.

Describing the German methods Mr. Graves says "the aim of Nazi broadcasts is to paralyze action while encouraging his people to encourage action that which may help Germany." In times of mounting crises, he further points out, German radio seeks to exaggerate fears and offers the example of Lord Haw-Haw's broadcasts to the British that his position was "hopeless." Another method of attack, he discloses is the effort to divide the people of the government, the classes and the various factions within a nation.

He referred to the attempt of Nazi radio to create friction in the Americas by telling the Latin Americans that United States loans to those nations were for the express purpose of indebted them and to the more striking effort of the Germans to arouse discontent among the people of the United States with the British leaders to discredit Washington officials.

The survey also reviews the shortwave programs of France before and after the German occupation and Russia and Great Britain. Commenting on British efforts to stir up discontent among the German people, Mr. Graves declares that while the influence of BBC broadcasts to Germany is questionable, someone is fearful of the effects of the broadcasts because since July, 1940, London transmissions in French and other European languages have been periodically jammed with artificial static, probably of Axis origin.

Convention Record

All ATTENDANCE records were broken at the tumultuous NAB convention in St. Louis May 12-15, according to the official breakdown by Everett E. Revercomb, NAB's custodian of the exchequer. A gross attendance of 1,019 was reported, of whom 828 were registered delegates. Of the NAB's active membership of 652 stations, 372 were represented, or 67.4% of the aggregate another all-time high. There were also 66 non-member stations present. The balance of the attendance was made up of wives and ladies, totaling about 100, guests, press and the NAB staff.

**Mrs. Labbitt Honored**

MYRTLE LABBITT, women's commentator on CKLW, Windsor-Detroit, was honored by formal initiation into Theta Sigma Phi sorority at a "Ladies of the Press" dinner May 20. Mrs. Labbitt, who has just completed nine years in radio, was accorded an associate membership as one who is "recognized for her professional ability throughout the community in which she works."

Murphy Feed Spots


**FINDS GOVERNMENT RUNNING NO RISKS**

U. S. GOVERNMENT is running no risks that will permit Communism, Fascism or any other "isms" to contaminate the other waves in this country, in the opinion of Aaron Heine, of Camden, N. J., president of the Camden Broadcast Co.

Mr. Heine was called to Washington recently by the FCC to answer questions concerning an application to operate a radio station in Camden. He reported on his return to Camden that he was questioned for eight hours on uses he planned for the station.

Among other things, Mr. Heine said, he was asked if he would employ Communists. He replied that he would not, and avowed his allegiance to the United States. Mr. Heine, who is also president of the Mack Radio Sales Co., which under a lease agreement with the city, sells all the available broadcasting time of the municipally-owned WCAM in Camden, was accompanied to Washington by City Solicitor John J. Crean, who attended the hearing as an observer.

Mr. Crean said the Camden Broadcast Co. receives a Federal license to construct a new station in Camden, it will have to be relinquished to the United States if the station is given to the city. Camden's WCAM was scheduled to go before the Commission May 26 for a hearing on disagreements over broadcasting time with other stations. The hearing was postponed after the request of WDAS, Philadelphia, Mr. Crean said. Other stations involved are WTNJ, Trenton; WABC, Ashbury Park, N. J., and Trenton Broadcasting Co.

11 HOMES WERE SOLD

As Direct Result of Radio

Series in Milwaukee

HOW TO SELL HOMES? It was a very real problem to the John D. Edwards Milwaukee organization, designers and builders of popular price homes.

They brought it to WTMJ, Milwaukwe, who explained it to Nancy Grey, who conducts a daily program, "What's on the Market," with Nancy Grey. The result was a series of three 100-word announcements on her daily participation program, paving the way for a special Sunday noon program on the day of a model home project's formal opening.

That program was remoted from the another all-development show with Nancy Grey conducting a radio tour through one of the homes. While glowing and enthusiastic, she was entirely frank. She did not promise miracles for $4,155, nor build up expectations of a mansion for $59 per month (total payments, including taxes). But for those within this price range, Nancy told a very attractive story.

As a direct result of the broadcast, people began calling through the homes open for inspection. Practically all were logical prospects. And here's the payoff! Eleventh home sold as a direct result of this campaign. There was no advertising other than that broadcast on WTMJ.

**GOLDMINE ON THE SIDEWALK**

is Henry Dupre's daily WWL participating feature "Man in the Street." Loyal listeners chuckle, gasp, GLOBDAY, IDEAL publicity tie-up with local Loew's Theatre. Sample disc proves punch. Write WWL 12:30-12:45, Tues., Thurs., Sat.

**CZNS**

HALIFAX, Nova Scotia
Is Located in the Centre of the Radio Audience of the Province.

You Cannot Miss If You Use This Station As Its Audience Has Learned to Rely on It Over a Period of Fifteen Years of Uninterrupted Service.

Reprerentatives WEED & COMPANY 150 Madison Ave., N. Y.

More Ears Per Dollar

Only ears count in radio. The owners of the thousands of WAIR ears gladly "shell out" for products advertised on—

**WAIR**

Winston-Salem, North Carolina
National Representatives International Radio Sales

Page 24  June 2, 1941
Women of Nation Urged By Federation to Think In Terms of Free Radio

DECLARING that women of the nation must begin to think in terms of still another freedom—freedom of radio, along with freedom of the press, of speech, of petition and assembly—Mrs. Harold V. Milligan, chairman of the radio committee of the General Federation of Women's Clubs, answered for her organization the question "Has Radio Fulfilled Its Obligation to the Women of the Nation." on an NBC-Blue program May 26 during which Dr. James Rowland Angell, NBC counselor on public service programs, also spoke.

Reporting on the resolution relating to the radio industry passed by the General Federation at its national convention a week ago in Atlantic City, Mrs. Milligan said:

"The resolution calls for the continued preservation of the American System of Broadcasting, expresses approval and urges support of the White Resolution, which provides for a study of the entire radio situation.

"If Senator White's resolution is approved by the Senate Interstate Commerce Committee, it may lead to such action as an investigation of the FCC—the Government body set up to regulate, but not to dominate or interfere with a free radio system. It may also bring about a new radio law to take the place of the Communications Act of 1934."

KNOX REEVES DEVICE
General Mills Agency Checks
Up on Announcers

TO FACILITATE operations for their field men, Knox Reeves Advertising Inc., Minneapolis, has furnished them with this new device, which includes a portable radio, 12-inch record carrier, and electric turntable. It will supplant last year's bulky setup which came in two units and lacked a portable radio.

It will be used to playback recordings taken of Wheaties-sponsored baseball broadcasts at various points throughout the country. These are ordered by the agency about 10 days in advance of the field man's visit to that city, and give the full commercial content of each broadcast.

Recordings are first sent to the Minneapolis office and played. They are then sent to the field men, with comments. Upon the field man's arrival in a city, the disc is played to the announcer and covered. A new recording is then made, incorporating home office and field man's suggestions—and both discs are sent back to Knox Reeves headquarters.

During the season from six to eight recordings are made of each announcer's commercials along the circuit, with no set schedule.

ADORNED with spinach is George W. Smith, managing director of WWVA, Wheeling, who dropped his dignity to take part in a skit that highlighted a British relief show. He is aided by Lois Mac Nolte, one of the Steel Sisters on the Wheeling Steel program heard over MBS.

CITATIONS AWARDED BY WOMAN'S GROUP

FOUR radio citations were announced May 24 at the annual meeting of the Woman's Press Club of New York in the Hotel Pennsylvania, with Mrs. Amelia B. Moorfield, club president, presenting the certificates of merit to network representatives during a broadcast from 4:30 p.m., on NBC-Red. Since 1938, these awards have been made annually at the recommendation of the club's Radio Committee, of which Mrs. Joseph Goodbar is chairman.

E. I. Du Pont de Nemours & Co. was cited for its Monday evening "Cassiodore of America" series on NBC-Red, and especially for the program of April 28, 1941, titled "The Heart and the Fountain," which featured the story of Margaret Fuller, America's first woman foreign correspondent.

NBC received an award for its "service to the nation in broadcasting religious programs of outstanding quality," under the direction of Dr. Franklin Dunham, NBC director of religious programs. The special features division of MBS was cited for its trans-Atlantic broadcast Dec. 17, 1940, based on the success of Ethel Williams' play "The Corn Is Green," winner of the Critics Circle award for the best foreign play of the year. The broadcast featured episodes in which Ethel Barrymore in New York and Mr. Williams in London played their parts as though on the same stage.

CBS received a citation for its "Let's Pretend" program for children, produced and conducted by Nila Mack as a "happy, wholesome source of entertainment, one that children listen to with eager delight, and parents welcome with confidence into their home."

Video Guild Formed

A TELEVISION GUILD, to promote the interests of the medium, has been organized in New York by a group of people who have studied television for several years. Following closely all phases of its progress. Weekly meetings are held.

Information is sent out to members and copies of talks are kept in a library. Membership is open to all interested in the medium. Offices are in New York. Mabel Clarisse Cobb is director.

KDYL
Showmanship attracts and holds larger audiences in the Intermountain Market
...and that means SALES OPPORTUNITIES for YOU

K

KDYL

ADORNED with spinach is George W. Smith, managing director of WWVA, Wheeling, who dropped his dignity to take part in a skit that highlighted a British relief show. He is aided by Lois Mac Nolte, one of the Steel Sisters on the Wheeling Steel program heard over MBS.

CITATIONS AWARDED BY WOMAN'S GROUP

FOUR radio citations were announced May 24 at the annual meeting of the Woman's Press Club of New York in the Hotel Pennsylvania, with Mrs. Amelia B. Moorfield, club president, presenting the certificates of merit to network representatives during a broadcast from 4:30 p.m., on NBC-Red. Since 1938, these awards have been made annually at the recommendation of the club's Radio Committee, of which Mrs. Joseph Goodbar is chairman.

E. I. Du Pont de Nemours & Co. was cited for its Monday evening "Cassiodore of America" series on NBC-Red, and especially for the program of April 28, 1941, titled "The Heart and the Fountain," which featured the story of Margaret Fuller, America's first woman foreign correspondent.

NBC received an award for its "service to the nation in broadcasting religious programs of outstanding quality," under the direction of Dr. Franklin Dunham, NBC director of religious programs. The special features division of MBS was cited for its trans-Atlantic broadcast Dec. 17, 1940, based on the success of Ethel Williams' play "The Corn Is Green," winner of the Critics Circle award for the best foreign play of the year. The broadcast featured episodes in which Ethel Barrymore in New York and Mr. Williams in London played their parts as though on the same stage.

CBS received a citation for its "Let's Pretend" program for children, produced and conducted by Nila Mack as a "happy, wholesome source of entertainment, one that children listen to with eager delight, and parents welcome with confidence into their home."

Video Guild Formed

A TELEVISION GUILD, to promote the interests of the medium, has been organized in New York by a group of people who have studied television for several years. Following closely all phases of its progress. Weekly meetings are held.

Information is sent out to members and copies of talks are kept in a library. Membership is open to all interested in the medium. Offices are in New York. Mabel Clarisse Cobb is director.

K

The POPULAR

Station

Salt Lake City

Representative:

JOHN BLAIR & CO.

N BC

RED

NETWORK

June 2, 1941 • Page 25
CINCINNATI'S BIG FIVE AND FAVORITE PERSONALITIES

Al. Bland
"Morn Patrol"

Rex Davis
U-P-News

Johnny Bown
and his Orches.

All Doing the Real Job

FIFTY GRAND IN WATTS
POPULAR RADIO SHOWS

Len Riley
Sports

Al. Clauser
and his "Outlaws"

6 for the Advertiser!

L.B. Wilson

WCKY

CBS
WAR PREVIEW

FROM PRESIDENT to page-boy, every employee of a broadcast station in the United States, its possessions and territories, is interested in the answer to the question: "What happens to radio if we go to war?"

There have been assurances from the regulatory standpoint about business as usual, more or less, though current conditions belie even that. Under actual war conditions, however, the future is unpredictable at this writing.

With President Roosevelt's proclamation of a national emergency last Tuesday, radio is on the threshold of mobilization. Section 606 (c) which gives the Chief Executive unlimited powers over all communications, now is operative. The FCC already has paved the way for preliminary moves by adopting a new rule covering national defense emergency authorizations. Stamping out of some of the periods, reductions or increases in power or hours of operation now may be ordered at the request of the armed forces. Soon there may even be program priorities.

Literally anything can happen.

But a glimpse at the experience of British radio under similar conditions in this war, by William Newton of the BBC, may be indicative of what can occur within the continental limits of this country, offers forebodings for our outlawing bastions of defense, like Hawaii, Alaska and Puerto Rico.

When and if war erupts, it is assumed no enemy will be within an hour's bombing time of our principal mainland transmitters. But war in the Pacific might well mean an aerial blitz against Hawaii or the Philippines.

In this connection, Great Britain appears to have accomplished much by pooling its transmitters, almost instantaneously switching to a reserve plant when the operating transmitter is blown out. In England, broadcasting is recognized as the fourth arm of defense—an essential war industry.

Thus far, broadcasting in America is not pegged as an essential arm of defense. At least where strategic materials are involved. Unquestionably the Defense Communications Board, purely a planning agency, is thinking along that line, but until materials are made available for substantial replacements of existing installations, its planning will be empty and purposeless.

In Mr. Newton's description of British radio at war, one observation stands out: Personnel knew precisely what to do when hostilities began. There is repeated mention of "sealed orders" and of amazing speed in establishing radio on a war footing.

Our own ABC, if working along the same line, it has been made abundantly clear. The entire operation, with emphasis on communications other than broadcasting, is being blueprinted for Presidential approval, once the state of the emergency warrants. Much, unquestionably, is being learned from the British operations.

We believe our Government might well send an emissary—a man like FCC Chief Engineer E. K. Jeff—to England to learn first hand of radio operations under war conditions. And, so there will be a minimum of confusion and of that "what do I do now?", attitude, the industry will be spared the necessity of being expected of it when the clock strikes.

This is radio's first experience under what amounts to war conditions. But radio, or any part of it, can't afford to lose its head. Moreover we think there should be a moratorium on such non-essential regulatory onsales as newspaper-ownership, monopoly, and the like in these times in which the General Government and industry alike, should cooperate in the emergency task that lies ahead.

JOT DOWN May 27, 1941 on your radio calendar. For the first time in history an unlimited national emergency was proclaimed by radio. President Roosevelt addressed the largest audience in history. These days, history is recorded by radio.

ASCAP's Lament

JUST WHEN a less turbulent and more worldly-wise ASCAP figured it would get its music back on the air through negotiation of new network contracts, along comes the Supreme Court with another sock on the button. The sweeping opinions in the Florida and Nebraska cases last Monday, upholding the right of States to curb "price-fixing" monopolies, all but prostrates Tin Pan Alley all over again.

The immediate effect of the far-reaching opinions, by a unanimous vote of the court, has retarded negotiations of ASCAP with NBC and CBS for new contracts, which would bring back ASCAP's repertoire for the first time since last Dec. 31. Moreover, before ASCAP can do business in Florida, Nebraska and...
HAROLD CLAYTON BURKE

WHEN IRISH EYES are smiling around Baltimore’s WBAL, shure you can bet they’re the clear, blue eyes of Harold C. Burke, manager of Maryland’s most powerful station.

And, if you’ll excuse the corny, those eyes ain’t smiling just because they’re Irish. There’s a more tangible reason.

Eleven miles northwest of Balti- more, crews of workmen, electrical experts and engineers have just completed a job which has kept them buzzard-busy for months—the installation of WBAL’s Westminster House Model 50 HG transmitter. Early in June WBAL leaps from its present 10,000 watts to a full-ledded 50,000 watts, and also at that time the station, which has synchronized with WJZ in the even- ing, goes to fulltime operation.

On the solid groundwork laid by Burke and his staff comes this crowning climax of WBAL’s new power and position in the realm of broadcasting. Since he took over the managerial reins Jan. 1, 1919, the station has had three happy new years chock full of effective new program ideas, unique mer- chandising methods and rising sales curves. Recently a visitor expressed his astonishment at the zooming ad- vances WBAL had made. Harold, who has become more familiar with the works of Gilbert & Sullivan lately—leaned back and tossed off in reply, "Let the astonishment fit the climb."

The town clerk’s files at Mari- nette, Wis., record the fact that Harold Clayton Burke was born March 12, 1900. His father was a retail grocer. During his high school days, Harold helped out be- hind the counter after school and on Saturdays.

He taught school in the country, sold toothpicks and wood products, traveled for the Diamond Ink Co., and then went to work for the Bur- roughs Adding Machine Co., where he received a driving sales train- ing from C. P. Fiskin, new adver- tising manager for Chevrolet Mo- tors.

In 1924, Burke finally broke into the newspaper field when he joined the old Milwaukee Wisconsin News as a salesman of local and national advertising. Later, as a new busi- nessman he brought the paper’s home building department ad- vertising up as high as 24 pages a week, largest amount of advertising in these classifications carried by any newspaper in the United States.

Like many other top-notchers, he entered radio off the newspaper springboard. In 1930, the Wisconsin News, then operating WISN, appointed him sales manager. He became general manager and then, late in 1935, was sent to WBAL where he spent several months as sales assistant.

Burke’s next assignment within the Hearst Radio organization took him to KTSN, San Antonio, where he worked with Elliott Roosevelt who was in charge of all Hearst radio operations in the Southwest. During his year-and-a-half tenure at KTSN, he executed the building of a new transmitter and new studios. The studios are regarded as among the finest in the Southwest.

The year 1937 marked a slump in business and the recession was reflected rather sharply in the fall- ing off of radio revenue. With KTSN in good shape, Burke was transferred to WBAL. His record of accomplishment is well known amongst broadcasters who have watched WBAL soar upward in prosperity and prestige.

Prominent among his innovations is the much-discussed “Five Point Merchandising Plan”, a super-ser- vice to WBAL advertisers and their dealers. The BMI-published popular song, “Business in Baltimore”, takes its title from the WBAL trade slogan and the song was written at Burke’s request.

Harold married Florence Wil- liams, Milwaukee in 1924; is the father of two children, Terry, 15, who wins medals in school debates, and Marilyn, 10, who makes papa take her to the movies every Fri- day night by producing her blonde person at the studios and tapping her little foot till he quits his desk. Aside from his family, Harold con- fesses two hobbies: Charcoal broiled steaks and home movies. He is on the board of governors of the Baltimore Advertising Club and a member of the Press Club.

However, these hobbies and ac- tivities are neglected currently. There are too many other things to do—sales of daily editions is the big moment. He must keep his alert eyes on the countless details in- volved in managing the now big league WBAL and looking to next year with a $1,000,000 power- house shifts to NBC-Red, he is working already on future plans, programs, policies. He sums up his work in the simple phrase: "WBAL—One of America’s Great Radio Stations."

GEORGE ABEL, formerly a radio- nent, has joined the staff of the Boston Post, replacing Bob Raw- son who resigned to become a chemical engineer.

PHIL GULLEY, formerly of WJDX, Jackson, and WAML, Laurel, Miss., has joined WCOB, Columbus, Miss., as announcer-pianist.

ROBERTO STIGLICH, MBs South American representative currently in broadcasting, is the father of a baby girl, born recently in Lima, Peru.

LOU BRING, musical director on the CBS At Pleasure & His Gang, sponsored by R. J. Reynolds Tobacco Co., has been given a similar assignment on that network’s Melody Ranch program, sponsored by WLS, Chicago, Ill.

NORMAN ANDERSON, usher for CBS in Hollywood and also a student at the U of Southern, California, is writing titles for the NBC colored "Lobster Country" and is making his first motion picture, "LSL." He is the subject of several articles this week in a trade magazine.

EARL HARPER, newly-appointed sports director of WWAAT, Jersey City, has named Bob Smith, his assistant for the big jobs. Smith will be the nightly baseball games. Smith continues his weekly New Yorkers of the Night program on WWR, Woodside, N. Y.

Rex Miller, former foreign cor- respondent for the Christian Science Monitor, history professor and author, and more recently program director and news director of WBBN, an- ternational station in Boston, has joined WOR, Paterson, N. J., as news analyst.

TOL WARE, freelance announcer, has been assigned an announcing post on KEY, San Francisco, during the summer.

JOE HASEL, former director of sports for WNYN, New York, has joined WNYN, Brooklyn, as sports comment- ator.

SYBIL CHISM, organist on the NBC show “You and Your Health” and composer for Miles Laboratories, Elkhart, Ind. (Alka Seltzer), has written a new theme song titled “Dlafin”.

DLOU DURCHART, leader of a cowboy musical group at KVA, San Francisco, recently became the father of a baby girl, his third child.

BROADCASTING • Broadcast Advertising

William Schmitz, formerly with the Citizen, joined the sales staff at WJW, Portland, Ore.

Ken Vance, former program direct- or of WJWO, Opelika, Ala., who recently joined WRZL, Columbus, Ga., is now serving as promotion manager. Other additions to WZRL are an- nouncers Ben, formerly of WDRW, Augusta, Ga.; Bob Boyd, for- merly of Corpus Christi, and Engineer Bob Willa, formerly of WHIO.

Hugh James, NBC, New York, an- nouncer, will marry Clementine Tor- relin June 28.

Al Spokes, promotion manager of WJTV, Baton Rouge, La., has been named to the board of directors of the Albany Symphony Orchestra.

Will Ralston, program manager of WZWW, DuMont television station, in mid-May married Hannah Lasowski, of Los Angeles, formerly with the Don Lee network.
CARL RUFF, of the WOR press department, has been called to service with the Army. He will be succeeded by Tom Bronson of the publicity department of the Bureau of Industrial Relations, Rockefeller Center.

PEGGY FOLEY, formerly of the production department of KSFO, San Francisco, has been transferred to the special events department where she is assistant to R. W. Dunn.

HAL LAWRENCE, news editor and announcer at CKGB, Timmins, Ont., has resigned to freelance in Toronto.

NORMAN MACDONNELL, of CBS Hollywood production staff, has been inducted into the Army.

JERRY DEAN, formerly of KAKE, Albert Lea, Minn., and the North Central Broadcasting System, has joined the announcing staff of WBBM, DuLuth, Minn. Mrs. Robert Redington, formerly Cheer Brentonson, Chicago radio actress, has been placed in charge of women's program of WEBE under the name of Helen Harvey.

JOHN REILLY, program director of WMEX, Boston, was awarded an honorary masters degree in the Art of Conservatory, May 17, at the annual graduation exercises of the Staley College of Boston.

R. S. (Dutch) UNDERHILL, formerly sports announcer of WAC, Davenport, Ia., has joined WIND, Gary, Ind.

BILL ROGERS, formerly an announcer of WHAM, Rochester, has joined CBS, New York.

NATHAN SNADER, former musical director of KYW, Philadelphia, is now serving in the Army at Fort Bragg, N. C.

RAYMOND KAY, formerly of WJRF, Tuscola, Ala., has joined the announcing staff of WII, Philadelphia.

ARMY NOTICE

BROADCASTERS, announcers, engineers, production men, news editors or executives who have been inducted or called to duty in the Army have been requested to get in touch by letter with Capt. Gordon Hittenmark, Morale Division, War Dept., Washington. Capt. Hittenmark is anxious to pick one man in each Army post to handle radio details for his branch and would like to hear from all former broadcasters.

WILLIAM GREENE, formerly of WILN, Lansing, N. H., has joined the production staff of WRNL, Richmond, Va.

LYMAN BROWN, continuity editor of KVFD, Fort Dodge, Ia., is the father of a baby born May 15.

ROBERT SHINN, formerly of WGBF and WEQ, Evansville, Ind., and Bob Carlton, from WMRO, Aurora, Ill., have joined the announcing and production staff of WMID, Peoria, Ill.

LEONARD SHREVE, formerly of KJON, Crozier, Cal., has joined KWJJ, Portland, Ore., as news editor.

GEORGE MARTIN, formerly of WHX, Hartford, has joined KTMJ, Santa Barbara, as newscaster and announcer.

JOHN FELL, announcer of KXY, Philadelphia, suffered a fractured skull, the victim of an assailant.

JACK PATTEN recently was appointed program director of KSAN, San Francisco.

MIRIAM ADELSON

IF YOU THINK such a listener question as, "Could you tell me who makes stuff that comes in a blue box with a red label? I heard advertisements over WOR?" fascinating Miriam Adelson, you've got another guess coming. In addition to juggling the duties of general secretary and research assistant in the WOR promotion department, she answers a hundred such listener queries every week. Information gathered by Miss Adelson is carefully recorded every day in the most complete single station contest and offer source file in the country.

Miss Adelson was born and educated in New York and lived there until she was married three years ago and become a Jersey housewife. Previous to joining WOR in 1936 as secretary to Joseph Creamer, WOR promotion director, Miss Adelson was a secretary and later customer relations clerk for one of New York's foremost department stores.

MILBURN McCARTHY Jr., of the Steve Hannagan office, New York, in charge of publicity for the Cocoa-Cola program on CBS, has been drafted. He is succeeded by William MacAdams, Jr., of The New York Times.

ED NICKEL, MBS publicity assistant, is in Medical Arts Center, New York, recovering from an attack of pneumonia.

PEGGY PHELPS, of the program department of WJZ, Washington, on June 6 is to return to Columbus, Mo., where on June 1 she is to receive her diploma as a graduate of the U. of Missouri School of Journalism. Miss Phelps completed her course six months ago and has been with WJSS since then.

MEREDITH WILSON, musical director of the NBC Marxzell House Coffee Time, sponsored by General Food Corp., New York, has been signed to write music for the MGM film, "The Little Foxes".

MARJORIE MURPHY, of the WGN, Chicago, auditing department, has returned to her desk following a month's leave absence due to an appendectomy.

HELEN JANE OPPEGARD, new to radio and a 1941 graduate of the Medill School of Journalism of Northwestern U., Chicago, on June 16 joins the WBBM-GP's Chicago news staff.

"Cavalcade" Again Wins Award of Youthbuilders

FOR THE SECOND consecutive year Cavalcade of America, sponsored on NBC-Red by E. I. Du Pont de Nemours & Co., received the annual radio award voted by members of Youthbuilders Inc. as the program "having done most to help them understand how democracy works." Honorable mention was given to Wc, the People, sponsored on CBS by General Foods Corp. as an "example of a good use of America cherished right—free speech," and to the CBS sustaining series the Free Company presents, because "it teaches us to stick up for what's right, and shows how democracy grows by criticizing itself."

Louis Ciolfi, 15-year-old m.c. of the Voice of Young Democracy program, broadcast by the Youthbuilders on WMCA, New York, presented the radio awards at the group's annual forum award luncheon, held May 22 at the Hotel Capit', New York. Accepting the scroll for the Cavalcade program was Alex D. Osborn, vice-president of BBDO, New York, agency producing the program.

In addition to the presentation of awards, guests at the luncheon heard Mother Maynard, radio actor, and Newbold Morris, president of the New York City Council, as he broadcast 1-11:15 p.m. on NBC.

Woolfries to Cowles

ANDY WOOLFRIES, for 19 years farm service director of WOI, Ames, Ia., has been appointed to a similar position with the Cowles' group, KSO-KRNT-WMT, as of July 1. He began his radio career while a student at the Iowa State College at Ames, when WOI was the 13th station in the U. S. He was studying science and directed his course in developing radio and radio programming. Besides his farm service, he has announced the sporting events for Iowa State and handled a daily musical program of the lighter classics.

Western Baker Says...

"Ever since the beginning of our business in 1935...KOA most satisfactory factory outlet...major portion of our advertising budget...our successful sales volume has been directly attributable to KOA."

KOAB-COAST TO COAST

KOAB-50,000 WATTS

KOAB-RED NETWORK

KOAB REPRESERVED NATIONALLY BY SOUTHERN BROADCASTING COMPANY

Page 30 • June 2, 1941
Ad Club Elects Fair

HAROLD FAIR, program director of WHO, Des Moines, was elected president of the Advertising Club of Des Moines for the fiscal year starting July 1. Basing his entire campaign on one plank, "An Advertising Man to Head an Advertising Club" and citing his long experience in radio and agency work as a basis for his qualifications to head the advertising club, Mr. Fair's campaign committee was successful in earning a victory over the rival candidate, William N. Pflaum, a local attorney, by a 98-60 vote.

Foreign Tongue Outlets Aid Chicago Bond Sales

THE TRANSLATION into 10 foreign languages of President Roosevelt's address on the sale of defense bonds, and preparations for a huge Soldier's Field Defense Savings Bonds Rally, were among the plans formulated by Chicago's eight foreign language stations in an effort to cooperate with the Government in the sale of defense bonds.

Station executives who recently met and completed plans with Irwin Suls, director of the foreign language division of the national defense savings staff, included O. E. Richardson, WJOB; Arnold Hartley, WGES; Ken Carpenter, WJOB; Frank Kotmour, WDIC; Marie Clifford, WHFC; Albert Hollender, WIND. In addition, a rally at Soldier's Field to be held in early June, is being planned with Mrs. Roosevelt as principal speaker.

McKeever Application

McKEEVERSPORT, a suburb of Pittsburgh, would receive a daylight local, 250 watts on 1590 kc, in the application of the McKeever Radio Co. for a Class 4V outlet in that community. Presently licensed in Kwasun, Pittsburgh furniture dealer, 40% stockholder; David B. Labowitz, treasurer of the Medicinal Oxygen Co., aesthetic manufacturer, 25%; Edward L. Labowitz, 20%; and Sidney Gottleib, 20%.

DOLLAR NOTES and Portables

Yours via

WMUR

The One Station Covering

NEW HAMPHRITES

million and a half summer population

International Radio Sales, Rep.

R. C. Fodor in Boston

NBC BLUE NETWORK

BROADCASTING • Broadcast Advertising

June 2, 1941 • Page 31
WTAG, Worcester, is conducting a survey to determine the coverage of WTAG stories and schedules in cities surrounding Worcester. Starting Monday, an 812-room survey will be conducted to determine how many people listen to WTAG for news and information. Editors of the most influential Boston newspapers have been invited to participate in the survey to determine how many people listen to WTAG for news and information.

A DAILY half-hour participating sponsored program, Health on Parade, has been increased to 10 WINS, New York. Conducted by Dr. Abraham Lichtman, the program will begin a new series in class A markets with the largest grain farmers in the Midwest grain farmers area. The health program will be distributed to WINS and WTAG and other stations in the Midwest grain farmers area. It will be distributed to WINS and WTAG and other stations in the Midwest grain farmers area.

The full-hour show from the camp started on June 15, 2000, with the first show of the season. The show started at 10:30 a.m. and finished at noon. The show started at 10:30 a.m. and finished at noon. It started at 10:30 a.m. and finished at noon. It started at 10:30 a.m. and finished at noon.

FIRST FM SPONSOR for American Network Inc., was signed May 26 with representatives of Socony-Vacuum Oil Co. The sponsor will use FM news broadcasts on stations covering most of New England. Participating in the contract signing were (seated, to r), J. M. Martin, New England Socony manager; John Shepard 3d, president of American Network as well as Yankee and Colonial; and A. L. Nickerson, Socony. Standing are John R. Latham, executive vice-president of American Network; George Walker, Socony; C. A. Snyder, of J. Sterling Getchell Inc., the agency.

FM NET CONTRACT SIGNED BY SOCONY
ANOTHER milestone in the progress of frequency modulation was marked off May 26 in Boston when the American Network signed the first commercial FM contract with Socony-Vacuum Oil Co., New York.

-American Network signed the first commercial deal with Socony, first American FM station to broadcast the news, and for first two or more FM stations.

Socony, which has been sponsoring the Yankee Network News twice daily, seven days a week for the past several years, will sponsor the same news adapted for FM broadcasts on W3R3, Mt. Washington, and W43B, Boston, both FM stations represented by the American Network.

Starting June 18 the FM news will be heard Monday through Saturday, 6:00-11:00 p.m., in addition to Socony's regular Yankee Network, 6 a.m. and 11 p.m. programs.


 CBS Latin Additions

COVERAGE in all of the 20 Latin American republics by the CBS Latin American network is now assured with the addition of affiliates in Haiti and Honduras, the only countries not previously represented in the network, which now totals 66 stations. The new affiliates, as announced by Edmund M. Chester, CBS director of Latin American affairs, are: In Port-au-Prince, capital of Haiti, HHH on 1250 kc. with 500 watts power, and HHSW on 9890 kc. (shortwave) with 500 watts; in Tegucigalpa, capital of Honduras, station is La Voz de Honduras with call letters of HRN on 2380 kc. and 5835 kc. (shortwave) with 4000 watts power.

New C-P-P Series

COLGATE - PALMOLIVE - PEET Co., Jersey City, on July 5 starts a half-hour musical program with Guy Lombardo's Orchestra on CBS, Saturdays, 8-9:30. Product to be advertised on the show has not been announced. Ted Bates Inc., New York, is agency.
AFRA Nominees

Nominees for the three vacancies on the national American Federation of Radio Artists board were named at a recent meeting of the Los Angeles chapter. Those up for election are: Edward Arnold, radio and film star; Georgia Fifield, AFRA assistant executive secretary; Hal Berger of KMPF, Beverly Hills, Calif.; Knox Manning, Hollywood news commentator; Norman Field, NBC Hollywood actor; Ken Carpenter, AFRA president and NBC Hollywood announcer; Fred Shields, Hollywood radio actor; Ed Max, radio actor; and Earl Ross, radio actor. Election returns, to be conducted by rational mail vote, will be disclosed in mid-June.

Gillet Add Canada

GILLETTE SAFETY RAZOR Co., Boston, which on June 1 starts exclusive sponsorship on MBS of 20th Century Boxing events, also will sponsor the bouts on the CBC. First event scheduled is the Joe Louis-Billy Conn world heavyweight fight June 18 at New York's Polo Grounds, followed by the June 25 Al Davis-Fritzie Zivic non-title welterweight contest. Contract signers included J. I. Stampelman, CBC president; Jack Cawley, president of Gillette in Canada; Donald Manson, CBC chief executive assistant; A. Craig Smith, Gillette advertising manager, and Fred Weber, MBS general manager. Agency is Mason Inc., New York.

By BERNARD WINN


E. W. EDWARDS & Son, large Syracuse department store, is a pioneer in department store radio advertising. The initial broadcast, a children's amateur hour from the store, was aired ten years ago.

At first considered a novelty with little thought of direct selling, a few weeks of experimenting brought E. W. Edwards & Son to realize that the program could produce direct results.

Short, informal announcements were then injected throughout the hour to show which types were effective and which were not. The best results were obtained in the candy, sporting goods, toys and children's departments. Today EDWARDS Children's Amateur Hour is still on WPBL in Syracuse, every Saturday morning, 10-11 a.m.

We also discovered that a better selling job could be accomplished by backing the program with other media, such as mentioning the amateur hour in our regular Friday morning newspaper advertisements, occasional window displays, displays of merchandise featured on the program, stuffers in monthly mailings, etc.

Mid-Week Traffic

Six years ago, Edwards undertook to sponsor another program, a cooking show designed to bring mid-week traffic into the store. Home economist chosen for them was Dorothy Stampelman, who broadcasts from Edwards' third floor auditorium over WSYR.

A radio audience always attentive to the broadcast and the Edwards Cooking School of the Air has become an institution in itself.

The latest addition to the E. W. Edwards & Son radio schedule is Favorite Harmonies, heard each weekday morning over WPBL from 8:15 to 8:30 a.m. Music is featured on the 15-minute show played by Don Anderson, and the orchestra, with vocals by Helen Russell.

Betty Lee Edwards, the store's personal secretary, is the program's main announcer, but new ideas are suggested by the station's promotions, which arrange brief interviews with store buyers and other officials. The program is broadcast every Wednesday morning, featuring nationally-known products handled by Edwards.

As a test of the program's pulling power, a well-known brand of women's hose recently was offered at a special price. Miss Edwards gave only one announcement of the special on her Thursday morning program with the result that 1,200 pairs were sold in one day.

In conclusion it can be said that radio can be fitted into the advertising schedule of department stores providing it is properly handled by the store sponsoring the programs as well as the radio stations. The programs should be backed with some other media of publicity in order to secure the best results.

This is considered essential to get the most out of newspaper advertising, so it should be especially important for radio advertising. It can best be accomplished by having well coordinated plans between the store's advertising department assigned to radio promotions. The combination of your knowledge of radio and this department's store training is the right approach to a successful radio campaign.

WPTF Dedication

A SPECIAL DEDICATORY program of its studios and featuring several remotes in Raleigh and vicinity marked the beginning of WPTF Raleigh on June 5. The program selection was over 50,000 wattage at 7:15 p.m. May 24. Heard on the program were Gov. Melville Broughton and Senators Joseph Baskin of N. C., who extended special greetings, the Meredith College Glee Club, Shaw U Choral Society and the Raleigh High School Mixed Chorus. The transmitter equipment was installed by Westinghouse.

Minn. U Wins

U OF MINNESOTA program, "Americanism and What It Represents" was given first place in group A; awards made at Columbus, O., by the Institute for Education. Broadcast- ing regrets omission of mention of this award in its list published in the May 19 issue.

New Ball Product

BALL BROTHERS Co., Muncie, Ind., during May and June is starting 15-week schedules of 100- word announcements on 44 stations throughout the country promoting Ball jars, caps, rubber bands and capping material, the Ball Vacu-Seal, for Mason jars. Presentation time of two, three and six-weeks is varied, some being used at regular station rotation, others in established participation programs. Stations selected include ABC, CBS, NBC, Mutual, several AFRA, Major and others.

Major's Radio Work

M. EDWARD BOWES, to devote more time to his radio work, has resigned as managing director of the Capitol Theatre, a post which he has held since 1919. The Major Bowes Hour is still sponsored by Chrysler Corp. Thursdays 9-10 p.m. To replace the Sunday morning broadcasts of the Capitol Family were discontinued May 31. The Major Bowes Show, established the first time this program has been off the air since its inception in 1927, will continue on CBS, starting July 4.

Greystone Series

GREYHOUND LINES, Cleveland (bus service), through Beaumont & Company, Chicago, has completed a series of one-minute transcribed announcements to be placed by sectional divisions throughout the country on local stations. Announcements are of travelogue theme and exploit interesting and unusual travel spots in the United States. It is expected this campaign will be extended to include the entire country with planned outgrowths started in sections of the south and east. Also scheduled to start short runs in Minnesota and Wisconsin. Campaigns will be of varying lengths, using 20 to 25 announcements weekly.

WASHINGTON, D. C.- It seems only a week since Major Bowes sent out his last commercial and today he is ready to read WFBL's active sports audience.

For complete details, write or wire WFBL, SYRACUSE, N. Y. or Free & Peters, Inc., National Representatives

Page 34 • June 2, 1941

Broadcasting • Broadcast Advertising
FCC Figures

(Continued from page 16)
statement of the three major net-
works and their 23 managed and
operated standard broadcast sta-
tions, after Federal tax returns
disclosed net incomes for the year
of $8,885,694, or a decrease of
$428,162 as compared with the pre-
ceding year. The 23 managed and
operated stations revealed a broad-
cast service income (excess of broad-
cast revenues over broadcast expen-
ses) of $5,362,593, which was
$46,777,217 for the year before Federal
income and estate (excess service
income) of $4,341,000, to

Hartz To Use 25
HARTZ MOUNTAIN PRODUCTS
Co., New York (Hartz bird seed),
through George H. Hartman Co.,
Chicago, is completing plans for its
fall campaign of quarter and half-
hour live and transcribed programs
to be released on approximately 25
stations throughout the country.
Programs will vary from one to six-
weekly, with contracts for 13 and 26
weeks. In some instances, how-
ever, this account runs throughout
the year. These will be continued.

AGENCY

Appointments

THE News Carlsbad, Chicago (monthly
publication) to C. Wendel Muench & Co.,
Chicago. Radio plans indefinite at present
time.

CEMAR Co., Chicago (Renew Kit) to C.
Wendel Muench & Co., Chicago. On
10 started a test campaign on WOWO, Ft.
Wayne, Ind.

ENNA JETTICK Shows, Auburn, N. Y.
(to Amos Parrish & Co., New York. No
plans have been formulated.

GREEN GABLE BUILDERS, Oswego,
N. Y. (portable buildings), to Allen & Reynolds,
Omaha.

DREWERY'S DRY GINGERALE, Detroit.
Ready to Livingston Porter Hicks Adv.,
Detroit. To serve foods, New York.

ST. LOUIS INDEPENDENT PACKING
Loutis.

W. D. SETHNERS Co., Chicago (Twang
Root Beer), to Martin A. Pokers Adv.,
same city. On May 26 started a five-week
radio advertising campaign, of five-week announce-
mments on KDFX, Dubuque, la.

GALLO WINE Co., Modesto, Cal., radio
advertising to Charles H. Murrey Co., Los
Angeles. Agency formerly handled all
radio, but is now handled by firms with exception of radio.

Currently using extensive Southern Califor-
nia spot announcement campaign, with
replacement of singers announcement
for rhythm announcement.

GOLAN WINES, Los Angeles, to Brown &
Thomas, New York. Radio will be included.

HAMILTON DIAMOND Co., Los Angeles
(jewelry chain), to Hugo Scheibner Adv.,
that city. Extensive Southern California
spot announcement campaign is planned.

SQUIRT Co., Beverly Hills, Cal. (bev-
erages), to McCann-Erickson, Los Angeles.
Radio is not included in immediate plans.

Gallenkamp Clues

GALLENKAMP STORE CO., San
Francisco (shoes), on May 22 started
for 13 weeks Here's the Clue,
featuring Frank Graham on 6
CBS Pacific Coast network stations
(KKNX KSFO KARM KOIN KIRO
KFFF), Thursday, 6:45-6:50 p.m.
(PT). Series relates brief sketch of
a famous person, whose identity
is withheld until closing commer-
cial. Writer is Everett Tomlinson.
Long Adv. Service, San Francisco,
has the account.

CANADIAN BROADCASTING
Corp. has issued a consolidation of
Canadian Broadcasting regulations
under the Canadian Broadcasting Act,
1936, with revisions and amendments
up to March 24, 1941. Copies are
available in English or French
through J. R. Radford, CBC Super-
visor of Station Relations, Toronto.

WDBC

CONNECTICUT'S PIONEER BROADCASTER

1ST CHOICE

Come to Connecticut for your summer vacation as well as pleasure, there's more than a million and alter-
num people in this market—with the highest buying ef-


WDBJ

Western Radio Corp., licensee of
KODL, The Dalles, Ore., which
goes into operation last December, is
applying to the FCC for another sta-
tion in Pendleton, Ore., to operate on
1240 kc. with 250 watts. V. B. Ken-
worthy, onetime salesman for KSLM,
Salem, Ore., is president and 50% stockholder. Roy O. Hicken is vice-
president with 25% and T. M. Hicks, insurance and real estate, is secretary-
treasurer with the other 25%.

Seeks Oregon Station

mistaken identity

THE OTHER DAY the radio
program on the campus of the Phila-
delphia & Suburban Home
Builders Assn., was silent.
When the phone rang and a
voice said, "This is the Cal-
vary Hour, are you tuned to
our program?" he had visions
of monetary rewards, and re-
paid: "Yes, Calvert is a good
whisky, the only kind I ever
drink." "Sorry," cooed the
radio voice, "this is the Cal-
vary Church program. You
have just missed winning $25.
Goodbye!"

5000 WATTS--FULL TIME!

NOW 5000 WATTS--FULL TIME!
At no increase in rates—WDBJ is now operating
full time on 5000 watts! That's really something
—because the same number of dollars now buys
a far, far, FAR greater number of radio families in
our primary nighttime area!
Within our primary area (both night and day)
is the vast, rich, Roanoke-Southwest Virginia
market—richer than ever today, with defense
contracts alone totaling $100,000,000! And remem-
ber — WDBJ is the only station covering the
whole territory! Send for the facts, or ask
Free & Peters.

5000 WATTS DAY

5000 WATTS NIGHT

NOW 5000 WATTS--FULL TIME!
At no increase in rates—WDBJ is now operating
full time on 5000 watts! That's really something
—because the same number of dollars now buys
a far, far, FAR greater number of radio families in
our primary nighttime area!
Within our primary area (both night and day)
is the vast, rich, Roanoke-Southwest Virginia
market—richer than ever today, with defense
contracts alone totaling $100,000,000! And remem-
ber — WDBJ is the only station covering the
whole territory! Send for the facts, or ask
Free & Peters.

Now 5000 Watts--Full Night!

ROANOKE, VIRGINIA

Owned and Operated by the TIMES-WORLD CORP.
CBS Affiliate—5000 Watts Full Time—960 Kc.

June 2, 1941 • Page 35
WINS, New York
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WCR, Washington

KDKY, Salt Lake City
American Radio Co., Long Island City, daily as, thru Badger, Browning & 

WEAF, New York
Philip Morris & Co., New York (Dunhill cigarettes), 3 sp weekly, thru Blotz Co., N. Y.

WEBR, Columbus
Joseph Katz, New York, as weekly, thru Adam Hat Stores, New York.

WGET, Chicago
Charles R. Coles, Chicago, as weekly, thru WRCA Broadcasting Co., Chicago.

WGY, Binghamton
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WFIL, Philadelphia
Major Association Co., Philadelphia (Budweiser), 1 sp weekly, thru William M. Buckman Co., N. Y.

WIBN, New York
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WIBO, Orlando, Fla.
Armour & Co., Chicago (fertilizer), 2 sp weekly, thru Liller, Harris & Neale, At-

WHO, Des Moines
Leaver Bros. Co., Cambridge (Sprr Rinso), 10 sp weekly, thru Rutherfurd & Ryan, N. Y.

WBOB, Columbia
C. C. Culley, Columbia, as weekly, thru W. H. Kastor & Sons, Chi-

WBOI, Muncie, Ind.
S. C. Hersey, Muncie, Ind., as weekly, thru J. Walter Thomson & Co., N. Y.

WBNI, New York
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WBCN, Boston
William W. Lee, Boston, as weekly, thru Metropolitan Broadcasting Co., N. Y.

WBCI, Minneapolis
A. H. Bliss, Minneapolis, as weekly, thru W. S. Amyx, Minneapolis.

WBEW, Dubuque
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WEAR, Kansas City
Samuel J. Bross, Kansas City, as weekly, thru American Tobacco Co., Kansas City.

WEAE, Philadelphia
C. E. Engel, Philadelphia (Welsh, Richardson & Thompson, Inc.), 3 sp weekly, thru W. S. Amyx, Minneapolis.

WASA, Washington, D. C.
D. S. C. Currier, Washington, D. C., as weekly, thru W. E. Blum, Washington, D. C.

WATP, Washington
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WAXA, Kansas City
Samuel J. Bross, Kansas City, as weekly, thru American Tobacco Co., Kansas City.

WBBN, Chicago
Vivien Howard, Chicago, as weekly, thru CBS Broadcasting Co., New York.

WBBR, New York
James E. Jones, New York, as weekly, thru WEAR Broadcasting Co., Kansas City.

WBBM, Chicago
American Tobacco Co., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WBFM, Dallas
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WBEZ, Chicago
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WBOB, Columbus
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.

WBOB, Columbus
J. W. Weeks, Jr., Chicago, as weekly, thru Underwood & Underwood, Chicago.
FIRST FEDERAL Savings & Loan Ass'n of Hollywood (investments), regular user of Southern California radio, has started sponsoring for 26 weeks a weekly quarter-hour news-
cast featuring a featured news commentary, on KMPC, Beverly Hills, Cal. Agency is The Mayer Co., Los Angeles.

MOEWS LOEW SEED CO., Grun-

A. DIRKEN & SONS, Springfield, Ill. (fruit store), has started a 26-week schedule of weekly half-hour programs, titled "Looney Auction," on WCBS, Springfield. The series originates from the stage of the Fox Lincoln Theatre. Audience is given opportunity to bid for articles of value displayed on the stage. Account was placed direct.

INDEPENDENT DRUGGISTS of Southern California, Los Angeles, new to radio, on May 18 started sponsoring a five-weekly quarter-hour newscast titled "Bob Green News," on KFWB, Hollywood. Contract is for 26 weeks. W. C. Jeffries Co., Los Angeles, has the account.

BURNS & Co., Calgary, Atln. (meat packers), has started a spot announcement campaign three times weekly on CJBC, Winnipeg, Man. Account was placed direct.

JOHN MURRELL & Co., Ottumwa, Ia. (Red Heart Dog Food), has started twice-weekly, six days a week, spot announcements on CFRB, Toronto, placed by Henri, Huret & Mcdonald, Chicago.

CANADIAN RAYBESTOS Co., Peterborough, Ont. has started quarter-hour transmitted dramatic shows on a number of Ontario stations. Account was placed direct.

LANGLEY HARRIS & Co., To-
ronto (Knobat Sales), has started transcribed program "Monogramettes," six mornings weekly on CJKL, Kirkland Lake, Ont. Account was placed by Norris-Patterson, Toronto.

NOXZENA CHEMICAL Co., Balti-
more (Noxzema cream) has renewed for 13 weeks a seven-day program of five cities on KFRC, San Francisco and KJU, Los Angeles. Fridays at 7:30 p.m. Contestants in Los Angeles and San Francisco vie against each other but do not hear the answers their opponents have given. The listening audience hears both sides. Account was placed by Norris-Patterson, Toronto.

W. D. SETTINESS Co., Chicago (Twaug root beer), has May 26 started a five-week test campaign of a five-weekly one-minute spot announcements on KDTW, Dubuque, Iowa. Agency is Martin A. Pokras Adv., Chicago. Dubuque Star Brewing Co., Dubuque, on May 4 started a 25-week schedule of six-weekly quarter-hour sports broadcasts on KDFH, Swiss clinic Cosmetics, Dubuque, on May 4 started a 12-week schedule of five-weekly quarter-hour programs; account placed direct.

INTERSTATE BAKERSIES CORP., Tuscola, Ill. (Schultz's Better Nut bread), has contracted for TIGC spot announcements on WYX, Tuscola. Contract runs to Dec. 27. Agency is R. J. Potts & Co., Kansas City.

WANDER Co., Chicago (Halifax) on June 20 starts a 10-day test campaign of weekly half-hour series titled "The Radio Pen Man" on KZIR, Manil, P. I. Agency is Blackett-Sample-Hummert, Chicago.

RADIO SPECIAL was the WFBF Handicap, run recently at the famous Hollywood racetrack, with dosage of special spot announcements on WXYZ, Hollywood. The series features interviews with Jockey Kelly, who rode Abrasion, the winner. The series is sponsored for the benefit of the BBDK timerbuyer. Looking on is Purnell Gould, WFBF advertising manager.

WILSHIRE SHIRTS, Los Angeles (men's sport shirts), user of local spot radio, on June 24 started sponsoring a weekly half-hour quiz program titled "Play Ball!" on KFWB, Hollywood, which will be repeated from stage of Paramount Theatre, Los Angeles. Contract is for 26 weeks. Agency is for the account.

HIMINI BATHS, Los Angeles (swimming pool), in a test campaign marking their first extensive use of radio, on May 4 started sponsoring for 13 weeks a weekly half-hour program on KFOC, that city. Program, under auspices of the Southern Pacific Assoc. of the Amateur Athletic Federation, features interviews with swimmers, coaches and AAU officials. Slogan for the test is being "Western Adv. Agency, Los Angeles, has the account.

JOHN MORRELL & Co., Ottumwa, Ia. (Red Heart Dog Food), on May 26 started a five-weekly quarter-hour program on KFOC, that city. Program, under auspices of the Southern Pacific Assoc. of the Amateur Athletic Federation, features interviews with swimmers, coaches and AAU officials. Slogan for the test is being conducted. Western Adv. Agency, Los Angeles, has the account.

"5000 WATTS (AUTHORIZED) DAY AND NIGHT"

Youngstown's Favorite Station

A Hoover-Holmes survey shows that WFMJ is more listened to than any other station heard in the Youngstown district.
IMA Fact Finding

(Continued from page 18)

Lynchburg, Va. Two other committee members, from the South- west and the East, are to be named. In a May 20 letter to BROADCASTING, Mr. Johnson commented:

"This meeting of Mutual affiliates was announced by Neville Miller in open convention with no intimation that it was to be a 'trump' session only and members, in fairness to the majority of those who attended, including Steve Cisler, we don't think such purpose or intention prevailed.

In support of this statement we cite the fact that there were a number present who voted favorably in the Saturday meeting of Mutual affiliates at the Chase hotel in support of Fred Weber and Mutual's leadership, and who still feel that way about the networking-ASCAP action. We were one of those who declared and voted their faith in Mutual's active leadership and we have not changed.

No Reflection

"This is no way meant as a reflection upon those who voted otherwise. We are sure they voiced their convictions, which which everyone must be accorded. We do not question their motives or sincerity of purpose.

"However, our position in the meeting at St. Louis, outside the meetings in our expressions to Mr. Cisler and others, and our position now, is simply this:

"We favor a Mutual's affiliates' organization if it is to be constructive in purpose and practice for Mutual, and if it will be accepted and recognized by Mutual's active leadership as a defined and important part of the Mutual system. We believe such an organization can be constructive and beneficial to the network if properly directed and operated, and in the formation of such an organization we will expend both time and money.

"If, on the other hand, the organization is to be an inquisitorial device for the purpose of 'selling down' the accusations in the ASCAP matter, then we want no part of it because it cannot accomplish a constructive and meaningful purpose. Nor inevitably lead to a rift of more or less serious proportions in the Mutual network. We are ready and willing to fight just cause, but we attempt to keep our feet on the ground and try honestly to see things from a constructive viewpoint despite our sometimes biased personal feelings.

"The Mutual-ASCAP contract is an accomplished fact. The subject of ASCAP, as touchy as it was and is to the rank and file of broadcasters including ourselves, was found to cause controversy and bitterness of spirit and opinion. However, we believe every mutual member in attendance at the St. Louis meetings, is loyal at heart to the Mutual network, and that above all differences of opinion, that Mutual continue to go forward to exceed even its previous brilliant record of accomplishment.

Loyalty to Mutual

"Upon that foundation of loyalty there can be a definite place in the network picture for an organization of Mutual affiliates, banded together under Regional Representatives and Mutual's active leadership. Had there been such an organization prior to the ASCAP negotiations, we believe we would have not witnessed all of the regrettable controversy that occurred might have been avoided and the entire matter settled without public manifestations of strong differences of opinion in the Mutual family."

Robert Arden Cited

ROBERT ARDEN, KFWB, Holly- wood, news commentator, is scheduled to appear before United States immigration officials within a few weeks, after being taken into custody recently on charges of illegal entry into this country from Australia, and released the following day on bond. Arden, whose real name is Rudolph Kiiger, came to the United States seven years ago on a visitor's visa after dissolution of Austria by Germany.

Midwest Spots

SCHOENHOFEN - EDELWEISS Co., Chicago (beer), May 15. started a varying schedule of five to six-weekly live announcements on five stations. Contracts are for 13 weeks in New York, Chicago, An- aro; WROK, Rockford; WCBS, Springfield, Ill.; WJOB, Hammond, Ind.; WBNJ, Racine, Wis. On March 17, firm started 10-weekly spot announcements on WMAQ, Chicago, for Guardian Adv. Agency. Chicago, handles the account.


AFRA Adds in L. A.

NEGOTIATIONS for signature of two more stations with American Federation of Radio Artists, Los Angeles, culminated the week of May 21, making a total of nine AFRA stations in that area. KFAC, Hollywood, operated by Los Angeles Broadcasting Co., contracted with the union early in the month, while KMBZ, that city, through KMTR Radio Corp., joined on May 21. Agreement stipulates wage increases as well as inclusion of local and sustaining codes, Long Beach, Cal., stations, KFOX KCER and Los Angeles stations, KKKD, KPVD have not yet signed with AFRA.

AFRA adds in L. A.:

CALIFORNIA SPRAY CHEMICAL CORP., Richmond, Calif. (insecticides), recently started three participating weeks on KWTU, St. Louis, Mo., directed by Austin Fenger on KSF0, San Francisco. Agency is Long Adv. Service, San Francisco.

Hans to Continue

FOR the first time in 15 years the 2,400 amateur radio operators in the Amateur Radio System will continue to operate throughout the summer instead of closing their season on the last Monday in May as has been the custom. Opening the summer season members of the American Radio Relay League will participate June 2 in the AARL annual field day during which a contest to test the proficiency of operators in contacting one another during times of national emergency will be conducted.

WOR Technical Manuals

SO MANY REQUESTS from stations, publishers and individuals have been received by WOR, New York, for copies of the Routine Operation Manual, that Charles Singer, the technical supervisor in charge of WOR's transmission and operations, has announced the four manuals will be compiled into one volume for commercial distribution.

GIL BAYEK, announcer of WDBR, Hartford, on June 8 is to become program manager of W4TA, new FM station at Schenectady, N. Y.
ASCAP Supreme Court Decision
(Continued from page 12)

"Such an argument rests upon a mistaken premise," the court said. Then in a footnote, it pointed out that it had been referred to the ASCAP consent decree, the notion being that the decree might have some bearing upon the State's power to pass the legislation under attack. "But it has not," the court said. "In the case of purely intra-state transactions, the State might pass valid regulations to prohibit restraint of trade even if the Government had no law whatever with reference to similar matters involving interstate transactions."

"We find nothing in the copyright laws which purports to grant to copyright owners the privilege of combining in violation of otherwise valid state or Federal laws," said the opinion. "We have, in fact, determined to the contrary in relation to other copyright privileges." The court added that it could find nothing either in the language of the copyright laws or in the history of their enactment to indicate any Congressional purpose to deprive the States, either in whole or in part, of their long recognized power to regulate combinations in restraint of trade.

The Act Applies
Under the findings of the lower court, said Associate Justice Black, ASCAP "comes squarely within the definition of the combinations prohibited by Section 1 of the 1937 Act." Since under the record and findings in the case ASCAP is an association within the meaning of the Florida statute, the court said it was not called upon at its instance to pass upon the validity of other provisions contained in the numerous clauses, sentences and phases of the 1937 or 1939 Florida acts which might cover other combinations.

"It is enough for us to say in this case," the opinion concluded, "that the phase of Florida's law prohibiting activities of those unlawful combinations described in Section 1 of the 1937 act does not contravene the copyright laws of the Federal Constitution; that particular attacks upon other specified provisions of the statutes involved are not appropriate for determination in this proceeding; that the court below erred in granting the injunction; and that the bill should have been dismissed."

"All other questions remain open for consideration as to combination in appropriate proceedings. For the reasons given, the judgment below in No. 610 (Florida vs. ASCAP) is reversed and the cause is remanded to the lower court with instructions to dismiss the bill. The judgment in No. 611 (ASCAP against Florida) is affirmed."

A Similar Case
In the Nebraska case, Justice Black said most of the questions presented are the same as those raised in the Florida cases. In this case, it was pointed out, at the request of ASCAP, the three-judge court enjoined various State officials from enforcing the statute aimed primarily at price-fixing combinations operating in the field of public performance of copyrighted music. The opinion concluded:

"Here, as there, the court below found that threats had been made, that some of the sections of the act were invalid, that the invalidity of those sections permeated the whole, and that the State officials should be enjoined from enforcing any of the numerous provisions of the act. But, as in the Florida case, the court below proceeded on a mistaken premise as to the role a federal equity court should play in enjoining state criminal statutes. Here, there was no more of a showing of exceptional circumstances, specific threats, and irreparable injury than in the Florida case. In his brief in this court, the Attorney General of Nebraska stated that "Appellants, as law enforcement officers, sincerely hope that no action under this act will be required. None was threatened before nor since the suit was started."

With one possible exception, the record bears out the statement of the Attorney General. There was no evidence whatever that any threats had been made, but in his answer the Attorney General stated that he would "enforce the act against the complainant society." If [if] the complainant society would operate in the State of Nebraska in violation of the terms of the statute by conspiring and conspiring to fix and determine prices for public performance of copyrighted musical compositions ... As we have just held in Watson v. Buck, it was error to issue an injunction under these circumstances."

In other material respects also, this case is like the Florida case. The court below failed to pass on what we consider the heart of the statute because of what it regarded as the invalidity of the invalid sections. But section 12 of the Nebraska statute is similar to section 12 of the Florida statute and provides that "if any section, subdivision, sentence or clause in this Act shall, for any reason, be held void or non-enforceable, such decision shall in no way affect the validity of enforceability of any other part or parts of this Act."

The legislative will is respected by the Supreme Court of Nebraska, and the court below should have followed state law in this regard. That part of the statute on which the court did pass—namely the parts which the Attorney General said he stood willing to enforce if violated—set up a complete scheme for the regulation of various controlling performing rights in copyrighted music. On the authority of Watson v. Buck, the decision below is reversed and the cause is remanded with instructions to dismiss the bill.
TEXT OF THE SUPREME COURT DECISION IN THE ASCAP CASE

FOLLOWING is the full text of the decision of the Supreme Court of the United States on the appeals of the State of Florida versus ASCAP, decided unanimously May 26 by the tribunal holding ASCAP to be a price-fixing combination in restraint of trade. (A similar conclusion was reached in the case of the State of Nebraska against ASCAP, decided the same day.)

SUPREME COURT OF THE UNITED STATES.

Nos. 610, 611. October Term, 1940.


[May 26, 1941.]

Mr. Justice Black delivered the opinion of the Court.

In broad outline, these cases involve the constitutionality of Florida statute 109, that statute being the state provisions holding music copyrights and declaring price-fixing combinations of "authors, composers, publishers and owners" of such copyrights to be illegal and in restraint of trade.

The American Society of Composers, Authors & Publishers (ASCAP), one of the appellants in No. 611 and one of the appellees in No. 610, is a combining which, when joined with the powers and functions of the Florida Music Publishers Association (F.M.P.A.), is a price-fixing combination under and in violation of the Federal antitrust laws. In the Florida courts, the appellees in No. 611 (appellants in No. 610) are individual composers, authors and publishers of music controlled by ASCAP.

The appellees in No. 611 (appellants in No. 610) are the Attorney General and all the state prosecuting attorneys of Florida who are charged with the duty of enforcing all parts of the statutes in question.

These two cases were originally a single case in the Florida courts and its co-parties sought to join the state officials, who are charged with the duty of enforcing parts of the statutes in question.

A Federal district court, composed of three judges under § 260 of the Judicial Code, granted a temporary injunction, and this Court affirmed without passing upon the merits of the constitutional questions involved. Gibbs v. Buck, 307 U. S. 66. A supplemental bill of complaint was then filed, asking that the three judge court judge an 1850 Florida statute relating to the subject in question.

On final hearing, the three judge court again enjoined the state officials from enforcing any sections of the 1937 act, but granted the injunction only as to certain sections of the 1937 act, 34 F. Supp. 510. No. 611 is an appeal by ASCAP and its co-complainants from the Florida courts from enforcing the remainder of the 1937 act. No. 610 is an appeal by Mr. Buck and the Florida associations from granting the injunction as to the 1937 act and as to certain sections of the 1930 act.

The court below, without passing at all upon the constitutionality of the Florida statute, held that the remaining eight sections of the 1937 act were *invalid* and the other parts of the bill were intended by the Florida Legislature to be a "harmonious whole" and "stand or fall together.

The ultimate questions involved are such that we must first determine whether this ruling was correct. We hold that it was not, for the following reasons.

The Florida Legislature evidenced a purpose directly contrary to the District Court's finding. For what the Legislature intended is not the opinion of the court, spelled out in section 12 of the Act in the state's official language in the language of the Constitution itself. That section reads:

If any section, sub-section, sentence, clause or any part of this Act, is for any reason, held or declared to be unconstitutional, imperative [sic] or void, such holding or invalidity shall not affect the remainder of this Act, nor shall it be considered to have been the legislative intent to pass this Act without such unconstitutional, inoperable or invalid part; and the remainder of this Act, or the exclusion of such part or parts, shall be held and deemed to be valid of such excluded parts had not been included hereinafter.

This is a flat statement that the Florida Legislature intended that the Act should stand and be enforced "after the exclusion of such part or parts" as might be invalid. In other words, Congress had not a controlling decision by Florida's courts compels a different course, the Federal courts are not, in effect, exercising the power of law that the Florida courts hold invalid. The Federal court's holding that the State Legislature meant exactly the opposite of what it recited to "have been the legislative intent." But the Supreme Court of Florida recognizes and seeks to carry out the legislative intent thus expressed.

Speaking of a similar severability clause of another statute, that court said: "It is the general rule that when a court is charged with the responsibility of determining whether a particular combination of facts constitutes an unlawful combination the court must be free to draw inferences to the less a controlling decision by Florida's courts compels a different course, the Federal courts are not, in effect, exercising the power of law that the Florida courts hold invalid. The Federal court's holding that the State Legislature meant exactly the opposite of what it recited to "have been the legislative intent." But the Supreme Court of Florida recognizes and seeks to carry out the legislative intent thus expressed.

Speaking of a similar severability clause of another statute, that court said: "It is the general rule that when a court is charged with the responsibility of determining whether a particular combination of facts constitutes an unlawful combination the court must be free to draw inferences to the

The court below, without passing at all upon the constitutionality of the Florida statute, held that the remaining eight sections of the 1937 act were invalid and the other parts of the bill were intended by the Florida Legislature to be a "harmonious whole" and "stand or fall together.

The ultimate questions involved are such that we must first determine whether this ruling was correct. We hold that it was not, for the following reasons.

The Florida Legislature evidenced a purpose directly contrary to the District Court's finding. For what the Legislature intended is not the opinion of the court, spelled out in section 12 of the Act in the state's official language in the language of the Constitution itself. That section reads:

If any section, sub-section, sentence, clause or any part of this Act, is for any reason, held or declared to be unconstitutional, imperative [sic] or void, such holding or invalidity shall not affect the remainder of this Act, nor shall it be considered to have been the legislative intent to pass this Act without such unconstitutional, inoperable or invalid part; and the remainder of this Act, or the exclusion of such part or parts, shall be held and deemed to be valid of such excluded parts had not been included hereinafter.

This is a flat statement that the Florida Legislature intended that the Act should stand and be enforced "after the exclusion of such part or parts" as might be invalid. In other words, Congress had not a controlling decision by Florida's courts compels a different course, the Federal courts are not, in effect, exercising the power of law that the Florida courts hold invalid. The Federal court's holding that the State Legislature meant exactly the opposite of what it recited to "have been the legislative intent." But the Supreme Court of Florida recognizes and seeks to carry out the legislative intent thus expressed.

Speaking of a similar severability clause of another statute, that court said: "It is the general rule that when a court is charged with the responsibility of determining whether a particular combination of facts constitutes an unlawful combination the court must be free to draw inferences to the less a controlling decision by Florida's courts compels a different course, the Federal courts are not, in effect, exercising the power of law that the Florida courts hold invalid. The Federal court's holding that the State Legislature meant exactly the opposite of what it recited to "have been the legislative intent." But the Supreme Court of Florida recognizes and seeks to carry out the legislative intent thus expressed.

Speaking of a similar severability clause of another statute, that court said: "It is the general rule that when a court is charged with the responsibility of determining whether a particular combination of facts constitutes an unlawful combination the court must be free to draw inferences to the
the lengthy statutes, under any circum-
stances, be the basis for the restraint of
any proceeding to require one or more
of the various unconstitutionality con-
ditions contained in those laws. In their
answers, the State's representa-
tives specified that the procedures
made any threats whatsoever to enforce
the Complainants' bill by arresting
anyone or charging them with a crime.
In their answer to the supplemental
bill, however, they said that the
Complainants had not been charged
with anything, and had not been
imprisoned by them. They did state
in their answer to the supplemental
bill, however, that they would per-
mit the Complainants to have their
provisions and prohibitions, as
sufficient to warrant a decision,
finding the statute unconstitutional,
and a mere statement
by a prosecuting officer that he in-
 tended to perform his duty in such
fashion as to warrant the Federal
court in enjoining all State prosecut-
ing officers from enforcing the
statute in question.

The general rule is that equity will not
interfere to prevent the enforcement
of a statute where such enforcement
is such as to make it unconstitutional, . . . To justify such
injunctions, there must be exceptional
circumstances and a clear showing
that an injunction is necessary in order
to safeguard the rights of con-
stitutional . . . We have said
that it must appear that the danger
of irreparable injury is both great and
immediate; otherwise the accused
should first set up his defense in the
State court, even though the validity
of a statute is challenged. There is
an act of the court in enforcing the
provisions of this statute, unless
prosecution is the only method of en-
forcing such specific provisions as
attacks upon persons who claim to
be injured. Passing upon the possible
validity of the manifold provisions
of a broad statute in advance of efforts
to apply the separate provisions is
analogous to rendering an advisory
opinion upon a statute or a declaratory
judgment upon a hypothetical case.

It is of course conceivable that a
statute might be flagrantly and ac-
cessibly violative of express constitu-
tional prohibitions in every clause,
sentence and paragraph, and in what-
ever manner and against whomever an
effort might be made to apply it. It is
sufficient to say that the statutes be-
fore us are not of this type. Cases
under the separate sections and para-
graphs of the acts can be tried as they
arise—preferentially in the State courts.
Any Federal questions that are pro-
perly prosecuted can then be brought
here. But at this time the record does
not justify our passing upon any part
of the statute except, possibly, that
phase of the statute outlawing Florida
by declarations unlawful.

Such exceptional circumstances
are therefore necessary to give
rise to injunctive proceedings, and
no showing was made or is here
made, that the provisions and prohibitions
were not thereafter a
complete absence of
any showing of a
definite and expressed intention
to enjoin the Complainants' bill, as
the prohibition of a broad, comprehensive
and multi-provisioned statute.
For such a general statement that
is not the equivalent of a threat that
prosecutions are to be brought no imme-
diate and actual threat as would
be made by the Service, to indicate
the virtual cer-
tainty of that irreparable injury which
alone justifies equitable relief, and
demand a prohibitory injunction
such as the petitioners' bill seeks.

A general statement that an officer
stands ready to perform his duty falls
far short of any showing of a
threat as would
warrant the intervention of equity.

And this is especially true if, as is
true here, the threat is not to
enforce, but is a mere threat as would
not warrant the intervention of equity.

A threat is expressed and apparent,
and not in the form of a
threat, to arrest
and, in any event, to proceed
under the threat, to arrest
anyone in connection with any
specific statute or paragraph of
the numerous prohibitions of the acts,
such as to constitute a
possible exception to be dis-
missed.

The most that possibly could be
gathered from the meager record
referring to this phase of the com-
plainants' bill is that no suits had
been threatened, and no criminal
or civil proceedings instituted in
regard to any of the acts. In the
particular proceedings contemplated,
the State's Attorney General pro-
ferred to the State officials that if
they would perform their duties under
their oath of office should they require
knowledge of certain situations.

So too did it appear to the State's
Attorney General that the court in
the construction of the earlier act no
determination as to the
validity of the acts. The basis
therefor was made
upon the record on which
much of the argument rests
in the manner in which the acts
were imposed upon him and his subordinates except
with reference to the described combinations
of the type defined in Section 1 of
the Federal questions.

Federal injunctions against State
criminal statutes or the like in their en-
tirety or with respect to their separate
district prohibitions, are not to
be granted as a matter of course, even
if such statutes are unconstitutional.

"No citizen or member of the
community is immune from prosecution
in good faith, for his alleged criminal acts.
No immunity is enjoyed by the
officers even though alleged to be
unauthorized and hence unlawful
if not according to law and
in equity which
exerts its extraordinary powers only to
prevent irreparable injury to the person
who seeks its aid." Beal v. Missouri
Pacific Railroad Corp., 312 U.S. 490.

A general statement that an officer
stands ready to perform his duty falls
far short of any showing of a
threat as would
warrant the intervention of equity.

And this is especially true if, as is
true here, the threat is not to
enforce, but is a mere threat as would
not warrant the intervention of equity.

A threat is expressed and apparent,
and not in the form of a
threat, to arrest
anyone in connection with any
specific statute or paragraph of
the numerous prohibitions of the acts,
such as to constitute a
possible exception to be dis-
missed.

The most that possibly could be
gathered from the meager record
referring to this phase of the com-
plainants' bill is that no suits had
been threatened, and no criminal
or civil proceedings instituted in
regard to any of the acts. In the
particular proceedings contemplated,
the State's Attorney General pro-
ferred to the State officials that if
they would perform their duties under
their oath of office should they require
knowledge of certain situations.

So too did it appear to the State's
Attorney General that the court in
the construction of the earlier act no
determination as to the
validity of the acts. The basis
therefor was made
upon the record on which
much of the argument rests
in the manner in which the acts
were imposed upon him and his subordinates except
with reference to the described combinations
of the type defined in Section 1 of
the Federal questions.

Federal injunctions against State
criminal statutes or the like in their en-
tirety or with respect to their separate
district prohibitions, are not to
be granted as a matter of course, even
if such statutes are unconstitutional.

"No citizen or member of the
community is immune from prosecution
in good faith, for his alleged criminal acts.
No immunity is enjoyed by the
officers even though alleged to be
unauthorized and hence unlawful
if not according to law and
in equity which
exerts its extraordinary powers only to
prevent irreparable injury to the person
who seeks its aid." Beal v. Missouri
Pacific Railroad Corp., 312 U.S. 490.
rights better in combination than they can as individuals. We find nothing in the copyright laws which purport to grant to the copyright owners the privilege of combining in violation of otherwise valid State or Federal laws. We have, in fact, determined to the contrary with relation to other copyright privileges."

But complainants urge that there is a distinction between our previous holdings and the question here. This contention is based on the idea that Congress has granted the copyright privilege with relation to public performances of music and that with reference to the protection of this particular privilege, combination is essential. We are therefore asked to conclude from the asserted necessities of their situation that Congress intended to grant this extraordinary privilege of combination. This we cannot do. We are pointed to nothing either in the language of the copyright laws or in the history of their enactment to indicate any congressional purpose to deprive the States, either in whole or in part, of their long-recognized power to regulate combinations in restraint of trade. Compare Waters-Pierce Oil Corp. v. Texas (No. 1), 212 U. S. 58, 107.

Under the findings of fact of the court below, ASCAP comes squarely within the definition of the combinations prohibited by Section 1 of the Sherman Act. Nor can lawful combination an aggregation of authors, composers, publishers, and owners of copyrighted vocal or instrumental musical compositions who form any society, association, or the like and the members of which constitute a substantial part of the output of the country, firms or corporations within the United States who own or control such musical compositions and "when one of the objects of such combination is the determination and fixation of license fees or other conditions required by such combinations for itself or its members or other interested parties." Section S of the 1937 Act makes it an offense for such combinations "to act within this State in violation of the terms of this Act."

The court below found that there were 128 composers and authors who were members of ASCAP; that the principal music publishers of the country are members; that the Society controls the right of performance of 45,000 members of similar societies in foreign countries; and that the Board of Directors of ASCAP have "absolute control over the fixing of prices to be charged for performance licenses." Since under the record and findings here ASCAP is an association within the meaning of Section 1 of the 1937 Act, we are not called upon at its instance to pass upon the validity of other provisions contained in the numerous clauses, sentences, and phases of the 1937 or 1939 Act which might cover other combinations not now before us.

It is enough for us to say in this case that the phrase of Florida's law prohibiting activities of those unlawful combinations described in Section 1 of the 1937 Act. It is not necessary to determine whether the copyright laws of the Federal Constitution that particular attacks on other specified provisions of the statute involved are not appropriate for determining the statute in question that the court below erred in granting the injunction; and that the bill should have been dismissed. All other questions remain open for consideration and disposition in appropriate proceedings. For the reasons given, the judgment below in No. 619 is reversed and the cause is remanded to the lower court with instructions to dismiss the bill of complaint. Judgment in No. 611 is affirmed.

Mr. Justice Murphy took no part in the consideration or decision of this case.

Guestorial
(Continued from page 28)

the complete picture of the radio broadcasting industry is not given to the interested public maintaining where NAB could and should come in very appropriately with its sales promotion activities and produce a motion picture of radio that could be forwarded from member to member for presentation before various clubs and schools of each city, town or locality. This also would afford NAB the opportunity of selling the NAB code to the public; something which should not be neglected for another month.

A film of this nature would offer a very interesting program, bringing out the multiplicity of "behind the mike" activities, copy restrictions, requirements, timing elements plus many other details that occur in the average broadcasting station, but remain practically unknown to the average radio listener. Persons who have seen movies regularly see news reporters and newspapers dramatized almost constantly, and maybe once in 20 trips to the theatre will the radio station get a break.

With a film, such as has been briefly outlined, we would be selling some of these big department stores on radio by interesting their advertising managers (having the advertising club in mind). In its presentation to the public, the film should depict the average broadcasting station, not the big network operation. Such a film depicting the daily routine of an average broadcasting station would do much toward education and bringing thoughts to a good number of advertising men who heretofore have concentrated on the printed word. It will show Mr. John Q. Public that the public service of his local radio is not in the necessity—that radio is daily instructing, entertaining, and selling thousands of his own community.

The film would be welcome and well received by Mr. Average Man.

A Dollar's a Dollar, Always Say...

Take Wichita for example, out there things are booming. Last year total earned income approximated $2 million. Now, in addition to that, defense contracts for Wichita manufacturers have surpassed the $2 million dollar mark—and there are contracts coming in all the time.

The net result of all this is that the average family will have even more to spend on the products you have to sell. That means that a dollar invested on

Avonan

BROWN & WILLIAMSON TOBACCO Corp., Louisville (Avon cigarettes), in mid-May started a new radio network by signifying on one of the 1425 local and transcribed chain breaks, one announcement and weather report, a 15-second serial, 'Kids From Camps,' which is now being broadcast daily.

KHF-, the Kansas City station which is now the Kansas City, D. C. sales home of the 

DAW

WICHITA

OKLAHOMA

KS

The only Full Time CBS Outlet for Kansas

JB

\3 CBS • 5000 DAY • 3 KW NIGHT READY SOON—CALL ANY EDWARD PETRY OFFICE

Page 42 • June 2, 1941

Miles LABS., Elkhart, Ind. (Alka Seltzer) is planning to originate several Quiz Kids broadcasts from Army cantonments during the summer. The Quiz Kids, currently on NBC-Blue, Wednesdays, at 8:30-9:30 p.m. will visit Camp Meade, Maryland, Camps Blanding, D. C., and other Florida camps in the early part of July. A special Quiz Kids program promoting the sale of defense savings bonds and stamps will be originated by the Radio-Recording division for distribution among schools all over the country.

"Kids" From Camps

Avonan Breaks

BROWN & WILLIAMSON TOBACCO Corp., Louisville (Avon cigarettes), in mid-May started a new radio network by signifying on one of the 1425 local and transcribed chain breaks, one announcement and weather report, a 15-second serial, 'Kids From Camps,' which is now being broadcast daily.

KHF-, the Kansas City station which is now the Kansas City, D. C. sales home of the

BROADCASTING

Broadcast Advertising

MA

The Earl May Station

The Mail Station

5000 • 1000 Watts • NBC

SHEHUNOAH, Co.

Ask your Agency to ask the Colonel!

FREE & PETERS, Inc., National Representatives

BROADCASTING

Breaking News
AFA Meeting
(Continued from page 9)


Miss Adams' prize-winning entry included radio copy for Pet Milk, newspaper and magazine copy for Ray-Crisp, medical copy for Ray-Crisp and Ralston, and magazine copy for Stokely's Foods.

Boston broadcasters cooperated to furnish the convention's entertainment, with the broadcasters' party on Tuesday evening as the festive high spot of the week's doings. Kingsley F. Horton, commercial manager of WEEI, was party chairman, Avner Rakov, musical director of WBZ, directed an orchestra and a chorus consisting of staff musicians from WBZ, WEEI and WNAC, and Andy Jacobson, musical director of WNAC, led the dance band. Carl Moore, WEEI, m.c.'d the floor show, which featured the U.S. Military Band of that station, WMEX, WBZ and CBS.

Foreign Pickups
Roy Harlow, manager of WABA and WNAC, directed the Metropolitan Singers, a chorus of about 100 Boston businessmen, in a Sunday evening concert. At the general luncheon session on Wednesday, A. A. Schechter, NBC director of news and special events, conversed with that network's correspondents in belligerent capitals, who brought the convention last-minute news of the war and who answered delegates' questions about conditions abroad, as far as censorship limitations permitted.

A number of the convention's addresses were broadcast, beginning with that of I. S. (Stieck) Randall, assistant to the board chairman of Transcontinental & Western Air, and president of the Advertising Club of New York, on Sunday afternoon to the Crosscup-Fishon (ad men's) Post of the American Legion, which was carried by MBS. The Advertising Town Meeting, Monday noon, was broadcast by NBC-Blue.

WBZ broadcast the address of Grove Patterson, editor of the Toledo Blade, at the convention banquet Monday evening, carried a quarter-hour interview with AFA officials on Sunday afternoon and another interview with Mary Barber, food consultant of the U. S. Army, on Tuesday morning, preceding her address at the consumers luncheon.

WBZ also provided the cleverest souvenirs of the convention by installing an artist near the registration desk, where he cut silhouettes of delegates and past them into a folder titled "Speaking of Maps" and containing a coverage map of WBZ-WBZA as well as that of the delegate.

ILLINOIS STATE OFFICIALS aided in commemoration of the 2,000th consecutive broadcast of Bradford's Official Street Forum of the Air on WCBs, Springfield, III. Taking part were (l to r) Harry S. Bradford, chairman, Stokely-Wright; Mrs. Bradford; Mayor John W. Kapp of Springfield.

Wages in Vacation Clarified by Ruling
Pay for Vacation Time Held Not to Affect Overtime

AN EMPLOYEE's pay for vacation time does not constitute payment for hours worked and does not affect the regular rate of pay upon which overtime is to be computed under the Fair Labor Standards Act, according to an opinion announced last Wednesday by Gen. Philip B. Fleming, administrator of the Wage & Hour Division of the Labor Department. This interpretation applies even when the employee vacation period and receives his vacation pay in addition to his earnings, Gen. Fleming stated.

The situation giving rise to the official opinion followed upon the suggestion of the office of Production Management that defense industries this year pay their employes double for foregoing vacations. In his latest opinion, Gen. Fleming rescinded his previous suggestion that the employee's regular rate of pay and overtime compensation might be increased prospectively for a period of time sufficient to net the desired amount.

"A sum paid to an employee for foregoing a vacation, which is in addition to the employee's normal compensation, is not in fact compensation for hours worked," Gen. Fleming declared. "It is a sum which, pursuant to the normal employment arrangement, the employer would pay to the employee for a period during which the employee does not work.

"The sum remains vacation pay, and, therefore, not compensation for hours worked, even if it is paid in addition to normal compensation for hours worked, when the employee foregoes his vacation. Presumably the employer would pay the employee the usual vacation pay even though the latter refused to give up his vacation. Hence, the fact that the employee chooses to stay on the job does not make the vacation pay he receives compensation for hours worked.

"It is our opinion, therefore, that if an employee's vacation pay is given to him in addition to his normal earnings for hours worked, when he foregoes his vacation, such additional payment is not compensation for hours worked and does not affect the employee's regular rate of pay under the Fair Labor Standards Act."

SUBSCRIBERS to NBC Theorists are receiving a 120-page portfolio of Theorists programs, an issue by XHR Radio-Recording council to include the name of each recording artist or stationesten available through the Library.

Word from FDR
PRESIDENT ROOSEVELT in a letter to Paul Garrett, chairman of the Advertising Federation of New York, emphasized the part advertising can play in the defense program, especially in keeping up the morale of the people. He wrote in part on the occasion of the AFA convention: "As an educational force advertising ought to play a leading part in the preparedness program. It can assist in creating and maintaining public morale. Those who are expert in it can be of great aid to the Government."

Utility Concerns
Awarded Radio Program Citations
BETTER Copy Committee of the Public Utilities Advertising Assoc. made three awards for utility broadcasts at the annual AFA convention in Boston last week. The awards follow: First, to Consolidated Edison Co., New York, for "Echos of New York"; second, to Lone Star Gas Co., Dallas, for series named "The Government," which termed it "good clean, informal material"; third, to Louisiana Power and Light Co., New Orleans, whose program was likewise unidentified but described as "good clean" copy and a good idea.

A special citation was given the Hartford Electric Co., Hartford, Conn., for "History of Electricity," a special events program combining the best elements of radio.

WAGE-ASCAP Pact
WAGE, Syracuse, claims to be the first individual network station to sign an ASCAP contract. Last week at the NAB convention Frank Revoir, president, and William T. Lane, manager, signed for the station while ASCAP's John Pale signed for the Society. Ceremonies, attended by Mutual and ASCAP officials, took place at the Missouri Athletic Club.

BETTER PROGRAMS—BETTER COVERAGE
560 kc

FREE & PETERS, Inc.

FORT JACKSON'S 40,000 MEN IN 5 MILES

COLUMBIA, S.C.

1000 Watts

Night
FCC Rules Simplified For Those in the Army

IN VIEW of the problem facing amateur radio operators and station licensees serving with the armed forces of the nation who wish to renew their licenses the FCC May 27 issued an order amending its Rules of Practice & Procedure and its Rules Governing Amateur Radio: Stations and Operators, with reference to renewals.

Hereafter the formal application can be dispensed with by these persons and an informal application in letter form will suffice provided the letter sets forth the fact that the applicant is in the service and is accompanied by a signed statement by the applicant's immediate commanding officer verifying the fact.

PRESENTED with awards for their pioneer work in broadcasting by the General Federation of Women's Clubs during the organization's golden jubilee celebration in Atlantic City, are Judith Walker, NBC public service program director in Chicago (second from right) and Margaret Cuthbert, NBC director of women's activities (right). Making the presentation is Mrs. Saidie Orr Dunbar, president of the Federation, while Mrs. Harold V. Milligan, chairman of the radio committee, observes the proceedings.

Hynes Heads Club

JOHN HYMES, radio timebuyer of Lord & Thomas, New York, was elected president of the Radio Executives Club of New York at the closing meeting of the season May 28. Mr. Hymes, with Lord & Thomas for the last seven years, succeeds Arthur Sinzheimer, radio director of Peck Adv. Agency, New York. The Radio Executives Club, in sponsored by the Broadcasters' Bull Sessions started in 1939 by Horace Hagedorn, NBC spot sales, and Al Taranto, timebuyer of Ted Bates Inc., New York, will continue its meetings next fall. Mr. Sinzheimer, as retiring president, received a radio set from members of the club.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposing counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

Radio Ad Problems at AFA

(Continued from page 9)

Radio Advertising is an indispensable means of communication. It can reach millions of families able to afford it. The problem is to sell the all-night recorded sessions.

Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, post poned until May 29, has again been deferred to June 5 when the opposition counsel will argue the case before the New York State Court of Appeals. The AGM is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentals to join AFM if they wish to work with AFM members on stage, screen or radio.
Evans Is Honored
By Westinghouse

DAVID EVANS, vice-president of Westinghouse Radio Stations Inc., and manager of Westinghouse radio activities, was last Wednesday awarded the Westinghouse Order of Merit in recognition of his leadership and outstanding service in broadcasting. The award, highest employee honor conferred by Westinghouse E. & M. Co., was presented by A. W. Robertson, chairman, at the monthly meeting of the board of directors.

Mr. Evans, who is chairman of the International Broadcasting Committee of the Defense Communications Board, was born in Columbus, O., Aug. 27, 1896, and started in radio as a youth. After naval communications service in the World War, he joined Westinghouse in 1921 as radio operator at KYW, then in Chicago and now in its Philadelphia studio. After becoming chief engineer, he was named manager of the station in 1928.

In 1935 he became manager of the Westinghouse Radio Division, covering engineering, manufacturing and sales of radio equipment. Five years later he was elected a director of Westinghouse Radio Stations Inc. In 1939 he became vice-president. He is a member of the Institute of Radio Engineers, Army Ordnance Assn. and the American Society of Naval Engineers. In 1934 he married Georgette E. Burtis, of Chicago, and has two children, Barbara Jean, 15, and Charles B., 11.

DEEPLY ABSORBED in a pre-program conference for Reg'lar Fellers, which replaces Jack Benny on NBC-Red Sunday nights beginning June 8, are Jerry Devine, script writer; Eugene L. Bresson of the Empire Broadcasting Co., owner of radio rights to the show; Glenhall Taylor, Young & Rubicam producer, and Gene Byrnes, creator of the famous comic strip.

NBC and CBS Plan to Use Glass Base
As Substitute for Aluminum Recordings

Ray Lyons of the recording division of WOR, New York, reports that glass has proved thoroughly satisfactory for the stations recordings, although engineers and other users of the discs have been warned that the glass ones are fragile. Mr. Lyons said you could drop one of the glass discs on the floor and if the lacquer with which it is covered was not cracked the record would play as well as a standard aluminum recording.

According to Ralph Powell, general sales manager of Presto Recording Co., the new glass discs are “substantially better than the previous aluminum recordings. Presto displayed its glass discs at the recent NAB convention and the station and engineer acquaintance of the innovation was extremely gratifying.”

Fight Case Hearing

DECISION was reserved May 27 in New York Supreme Court by Justice Lloyd Church following hearing of oral arguments on the motion to dismiss the complaint of NBC against MBS, Gillette Safety Razor Co., and the 20th Century Sporting Club over broadcasting rights to the prize fights under the jurisdiction of Mike Jacobs, president of the club. Attorneys for both sides are filing supporting briefs on the suit and no further date for hearing has yet been set.

ACA Signs WARM

CONTRACT covering wages, hours and working conditions for employees of WARM, Scranton, has been signed with American Communications Assn. (CIO affiliate), according to Martin F. Memolo, president of the Union Broadcasting Co., operator of the station, and Graham Dolan, ACA representative. Pact covers engineers, announcers, program and sales departments and office workers.

THE HOT SPOT

740 between
NBC's Red and Blue
KQW
San Jose, Calif.
San Francisco Studios
1470 Pine Street
Reps.: Reynolds-Fitzgerald, Inc.

In Tulsa It's

KTUL
5000 Watts — CBS
Tulsa FIRST in per capita buying income in ENtire SOUTH — Sales Management

INS reporters are young, active, alert, trustworthy journalists who know their business—a fact proved by frequent scoops.

International News Service

In Tulsa It's

KTUL
5000 Watts — CBS
Tulsa FIRST in per capita buying income in ENTIRE SOUTH — Sales Management

BROADCASTING • Broadcast Advertising

June 2, 1941 • Page 45
No Change Seen From Crisis
(Continued from page 7)

reducing the power of stations on the lower frequencies on the coast or adjacent to heavily trafficked naval bases because of possible interference with naval communications. Here, again, however, there is no immediate indication of any action one way or the other.

Because of the proclamation of the unlimited emergency, it was believed the whole complexion of the hearings on the White Resolution might be altered. Chairman Fly was scheduled as the first speaker before the full committee at 10:30 a.m. June 5. The hearings are expected to run through Wednesday June 4, at which time Senator Wheeler is scheduled to depart for Pittsburgh for an address the following day. Whether it will be necessary for the committee to resume the preliminary hearings could not be predicted.

Thus far, it is not known whether the FCC minority of Commissioners T. A. M. Craven and Norman S. Case, who opposed the drastic monopoly regulations on all counts, will be called upon to testify. Both were said to be in readiness to appear should the committee desire. They are not scheduled, however.

While the committee has no definite agenda of witnesses, indications are that the industry will be well represented. NAB President Miller will appear, probably as the first witness. Others tentatively scheduled to testify include Mark L. Thompson, a vital figure in the monopoly proceedings in view of his designation by the President to make a survey of broadcasting; NBC President Niles Trammel, CBS President William S. Paley, and MBS Chairman Alfred J. McCosker. Independent Radio Network Affiliates probably will make an appearance through Samuel R. Rosenbaum, its chairman. A number of civic, educational and religious organizations of national scope already have resolved in opposition to the regulations and may submit statements to the committee.

It is expected that Mr. McCosker, as spokesman for MBS, will support the monopoly regulations and oppose the White Resolution, in keeping with the position taken by the network during the stormy developments since its promulgation May 3. Aside from Chairman Fly, no other known witnesses in support of the regulations have been announced.

NAB Reviews Position

The NAB position—all front opposition to the monopoly regulations as constituting a threat to the freedoms of broadcasting—was reviewed as the Executive Committee meeting in Washington last Wednesday night—the first meeting of the members since its selection following the turbulent convention in St. Louis May 12-15.

In addition to President Miller, members attending the session included James H. Shourds, WJW, WJW, Cincinnati, and Paul W. Morency, WTC, Hartford, for big stations; John Elmer, WCBM, Baltimore, and William H. West Jr, WTMV, E. St. Louis, for small stations, and John J. Gillin Jr., WOW, Omaha, for regional stations. Don S. Elias, WTMV, Asheville, and regional station director, was absent.

Also participating ex-officio were Edward Klauber, CBS executive vice-president, and F. Russell McNabb, NBC Washington vice-president. MBS is not represented on the Executive Committee, since its general manager, Fred Weber, resigned during the NAB convention because of its disagreement both on the monopoly issue and on copyright.

Others who participated in the discussions included Harry C. Butcher, CBS Washington vice-president; Walter J. Brown, WSPA-WORD, Spartanburg, S. C.; George W. Nettleton Jr., WAVE, Louisville; Luther L. Hill, Iowa Broadcasting Co.; Edward M. Kirby, NAB public relations director, now on leave as research advisor to the War Department Bureau of Public Relations, and C. E. Arney Jr., NAB assistant to the president.

President's Comment

At his press conference last Wednesday, the President was asked if he planned any change in international broadcasting or international communications. Without confining his answer to that particular field, the President said he had no knowledge of any change contemplated in the radio or television field, and that the inquiry might be directed to Mark Ethridge, Chairman Fly, or Harry Butcher, or some of the others.

On the whole subject of proclamations, the President explained that he will issue specific orders for the use of individual powers contained in the proclamation. This was interpreted to mean that if and when he decides to invoke any phase of Section 606 (c), he will preserve an order covering those powers alone and extending to no other powers.

The controverted Section 606 (c), which was used with abandon by the Federal Publicity campaign as a "censorship" threat, is broken down into four sections. Sections (a) and (b) relate to wars in which the United States may be engaged. Section (c) relates to any war and covers moves that may be taken to preserve the neutrality of this country. Section (d) provides for "just compensation" to be ascertained by the President, in the event facilities actually are taken over. The text of Section 606 (c) follows:

Upon proclamation by the President that there exists war or emergency (or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States, the President may suspend or amend, for such time as he may see fit, the rules and regulations applicable to stations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any station for radio communication and the removal therefrom of its apparatus and equipment, and he may authorize the use or control of any such station and/or its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

MASS EDUCATION in aviation fundamentals reached a climax last week when first graduation exercises were held in Philadelphia by the WCAU Aviation Ground School. Some 250 students, from 16 to 60, completed 40-hour courses in basic air subjects. Here Dr. Lloyd Bohn, of Temple U., receives a hand-carved eagle from the student body in appreciation for his lectures. Participating in ceremonies are (l to r): Harry Dulin, CAA inspector in Philadelphia; Capt. E. M. Pace, manager of Naval aircraft factory; Alfred J. Wolf, aeronautical attorney; Bruce Mathewson, student, holding trophy; Joe Connolly, WCAU promotion director; Capt. Jack Knight, United Airlines; Dr. Bohn; R. S. Gall, public relations director of Brewer Aircraft Corp.

NO CHANGE FROM CRISIS

BROADCASTING • Broadcast Advertising

WITH SIMPLIFIED CIRCUIT DESIGN

GENERAL ELECTRIC

Page 46 • June 2, 1941
Radio Restriction
On OGR Dropped
Conferences Drop Plan to Stop
Government Use of Discs

A MOVIE at prohibiting distribution of
films, radio scripts or transcrip-
tions by the Office of Government
Restrictions was dropped last Wed-
nesday when conferees eliminated a
Senate amendment carrying this
prohibition from the bill giving
permanent status to the adminis-
tration's $1,500,000 for its operation
during fiscal
year 1942.

The amendment, proposed by
Senator Taft (R-O.), was approved
March 20 by the conference
record vote during consideration of
the Administration-backed meas-
ure.

OGR Radio Activity

A survey by Broadcasting, made
in the fall of 1940, revealed that
for more than one-fifth of OGR released
through its State offices, a transcrip-
tion series based on the activi-
ties of the Cabinet and other Fed-
eral agencies. This survey showed
that already was the office was releas-
ing a disc series based on the de-
finite program, covering such agen-
cies as the Army, Navy, Coast
Guard, Civil Aeronautics Author-
ity, and Department of Justice
(alien registration). Robert I.
Berger, special assistant to OGR
Director Lowell Mellett, stated that the radio liaison
in the use of the medium.

Senator Taft contended in a
statement urging passage of his
amendment that under President
Roosevelt's second reorganization
order radio functions of the old Na-
tional Emergency Council, prede-
cessor of OGR, were transferred to
the Office of Education, of the
Federal Security Administration.

During hearings before the House
Committee on Expenditures in Ex-
ecutive Departments this spring, it
was charged that OGR was being
set up on a basis which would make it
a logical focal point for Govern-
ment ownership, when and if that
developed. These characterizations
were denied unequivocally by Director Mellett in his testimony before the committee.

Test for Kilmer

KILMER & Co., Binghamton, N. Y.,
recently acquired by Sterling Produc-
torks Co., Wheeling, W. Va., will
test radio in a few markets as yet
unselected for its product Swamp-
root. Whether or not these programs
will be used has not been decided by the agency, Blackett-
Sample-Scammart, New-York.

Fulton Lewis Honored

WHEN Fulton Lewis Jr., MILS com-
mentator, was graduated from
Shelton High School, Shelton, Con-
a., in 1929, he had no idea that 20
years later his teacher would confer his
highest honor on him. Recently the
Washington High School Teachers' Assn. notified Lewis that he has been
selected as the first recipient of a new-
ly-established award for "distinguished
service to country and craft".

BROADCASTING • Broadcast Advertising

June 2, 1941 • Page 47
**Tentative Calendar...**

### JUNE 2

- **JUNE 2**
  - NEW, Symons Broadcasting Co., Elenberg, N. -CP 1400 250 w.
  - WHB, Kansas City, CP 750 el. directional.
  - WTPM, Ogles, Fla. -License revocation (in Pensacola).
  - NEW, Tribune Bldg., Oakland, Cal. CP 45.6 mc. 1,126 sq. mi. 1,350,000 population.

### JUNE 3

- **JUNE 3**
  - KMA, Shenandoah, Ia. -License renewal.
  - AUGUST 1
    - WGST, Atlanta -License renewal.
  - AUGUST 4
    - KPRO, Los Angeles, Calif. -Modification CP to 1540 kw 5 w. directional N.

### New Program Analysis

**Inaugurated by C&I**

**SUPPLEMENTING its regular monthly reports, the Cooperative Analysis of Broadcasting is adding to its service a monthly charting manual designed to give complete statistical data on rated programs on all radio networks.** The program listing in pamphlet form the new manual, or rating log, contains (1) regular CAB ratings. Planning and supervision of the new manual was carried out by CAB Manager A. W. Lehman and CAB governing committee, with the assistance of P. Smoler, manager of marketing research of Procter & Gamble Co., Cincinnati.

**NEW PUSHMIE ADAPTOR** and stand, for mobile or portable opera- tors, to cover that station's coverage. The new unit is designed for public address systems, or for other uses where it is desirable to cut the mic e in and out of the amplifier circuit at will. The switch adapter is fitted with a heavy duty double-pole-double throw »wetted key» switch, with a "push-to-talk" but- ton that can be locked in the "talk" position with ease. By use of the proper changing adapter, any RCA micbe can be attached to the switch.

**Strike Against WKRC**

**IS AUTHORIZED BY AFRA**

**AMERICAN FEDERATION OF** Radio Artists has authorized a strike against WKRC, Cincinnati, following a disagreement between the union and the station on the question of AFRA shop. No action has been taken on the authoriza- tion, however, according to Mrs. Emily Holt, national executive secretary of AFRA, who stated that the wages and working conditions differences were the main issues. Although the contract AFRA has with the General Electric station, WGY, Schenectady, has some months to run, GE has voluntarily revived the pact to allow for a 3% raise to offset the cost of living. AFRA gave its permission for such a raise, and all employees are cover- ed by the contract, retroactive to April 7, to receive a $4-1/2-week raise up to a certain yearly salary. In addition AFRA is still bargaining with WTAM, Cleveland, on a contract that station's Employers, while also pending is the AFRA-shop minimum pay and working conditions contract with KLRD, Dallas.

**BURLIDGE D. BUTLER, president of the Union, stated recently that KOY, Phoenix, has returned to Chi- cago, after spending the winter in Arizona.
Help Wanted

Progressive NBC Affiliate—Man opening experienced announcer with southern voice handling controls. Send voice recording and complete outline qualifications and salary expected. WBAV, Savannah, Ga.

Combination Announcer—Good voice and personality. Write KORN, Fremont, Neb.


Continuity Writer-Announcer—Young man for writing commercial copy and announcing. $25 weekly. Send all in letter, photostate last experience, ad transmission and draft number. Box 532, BROADCASTING.

Operator-Announcer—Must have license, experience desirable but not essential. Attractive opportunity with full-time "local" in New Jersey. Box 536, BROADCASTING.

Wanted—Three good announcers with first class licenses. Network affiliated eastern local. Good pay, permanent, small transmission, details. Box 539, BROADCASTING.

Wanted—Script writer and radio promotion man with Southern Agricultural background wanted to work in advertising department of large food marketing company with nation-wide distribution. Excellent opportunity for fast rising man. Give details of background and experience. Enclose snapshot. Address Box 541, BROADCASTING.

Wanted—An assistant manager for 1000 watt station in Central West, who has a complete radio background, particularly in handling personnel. Present all qualifications in first letter which will be held in confidence. Box 547, BROADCASTING.

Situations Wanted

Experienced Program-Producer—With successful selling-merchandising ideas desires position with progressive station. Ten years' radio includes local-network stations; national agency-national research training; draft exempt. Excellent references. Box 537, BROADCASTING.

Experienced Police Dispatcher—Teletype operator and Combination Broadcast Announcer-Operator—Now employed, considering change. Report for duty within 30 days. Box 540, BROADCASTING.

Salesman—Of network regional desires to manage, sell salesman local station, mid-west preferred. Send years' experience, salary. Box 580, BROADCASTING.


Radio Engineer—23, BSEE degree, radio-telephone first class license, six months television experience, desires radio employment. Box 523, BROADCASTING.

Engineer—Two years' experience night shift transmitter while attending Junior College wants night shift at station in Technical College town. Well recommended. Write for details. Box 533, BROADCASTING.

Top-Flight Announcer-Producer Man—Wants associated with Northern or New England station. Specialty is ad-lib and special events, comparable with best. Convincing commercial delivery. Proven product, agency or sales. Send resume, agency, salary, ability, experience, ages, references. Box 659, BROADCASTING.


Announcer-Engineer—(Radio) Telephone First Class wants travel throughout country. Will take vacation relief work. Five years' experience in city 70,000 population. Draft deferred. Box 544, BROADCASTING.

Experienced—Radio director of small agency; creator of program ideas; copywriter; good voice, dramatic training; young, married, would like opportunity to use talent and experience in small station. Box 545, BROADCASTING.

Chief Engineer or Technician—Twelve years' network experience as supervisor at key stations for leading network. Experience in all phases of radio broadcasting. Will furnish excellent references from former employers. Not subject to draft. Box 551, BROADCASTING.


Commercial Manager—Available June 10th. Excellent experience in local and national sales. Experience in all departments, sales direction, creative production and programming. Outstanding enterree with leading agencies. Married; university education; draft exempt. For complete details write Box 544, BROADCASTING.

Progressive, Alert Announcer-Producer—With creative ideas and proven ability, now employed with network affiliate, desires associate with progressive California station. Can double equally well as singer, actor, writer. Box 550, BROADCASTING.

For Sale

For Sale—Field strength measuring equipment RCA TMY 33 B condition. Herb Holliet, KANS, Wichita, Kansas.

For Sale—General frequency monitor g760 latest type complete FCC 20 cycle range, Howes Crystal Company, Hotel Lassen, Whita, Kansas.

Crystal Specialists Since 1925

ATTENTION

BROADCASTERS SUBJECT TO FREQUENCY RE-ALLOCATION

We are of your service to—

1. REREGRIND your present crystal to higher new frequency .... $17.50

2. NEW CRYSTAL (less order) $25.50

3. NEW CRYSTAL fully mounted $30.00

LOW DRIFT - APPROVED BY FCC

RING & CLARK
Consulting Radio Engineers
WASHINGTON, D.C.

WFBG
ALTOONA, PA.

- NBC RED
- 250 WATTS
- FULL TIME OPERATION
- RAILROAD SHOPS ON FULL TIME SCHEDULE

WFBG provides the only full coverage of the Altoona trading area.

Tayton Signs Fidger

TAYTON Co., Hollywood (cosmetics), on July 11 starts Tayton's Tattler, featuring Jimmie Fidger, on 7 CBS Pacific Coast stations (KNX KSFO KARM KOIN KIRO KFPP KVI), Friday, 8:30-9:00 p.m. (PST). If series is successful the network will be enlarged. Fidger, out of radio for a year, has been signed for a three year contract with salary and percentage of gross. BBDO, Los Angeles, has the account. The firm is a large marketer of cosmetics on the Coast.

JANSKY & BAILEY
An Organization of Qualified Radio Engineers Dedicated to the Service of Broadcasting

There is no substitute for experience

GLENN D. GILLET
Consulting Radio Engineer
982 National Press Bldg.
Washington, D.C.

JOHN BARRON
Consulting Radio Engineer
Specializing in Broadcasting and Allocation Engineering
Earle Building, Washington, D.C.
Telephone National 7757

HECTOR R. SKIFTER
Consulting Radio Engineer
FIELD INTENSITY SURVEYS
STATION LOCATION SURVEYS
CUSTOM BUILT EQUIPMENT
SAINT PAUL, MINNESOTA

CLIFFORD YEWDALL
Empire State Bldg.
NEW YORK CITY
An Accounting Service Particularly Adapted to Radio

McNARY & CHAMBERS
Radio Engineers
National Press Bldg. DI. 1205
Washington, D.C.

PAUL F. GODLEY
Consulting Radio Engineer
Phone: Montclair (N. J.) 2-7859

PAGE & DAVIS
Consulting Radio Engineer
Munsey Bldg. Distor 8456
Washington, D.C.

A. EARL CULLUM, JR.
Consulting Radio Engineer
Highland Park Village
Dallas, Texas

A. EARL CULLUM, JR.
Consulting Radio Engineer
Highland Park Village
Dallas, Texas

Frequency Measuring Service
EXACT MEASUREMENTS
ANY HOUR—ANY DAY
R.C.A. Communications, Inc.
66 Broad St., New York, N.Y.

RAYMOND M. WILMOTTE
Consulting Radio Engineer
Designer of First Directional Antenna Controlling Interference

Replace Broadcast Bldg. • Wash., D. C. or N. 8718

Advertise in

BROADCASTING for Results!

June 2, 1941 • Page 49
Excess Profits Tax Levied on Capital Opposed by NAB
Would Be Hardship to Service Industries, Committee Told

TERMING the plan "a new principle in taxation" based on "an arbitrary determination of what constitutes capital profit and what are ex- cess profits," J. Robert Myers, of the NAB research department, ap- peared last Wednesday before the Ways & Means Committee to oppose the Treasury Depart- ment's proposal to restrict the "normal profits" base for the excess profits tax to a ceiling of 10% on invested capital.

Mr. Myers noted in his statement to the committee that broadcasting corporations, along with other service industries, would be placed un- derscared to express the views of more nary businesses. The business of broadcasting, in common with many other businesses which produce a service rather than goods for sale, does not require a large investment in plant and equipment.

"Ordinary profits in this busi- ness, as in many other similarly situated businesses, normally run well in excess of a 10% return on invested capital. Judging by the amount of invested capital alone, such business can be mistakenly viewed as making large profits."

We feel that if the average earnings base is in effect discarded and the invested capital base alone used, it will work an undue hard- ship on many types of business. We must be satisfied, however, with the gross income of radio stations, and a 75% levy on the transfer of station own- ership to a member of the same family, Rep. Connery (D-Mass.) the same day introduced a bill calling for a gradu- ated gross tax on station earnings, ranging from 10% to 20% on earnings of $150,000 annually and above [BROADCASTING, May 25].

E. J. Brown, international presi- dent of IBEW, in a letter to Chair- man Dougan (D-N.C.), of the Ways & Means Committee, last Monday expressed IBEW's strong opposition to the Connery proposal, terming it "unreasonable, discrimi- natory and arbitrary," and decling that it partakes of the nature of class legislation. He explained that IBEW, with more than 200,000 affiliates, covers several thou- sand radio technicians or workers in closely related activities, and declared that the union can be as- sumed to express the views of more than 45,000 employees of the radio industry, irrespective of the fact that all of them are not members of IBEW.

In his statement of May 19 be- fore your committee, the Assistant Secretary of the Treasury (John L. Sullivan) conceives a new theory concerning excess profits," Mr. Myers declared. He opposes the tax profits in excess of a necessary normal return. In order to define what such profits are, it becomes necessary to relate them to some- thing else, and this, he feels, does relating them to invested capital.

"Business differs greatly as to the amount of invested capital nec-

FCC Extends Date

THE FCC May 27 announced ex- tension of the effective date of section 382 (b) of the standard and high-frequency broadcast rules which prohibit broadcasting of com- mercial programs under experi- mental licenses, to July 29, 1941.

Haggerty Explains

The Ways & Means Committee, which for several weeks has been conducting hearings in connection with the proposal to raise an ad- ditional $3.5 billion in dollars for the defense effort, on May 19 heard John H. Haggerty, presi- dent of the International Printing Trades Asso., explain his proposal for averting a 20% tax on the gross income of radio stations and a 75% levy on the transfer of station own-

Elmer Davis Program

ELMER DAVIS, CBS news analyst, who returned last week from a five- week survey of conditions in Eng- land, on June 1 conducted a special CBS program taking the radio audi- ence on a "tour" of the network's news-room. During the broadcast Paul W. White, CBS director of news broadcasts, was heard in a transatlantic conversation with Ed- ward R. Murrow, CBS chief of Euro- pean correspondents, in London, on important events of the day.

FM Set Sales Rise

SALES of frequency modulation receivers during April showed an increase of 15% over March, ac- cording to figure based on manu- facturers' returns just issued by FM Broadcasters Inc., New York. Between 2,000 and 2,600 FM sets were marketed during April, the report revealed, bringing the cur- rent total of FM receivers in op- eration throughout the country to nearly 30,000. Of this number it is estimated that between 9,000 and 10,000 sets are located in the New York metropolitan area.

School Adds to List

UTILITY ENGINEERING Insti- tute, Chicago (air conditioning courses), has added six stations to the list releasing its varying sched- ule of 5 and 15-minute musical pro- grams. Stations added during the month of May are WLW, Cincin- nati; WHDH, Boston; WSPR, Springfield, Mass.; KFBF, Wichita, Kans.; WIBC, Indian- napolis; WSVA, Harrisonburg, Va. Con- tracts are for 13 weeks. Agency is First United Broadcasters, Chi- cago.

Chicle Chuckles

ITEM: Gum Works Blow Up and a Sticky Time Is Had By All. Anyway, the Twin Cities were recently all gummed up when KSTP sponsored a gum bubble-blowing contest in 10 St. Paul and Minneapolis theatres to promote the new Dubble-Bubble Gum show, Don Window of the Navy. Prizes were cash—and more gum.

Stations in Phila. Defend Rejections

Stations Hold to Position in Policy on Lindbergh Time

HOLDING their ground in the face of protests to their action in re- fusing to sell the America First Committee spot announcements to advertise the group's May 29 rally, at which Lindbergh was scheduled to deliver the principal address, the managements of WCAU, KYW and WFLI, Philadelphia stations, an- nounced individually that they will give no consideration to such requests for time on a sustaining rather than paid basis, in ac- cordance with the NAB Code.

All three reiterated their resolve not to sell time for discussion of controversial issues, such as situa- tions involving interventionists and non-interventionists, unless each side had equal opportunity to be heard.

Officials Comment

Setting forth his station's pol- icy, Samuel R. Rosenbaum, presi- dent of WFLI, declared: "WFLI will not sell time for speeches or spot announcements on the ques- tion of the World War, but we will give to the opposite view as much available, just as we did with the Communist party, giving advocates of opposite views an equal opportu- nity to be heard."

Lev Leslie W., general manager of KYW, also issued a formal state- ment of policy covering broadcasts of controversial issues: "The long- established practice of KYW has been to give equal time, with no charge, to both sides of every ques- tion involving the public interest.

In serving this community, KYW consistently has refused to sell broadcasting time for the dissemi- nation of opinions which an op- posing group might, for financial reasons, be unable to refute. We ad- ducr uncompromisingly to this ef- fective side of the American broadcast, which calls for the straightforward presentation of both sides of any major issue in- volving the welfare of our country and its people."

Commenting on charges that WCAU also had refused time to the America First Committee, Dr. Leon Levy, president of the sta- tion, indicated that WCAU has re- fused to broadcast Mr. Lindbergh's address, explaining that no such request had been made. In a tele- gram to Rep. Lambertson (R-Kan.), Dr. Levy protested remarks by the Congressman on the floor of the House, during which both he and Mr. Rosenbaum were referred to by name. He stated in the telegram that if the broadcast, when such request is made, it will be given proper con- sideration," and called attention to the fact that WCAU broadcast a speech by Mr. Lindbergh from Min-neapolis May 15, and had subsequently another non-interventionist address by Senator Wheeler (D-Mont.).
Soon!!!

The BASIC advertising medium

of the Central Atlantic States

National Representation — INTERNATIONAL RADIO SALES — New York, Chicago, San Francisco
Some of the direct radio circuits linking the United States with 15 Latin American countries in the RCA Communications Central office at New York.

"Fishbones" MAKE THE WORLD A NEIGHBORHOOD!

At Riverhead, Long Island, RCA engineers have spun a magic web of copper wires ... a net to catch messages, news and voices from lands across the sea.

They call them "fishbones".

But to the technically-minded, these are all-wave antenna systems for Diversity Reception, an RCA Laboratories development which removed the elusiveness from transatlantic radio communication.

During the first world war, transoceanic communication was as variable and uncertain as the weather. The "ether" was liable to fits of stubborn silence for hours and even days on end. Under the best conditions, messages were likely to fade in and out disconcertingly — strong one instant, down in the "hash" the next. Traffic could be handled at only a few words a minute.

How the "Fishbones" Work

"Fishbone" antenna systems derive their name from their shape. Three "fishbone" units, according to standard practice, comprise a "diversity" reception array. Each unit, located approximately 1,000 feet apart, is made up of two parallel wires, from each one of which extend at right angles numerous cross wires, or "bones." The two long parallel wires, or "backbone" of each unit, point toward the distant transmitter, and are connected to a separate receiver ... fading rarely affects all three antenna units at the same time. A special mixer-circuit, designed to favor the strongest signal, merges the output of the three "fishbone" units into one ... and sends it over wire-lines or by radio-relay from Riverhead. Telegraphic messages go to the R.C.A. Communications office at 66 Broad Street, New York, for recording on either tape or special radio printers; broadcast programs are relayed to a center such as NBC in Radio City.

A Modern Miracle

Today, thanks to "diversity," plus multiplex operation and special printer equipment, telegraphic messages can be received at the aggregate speed of 300 words per minute! Transatlantic radio broadcasts, picked up by an antenna at Riverhead, and fed into a network, reach the entire country in a fraction of a second, clearly and enjoyably. Even pictures are hurled overseas in a matter of minutes!

Illustrating the scope and breadth of RCA services, RCA has six antenna systems at Riverhead for broadcast program service alone ... and 70 for radiotelegraphic communication with every part of the world! "Diversity," developed by RCA Laboratories, is today a modern miracle, linking America to the world with the speed of light — helping to expedite commerce, and keep Americans informed right up to the minute!

RCA LABORATORIES

A Service of Radio Corporation of America

RCA Manufacturing Co., Inc. • RCA Institutes, Inc. • R.C.A. Communications, Inc.

Radiomarine Corporation of America • National Broadcasting Company, Inc.