Certainly WSPD's a must in the time-buyer's book. He knows that only with this pioneer station can he tap the rich industrial and agricultural area of Northwestern Ohio and Southern Michigan. He knows that WSPD's friendly voice is heard daily by over 2,000,000 people in 27 Ohio, Michigan and Indiana counties. Best of all, he knows he's dealing with the station that dominates one of the 33 major industrial markets in the United States recognized by the U. S. Census. No wonder he marks this NBC Basic Red outlet "Must".

WSPD TOLEDO OHIO
THEY SURE LIKE
50,000 WATTS
IN THE
CENTRAL
ATLANTIC
STATES

WBAL promised listeners that its new 50,000 watt transmitter would deliver an entirely new and glorious strength of signal and quality of tone.

We're the "show me" type in the Central Atlantic States but when shown we respond, and how!

Here are some mail figures for the first two weeks of WBAL 50,000 watt operation as compared with the same weeks in 1940.

<table>
<thead>
<tr>
<th>Area</th>
<th>Week ending 7/19/41</th>
<th>Week ending 7/26/41</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Mail up</td>
<td>813 %</td>
<td>1291 %</td>
</tr>
<tr>
<td>Baltimore City</td>
<td>1118 %</td>
<td>1430 %</td>
</tr>
<tr>
<td>Maryland (except Baltimore)</td>
<td>571 %</td>
<td>896 %</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>680 %</td>
<td>2150 %</td>
</tr>
<tr>
<td>Virginia</td>
<td>600 %</td>
<td>1833 %</td>
</tr>
<tr>
<td>Washington, D.C.</td>
<td>1850 %</td>
<td>975 %</td>
</tr>
<tr>
<td>West Virginia</td>
<td>500 %</td>
<td>533 %</td>
</tr>
<tr>
<td>Delaware</td>
<td>567 %</td>
<td>2300 %</td>
</tr>
<tr>
<td>New Jersey and other states</td>
<td>800 % +</td>
<td>1300 % +</td>
</tr>
</tbody>
</table>

Map shows estimated effective daytime coverage of the New WBAL. It includes all of Maryland and Delaware, Southern Pennsylvania, and parts of Virginia and West Virginia.

In this area live more than six million people who will spend in excess of two billion dollars in retail stores this year.

ON OCTOBER 1
THE NEW WBAL
will become a basic member
of
NBC RED

National Representation • INTERNATIONAL RADIO SALES
Sound Spot
cription of write the shakes the back all, ing man, by the Music group Also sweetening day. Abe and his great organi-
frequently of any didn't As erence with radio audiences.
and it matter more listeners on Dave Rose, We'll arrangments, and their sheer style, years thing you've heard in recent to say his Orchestra. And we'd like selections audiences, the name, would a Shakespeare's morning.
like takes. 
Standard one Largest List -Ads of one of other releases, and 
discs are winand 
Rose, by Dave Rose 
effects! 
Active 
and one of the 
name, would 
Standard station -subscribers and 
prove something about any other 
rose don't 
ds. 
Subscribers!
answers "Yes" 
to the question: 
Are Your Transcriptions Up to Standard?"

Standard Radio
HOLLYWOOD
CHICAGO
When you think of

**New Orleans**

you think of:

Tarpon Rodeos...

and

**WWL**

NEW ORLEANS

50,000 WATTS

The greatest selling POWER in the South's greatest city

---

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**REWARD:** 903,105* customers for advertisers who find spots on KOIL.

KOIL
OMAHA, NEBR.

*Persons in KOIL's 0.5 Millivolt Area
Here's what we mean by MERCHANDISING!

- All from a single merchandising campaign we built for General Foods to announce the opening of their new show, "Portia Faces Life."

This is only one of a continuous series of merchandising successes which identifies WSYR as the station that does more for you.

Coming Soon!
5000 watts
at 570 kc.
"The Perfect Combination"

WSYR
SYRACUSE, N.Y.
570 kc. NBC

AN H. C. WILDER STATION
REPRESENTED BY RAYMER
COLUMBIA, THE GEM OF THE ARMY!

Bring 40,000 extra new spenders even to a populous State like South Carolina, and you have a definite increase in sales potentials. Bring 40,000 new spenders to any city in the State, and you have a real show!

With Fort Jackson less than five miles away, Columbia is now one of the most accelerated markets in America—and Station WIS is reaping this local harvest into the laps of its joyful advertisers... But even this is not your best reason for using WIS. From the exact center of the state, its 5000 watts on 560 KC. creates a primary contour including more of South Carolina than all other stations combined.

In other words, Columbia is also "the gem of South Carolina radio!" For full details, ask your Agency to ask the Colonel!

WIS
Columbia, S. C.
NBC-Red (Since 1931)

FREE & PETERS, INC.

Pioneer Radio Station Representatives
Since May, 1932
NBC Reaches Agreement With ASCAP

Network Pays 2 3/4%, Stations 2 1/4% In Deal; Affiliates' Approval Required

THE BOARD of Directors of ASCAP last Friday announced that it had approved the terms of the proposed contract with NBC, ending a week of almost constant negotiations. Attorneys for the Society and NBC immediately got together to draw up the official document.

NBC will ask its affiliates for their approval, and the actual signing was expected to take place forthwith, following which the society said, has been heard on the NBC networks over its previous offer, also represent a decrease for ASCAP, which had been standing pat on the terms of its MBS contract, 3% from both network and stations for four years and 3 1/4% after that until 1950.

ASCAP's Prospective Take

It is estimated that the new terms, if acceptable to the entire broadcasting industry, will give ASCAP an annual revenue from radio of between $8,000,000 and $3,500,000, as compared with the $4,200,000 the MBS terms would have produced. ASCAP is bound by a favored nation clause in its agreement with MBS and with the Mutual affiliate stations to offer them the NBC terms or better terms offered to any other broadcaster.

CBS also is expected to accept the terms, and ASCAP, which has been negotiating with M&M stations, although negotiations between ASCAP and CBS have been dilatory for the last few weeks. Once all the network deals are again using ASCAP, ASCAP will require identification of speakers on controversial issues, with equal time for all sides.

Acceptance did not come without a struggle, however. According to reports, Irving Caesar had waged a bitter fight against making any monetary concession to NBC and CBS.

This story was from an August 4, 1941 article in Broadcasting and Broadcast Advertising. The article is continued on page 88B.

White Offers Bill to Revamp FCC

Commission Powers Curbed in New Measure

CALLING for a full-scale revision of the existing law governing broadcasting, the long-incubated ripper bill to remodel the FCC was dropped into the legislative hopper last Thursday by Senator Wallace H. White, Jr. (R-Me.), with the heat on for speedy enactment.

In the form of a series of amendments to the Communications Act of 1934, which has been under sharp attack as antiquated and shot-through with loopholes which have allowed the FCC to run wild, the White Bill (S-1806), promptly referred to the Senate Interstate Commerce Committee for action. For several months Senator White has been working on the measure, and it already has implied support of a number of committee members who have deplored current conditions in radio regulation.

Eight Points

The measure, as introduced by the Maine statesman, recognized as the best informed man in Congress on radio law, and co-author of the existing act, would:

1. Set up a separate three-man, fully autonomous division within the FCC, having its own chairman, as a Division of Public Communications to handle all broadcast, television, FM and related matters.
2. Create a parallel statutory division of Private Communications to handle public utility-common carrier pursuits.
3. Make the chairman the executive officer and coordinator, but with no regular functions on either division, except as a pinch hitter for a sick commissioner or in case of a vacancy.
4. Clearly define broadcasting as not subject to common carrier concepts, and prevent the Commission from usurping authority over business aspects, programs, rates, or other fields upon which it recently has intervened.
5. Block repetition of the current newspaper-divorce proceedings by preventing the Commission from throwing any class of applicant into the suspense files, as it has been done with new newspaper applications.
6. Clearly delineate the Commission's functions as to hearings, setting of rates, and appellate procedure by eliminating loopholes and making mandatory full hearings.
7. Broaden provisions on use of facilities by candidates for public office, and require identification of speakers on controversial issues, with equal time for all sides.
8. Authorize the issuance of stay orders against Commission decisions by the courts, and mandate judicial reviews on the facts, as well as the law, with additional time in which to seek rehearings or appeal.

It is recognized that any bill not directly concerned with national defense has a difficult row to hoe legislatively. Despite this, the crying needs evidenced during the recent hearings on the White Resolution before the Interstate Commerce Committee for new legislation is expected to arouse support for expeditious consideration. Whether there will be hearings promptly, before the full committee or a subcommittee, must await conferences between Senator White and Chairman Wheeler (D-Mont.) of the Committee.

Early Hearings

After introduction of the bill, Senator White told Broadcasting he hoped to have early hearings. He explained that the measure did

(Continued on page 18A)
Radio, Printer-Lobbyists and A Boston Tea Party—An Editorial

IF A VOTE were taken today on whether broadcasters regard their business as hexed, bewitched or hoodooed, the "ayes" would win by a landslide. The House Ways & Means Committee action in voting a super-income tax upon broadcast advertising revenue is the straw.

The provision isn't new yet. It may even be libelous to cast it in that light, but nil there. If it isn't stopped in the Senate, then all broadcasters had better hold their hats! Even an apprentice psychiatrist would advise that they begin looking for saner pursuits.

The very fact that a committee of 25 legislators, strong and true, could be taken in by the crew of labor lobbyists who plumped for the discriminatory tax against radio in stupifying the language used by the Ways & Means Committee in its report might have just as well been plumbed from the propaganda broadsides unleashed a few months ago by John B. Haggerty, president of Allied Printing Trades Assn. Printers, typographers, engravers, stationers, he contended, were losing jobs because of radio advertising.

Why this happened at all properly should be shelved for future reference. Right now the job of every broadcaster, and in fact every man identified with advertising, whatever its nature, is to kill what we might call the Haggerty-Flann amendment. Enough has been said since the provision poured into the last draft of the bill to establish it as perhaps the most glaring instance of tax discrimination since the Boston Tea Party. In a $3,500,000,000 revenue-raising project for defense purposes, eight or ten millions which would be ephermed out of broadcasting is a bagatelle. But it's enough to amount to confiscation for many radio operations. Beyond that, it again labels radio as a business living only by sufferance of a government franchise, and therefore one that should pay extraordinary tribute, penalizing it as an advertisement medium and correspondingly benefiting its competitors.

We have seen enough during the last week to prove that the industry at long last is at work. If the efforts in the House fall, the last stand must be made in the Senate. Eminent tax counsel has been retained by the NAB in Mr. Ellsworth Alvord, of Washington. Broadcasters are working for their own salvation. The NBI has gone out to its members, most of whom would not be affected immediately because of the $100,000 gross income exemption.

That is all to the good. No broadcaster, however small, should delude himself into believing that since the tax will not touch him now, he will sock his competitors, and therefore should not be of concern. The history of tax legislation is toward the lowering of exemptions until they are eliminated altogether. And this a gross tax, not on a tax net income or profits.

In passing, we cannot help but wonder where the American Federation of Labor, parent of the AFL and its president, William Green, also have under their protective wing such unions as American Federation of Radio Artists, American Federation of Musicians, and the International Brotherhood of Electrical Workers, Radio Division, who are dependent upon radio for their livelihoods. Does AFM condone the tearing down of one medium, which would seriously endanger the jobs of thousands of announcers, program people, musicians, technicians and artists, so that another segment of its membership might somehow benefit? We think Mr. Green, Mr. Petrillo and the AFL executive council might well look into this.

What interest, if any, certain individuals on the FCC might have had in spurring House Committee action on the discriminatory tax, also would prove enlightening. The Committee, we feel confident, did not think up for itself that master stroke of irony written into its report, whimsically pointing out that regulation of broadcasting is "provided at public expense, with great benefit to the industry but without any special costs to that industry."

We venture there is a hatchet-man or two around the FCC who inspired this delectable morsel, perhaps over a beer with the minions of the labor lobby.

If radio is to survive as a business, the super-tax cannot. For that reason (plus the grosses to be more nominal in broadcasting) we feel it will be knocked out before the Revenue Act becomes law. Even if it is, there should be no letdown by broadcasters.

The FCC right now has a little more trump it proposes to play on franchise taxes, if Congress doesn't [please look below].

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ATLANTIC FOOTBALL COVERAGE BEING SET

FOR the sixth consecutive season, Atlantic Refining Co., Philadelphia, will sponsor broadcasts of football games played this fall by major Eastern Conference colleges, including high schools and some teams of the National Professional League. Although most of the games, the total number of stations have not yet been decided, N. W. Ayer & Son, Philadelphia, agency in charge of the reports the broadcasts will start the last week in September on stations in Atlantic Refining's marketing areas on the east coast from Maine to Florida and as far west as Ohio.

As in the past, N. W. Ayer plans to hold a pre-season coaching session to standardize for its announcers the methods of delivering the play-by-play descriptions and commercial announcements. This session is held annually so that listeners can anticipate the announcing technique in switching the dial from one game to another. To select the list of coaches and commentators for this year's broadcasts Atlantic Refining also will hold its usual announcers' conference date for which has not been set. According to Ayer details for this year's football broadcasts will be released early the week of Aug. 4.

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Franchise Levy by FCC Likely If Congress Kills Radio Tax

Alternative Propositions, Under Study, Would Provide Funds for FCC Broadcast Operations

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For week of tax bill, see page 10

IF THE special excise tax upon broadcast advertising is killed at this session of Congress, then look for something in the nature of a franchise levy invoked by the FCC, to defray its operating overhead.

Just about the time the House Ways & Means Committee erupted into the $100,000 per annum, 10% net sales tax [BROADCASTING, July 28] the FCC had before it several alternative proposals to procure revenue from licensees pay its own overhead. It is expected these will be held in abeyance until Congress makes up its mind.

If Congress does impose a heavy tax, it is assumed the proposed franchise scale will die. On the other hand, if Congress knocks out the tax or spreads it over all advertising media on a more nominal basis, the special Commission formula may be revived.

FCC Chairman James Lawrence Fly, at his press conference last Monday, pointed out that the Commission for several years has looked into the matter of a special franchise tax and that there is some Commission sentiment in favor of taxing broadcasting for the cost of regulation.

Several alternative propositions are understood to be before the Commission and have been considered in the past without final action. These were understood to include fees applicable to all branches of communication subject to FCC regulation. For example, there would be annual fees for telephone and telegraph companies, as well as for the some 50,000 amateurs holding Government licenses and commercial radio operators. These individuals might be assessed a nominal fee of $1 a year, it was pointed out.

The alternative plans for broadcasting roughly might be classified as follows:

(1) What would be regarded as a more or less minor tax on station operations, to be assessed probably to raise $1,250,000 of the FCC's approximately $5,000,000 budget, to defray broadcasting costs.

(2) A filing fee assessment, with a fixed minimum of $50 for construction permit applications for 250-watt stations and an added stipend for applications seeking power in excess of 250 watts; possibly a $100 filing fee for modifications of licenses, $10 fee for special authorizations, etc.

(3) A wattage tax, starting at a fixed minimum of $250 for 250-watt (local) stations, and graduating upward with the power bracket. With approximately 1,000,000 watts of power allocated for broadcasting, such an impost presumably would raise what is regarded as the requisite $1,250,000.

Band-Ads

JOHNSON & JOHNSON, New Brunswick, N. J. (Band-aid), on Aug. 19 will add a second weekly period to "The Voice of Broadway" with Dorothy Kilgallen, presently heard Saturdays, 11:30-11:45 a.m. on 59 CBS stations. Additional weekly broadcasts will be given Tuesdays, 6-6:30: 30 p.m., on 64 CBS stations. Young & Rubicam, New York, handles the account.

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Prudential's Show on CBS

PRUDENTIAL LIFE INSURANCE Co., of America, Newark, N. J., on Aug. 3, will start a new musical show, "Prudential Pantomime," 5-5:45 p.m., designed as a musical revue featuring NBC Radio's 457 CBS stations. The program is of the variety type, featuring everything from a colonial tunesign to a song and dance by Gladys Swarthout, Metro-Miracle Company, Ross Graney, Baritone, " Skeeter " Russell, comedian, a chorus of 14 mixed voices and Al Goodman and orchestra. Deems Taylor will be regular commentator. Each week a drama telling the story of some piece of music of some great composer will be wove into the program. Agency is Benton & Bowles, New York.

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Page 8 • August 4, 1941

BROADCASTING • Broadcast Advertising
Pair of Witnesses Will Be Cited To Court

AFTER SITTING five days over a two-week period, when most of its subpoenaed expert witnesses and practically all of its exhibits boomeranged, the FCC last Friday called quits on its newspaper-divestiture inquiry for the summer.

The Commission will reconvene, barring unforeseen developments, on Sept. 17. The final tabulations of errors and far-fetched lies in the FCC's proposed newspaper-ownership list will be found on page 18.

Added tabulations of errors and far-fetched lies in the FCC's proposed newspaper-ownership list will be found on page 18.

Anti-Trust Buildup

Whether the FCC was seeking to lay a foundation for ultimate anti-trust proceedings against the press or any other business, the subpoenas were drawn on August 28 to 30, when the press-radio war was on in earnest and radio program listings were banned in many papers on other than a paid-advertising basis. With W. Barrett, editor-manager of the now inactive Press Radio Inc., on the stand, minutes of the meetings that operation from its formation in 1934 until its demise as a functioning service in about 1937 were examined.

Important Figures Appear

Parading before the Commission during the Friday meeting were big names in radio and journalism. Surprise witness was M. H. Aylesworth, first president of NBC and, according to his own description, now engaged in "specialized practice of law and Government activity." He told of his efforts to get news on the air as a public service and said that his prophecies "had come true." Others who testified in quick succession were Paul White, director of public affairs of CBS; J. V. Connolly, president of King Features, and of its subsidiary, Gigli-Press, and former assistant general manager of AP.

In addition to the sessions until Sept. 17, Chairman Fly expressed the hope that counsel would "co-operate" in the preparation of data and not waste time. He suggested to all parties that when the inquiry reconvenes it should be able to "promptly proceed on the record." No Evidence Produced

Despite the forays of its recently organized investigating force into newspaper-station, press association and network files to gather fodder for the inquiry, the sum total of the evidence thus far adduced failed to produce any evidence that newspaper ownership results in monopoly in public opinion or in unfair competition. According to the complainant's exhibits prepared by the FCC's staff, designed to show that newspapers in combination with stations get all the business business fear and deter them from making money, failed to make the grade because of the obvious errors in them. The upshot was that the Commission's exhibits were simply "marked" for identification and not admitted in the record.

FM Needs Press Capital

Radio's newest service—FM—went to bat 100% against the Order No. 79 which is the springboard for the inquiry to ascertain what regulations, if any, or what legislation, if any, should be made to Congress to prevent newspapers from owning or in the least wise being associated with standard FM broadcast stations. Both FM Broadcasters Inc. and American Network Inc., the projected cooperative 40-major-market FM opera-

tion, the whole project will be retooled and probably scuttled if newspapers are not permitted to get in on the ground floor.

Hearing 3rd, president of FM Broadcasters Inc., told the Commission frankly and simply in just 12 minutes of testimony last Thursday that newspapers are an integral part of FM development and that despite the fact that he has no newspaper affiliation in his Yankee or Colonial network and station operations, urged a prompt decision on the newspaper-ownership issue, he said that the development of FM has "without question been retarded by the issuance of Order 79.

In the same groove, John R. Latham, executive vice president of American Network Inc., told the Commission that in his judgment FM is an integral part of the industry's growth and that unless newspapers are participants. The 40-station network project, he said, stands to lose money for two years until stations it can't get participating until newspapers are permitted to participate because they are the only applicants in several basis markets.

Statistics Challenged

Another FCC bubble was exploded when the higher-mathematical calculations of the FCC's Accounting Department, handled by DeQuincy V. Sutton, head broadcast accountant, were challenged. That was because of the calculations and the questions of the witnesses. These included, for example, such stations as WLW and WHO, which are not newspaper-owned stations, and the various stations that can't get newspaper affiliation. These were all computers both as to gross time and station earnings of so-called newspaper stations, opposing counsel contended, were thrown out of kilter. As Chairman Fly told his colleagues, apparently thought enough of this contention to prevent the exhibits from going in as actual testimony.

What apparently was to have been the high spot of the Commission's case—the so-called Charleston situation—amounted to nothing better than a dew. There are the only two newspapers—the News & Courier and the Post—owner of one of the two stations, WTM. The newspapers had only refused to carry the opposition station's program schedule, and John M. Rivers, president of WCSC, has been a vociferous complainant about the very first exhibit ever introduced by the Commission.

 Didn't Hurt Business

While Mr. Rivers himself said he had found that this condition was "unique" in radio, in that most newspapers owning stations carry programs of competitors, he nevertheless developed under cross-examination that his business is better than ever before and that the "unfair competition" really hasn't hurt him economically.

For example, one newspaper on cross-examination by former Judge Thomas D. Thatcher, chief counsel for the Newspaper Radio Committee, admitted that the newspaper profits from 1939 to 1940 had increased 22% and his net profit less than 866% from $1,303 to $12,492.

Harris Asks Questions

There were questions by Commission Assistant General Counsel Howard B. Harris, intended to show that the press associations dealing with radio indulged in price-cutting and that newspapers, moreover, were not attempting to block press association service to competitive stations. But it didn't seem to jell that way under cross-examination of the Newspaper Radio Committee of Louis G. Caldwell, counsel for the Chicago Tribune's WGN, and Ben S. Fisher, attorney for WTM and the Charleston newspapers.

Tables Challenged For Errors in List

The Commission held only a morning session Wednesday, July 30. Sitting were Chairman Fly and Commissioners Craven, Walker and Wakefield.

Before Mr. Sutton resumed his explanation of exhibits introduced at the final session, July 24 (Broadcasting, July 28), Sydney M. Kaye, associate counsel for the Newspaper Radio Committee, challenged all of the tables, on the ground that they were based on the initial exhibit introduced by the Commission, showing 28 newspaper-owned stations. A cursory examination of this initial table had revealed that only 9 of 17 stations listed were genuine newspaper stations, according to which he pointed out there were some 17 stations listed as newspaper-affiliated in which it had been ascertained newspapers had sold their interest.

Moreover, Mr. Kaye contended, there were stations WTM and WLW, six of the seven stations (WLW and WHO) which (Continued on page 44)
House Approval of Radio Tax Likely

How for Defeat Of Sales Levy
In Senate

WITH House passage of the 1941 Revenue Bill, incorporating a 5-15% tax on stations’ and networks’ net time sales of $100,000 annually an over, scheduled for Aug. 4, the radio industry and other opposition forces are fighting an uphill battle against the levy in the Senate, with considerable hope seen for success.

The Senate Finance Committee intends to start public hearings on the tax measure within a few days as a witness to passage, certainly not later than the following week, according to the Committee’s new chairman, Senator George (D-Ga.)

Although there has been no revelation of all the supporters of radio, the Ways & Means Committee, it is known that one of the chief opponents of the broad- casters, Senator John L. McCaugh (R-Cal). A leading proponent of the tax is understood to be Rep. McGuire (D-Ill.), who is universally a friend of the committee for some time, and who is understood to favor taxing newspapers as well.

Although the proposed tax has the backing of the International Allied Printing Trades Assn., whose interests twin to those of the radio industry, during the House hearings advocated a broadcasters’ franchise tax (BROADCASTING, Feb. 24, March 24, May 26, June 2, June 9, July 7), the NAB indicated that the American Federation of Labor has no interest.

On the Senate side, the Nar Board has met.

The NAB, which has retained Ellsworth C. Alvord, Washington tax lawyer, to handle the broadcasters’ case at the Senate hear- ings, has scheduled a board of directors meeting for Wednesday and Thursday, Aug. 6 and 7, to review the situation and develop plans for carrying the fight against the tax.

In addition to the NAB, National Independent Broadcasters will be represented at the proceeding, ac-

tording to President H. A. Lafount, who pledged for the cooperation of all broadcasters, big and small, in fighting the levy. Broadcasters also have been contacting their Congressmen and Senators, emphasizing the discriminatory nature of the proposed tax and calling for action in eliminating it, or at least making tax increases applicable to newspapers and other advertising media than radio and billboards.

Evidence that active opposition has developed for the proposed tax on billboards, also provided in the bill, has been seen in Ways & Means action in approving an amendment spreading out the tax by modifying taxable size limits of signs. However, the committee did not agree to eliminate the proposed signboard levy, apparently disregarding pleas of discrimination entirely.

Opponents and Proponents

text of House Report Favoring Radio Sales Tax

Following is the full text of that portion of the report of the majority of the House Ways & Means Committee, made public July 26, relating to the special excise tax on broadcast stations and networks:

Dear committee, your committee has imposed a tax for calendar years beginning after Jan. 31, 1941, upon every person who during the year operates a radio broadcasting station or engages in network broadcasting.

The desirability of a special tax on radio broadcasting (distinct from tax on advertising, one medium for which is radio) is indicated by several considerations.

Valuable Free Privilege

1. Radio broadcasters are the possessors of a valuable privilege awarded to them free of charge on the condition that they operate in the public interest. Because of the technical limitations of the broadcasting band, the number of commercial broadcasters at any one time is for all practical purposes fixed. In considering the right to operate a broadcasting station in particular areas carries with it a measure of monopolistic privilege and the opportunity for an extremely profitable investment. Through the exercise of that privilege and the exploitation of that opportunity, many broadcasters make substantial profits and virtually all broadcasters derive tangible benefits in the form of publicity and goodwill.

2. The principal operators in commercial broadcasting earn high rates of return on relatively small investment. They possess unusual tax-paying ability which, in view of the Government’s present revenue requirements, can properly be subjected to special taxation.

3. Radio broadcasting requires public regulation. Such regulation is provided at public expense, with great benefit to the industry but without any special costs to that industry.

Up to 15% of Gross

The tax imposed is to be equal to a given percentage of net time sales made, during the year. A net time sale is in effect defined as the gross amount received or accruing from the sale of radio time, not including the amount of any commission (not to exceed 15% of the gross amount) paid to or deducted by an advertising agency, and minus any amount paid by the taxpayer pursuant to a written agreement with the person purchasing the time sale for broadcasting time to other persons operating radio stations or engaged in network broadcasting.

Taxpayers are divided into three classes, with rates prescribed as follows:

(1) If the net time sales are in excess of $1,000,000, but not in excess of $9,000,000, the tax is 5% of net time sales.

(2) If the net time sales are in excess of $9,000,000, but not in excess of $1,000,000, 10%.

(3) If the net time sales are in excess of $1,000,000, 15%.

How Tax Is Applied

The rate prescribed with respect to each class of taxpayer is applicable to the entire amount of the net time sales for the taxable year. The act provides, however, that the liability of a taxpayer in one classification cannot exceed the liability of the taxpayer in the next lower classification, plus the amount by which the taxpayer’s net time sales in excess of the maximum net time sales taxable under the lower classification exceed the maximum net time sales taxable under the lower classification.

For example, a tax in the case of a taxpayer with net time sales of $1,000,000 would be at the rate of 5% of the net time sales, or $25,000. If the net time sales were $50,000,000, the rate would be 10% of the net time sales, or $10,000,000. The net time sales tax, the rate of 15%, the rate of 20% or 25%.

If the net time sales do not exceed $100,000 no tax is imposed.
Fly NIB Convention

Extraordinary Meeting
Called Sept. 22-23
In Chicago

WITH FCC Chairman James Lawrence Fly as the keynoter, an extraordinary convention of National Independent Broadcasters will be held in Chicago Sept. 22-23 to canvass the whole regulatory and business outlook for independent stations in the light of the war emergency.

Called by NIB President Harold A. Lafount, former Radio Commissioner and executive of the Bulova group of stations, the convention will be open to all independently-owned stations, whether or not they are network-affiliated, it was learned. All told, it is expected invitations will go to some 1,450 from nearly half of the NIB membership is now made up of network outlets.

Tentatively, it is planned to hold the convention at the Palmer House. Edwin M. Spence, secretary-treasurer of WWDC, Washington, who functions also as an NIB managing director, is handling preliminary plans, with Mr. Lafount and Andrew W. Bennett, NIB general counsel.

National Defense Aspect

While the agenda for the two-day meeting has not been finally worked out, Chairman Fly definitely will schedule a talk as the principal speaker on September 22. Because of the importance of radio in national defense, the FCC chairman, who also is chairman of the Defense Communications Board, is expected to arrange for addresses by Army and Navy spokesmen.

Another key speaker is expected to be Hugh Francis McKeef, operator of KGOR, Butte, and the Z-Ber Network. He is an advocate of abolition of the NAB and creation of a new trade association of independent station owners [Broadcasting, July 21-28].

Aside from national defense, the agenda is expected to cover the projected new network monopoly rules and the hearing they will have upon independent stations; the over-all tax situation; copyright, and prospective new legislation to stem the Communications Act of 1934.

Because of Chairman Fly's complete break with the NAB at the annual convention in St. Louis last May, unusual significance attaches to his scheduled pro-NIB sessions. Both publicly and privately, Chairman Fly has condemned the NAB as a "so-called trade association" whose president, Neville Miller, and his immediate predecessor, Mark Ethridge of WHAS, Louisville, as the "Louisville twins", and in effect has broken off all relations with the group as such.

Tempers were lost and discretion was thrown away at the St. Louis sessions and a number of broadcasters, including key station members of MBS, have resigned from the NAB in protest over the affair, alleging, among other things, that Chairman Fly had been "inside".

MBS Pickups

It is understood that MBS has agreed to pick up, from the NIB convention a portion of live or recorded entertainment. It is probable, also, that a portion of Chairman Fly's address will be broadcast over that network.

In some quarters it was thought that the convention might evolve into an industry-wide movement to reorganize it as an all-inclusive trade association. Networks or network-owned and operated stations are not entitled to membership in the organization—one of the major complaints is thrown to the wind at a full-scale reorganization of NAB.

During the last year NIB has maintained headquarters in the Edmonds Bldg., Washington. Mr. Lafount has been president for the last three years. Edward A. Allen, WLVA, Lynchburg, is first vice-president and Lloyd C. Thomas, KCPW, Kearney, Neb., secretary-treasurer.

B & A for Swan

ALTHOUGH Lever Bros., Cambridge (Swan soap), has signed George Burns and Gracie Allen, with Paul Whiteman's orchestra, for a fall series, network and starting date have not been decided. Young & Rubicam, agency servicing the account, reported as shipping around for the best available network night time, with both NBC and CBS bidding for the series. Weekly variety show will also include a male singer and guest talent. The point is to get advertising formula for Burns and Allen.

FIRST course in radio at Harvard is being directed during the present summer session by Charles A. Stiepan, formerly director of program planning of the British Broadcasting Corp.

ANPA Issues Brochure

On Advertising, Buying

OFFICIAL statistics which show "surprisingly little variation from month to month" in salaries and wages in retail sales generally and in purchases of foods, drugs, cigarettes, gasoline and railroad tickets are cited by the Bureau of Advertising, American Newspaper Publishers Assn., in a new promotion piece, They Don't Stop Buying.

Bound in board covers which are topped by outer covers of transparent plastic and attractively illustrated with drawings, photographs and charts, the volume drives home the point that "People don't stop buying. They buy things consistently, the year round. Consumption is steady, month to month. The business is there 12 months of the year. So why stop advertising for your share? Why advertise speciously when consumers buy steadily?" Book includes a number of stories of national advertisers who have achieved sales success from consistent advertising in newspapers, but the moral holds just as well for radio.

Alcorn Injured

W. C. ALCORN, general manager of WLSX, St. Louis, is reported injured in a freight train accident last week, and although back at work, is limping on a badly bruised leg. A stove was knocked into the open door of the car in which he was riding, striking him in the ankle.

WISH Begins Operation

As NBC-Blue Affiliate

WISH-Columbia Broadcasting-Blue, Wheeling, W. Va., Fred Lorimer, station manager, is due to go on the air this month without awaiting license.
Net-Monopoly Talks Hit Snag; Fly Conversations To Resume

Time Option Understanding Appeared Forming, But NBC Fails to Agree with CBS and MBS

INFORMAL conversations between executives of the major networks and FCC General Counsel Telford Taylor, looking toward revision of the far-reaching network monopoly regulations on an amicable basis, hit the rocks again last Wednesday. Conversations will be resumed with FCC Chairman John N. Fly Monday (Aug. 4), with no predictions hazarded as to the outcome.

Since the FCC July 21 authorized a postponement of the effective date of the controversial regulations from Aug. 2 until Sept. 16, the network executives have carried on their conversations with General Counsel Taylor and his assistants. Several times it appeared that an understanding had been reached on the beleaguered time option issue—practically the only one thus far discussed in detail—but conferences practically gave up on it Wednesday night after an almost continuous two-day session and decided to confront Chairman Fly again.

NBC in Opposition

A formula on time options tacitly agreed to by CBS and MBS but opposed by NBC, because of the effect it might have on the Blue, slated ultimately to be sold under the rules, proved the stumbling block that sent the conferees back to Chairman Fly.

While there is still a race against time involved in revising the regulations, it was thought there is a better than even chance that an agreement will be reached shortly, possibly during this week. Chairman Fly is under virtual mandate from Senator Wheeler (D-Mont.), Chairman of the Senate Interstate Commerce Committee, to get something feasible worked out and to give the industry ample time.

White Resolution Ends

The White Resolution, which would have the effect of holding up all of the eight allegedly punitive rules, is pending before the Senate Interstate Commerce Committee and the hearings are still in recess, subject to call of the chair. If agreement is reached, it is assumed Senator Wheeler would be disposed to crack the whip and attempt to accomplish something in Congress.

The conferees have been Niles Trammell, president, and William S. Hedges, stations vice-president, for NBC; William S. Paley, president, and Edward Klauber, executive vice-president, for CBS; Fred Weber, general manager, and Louis G. Caldwell, general counsel, for MBS; and Mr. Taylor and Thomas E. Harris or Seymour Krieger, for the FCC. Sessions were held on Thursday and Friday, July 24-25, resumed Tuesday, July 29, and continued through Wednesday, July 30. Practically all the time was devoted to consideration of various formulas in connection with time options.

Blocked Time Units

The proposal on which there seemed to be the closest approach to unanimity was one based largely on what is described as "per use". Under it, four out of five five-hour block would be available for network option in all cities having four or more fulltime stations. But in cities having less than four stations, this formula would result in vigorous competition between NBC-Blue and MBS.

CBS and NBC-Red would not be materially affected, it was indicated, since their present commercial time commitments would be sufficient to accommodate their requirements. Options would be available more than a year hence, based on time used during current peak periods. In the case of the Blue and MBS, these networks would be permitted to option time based on present usage on outlets available.

The net result, under such a formula, would be that MBS and the Blue in effect would acquire options on the third outlets in each market, based on the commercial time they currently have placed in those markets.

Evidently the NBC position is that this would not result in an equitable situation for the Blue because of the relatively small amount of business now sold on it. They would control future time options under this formula.

While there has been little discussion of the other rules, no serious complications are expected immediately. The outlook is for a two-year affiliation contracts, which would run concurrently with a projected new two-year station license tenure. Chairman Fly has hinted that a two-year license is in the offing.

As for the disposition of the Blue network by NBC, Chairman Fly, under the spur of Senator Wheeler and direction of the Interstate Commerce Committee, has stated that ample time will be given to permit "orderly disposition of properties". The same holds for postponement by one network of stations which they own or lease in markets other than New York, Chicago or Los Angeles-San Francisco. As a matter of fact, the latter situations presumably will be handled on their individual merits after litigation and hearing, if that is deemed necessary.

COURT DISMISSES ROGAN JONES SUIT

ROGAN JONES' injunction action against Pacific Broadcasting Co., North American affiliate of the MBS-Don Lee network [Broadcasting, July 28], was dismissed by Judge Joseph A. Malléri in Tacoma Superior Court last Thursday. The judge's order dismissed the case with prejudice and without cost to the defendant. The twin Jones stations — KYOS, Bellingham, and KPQ, Wenatchee—will continue for the present on the network "as strictly spot outlets," according to Carl E. Haymond, president and general manager of Pacific.

Interpreting the projected FCC network regulations on time options, Jones cancelled certain Mutual programs in favor of locally originated shows and his contract with the network was thereupon cancelled. Upon issuance of a temporary injunction, service was resumed pending the hearing on a permanent injunction.

Jensen to Grant

JOHN C. JENSEN, formerly radio research assistant of Blackett-Sample-Haumann Chicago, and more recently in charge of Latin American operations for H. N. Elsterich Export Adv., Agency, New York, has been appointed vice-president and assistant to David Echois of Grant Adv., S. A., Mexico City. Mr. Jensen will divide his time between the Grant offices in Mexico City and Monterrey and will serve as account executive for the agency's clients throughout Mexico.

Skelly Signs Utley

SKELLY OIL Co., Kansas City, Mo., has signed Clifton Utley to cover his network early morning news commentary, heard Monday through Friday on 18 NBC-Red Midnight stations. Mr. Utley succeeds the late Capt. E. D. C. Herne. Decision was made after Mr. Utley had a three-week trial period handled by Contract. Contract run through Dec. 16, with a five-year option. Agency is Henri, Hurst & McDonald, Chicago.
"YOU'RE BEST BY 1/5TH OF A SECOND!"

- Yes, Clementine—your admiration is absolutely typical: Lots of guys do a hundred yards in 9-4/5 seconds. But nobody cares—we're all too busy screaming for the one fellow who does it in 9-3/5!

And it’s the same way with radio stations. Give any one station even a slight edge in its territory, and the also-rans don’t have much trouble fighting off the fans!

In Iowa, for instance, 59.5% of the State’s nighttime listeners "listen most" to WHO—while all other Iowa commercial stations get only 11.7%!

These figures are from the new 1941 Iowa Radio Audience Survey—based on personal interviews with 9,246 representative Iowa families. . . . If you'll spend about thirty minutes with this authoritative Survey, we think you'll get some new and valuable ideas about how to make your Iowa advertising money really bring home the bacon. A copy is waiting for you, right here.

WHO

for IOWA PLUS!

DES MOINES . . . 50,000 WATTS

J. O. MALAND, MANAGER

FREE & PETERS, INC. . . . National Representatives
Seek 10,000 Watts Day for Regional Stations

Petition Amending Power Rule Will Be Filed
By WIBW, WCHS

A MOVE toward the reclassification of power ratings of regional stations, to permit use of 10,000 watts daytime, as against the present 5,000-watt maximum, which has come under way, with first applications to be filed within the next fortnight.

Designed to permit horizontal increase in daytime power on regional channels to 10,000 watts, the preliminary petition also will seek amendment of the existing rules, limiting power on Class III-A channels to 5,000 watts day and night, and on Class III-B channels to 5,000 watts day and 1,000 watt night. A skeleton petition has been filed to indicate the interests of all regional stations, will propose amendment of the existing rules as a means of broadening rural and semi-rural coverage during daytime by regional outlets.

WIBW, WCHS File

In the forefront of the new move are WIBW, Topeka, and WCHS, Charleston, W. Va., which operate on 580 kc. Karl A. Smith, counsel for WIBW, and Ben S. Fisher and Charles B. Darby, counsel for WCHS, will file the applications.

General engineering data is being compiled by Andrew D. Ring, former chief engineer of the FCC, now senior member of Ring & Clark, consulting engineers.

Under the revised FCC rules of just two years ago, regional stations were permitted, where engineer feasible, to use 5,000 watts fulltime as Class III-A outlets. Approximately 125 stations already have been licensed or held construction permits for this output. Simultaneously, local stations, as of Aug. 1, 1939, in conformity with the provisions of the Havana Treaty, are able to go to 250 watts where engineer feasible.

40% Better Coverage

It is estimated that with the increase to 10,000 watts daytime, coverage will be improved approximately 40%, primarily in rural or semi-rural areas. Few questions of interference are involved, except as to adjacent channels, and existing antennas can be used in virtually all cases, it was stated.

To increase a 5,000-watt modern transmitter to 10,000-watt output would require remodeling of amplifier and rectifier stages at costs ranging from $5,000 to $15,000, according to engineering opinion.

John A. Kennedy, general manager of WCHS, and Ben Ludy, directing head of WIBW, have been in consultation during the last two weeks to complete preliminary plans for the applications and petition. It is expected that the petition, setting forth engineering applications not only to these two stations but to the entire regional classification, will be filed jointly by the two stations. Whether the FCC will hold a hearing on the advisability of amending the rules and also of exchanging of notes with the nations signatory to the Havana Treaty, to permit the increase, is a discretionary matter.

Treaty No Obstacle

Since the Havana Treaty allocations, which became effective last March 29, do not preclude advancement in the technique of broadcasting, it is presumed that there will be no serious difficulty involved in procuring ratification, possibly by exchange of notes, of the increase of daytime regional power.

It is understood the proposal has been checked with the FCC Engineering Department and with Commissioner James Lawrence Fly and Commissioner T. A. M. Craven, the latter chairman of the American delegation which devised the Havana Treaty, who is a practical engineer. Both are understood to be induced to favor the change.

Because of the national emergency, the Government naturally is interested in widest possible coverage, particularly in the underserved rural areas. While the daytime power increases for regional would not help nighttime coverage, it nevertheless would be of advantage, it is pointed out. Daytime listening, according to recent surveys, has increased substantially and advertisers are more conscious of the value of daytime programs than ever before.

Expanded Trading Areas

Moreover, trading areas contiguous to cities in which many regional stations are located have expanded and the daytime power boost, is contended, would deliver a usable signal to a substantial portion of this adjacent area and correct what is regarded as an obvious deficiency.

Rural coverage at night largely is dependent upon clear channel stations. A number of applications now are pending for increases in power on I-A clear channels from the present maximum of 50,000 to 500,000 watts or more. WLW, for example, is seeking 650,000 watts [Broadcasting, July 7].

WITHYCOMB MAKES LATIN RADIO STUDY

DONALD WITHYCOMB, assistant to M. H. Aylesworth, chairman of the Radio Division of the Rockefeller Committee, left last Friday for South America to make an exploratory study of radio conditions there in connection with activities of the committee.

Mr. Withycomb, former general manager of WIP, is accompanied by Edward Tomlinson, noted author and NBC advisor on Inter-American affairs, who is expected to broadcast from several South American points on general conditions.

During his trip, Mr. Tomlinson will continue his regularly scheduled NBC-Blue Network commentaries by shortwave pickup Saturdays and Sundays, 6:45-7 p.m. on EDST. A veteran of nearly two decades in broadcasting, Mr. Withycomb joined the Rockefeller Committee last April as assistant to Mr. Aylesworth. Mr. Tomlinson during the project expects to join the Rockefeller Committee.

Spots for Fruit Crops

BRITISH COLUMBIA Fruit Board, Vancouver, B. C., is using spot announcements on a number of Canadian stations for the rapid marketing of this year’s apple, plum, apricot, and cherry crops, the spots being used as the various crops ripen. Account is placed with Canadian Adv. Agency Ltd., Kelowna, B. C.

PAUL SCHUBERT, CBS military and naval authority, is writing a book, The New Sea Power, for full publication by Coward-McCann, New York.

Power Increases For Five Stations

Two Others Get Added Time

WAGA Jumped to 5,000

AN INCREASE in status for WAGA, the Network outlet, was authorized last Tuesday by the FCC. The station was given a construction permit to change frequency from 1480 to 580 kc., increasing its power from 500 watts day, 1,000 watts day, 5,000 watts fulltime and install new equipment with a directional antenna of higher use.

KVOET, Denver, was granted a construction permit to install a new transmitter and increase its power from 1,000 watts to 5,000 watts, with changes in its directional antenna for day and night use. It operates on 650 kc.

KUTA, Salt Lake City, was granted an increase in daytime power to 5,000 watts against its present assignment of 250 watts unlimited time on 570 kc.

KMTR, Denver, was granted a modification to increase its daytime power up to 1390 kc., with 500 watts night and 1,000 watts local sunset. The station holds a construction permit for 850 kc., unlimited time.

KTCV, Visalia, Cal., was granted a construction permit to shift from 920 to 940 kc. and increase power from 1,000 to 5,000 watts day and night, with changes in its directional for day and night use. The application was granted upon condition that the station would take care of all "blanketing" complaints.

WHIP, Hammond, Ind., was granted renewal of license and a construction permit, subject to FCC’s requirement to transmit only schedules, to change hours of operation from specified to unlimited and install a directional antenna for day and night use on 1520 kc.

KGFI License Granted

KGFI, BROWNSVILLE, Tex., last Tuesday was granted a regular renewal of license by the FCC for the period ending Dec. 1, 1941, in lieu of the temporary license under which it has been operating because of the continued proceeding in instituted last year against it and five other Texas stations which had been cited because of purported concealed ownership by Rev. James G. Ulmer. The Commission said the station had now furnished it with evidence of the fact that Rev. Ulmer “has been completely eliminated from any connection whatsoever with the station and will not in the future be associated or connected therewith”.

KEN DOLAN has bought out his partner, Jim Doane, in the Hollywood radio station of the Donahue & Co. Ltd., for a reported $10,000. Dolan will continue for the time being to operate under the present name, with headquarters at 8905 Sunset Blvd. Doane is to announce his new association shortly.

COLGATE-PALMOLIVE-PETT executives joined in a "mock war" party staged by Selena Royle July 18 to celebrate the second anniversary of her new BS Wivan & Courage program and to show the current USO fund campaign. Hugh McKay, C-P-P director of advertising; Mrs. Savigton Crampton and Savigton Crampton, C-P-P advertising manager handling Colgate toothpaste and shaving cream and Super-Suds; Hostess Selena Royle; Edward Longstreth, C-P-P director of radio.
HERE'S important news about Texas' biggest market! Station WRR, Dallas and Station KFJZ, Fort Worth have each increased their power to 5,000 Watts, day and night;

and these two new power stations may now be bought in combination for what you would expect to pay for one 5,000 Watt station in this market.

Here is what you get . . .

1. Two, full time, 5,000 Watt stations on two different frequencies — WRR—1310 K C, KFJZ—1270 K C.

2. Each with a powerful signal throughout the entire Fort Worth-Dallas market.

3. Both stations connected by permanent lines for broadcasting simultaneously or at different times — but at only one talent cost.

4. Both stations affiliated with the Texas State Network and the Mutual Broadcasting System.

The best way to get complete coverage in this highly selective market is to use both WRR, Dallas and KFJZ, Fort Worth.

Two important, all-time stations for you at one price and one talent cost.

NATIONAL REPRESENTATIVES
WEED and COMPANY
NEW YORK CHICAGO DETROIT SAN FRANCISCO
RCA’s Alert Receiver

The RCA “alert receiver,” a radio Paul Revere that rings a bell to summon its owner, gives him instructions broadcast by his Civil Defense Chief and then shuts itself off, was demonstrated to the radio public July 28 in a broadcast which dramatically showed the set’s capabilities.

Receiving a message from Mitchel Field, Army airport on Long Island, that “enemy” planes were heading for New York, Mayor La Guardia, Assistant Director of Civilian Defense, relayed the warning to a CO officer in an NBC studio. He pressed a button that started a radio signal which a few seconds later turned on the set in the mayor's office, first ringing the receiver’s bell and then carrying the officer’s instructions: “All wardens, fire-fighters and roof-sitters take their posts immediately and remain on duty until the all-clear is sounded. That is all.”

Three- Tube Receiver

David Sarnoff, president of RCA, present in the Mayor’s office, explained to the listening audience that the “alert receiver” is really a three- tube receiver looking and whispering about the same as an ordinary portable radio. Designed for home use, he said, the instrument is a “simple, yet radical departure from any kind of radio receiver ever before made—it is capable of being turned on and off by remote radio action.”

This means that the receiver in the home can be started and stopped from the broadcasting studio, or from any other desired point. It was invented and developed by engineers of the RCA Laboratories as a vital new servant to Civilian Defense in America. Here is an instrument by means of which the Civilian Defense head in any town or city in America can communicate instantly with his local defense workers.

“Simply by pressing a button, he can cause these unique receiving sets, located in the homes of hundreds of thousands of such workers, to go into operation and to broadcast his warning and instructions. To call the worker’s immediate attention, at any hour of the day or night, an alarm bell in the receiver begins automatically to ring. The instant the button is turned on by remote control. The bell continues to ring until it is turned off either by the listener in the home or by the broadcasting station itself.”

Cheap Cost, Operation

Explaining that the set can be operated on batteries if the city power supply should be cut off, Mr. Sarnoff said it is simple to make and to operate, stating that it can be manufactured to retail at from $10 to $15 and that it takes almost no power for operation, so it can run 24 hours a day for a long period at very light cost. All RCA licensees, including most radio manufacturers, have been licensed to make these “alert receivers,” and RCA is making complete specifications available to radio manufacturers and broadcasting stations.

The new receiver was developed by Arthur F. Van Dyek, Stuart W. Seeley and Harmon B. DeaL, RCA engineers. At the transmitting end the apparatus is even simpler than at the receiver, consisting merely of a vacuum tube oscillator which generates two sub audible frequencies, one to turn the set on and the other to turn it off. The signal generating unit is connected to the broadcast transmitter like a microphone and the control room operator plugs it into the microphone circuit. Pressing the button connects the “On” signal and turns on all the receivers equipped for this service. These receivers may be installed in regular home sets, if desired, as well as in adapted independent models with his local defense workers.

Describing the instrument’s application to Civilian Defense communication, RCA points out that it provides a local, regional or national instantaneou11 radio call system without expensive new equipment. “Automatically as flexible as the highly developed transcontinental broadcast network systems...it does not require even one additional frequency allocation for its full use. The instrument is so designed that it can be installed at a broadcasting station without disturbing a single station used for normal broadcasting service.”

In a trans-Atlantic conversation between Mayor La Guardia and Mr. Sarnoff in New York and Major F. W. Jackson, chief of the London Fire Brigade, and W. B. Brett, chief officer of the London Civilian Defense, in London, which was also broadcast on NBC-Blue July 28, Maj. Jack Schilling, RCA’s ‘alert receiver’ would suppose “wailing Winnie, the siren.” Mayor La Guardia replied that “it is so unannoying accurately that we really believe we will be able to do away entirely with any other signal or alarm and alert depend entirely upon the notice being given through this device.”

Electricians’ Strike Takes Up Work on NBC Studio

GENERAL STRIKE of electrical workers called last week in New York tied up work on the construction of NBC’s new studios on the sixth floor of Radio City. The strike, called in the electrical industry since 1907, was called to compel the Consolidated Edison Company, general member of Local 3 on electrical installation jobs at the company’s Waterside plant, and members of the Brotherhood of Consolidated Edison Employees, characterized by the strikers as a company union.

The NBC studios, each to be an audience-type with a seating capacity of 600-700 persons, were to have been ready July 1, according to Maj. Guy Morgan, to O. B. Hanson, NBC vice-president and chief engineer, when he broke them last week. [BROADCASTING, June 2]. Work will be tied up until the strike is over. The result of 10 electricians hired by the contractor for the jobs of laying cables in the studios.

Burke Seeks Regional

J. FRANK BURKE, operator of KPVD, Las Angeles, holding 87.5% of the common stock issued, is the principal stockholder in Pacific Broadcasting Company. KPVD applied for a new regional outlet in Pasadena, Cal., 10,000 watts fulltime on 1110 kc. In addition to Mr. Burke’s hold, KPVD controls the entire block of common stock issued thus far, Melvyn Douglas, Hollywood actor, 13.33%; X. M. Smith, Pacific Electricians’ Strike, 23.33% preferred stock; Mrs. Eleanor Lloyd Smith, director of a retail grocery chain; Frank Sarnoff, independent station owner, 13.33%; W. A. Ventor, member of the board of governors of Los Angeles county, 2.66% preferred.

To put the “V” for victory signal to work in earnest, WVL, New Orleans, place of the usual chimes to mark station breaks, has substituted the three dots and a dash that chime the music of democratic freedom. The signal is used for all program breaks.
And Now KFH Announces 5000 WATTS Day and Night

CALCULATED INCREASE IN KFH COVERAGE

30% to 50% Daytime
200% to 300% Night-time

Use the New and More Powerful Voice of The Wichita Eagle at no Increased Cost

Complete New BLAW-KNOX Radiator and Western Electric Doherty Transmitter

Latest Figures — $283,000,000 for WICHITA Defense Contracts

THE ONLY FULL TIME 5KW STATION IN KANSAS
CBS — CALL ANY EDWARD PETRY OFFICE
More Errors and Far-Fetched Ties in Newspaper-Radio List

Non-Existent Affiliations, Trivial Stockholdings And Outright Errors Throw Tables Off Base

THAT THE BASE for many of the affiliations ascribed to newspapers in the opening newspaper-radio hearings is erroneous in many more respects than shown in the preliminary analysis published in the July 28 BROADCASTING, is evidenced by the further disclosures of far-fetched and careless identifications of purported "newspaper stations."

Nine glaring errors in the master list (Exhibit I), which was introduced to show that 298 standard broadcast stations were identified with newspapers or newspaper interests as to June 28, were pointed out in the July 28 BROADCASTING. Upon this base list some of the statistical tables were drawn, and this list included WLW and WHO, the Des Moines Register & Tribune stations. The WHO management is particularly restless at being classified as a newspaper station since it has long been at bitter odds with the dominant newspaper interests of the town. The Des Moines Register & Tribune, and since the foregoing stockholders could not possibly influence the policy of the station.

2. WLAP, Lexington, Ky., and KFDA, Amarillo, Tex., are listed as "A" newspaper stations, presumably because J. Lindsay Nunn, chief stockholder in those stations, once was publisher of the Lexington Herald (which he sold several years ago) and formerly held stock in the EI Pazo Times (which no longer holds). Mr. Nunn reported that he was not able to ascertain any connection whatever with any newspaper. WCMJ, Ashland, Ky., which he also controls, has the Ashland Independent as a 21% stockholder, but Mr. Nunn holds no stock in that newspaper company.

3. KMMJ, Grand Island, Neb., is listed as an "A" station by reason of a former common ownership with the Clay Center (Nebr.) Sun, a weekly, whose KMJJ (listed) sold last Jan. 18. There is no connection now between KMMJ and any newspaper.

Non-Existent Newspaper

4. KPLC, Lake Charles, La., is listed as a "B" newspaper station, though the records do not disclose any newspaper ownership. This is identified in any way with any newspaper.

5. WISE, Asheville, N. C. (listed as "A") is identified with the Asheville Daily News, a newspaper formerly published by Harold H. Thomas, owner of WISE, which he disposed of last year at least two years ago.

6. WJTN, Jamestown, N. Y., listed as having a "B" association with the Jamestown Morning Post, is not even remotely connected with the Post. E. Mason, president and chief stockholder, states "there is no such thing as newspaper ownership so far as WJTN is concerned."

7. WNEW, New York, is listed as having a "B" association with the Paterson Morning Call, apparently because Richard O'Dea, a stockholder in the station, was a member of that of that newspaper company. Mr. O'Dea states he owns only 54 out of 2600 shares in the newspaper company.

8. WSLB, Ogdensburg, N. Y., in last Jan. has an "A" connection with the Ogdensburg Advance-News. Joseph R. Brandy Jr., half owner of the station, sold his interest for $100 in June 1940 shortly after WSLB went on the air, and the FCC's own records show that neither he nor any of the other stockholders is at present identified with the newspaper business.

9. WSLI, Jackson, Miss., is listed as a "B" station, though none of its stockholders has any interest with any newspaper. L. M. Segapah, a 46% stockholder, owns stock in two stations which were affiliated with newspapers but held no newspaper stock; he disposed of both in the newspaper business several months ago.

10. WCAR, Pontiac, Mich., is listed as having an "A" connection with the Farmington (Mich.) Enterprise, a weekly, although H. Y. Finlay, president of the newspaper company, is listed as a stockholder in the station, disposed of that newspaper several months ago.

11. KLBM, LaGrande, Ore., is listed as an "A" station but, according to the records of the LaGrande Observer, there is no ownership or managerial connection whatever between the newspaper and the radio station, which is licensed to Harold M. Finlay, formerly one of the newspaper's owners.

12. KAFB and KFOR, Lincoln, Neb., are listed as "A" stations (in which 50% of the stock is newspaper-owned) but the records show that the Lincoln Nebraska State Journal owns 25% and the Journal owns 50% of the stock in these stations, thus properly placing them in the "B" category.

13. KVAN, Vancouver, Wash., is listed as affiliated with the Salem (Ore.) Statesman as well as the Vancouver (Ore.) Times, newspaper-owned. This record shows that the Lincoln Nebraska State Journal owns 25% and the Statesman owns 50% of the stock in these stations, properly placing them in the "B" category.

14. KOME, Tulsa, is listed as an (Continued on page 39)

President Delays Naming FCC Member; Three - to - Three Policy Split Is Seen

ALTHOUGH no formal word has been forthcoming from the White House, it is generally believed in official circles that the President does not plan to fill the vacancy on the FCC created by the expiration of the term of Commissioner Frederick I. Thompson until he has made a thorough canvass of the field. The Commission since June 30 has functioned with only six members.

While a number of candidates are being mentioned, there has been no indication that the President has even seriously considered making an appointment at this time. So much controversy has been engendered by recent actions of the FCC, growing out of the chain-monopoly situation, newspaper ownership hearings and other forays, that the White House apparently regards the new appointment as pecu-

arily important.

Wakefield wavering At this time, the FCC definitely is aligned factionally. Chairman James Lawrence Fly, moving spirit of the Fairacknowledgedly supported in most policy considerations by Commissioners Paul A. Walker and George H. Payne. Commissioners A. M. Craven and Norman S. Case consistently have been aligned as a minority, and Commissioner Ray C. Wakefield, newest member, has voted with the President on a number of occasions but is still regarded as something of an unknown quantity. Commissioner Wakefield, for ex-

example, apparently is not wholeheartedly in favor of the Fly-directed onslaught against newspaper ownership of broadcast stations.

While technically there still is the possibility that Commissioner Thompson, who has returned to his home in Alabama, can be reappointed, that move is regarded as unlikely. The President would be for seven years from June 30. Chairman Fly was understood to have favored the reappointment of Commissioner Thompson because of the bearing that it might have on the policy considerations and particularly since Mr. Thompson normally voted with him.

Reports currently are being heard of the candidacy of T. J. Slowie, FCC secretary since April 28, 1937 for the Thompson post. A Democrat from Clinton, la., Mr. Slowie is president of the stockholders' associa-
ceval endorsement, it is thought. He has not actively announced his own candidacy, but friends are under-

standing his interest in the management of the station.

Other names still understood to be under consideration are those of G. W. Johnstone, former radio director of the Democratic National Committee, and M. R. Colby, public relations director of NBC and of WOR-MBS; Edward Rodman, assistant publicity director of the Democratic National Committee, who has been a former press correspondent; and Fulton J. Redman, a Portland (Me.) attorney.

FLEX-O-Glass on 24

FLEX-O-Glass MFG. Co., Chicago (glass screen), in October starts a split schedule of one and two-minute station announcements, minute and quarter-hour programs, varying in frequency on 24 sta-
tions and extending over a period of 12 weeks. Named stations include stations through Presba, Fellers & Presba, Chicago, on the following stations: KMJ WHAM WJTM KBEA KFOE KBCA KJOL KUGL KILD WLS WHO WIBW WHAM WEHR WNOY WTMX WDAY WDSY WLY WEX.

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Commission Power Curbed In New Measure

(Continued from page 7) not essay to rewrite the entire act, but was designed to amend it in such a fashion as to rectify glaring shortcomings. The bill, for example, does not touch upon the network-monopoly considerations covered in the earlier resolution held in June, but he said he hoped that amendments would be offered in committee, since technically that matter now is under consideration.

In a detailed statement accompanying the bill [see full text on page 18B] Senator White explained the motivating reasons for introduction of the measure at this time. He said it was essential that the power delegated to administrative tribunals must be limited by the enabling act. Such an agency is not authorized to set itself up as "a general legislative body making its own rules of conduct and decision wholly independent of the enabling act and the language of the statute", he declared. The tendency to do this has been prevalent among virtually all administrative tribunals, he said, but "has recently been gravitated at the Commission". He concluded that in his opinion, "this must be arrested by the enactment of special rules along the lines here suggested".

Source of Bill

Senator White explained his bill had as its source the measure introduced last session by Chairman Wheeler proposing a three-man commission, with one member from each of the three divisions and the chairman as executive officer; his own 11-man counter-measure, setting up separate divisions; recommendations made by the Federal Communications Bar Assn. along the general lines of the new bill; court decisions limiting the FCC's authority and recommendations made by the Attorney General's Committee on administrative procedure.

In proposing statutory divisions, the measure would reverse the FCC to the form of organization, along broad lines, which prevailed prior to 1938, when Chairman Frank R. McNinch abolished the division setup. Then there were three divisions—broadcast, telephone and telegraph—with two members on each, and with the chairman sitting ex-officio on each. Under the White Bill, there would be two statutory divisions, and the Commission itself would sit as a whole only on matters of general application and on rules and regulations pertaining to procedure.

"Jurisdiction to hear and determine all cases arising under the act or regulations, relating to broadcast, television, facsimile and kindred communications intended for public reception is vested in the Division of Public Communications". Senator White pointed out that this plan of action recognizes the basic differences between the two types of communications but it also provides a method for obtaining proper consideration of those cases by persons who "will be able to devote their time and attention to the questions committed to them without undue interruption or interference occasioned by demands of basically different problems".

Neglect Common Carriers

He emphasized the tendency upon the present seven-man commission structure to "confuse the two and to apply the same concepts and regulations to both". Moreover, he declared that because of the glamour and publicity-getting value of broadcasting, "the Commission and its personnel have spent their time almost exclusively on broadcasting and related problems, and have neglected common carriers. Each division of three members, under a Democratic administration, would probably include two Democrats and one Republican. Whereas the President would designate the chairman of the full Commission, each division would select its own, along with subordinate personnel.

Amendment of procedural sections of the act, to prevent arbitrary actions by the Commission and assure full hearings, as well as to include provisions for inquiring transfer applications on sales of facilities, is proposed in another series of amendments. In transfer cases the transferee would be considered on the same footing as an existing licensee, he said, remedying what Senator White described as an existing deficiency. He_FRAMEBUFFER_Damaged_2.png (Continued from page 59)
THE BILL introduced by Senator White into the Senate in S-1295, a bill introduced by Senator Wheeler in the last Congress; in S-1192, a bill introduced by Senator Obermiller in the Senate of the last Congress by Senator White; in recommendation by the Federal Communications Commission to the Senate of the last Congress of the Federal Communications Bar Association by a committee thereof; in court during the present Congress of the Senate of the United States, as found in the Report of the Attorney General’s Committee on Administration of Transportation and Communications. The bill should not be regarded as a general revision of the Federal Communications Act, but it is an effort to improve the efficiency of the Federal Communications Commission by providing safeguards against undue interference or interference with the public interest which results from the exclusive business of the divisions. Experience has amply demonstrated that the Chairman can not be expected to devote the time and attention necessary to the proper handling and disposition of these matters and also efficiently to discharge the many other duties which the Commission is required under the Act. As to these other duties, an attempt has also been made to clarify the status of the Chairman and make to him and him only, the occasion of speakingman and representing of the Commission in certain important respects.

When the present Act was before the Congress in 1934, the bill passed by the Senate provided for a man who has been a Division Commissioner for the use or operation of radio apparatus. This definition is made necessary by the necessity for the part of the Commission to treat what are in fact licenses as instruments in respect to which the Commission would be helpless by making possible avoidance of commission of the important function of the provision of the Act intended as safeguards against arbitrary administration of the Act by making possible avoidance of commission of the important function of the provision of the Act intended as safeguards against arbitrary administration. Experience has shown that the necessity of the definitions of such words as "personnel" and "station" must be carefully considered if orderly procedure is to be followed. This broad definition of a term license tends to ensure that result.

Sec. 2 and 3: Divisions

Sections 2 and 3 basically change the organization or the structure of the Commission. They can be summarized as the separation of the Commission into two statutory divisions of three members each with certain specific duties, and the removal of the noncommission personnel and functions of the chairman and of the other members of the Commission.

The new Commission would have power and authority to adopt and promulgate any rule or regulation of general application required or authorized by the Act, including procedural rules and regulations for the Commission and each division. The whole Commission would have plenary authority over all radio services, emergency services, the qualification and licensing of operators, the selection and control of personnel, the assignment of bands of frequencies to the various radio services and many other subjects as at present. But the present judicial and quasi-judicial power of the Commission would be vested in the proposed division as insofar as those functions and duties relate to the most important and controversial subjects within the jurisdiction of the Commission.

Sec. 4 and 5: Procedure

Sections 4 and 5 propose certain amendments to the procedural sections of the present Act (Sections 308 and 300). These amendments are made necessary by the restrictive character of the two types of communication and the problems presented by each but it also provides a method for obtaining the most effective solution of the problems presented by each. This plan not only recognizes the difference of the two types of communication and the problems presented by each but it also provides a method for obtaining the most effective solution of the problems presented by each. This plan not only recognizes the difference of the two types of communication and the problems presented by each but it also provides a method for obtaining the most effective solution of the problems presented by each.

SENATOR WHITE

of the language now employed and by the disposition of the Commission to give that language an extremely literal rather than a broad interpretation. The result has been to deprive applicants for certain types of licenses of the right to be heard before their application is denied and to deprive persons who are adversely affected by the action of the Commission in granting or denying an application of an opportunity to be heard before the Commission.

The amendment to Section 308 will make it clear that all instruments of authorization granted by the Commission entitling the holders to construct and operate radio apparatus should be subject to an administrative appeal to the Commission. The amendments to Section 306 make it clear that any person filing an application described in Section 306 is entitled as a matter of right to have his application handled in a definite procedural way.

The procedure to be followed in the handling of applications is that which was successfully followed by the Commission in the case of the department of the Commission which has charge of the matter referred to in Section 308 and 306 is not affected by the amendments proposed. The amendments proposed would assure this result.

Sec. 6: Transfers

This section proposes a redraft of the transfer section of the present Act (Section 310 (b)). As now drafted, this section in terms relates only to station licenses and does not apply to construction permits or other instruments of authorization which the Commission may issue under its rules and regulations. The redraft would remedy this deficiency. The present section does not contain the procedure to be employed by the Commission in passing upon such applications and the proposed amendment would remedy this defect by providing for the transfers of rights and the procedures required for the transfers of rights in the manner same as in the present section.

Arrival of these questions of procedure, the decisions of the Commission relating to transfer applications have given rise to the theory that the proposed transfer of a station license may be subjected to conditions not required of an application for a similar service.

Section 7: Censorship

This section proposes amendments to the provisions relating to the use of broadcast facilities by candidates for public office. The amendment is merely to the effect that the candidates in the case of broadcasts dealing with public or political questions are not to be the State or national in scope and application. Ever since the enactment of the Federal Communications Act in 1934, this provision in Sections 308 and 306 of the present Act have been the source of much uncertainty and controversy. I believe the changes urged clarify and enforce the Congressional intent.

Sec. 8: Political Uses

This section proposes to add the definition of any new section to the Act (Sec. 330) which will require the Commission to exercise the power of the Commission in the case of broadcasts dealing with public or political questions to be the State or national in scope and application. Ever since the enactment of the Federal Communications Act in 1934, a provision in Sections 308 and 306 of the present Act have been the source of much uncertainty and controversy. I believe the changes urged clarify and enforce the Congressional intent.

Sec. 9: Right of Reply

Section 9 of the bill proposes the inclusion of a new section (Sec. 331) which will require the Commission to exercise the right of reply where public officials, other than the President of the United States, use his station for the discussion of public or political questions. This right of reply is to be exercised by the accredited representatives of the opposition political party or parties, and is to be afforded upon the same terms and conditions as to the judicial interpretations of the amendment to Section 310 of the 1934 Act. This subject matter of this section merits immediate consideration.

Sec. 10: Duties of Licensee

Section 10 of the bill proposes the amendment of the present Act (section 332), the effect of which would be to require applicants for licenses to be the registered agents of a licensee where his station was used by a candidate for public office or for others on his behalf for discussion of public or political questions. This "no censorship" clause of Section 332 of the present Act does not adequately define the duties of a licensee or the circumstances under which a proposed amendment was approved by the Senate (section 332) affects the licensee an opportunity to examine the application for broadcast facilities intended use and to delete therefrom any material which is slanderous or
Act. peals orders proceedings provate hulgnage serves the was not only the acquisition material mission radio can tcers or of damages or which the licensee may have reason to believe subject the licensee to damages or penalties or material which is submitted for broadcast radio or television is not only the acquisition material mission radio can tcers or of damages or which the licensee may have reason to believe subject the licensee to damages or penalties or material which is submitted for broadcast radio or television

Sec. 11: Business Control

Section 11 of the bill proposes a new sentence as an amendment to Section 18 of the Federal Communications Commission Act. The amendment proposed spells out an interpretation placed upon the Act by the Supreme Court of the United States in the case of the Federal Communications Commission versus Sanders Brothers Broadcast Station decided March 25, 1940. In this case the Supreme Court said: "It is not our thesis or our purpose to regulate the business of the radio licensees. The Commission is given no supervisory control and no authority to inspect, control, or pass judgments over business activities. The Commission has no power to investigate or to intervene to control the advertising or the content of programs, of business management of policy of stations. In short the broadcasting field is open and free, provided there is an available frequency over which to broadcast without interference to others, if he shows his competence, the excellent entertainment, and financial ability to make good use of the assigned channel."

Notwithstanding this pronounce- ment of the Supreme Court, notwithstanding the fact that the broadcast license can be found in the Act which confers upon the Federal Communications Commission power over business activities and arrangements, of business management of policy of stations of the Commission declaring itself with the business phases of the operation of radio broadcasting and in announcing the further fact that Section 3 (h) of the Act provides that any person engaged in radio broadcasting should not be regarded as a common carrier, the Commission has arrogated to itself more and more with such matters. The change is made that the Commission is attempting to control the character and source of program material and the arrangements made by the licensee for the acquisition of such material.

A recent decision that falls in black and white what it is believed was not only the original intention of Section 3 (h), but what the provision was intended with respect to this subject, in the hearings that can be eliminated. The amendment prevents the prohibition now contained in Section 3 (h) from being used as a right of free speech and that against the utterance of any licent or indecent or profane language by means of radio communication.

Sec. 12: Appeals

Section 13 of the bill proposes to clarify provisions of existing law relative to procedures to enforce or set aside orders of the Commission and to appeals from decisions of the Commission. The present law upon this subject now forms a labyrinth. Paragraph (a) of Section 402 deals with actions to enforce or set aside orders of the Commission except those appealable under the provisions of that section. More specifically, paragraph (a) of this section relates to those orders entered by the Commission in matters involving common concerns but other certain other orders relating to radio stations, the Supreme Court has already ruled that such orders are not appealable to the United States Court of Appeals for the District of Columbia under paragraph (b) of Section 402. Under the proposed amendment, the court in the performance of its licensing functions would be appeal- able under paragraph (b) and would not be brought before a three-judge district court. Moreover, suits brought before a statutory three-judge court to enjoin the enforcement of an order of the Commission could be brought in the District of Columbia as well as in other judicial districts.

The principal changes proposed in paragraph (b) of Section 402 can be summarized as follows:

1. Persons desiring to appeal from orders of the Commission entered in cases where the Commission exercises its licensing functions would be permitted to appeal either to the United States Court of Appeals for the District of Columbia, as at present, or to the United States Circuit Court of Appeals for the district in which they reside or have their principal place of business.

2. Language is adopted which will remove doubt as to which cases are appealable and which will extend the right of appeal to persons who should have such right but which have been excluded due to imperfections in the present Act.

3. The time in which an appeal must be taken is thirty rather than twenty days, as at present, and the contents of the Notice of Appeal are specified with certain particular along the lines now provided by the Supreme Court. Under the amendment, appeals for the District of Columbia.

4. Jurisdiction is expressly conferred upon the Court to which an appeal is taken to grant temporary relief, whether affirmative or negative in character.

5. The Court is given authority to specify by rule what the record upon appeal shall contain.

6. The bill proposes a change which can be raised upon appeal and which the Court must consider in determining an appeal are specifically enumerated.

7. The Commission will be required to comply with the mandate or decision of the Court in the event of its record upon appeal will otherwise determine.

Other provisions of the present Act relating to the right of the Commission to intervene in an appeal and the right to review the decision of the court rendered by the courts upon such appeal are clarified.

Some of these provisions are, in my opinion, not only desirable but necessary if adequate judicial review of the Commission's licensing function is to be made effective. Present language of Section 402 and particularly paragraph (b) thereof is so vague as to result in great doubt concerning the time of week judicial review in many cases. Moreover, the provisions of the Radio Act of 1927, the Supreme Court of Appeals for the District of Columbia and of the Supreme Court of the United States of Appeals for the District of Columbia of the United States Circuit Court of Appeals for the District of Columbia and of the United States Supreme Court of Appeals for the District of Columbia now have been changed to prevent the hearing or entry of an order which is appealable under the provisions of Section 402. Further, if a case is appealed to the United States Court of Appeals for the District of Columbia, the Supreme Court of the United States has been made the primary court of appeals, as well as may have been, to hear such cases. Any order of the United States Court of Appeals for the District of Columbia which is appealable under Section 402 may be appealed to the Supreme Court of the United States.

Sec. 13: Rehearings

Section 13 of the bill provides for an automatic rehearing on appeal of the present law relating to the subject of rehearings as are necessary to conform to the decisions of the administrative organization of the Commission proposed in sections 2 and 3 of the bill. Further provision is made for delaying the effective date of any decision.
Network Monopoly Subject of 'Series

‘Dallas News’ Runs Both FCC And Industry Arguments

A SERIES of seven articles on the plight of the broadcasting industry, growing out of the FCC’s regulatory onslaught, was published in the Daily News of Dallas during the week of July 17. Written by Felix R. McKnight, staff correspondent, the articles covered the chain-monopoly regulations and their effects to figure largly to the public. Also covered was the issue of newspaper ownership of broadcast stations.

The FCC’s Position

Mr. McKnight set forth his interpretation of the FCC’s “accusations” and the industry’s defense as follows:

1. Three major networks, NBC-Red and Blue, and CBS, have the power to control broadcasting, an industry that dominates broadcasting stations.

2. Contrasts on competition among networks discourage improvement of program content.

3. Eighty-six percent of the nighttime broadcasting power, in wattage, is concentrated in the hands of three companies.

4. The industry is composed of individual broadcasting stations as to their right to exist, which they should not; not broadcast; further, their rights to reject network programs which they do not desire to override public interest are not easily asserted.

5. Local broadcasting stations do not have the facilities to perform obligations to their communities because of the claims of networks on optional time.

6. Important programs often fail to reach an area because of exclusivity clauses in contracts with networks which prevent local stations from broadcasting any chain programs except those of the network with which they are affiliated.

Radio’s Answer

Radio stoutly answers:

1. Free, open competition now exists among networks.

2. Network restrictions placed on affiliated stations are not intended to be used as instruments to maintain coverage for advertisers and thus maintain quality of programs. Right to reject network programs not in the public interest is ample provision in the license agreements.

3. Greed and cultural and civic sustaining programs would die without the above mentioned arrangements.

4. Local broadcasting stations have ample facilities and rights to maintain their own communities with their local programs.

5. Government dictatorship will be the order to new regulations of the FCC: the public should be radio’s only censor, and they are satisfied. The present system works with a high degree of public satisfaction.

6. Stations that are catered to by the FCC are not resonated, amended and chains will break out in the industry for stations to replace responsible, existing networks.

Fight Employment Bill

HOLLYWOOD talent agents and guild officials have been planning legislation in Congress which would regulate employment agencies, now operating a black market. Working in conjunction with New York talent agencies, a group of Hollywood talent agents is working to force the employment agencies and studios to sign a code of conduct. The group, which has a code of conduct, will be presented to the public at a meeting of the Screen Actors Guild on Thursday. The meeting will be held at 8 p.m. at the Savoy Hotel.

Foreign Broadcast Control Unchanged Under Donovan; LaGuardia’s New Role

Supervisory direction of the operations of international broadcast stations under Col. William J. Egan (Ill) Donovan, recently named coordinator of information by President Roosevelt, was foreseen last week following a conference with the famous attorney in Washington. No change in the existing overall operation of the international stations by existing licensees is in view, however.

Col. Donovan conferred with the heads of the nation’s most important international broadcasting stations last Wednesday, and the session was described as amicable.

It also has been reported that the Government might find it expedient to supervise programming operations more rigidly, it developed that the new information official had in mind only a more efficient private operation to insure maximum programming service to the Latin Americans and to European.

Robert E. Sherwood, noted playwright who recently joined Col. Donovan’s organization, is expected to coordinate the shortwave information program. The present industry organization headed by Stanley P. Richardson, designated several months ago as industry coordinator, liaison with the State Department, it is expected, will be continued through the Division of Current Information, headed by Michael J. McDermott, deputy assistant director of the European Division, specially assigned to this work.

Among those present at the evening conference, in addition to Messrs. Donovan, Sherwood and Richardson, were William S. Paley, president and Eumund Chester, director of international broadcasting for CBS; Paul N. Mackrell, president, and John W. Elwood, international station director, for NBC; James D. Shouse, for Cross- inghouse, and Robert S. Pearre, for General Electric.

Col. Donovan told BROADCASTING that he now is in the process of ordering licensees to sign a form that the very nature of the work in collecting and assembling information bearing on the national security would not warrant publicity. It is presumed the organization will encompass liaison with the Army, Navy, FBI and other governmental intelligence operations, such as the FCC’s direction of its far-reaching defense “listening post” operations. International broadcasting will fall within its jurisdiction, from the territorial information in the foreign field.

Domestically, Mayor F. H. LaGuardia, as director of Civilian Defense, eventually is expected to be the ultimate structure, directing the industry with a view to estimating and to正宗ing to broadcasting and its relationship to national morale. This may involve clearance of programs over all stations at 9:30-9:45 p.m. to reach the emergency tempo increases. As yet there has been no clearly defined plan evolved, but Mr. LaGuardia has conferred with Col. T. F. B. Lawrence as chairman of DCM and steps already have been taken toward mobilization of non-broadcasting communications in the national emergency.

FREE RECORDINGS BY NEW COMPANY

FREE RECORDINGS, orchestrations and professional copies of all new tunes published have been offered to radio stations to play the tunes a certain number of times each month by Radio Music Inc., New York City, a company in the recording field which expects to get under way about Aug. 16. Under contracts said to be already signed by Radio Music, no performing rights will be charged and can be played indefinitely according to Robert G. Green, vice-president and general manager.

Specifically, stations will receive without cost from 1100 to 1100 records each month, plus two orchestrations and four professional copies of each tune, in return for broadcasting these tunes a minimum of twice a day for the first 30 days and once daily for the next 30. The agreement is to run for one year, and Radio Music is accepting all copyright infringement liability, Mr. Green asserted.

Tunes will be composed by freelance writers and semi-name bands will record them. The discs, to be pressed by the Scranton Record Co., will be issued under the name “Radio Recordings”.

The company expects to get its revenue from the sale of the recordings, made popular on the air through retail outlets and from music machine operators as well as from the sale of sheet music.

Instrument Sales Rise, Fear Material Shortages

THE OLD CRY that radio has reduced interest in musical instrument playing was again discounted at the annual Music Industries Convention held in the Trade Show Building in New York last week. R. C. Roifing, president of the National Piano Manufacturers Assn., reported that shipments of pianos for the first six months of this year were up 26.7%. Piano manufacturers, it was stated, were not deferring orders and were guaranteeing prices only until Oct. 1, after which prices might be subject to then prevailing prices.

A shortage of raw materials this autumn was anticipated by instrument makers, but because of the importance of music to morale hope was expressed that the industry might get a priority rating. Prices were raised on the 50% already paid to 10% on quality merchandise and 15% on low-end goods.

Mrs. Hobby to Army

MRS. WILLIAM P. BOBBY, vice-president of the Boston Post and supervisor of its broadcasting station, KPRC, on July 30 joined the War Department Bureau of Public Relations in Washington. Mrs. Bobby is a member of the Southern Newspaper Publishers’ Assn. and is a member of the American Society of Newspaper Editors, and in recent months has been active in the War Department Bureau’s radio committee representing newspaper-radio stations in the current hearings before the FCC.

BROADCASTING • Broadcast Advertising

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(Printed in U.S.A.)
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The Press Must Be Free

BY RAYMOND CLAPPER

Raymond Clapper, author of this column, is a Scripps-Howard syndicate writer whose daily columns appear in more than 100 newspapers. Highly regarded in the field of newspaper columns, he contributes his thoughts on the newspaper industry in his July 28 column on the perceptible threats to freedom of the press and radio, as evidenced by the current moves of the FCC, in a particularly pertinent.

RECENTLY the chairman of the Federal Communications Commission, James L. Quinn, a Republican, told his colleagues to cease mention of the Stalin line in connection with the Russo-German fighting. He said if the newspapers and radio built up a legend about a strong Stalin line, such as was built up about the Maginot line, then when the Germans broke thru the effect upon the American public would be all to the contrary.

Nobody paid much attention to this, partly because the idea seemed silly and partly because it wasn't Mr. Fly's business to tell newspapermen and radio men how to write their copy. A general twitter went among Government officials at the incident and it contributed to the growing impression that Mr. Fly, altho a bright young protege of ex-Tommy Corcoran, is inclined to be erratic in his judgment.

Division exists within the Government as to whether more aggressive propaganda activities should be undertaken thru the press and radio. Thus far the opposing have it the upper hand.

Lowell Mellett, one of the presidential advisers and a former Scripps-Howard editor, has led the fight against any attempt to impose a formal propaganda domination over the press and radio. His position has been that the Government's only contribution to a support to the Administration foreign policy and that the Administration is receiving as much help from the press now as it should expect without exercising arbitrary control.

The newspaper and radio are both free. It grows out of the fact that practically all newspapermen and radio commentators have a desire as citizens to protect the interests of the country. On the whole they have exercised care to avoid damage to the interests of the nation. They have been more guarded in what they have said about military movements than some others.

In the midst of this situation, the Federal Communications Commission has begun an investigation of press and radio. The announced purpose is to consider whether newspapers should be forbidden to own radio stations. Questions in connection with the investigation dig into every phase of how individual newspapers treat radio, covering the furnishing of news, the publication of radio programs, and advertising practices. It is the most extensive look into the inside of newspaper offices that the Government has ever undertaken.

Newspapers and radio broadcasters face an uncertain future. What may grow out of this investigation, considering the general situation in Washington, the agitation among some for more Government propaganda intervention, and the unpredictable whims of Chairman Fly, who is directing the inquiry, is anyone's guess.

Questions of deep importance to a democratic nation are involved. As radio channels are limited, there is a mechanical necessity for Government control over the traffic. No such mechanical reason is applicable to newspapers.

Under present conditions more and more Government control is necessary over the activities of the nation. This but increases the need of preserving newspapers and radio as a safety valve, as an uncontrolled and free source of information for the growth of intelligent public opinion. It will be in the interest of the public to see that nothing grows out of Chairman Fly's investigation that would destroy this strategic fortress of democracy—the fortress of free speech.

New GE Antenna

A NEW and unique antenna, encased completely in a large wooden box which can be heated electrically, has been built and installed in a 128-foot tower in Scranton as part of the expanding General Electric Co. television facilities. The antenna will relay the picture portion of television programs from GE's new television studios to the main transmitter in the Helderberg Mountains, 12 miles south of the city. The sound will be relayed from a separate antenna atop the box. The new setup is GE's engineers' answer to problems created by weather changes.

Army Radio Posts To Joy, Bailey

New Program Department Is Organized Under Kirby

WITH RETENTION of Jack Joy, well-known West Coast musical director and producer, as program director at WJOB, Hammond, and Billy Bailey, owner of WFIU, the NBC net- work of WLW, as news editor, the radio branch of the Public Relations Section of the Army has completed its top personnel organization. Under the direction of Ed Kirby, chief of the radio branch, a staff of 16 specialists has been assembled.

In Washington and is supervising all radio activities of the War Department. Mr. Kirby, on leave of absence as public relations director of the NAB, has been with the Army as a dollar-a-year man since last February.

How extensively the Army will go into full-scale production, with its acquisition of Mr. Joy as program director, is not indicated. It is understood, however, that the arrangement has been procured but that it will be used primarily for morale work at the various Army encampments.

Portables for Remotes

Portable transcription equipment procured for the special events department, headed by Jack Harris, leaves from WSM, Nashville, will be used for remote program- ming for stations or networks where regular pickups cannot be procured because of Army regulations. Interviews or descriptive narratives will be handled for individual networks or stations upon request, it was learned.

Mr. Joy, musical director of the San Francisco Exposition of 1940 and in freelance production work since its close, will head the new program department. A former news editor of WLW, he will function as news editor and coordinate his activities with the press and public relations Department for news commentaries and for the radio wires. Mr. Bailey will serve under Mr. Harris as special events direc- tor. Plans already have been completed for a special Sunday service for commentators and the radio wires. Regular show will be picking up of broadcastable items from the daily budget of War De- partment and Army post press releases.

Another addition to the branch is Tom Stone, former script writer with WMCA, New York, and WFIL, Philadelphia. He will function under Jerry Ross, head script writer, and Robert C. Colson, former director of radio and public address of the San Francisco Exposition.

BECAUSE of the success of the first two issues of WOR News, edited by the promotion department of WOR, New York, for studio visitors, the sta- tion is sending copies semi-monthly to executives in advertising agencies.

Regional Grant Made To Trenton

New Locals Also Authorized In Lafayette and Oshkosh

A NEW regional station in Trenton, N. J., and new loc- als in Lafayette and Oshkosh, Wis., were authorized for construction by the FCC in decisions announced July 30. These bring to 32 the number of new radio licenses made by the Commission so far this year.

The Trenton grant went to Trent Broadcast Corp., and covers 1,000 watts fulltime with directional antenna on Skyline Hill, each owner of stock, are: Charles Quinn, Trenton attorney, president; A. Harry Zoeg, one of the owners and manager of the Atlantic City, executive vice-president; Richard Endicott, general manager of the Atlantic City Steel Pier and hotel operator, treasurer; John F. Trainor, official court reporter, Trenton; R. E. Carroll, manufacturers' agent; Rep. Elma H. Wene, Democratic Congressman from Nebraska; Hamid, owner of the Atlantic City Million Dollar Pier; James A. J. Ross, road machinery manu- facturer; Louis St. John, assistant pier manager; Allen Blankfeld, part owner of WFPG; Bennett Tousley, radio and electrical appli- ance merchant, Atlantic City.

Lafayette and Oshkosh

The Lafayette grant was to WFAM Inc., which proposes to use the old call letters of the South Bend Tribune's former WFAM and its former facilities of 100 watts on 1230 kc. The newspaper recently relinquished the station upon secur- ing programming for a new station, WSAT. WFAM Inc. has as its officers and stockholders the same group that owns WJOB, Hammond, Ind., namely, O. E. Richardson, president; O. J. Erre, vice-president, 161 1/3; Robert L. Adair, treasurer 19 1/3; J. Gibbs Sprin- gs, secretary, 32 1/3. Robert L. Adair, son of Fred C. is now in the Army as a first lieu- tenant.

Howard H. Wilson, station rep- resentative with headquarters in Chicago, secured the construction permit for the new Oshkosh station. The permit covers 250 watts on 1490 kc.

The Commission designated for hearing the application for the new station in Trenton, N. J. and for the new stations in Lafayette and Oshkosh. Hearing were the rival applications for new stations with 250 watts on 1490 kc. in Norfolk filed by Norfolk County Broadcasting Co. and by Tidewell Broadcasting Co. The application of Ports- mouth Radio Corp. for the same facilities in nearby Portsmouth, Va. was ordered to hear together with the two Norfolk applications.

Gunther-Shirer for Winchell

JOHN GUTHREY and William Gunther, radio commentators and au- thors, will alternate as substitutes for WOR's Edwin Winchell, Currently appearing on the Jersey Journal broadcasts on WNBC, the two will be heard in nine cities. Leen & Mitchell, New York, agency for Andrew Jergens Co., Cincinnati, the sponsor, states the move is temporary. In addition to the 128 foot tower in Scranton as part of the expanding General Electric Co. television facilities. The antenna will relay the picture portion of television programs from GE's new television studios to the main transmitter in the Helderberg Mountains, 12 miles south of the city. The sound will be relayed from a separate antenna atop the box. The new setup is GE's engineers' answer to problems created by weather changes.
WBT has 2,758,380 program directors

Run a finger down the list of local WBT programs punching hardest for their sponsors and you'll find that the WBT audience, itself, has had a big hand in building them. Talent for talent and feature for feature, these sales producers are what the audience has asked for—and listens to.

Farm Editor Grady Cole...Sports Editor Russ Hodges...and many another WBT star can turn a neat sales trick for an advertiser simply because they are the people's choice. Simply because WBT's listeners have accepted them and built them into the personalities—and salesmen—that they are today.

There's a file of success stories here to prove what kind of selling stuff these WBT-Audience-Requested-Programs are made of. Which is one good reason why WBT clients take WBT program department recommendations so seriously.

Your nearest Radio Sales representative has an interesting list of WBT talent and program availabilities, with testimonials and case histories that are worth your reading.
Mills Deplores the Lack of Logic In Dealings

Editor's Note: Reactions aplenty followed publication in the July 21 issue of Broadcasting of articles on copyright, quoting Ed Craney, head of KFIR, Butler, and the Z-B Network and Andrew W. Bennett, general counsel of National Independent Broadcasters. In the following article, Claude Mills, chairman of ASCAP's Administrative Committee, gives his reactions to the still-smoldering copyright issue, plus other observations about trade association operations.

By E. CLAUDE MILLS
Chairman, Administrative Committee
American Society of Authors, Composers & 
THE BROADCASTING industry and the music publishing industry seem to have, as industries, and as to a very large number of individuals in both camps, one characteristic in that it is a trait deserving to be denominated by a disposition to think emotionally rather than logically, and to express themselves in terms much more vigorous and often scathing than are likely to result in calm consideration of differences by the other side. This trait carries on into the internal disension in both groups.

United Front
No one would deny the right of dissenters to disagree or of minorities to express themselves. Yet, in matters comparatively as trivial as those which confront these two groups in their relationship to each other and their respective membership in relation to internal problems, it seems reasonable to just point out that it is the single, unopposed United Front that best protects the interests and rights of individuals within the group, so long as these purposes, policies and operations are within the law. Of course, no trade group or association may convert itself into or operate as a trade conspiracy or in restraint of trade.

Mr. Craney thinks, and has always thought, and I have generally agreed with him, that the NAB was dominated by the networks. Many others have shared this thought, and it may be perfectly true.

Many broadcasters have believed, and the NAB has not hesitated to express the conviction, that ASCAP was dominated by a small group of the leading publishers and composers.

In both groups the so-called "independent" operators of the smaller enterprises greatly outnumber the larger operators. This is so in every similar group or organization. The predominance of major interests represented by few in numbers over minor interests represented by many in numbers is prevalent in all corporations, trade associations, educational and even political groups.

It always has been so, and apparently it always will be so, but it must be borne in mind that there is a vast difference between wise, constructive leadership, and selfish or oppressive domination.

The Smaller Unit
Radio, as modern entertainment, has been brought to its present state of high perfection because of the initiative, energy and investment of the major interests in research, development and promotion for broadcasting.

The major and most valuable catalogs of musical works have been brought into being, developed, promoted, and their circulation made possible by the initiative, skill, energy and investment of the leading composers and publishers. In both fields there are a number of smaller units and interests, having a perfectly proper place in the picture and tending to be pernicious, according to their respective ability to meet competition and establish a "place in the sun" for themselves.

There have been discussions about "breaking up ASCAP" and I observe that there is now a "movement for abolition of the NAB". It would be inconceivably stupid of the broadcasters as an industry and as individuals to "abolish" their trade organization, and so it would be for either them or our own members to "break up" ASCAP.

Assuming NAB to have all the faults, and more, of which Mr. Craney complains, I, who might normally be expected to be the last person in the world to feel favorably about it, still think that it can perform an extremely effective service for the broadcasters in the implementation of its policies, just as some of ASCAP's, have been shortsighted, and I believe it knows that and will profit from these errors of judgment, just as I feel that ASCAP has learned a lesson from its errors.

There's Been a Change
The NAB, the networks and ASCAP have, in my opinion, all been equally shortsighted in not recognizing that the theory and policy of Government, as expressed under the present Administration, has definitely changed the character and complexion which prevailed prior to the present Administration.

This Administration is one that the people of the United States, by an overwhelming majority, seem to want. Fundamentally, the error in the thinking of organizations and powerful individuals, is their inability or unwillingness to recognize the changed conditions and adjust themselves accordingly.

The result of this failure to foresee and adjust to these changes is, so far as ASCAP is concerned, a "consent decree" plus some very bothersome State laws and the results, as far as broadcasting is concerned, are the regulations which the FCC proposes to put into effect.

IT'S THE TRUTH, avers Joe Worthing, announcer of WNNW, Asheville, shown here with his two pups which he has named "ASCAP" and "BMI". The screw-tailed Boston Bull, being the younger and smaller, is called "BMI" and Worthing says he's growing fast and "putting up a real scrap." The terrier is "ASCAP."

HILLBILLIES REBEL
Form Own Society in Answer
To ASCAP Blackball

MORE opposition for ASCAP was foreseen last week as an indignant gathering of the nation's hillbilly and cowboy musicians met in Franklin, Ind., to form their own performing rights society.

The Associated Press reported that the group met at the invitation of Justice of the Peace Lee Trissell of Franklin, a ventriloquist, described as the author of the idea. Mr. Trissell said that the new organization, to be known as the American Composers, Entertainers and Songwriters Society, is to be a "foster real American folksongs."

Mr. Trissell, ventriloquist though he is, used a remarkable talent to describe his feelings about the older society. "ASCAP," he said, "says its membership is not available to mere aspirants and sets itself up as a sole judge of who is a qualified composer, author, artist, or publisher. Yet the world's greatest music and most successful songs are the products of "aspirants"."

Mr. Trissell, according to Mr. Trissell, would take care of "the little feller," Quoth he: "We'll take in the real Americans, the hillbilly musicians, the authors of the real American folksongs, the entertainers who present them. We'll see to it that their songs are published and disseminated. ASCAP can go hang, till they hang themselves."

In the vernacular of the day, both the broadcasters and ASCAP became entirely too "cooky".

The light rather than heat to the problems presented would be very helpful to both sides. This is true as to the internal problems of each group, just as it is with regard to the arguments which each other.

I note that Mr. Bennett "urges broadcasters to continue the copyright drive". He "warns" them to "reappraise the current copyright situation by examining the "issue of their own inertia". I think he need have no fear of the broadcasters suffering from such a weakness. Lawyers live on controversies. That goes for our own lawyers and all others that I know anything about. This remark is not intended to belittle either the profession or the industry, it just means to say that the atmosphere is likely to be more vigorous and the pace of all operations will be increased.

In Radio Next?
I think he and the industry should bear in mind that it is but a step from that precedent to the enactment of Anti-ASCAP State laws.* No constructive solution of the difficulties involved is to be found via this route. It will just increase confusion, cost, and a field day for attorneys who thrive on the litigation which must inevitably result.

I should think it would somewhat answer Mr. Craney's complaint about the NAB to point out that there are already two other organizations of broadcasters, the IRA and ASCAP, and thus two organizations, not as just as chargeable as is the NAB with not having done a very good job?

Mr. Bennett does not doubt very much "if someone who knew his way around Washington had been put in to head the NAB," as Mr. Craney suggests, the results, as far as the FCC regulations are concerned, would have been any different.

In the old days men "who knew their way around Washington" could get somewhere. But in these days they don't do so well, particularly when they represent "big business" in its endeavor to entrench itself against any assault upon its claimed privileges.

Nothing applies very helpful. What would be helpful to all parties concerned would be for them to frankly recognize the new order that confronts all business and adjust themselves accordingly.

Bennett seems to worry as to

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*Editor's Note: This is an inaccurate inference, because State legislatures do not have the power to regulate interstate commerce. That power is reserved exclusively to the Federal Government. (See Justice Harlan's Blodgett v. S.W. of Washington, U. S. Supreme Court, 297 U. S. 660, 80 L. Ed. 906, and others.)
whether ASCAP, in its offers made to stations of alternative licensing formulae, will comply with the terms of the consent decree.

He need not worry. Every formula offered will be submitted to the Department of Justice for approval, and if the Department declines to approve or comment, ASCAP will undoubtedly ask for the ruling of a Federal court, as to whether or not the formula is in actual and legal compliance with the terms of the consent decree.

A Friendly Understanding

ASCAP does not hesitate to seek grounds and a basis for a clear and friendly understanding with the radio broadcasters, collectively and individually. We want to be paid a fair price for the use of a product which, notwithstanding some emotional statements, is a vital necessity to good showmanship in radio and to the rendition of a true public service under the terms of the franchise granted by the Government.

We know, and most broadcasters realize, that as the greatest central clearing house of music license rights the industry has ever known, and with the finest repertory of music that exists today anywhere in the world, ASCAP is an invaluable service agency, and that broadcasters are cheating themselves and the public in the attempt to foist upon it an ersatz product.

At the moment, when the public mind is so deeply engaged with thoughts connected with National Defense, and the welfare of more than a million of our boys in the camps, it is relatively indifferent to the music matter. But any sound showman, and any intelligent broadcaster who will think unemotionally, will realize that a maintenance of the status quo cannot but be harmful to radio networks, and individual stations alike.

Eliminate emotion, and substitute sound intelligence, and the gravity of problems on both sides, individually and organizationally, will be halved.

Peach Crop Spot List

ATLANTIC COMMISSION Co., New York, the fresh fruits and vegetable buying affiliate of the Atlantic & Pacific Tea Co., which started a three-week spot announcement campaign on July 30 to push the year's peach crop [Broadcasting, July 28] is using the following 45 stations: WOR, WBZ-WBZA WCBS WJAR WOR KYW WGBI WBL WJSV WDEL WMBG WDBJ WSBWBRC WJAX WMTR WRDW WBT WML KPRC WCSC WIS WMC KDKA KPRC WKBW WHK WBNS WFDL WOLFWKBN WXYZ WOOD - WASH WBPM WCKY WHAS WSPD WMAQ WTMJ KNOX WHO WDAFWDGY.

TRY to figure out a fairer test of station effectiveness than this: Tums airs the identical program over three New York stations at the same time. There are no variables except the difference between stations. What station has the greatest listener loyalty — what station do New Yorkers prefer to tune in? The result of this scientifically accurate test is shown above. Far more listeners were tuned in to WMCA than the other two stations combined. Twice as many were listening to WMCA as to Station B, eight times as many as to Station C. It proves once again that the habit of tuning in to WMCA is most deeply ingrained — that an advertiser can reach a larger and much more loyal audience through WMCA.

THE FAIREST OF ALL TESTS

PRODUCT: Tums (Stack-Goble Agency)
PROGRAM: New York Pot O' Gold
TIME: Wednesday, 8:30-9:00 p.m.
STATIONS: WMCA and two other independents
RESEARCH: C. E. Hooper Report, May and June, 1941

10.5% of all listeners tuned in to WMCA
5.2% of all listeners tuned in to Station B
1.3% of all listeners tuned in to Station C

KNOX MANNING, Hollywood announcer-commentator, has been cast in the Warner Bros. film short, "The Old Doll's House," now in production.
An Advanced Communications Design

The Yankee Network

lakes pleasure in appointing
John K. Ratham
a charter listener to its
FREQUENCY MODULATION BROADCASTS
and appreciates this cooperation
in the pioneering of this great achievement
in the Art of Broadcasting.

The Yankee Network

HUNDREDS OF FM listeners in the New York, New Jersey and even Illinois have received engrossed parchment certificates like the one above announcing their appointment by the Yankee Network as "charter listeners to its frequency modulation broadcasts." It is planned to use the charter listeners organization to obtain suggestions for improving FM programs.

Requirements Governing Combination FM and Standard Antennas Elucidated

TO CLARIFY its requirements governing the location of antennas for FM stations on tower radiators of standard broadcast stations, the FCC on July 30 issued a statement covering application form requirements and elucidating its policy. Common antennas, it was stated, will be considered "independently of the operating and economic advantages which obtain through common location of two stations" but certain additional requirements must be met to insure against adverse effects upon the standard broadcast station.

At the same time the Commission addressed a letter to FM receiver manufacturers and others interested in FM, asking them to furnish test data on FM receivers now being produced on the plea that "the proper administration of this problem [location of high frequency broadcast stations] indicates the desirability of coordinating the Commission's standards concerning the location of FM transmitters with the characteristics of receivers which will be used by the general public." A six-page memo on blanketing effects with relation to areas, population density, field intensities, receiver terminal voltages, etc. is included with the request.

Common Towers

The statement on common FM and standard broadcast station tower radiators follows:

"The purpose of the following is to clarify the Commission's requirements regarding the common location of antennas for high frequency (FM) broadcast stations with those of standard broadcast stations. (See Section 38.5(e) of the Rules Governing Standard and High Frequency Broadcast Stations and Section 19 of the Standards and Practice Concerning Standard Broadcast Stations.)

The Commission will consider an application for authority to install the high frequency antenna in accordance with the principles set forth in the rules and standards for high frequency broadcast stations independently of the operating and economic advantages which obtain through common location of two stations. If the site and antenna system comply with the Commission's rules, certain additional requirements must be met in order to assure that the operation of the standard broadcast station is not adversely affected.

In the instance where the standard broadcast station involved employs a non-directional antenna, the licensee will be required to file FCC Form No. 306 giving new resistance measurements after the installation and testing of the high frequencybroadcast antenna. During the installation of the antenna and until the new resistance determination is approved, the licensee should apply for authority to operate the station by the indirect method of power determination (informal application). Applications for license for the associated high frequency broadcast station will not be considered until Form 306 is filed for the standard broadcast station.

When it is proposed to install a high frequency antenna on one element of a standard broadcast directional antenna, it will be necessary to file application for modification of construction permit for the standard broadcast station. The granting of the modification for the standard station will, of course, be contingent upon the granting of the construction permit for the high frequency broadcast station. FCC Form No. 304 should include a complete engineering study setting forth fully the effect of the high frequency antenna upon the operation of the standard broadcast antenna system.

Depending on the individual case, the Commission may require certain field measurements on the standard broadcast station following the installation of the high frequency (FM) antenna system. The application for license to cover the construction permit for the FM station will not be considered until the licensee has made a satisfactory showing with Form 302 that the installation of the FM antenna has not adversely affected the operation of the standard broadcast station.

The installation of the high frequency antennas on towers of standard broadcast stations may require certain additional lighting. The applicant should supply complete information showing the mechanical details thereof so that the additional hazard of air navigation may be evaluated together with the additional lighting which may be required.

Non-Commercial FM Is Given City of Chicago

PROPOSING to render an educational service to the elementary, high school, junior college and adult education districts of the Chicago public school system, the Chicago Board of Education on July 29 received a construction permit for a new non-commercial FM station. The seventh such station authorized by the FCC. The 89.7 channel will be utilized for the FM emission with 1,000 watts power.

The Board, according to the FCC, has made a $30,000 appropriation for the new undertaking and proposes to locate its transmitter at 228 North LaSalle St. Currently the Board is broadcasting approximately 25 programs weekly over local standard stations and with its new facilities will transmit scholastic programs during the school hours and perhaps for one hour in the evening five times weekly. Subject matter will embrace art, science, literature, news, social studies, safety, national defense and Pan Americanism.

New FMBI Bulletin

TO KEEP the advertising fraternity abreast of developments in the field of frequency modulation, FM Broadcasters Inc., has started a mimeographed bulletin which will be sent regularly to advertisers and advertising agencies. First numbered, dated July 28, lists the 12 commercial FM stations now in operation, with details in service, frequency and broadcasting area, mentions the 41 additional stations approved by the FCC and now being constructed and discusses the matter of coverage by FM, with all stations in any city supplying identical signal coverage regardless of power.

THE IMPORTANCE of American shortwave programs in bringing the French people messages of hope and confidence has been publicized in the collection of letters received by NHC's international station and printed in the book They Speak for a Nation, by Eve Curie, Phillipe Barres and Raoul de Roussey de Sales, published July 25 by Doubleday, Doran & Co.
RADIO ENGINEERING LABORATORIES ANNOUNCES

A COMPLETE NEW LINE
OF FM "DL" BROADCAST TRANSMITTERS OF 100 TO
50,000 WATTS, FEATURING THE ENTIRELY NEW VERSION
OF THE ARMSTRONG PHASE SHIFT MODULATOR

This new modulator is built directly into the 250 and 1000 watt basic transmitters so that either of these units can be used as a driver for amplifiers of higher power.

Since the beginning of FM, industry leaders have chosen REL FM equipment... outstanding broadcasters such as FM inventor Major E. H. Armstrong, John Shepard, Paul DeMars, Bill Scripps, Walter Damm, Clarence Wheeler, Roger Clipp, John Hogan, Dr. Manson. To protect your investment in FM, be sure to investigate REL's complete new line of DL transmitters before you buy.
NO SALES SIZZLE IN FRY (Ky.)!

Not on your skullet would we brag about our coverage in Fry (Ky.)! Y’see, Fry (like so many other "towns" in Kentucky) just doesn’t have the cash to put sizzle in sales. But, boy!—there’s plenty of sizzle in the Louisville Trading Area, where new defense payrolls alone exceed $5,000,000 a month! And WAVE covers the whole Area—at rates that make us a bargain buy! May we cook up some business for you?

LOUISVILLE’S WAVE

1000 WATTS . . . 816 A.C., 818 C.B. Radio
FREE & PETERS, INC.
National Representatives

A DOZEN TONGUES . . . A SINGLE THOUGHT

The principles of democracy, the ideals of freedom are not the individual possession of one people or of one language. Rather it is the deep heart-felt expression of many people speaking many different languages.

Thus it has been given to WHOM to broadcast in many different tongues this loyal defense for American ideals of Democracy.

AP LISTENING POST SET UP IN NEW YORK

THE Associated Press is establishing its own "listening post" for checking communications from all parts of the world at Northastle, Westchester County, N. Y., as part of the 1575 airline miles of West Coast broadcast. Operations will begin immediately under direction of Stanley Wolff, who formerly headed the shortwave staff of the New York Herald Tribune, although construction of a rhombic antenna array and installation of high-speed recording apparatus will take several months to complete.

The post’s staff, which will be on duty 24 hours a day seven days a week, will concentrate on communiques broadcast in International Code rather than voice messages. Mr. Wolff said, explaining that the code messages, which are broadcast chiefly for the benefit of newspapers and news agencies throughout the world, usually precede the voice transmission. When completed, the post will be the most complete in the country and probably in the world. Mr. Wolff said.

JAMES L. SAPHIER, Hollywood radio talent agent, continuing to operate his own offices in that city and New York, has taken over the radio department arrangement of Sam Jaffe Inc., West Coast talent service.

CHARLES M. ROBERTSON Jr., radio director of the Ralph H. Jones Co., Cincinnati, is awarded an admiralcy of the American Airlines flagship fleet by R. H. Jones, president. The award was made "in recognition of Robertson’s consistent and meritorious service which contributed materially to the increased public use of air transportation." Mayor Stewart of Cincinnati presented with an Admiral’s hat and sword. Left to right are: Mr. Robertson; Max Schuman, manager of the Netherland Plaza; Mayor Stewart; Ralph H. Jones, president of the Ralph H. Jones Company; Mr. Merrill; Charles M. Robertson Sr., vice-president of the Kroger Grocery Co., Atlanta; Jimmy Jackson, American Airlines steward; and James D. Shouse, vice-president and general manager of WLW-WSAI.

L. A. Agents Licensed

LOS ANGELES Board of Supervisors’ decision to impose an annual license fee of $100 on all talent agents who do business within the city limits, regardless of where their offices might be, threatens to disrupt operation of many. The agents, most of whom are headquartered either on the Los Angeles county strip, or in Beverly Hills, Cal., are bitterly protesting the move since they are already paying State and county licenses. Additional tax, it was pointed out, will amount to about $15,000 per year, coming from approximately 150 talent agents. Artists Managers Guild is expected to take up the fight in protest, with legal action to follow. Agents fear that such a precedent set by Los Angeles will spread to such adjoining incorporated communities as Burbank, Beverly Hills, Culver City and Universal.

FREQUENCIES

WHOM

1480 Kilocycles
FULL TIME OPERATION
29 WEST 57TH ST., NEW YORK
Telephone Plaza 3-4204
JOSEPH LANG, Manager

AMERICA’S LEADING FOREIGN LANGUAGE STATION

BROADCASTING • Broadcast Advertising
STANDOUT

SERVICE TO THE FARMER

DENVER'S
STANDOUT STATION

560 Kc.—C.B.S.
Affiliated in Management with the
Oklahoma Publishing Company and
WKY, Oklahoma City—Represented
Nationally by the Katz Agency, Inc.

STANDOUT RESULTS FOR FARM ADVERTISERS
more than luck in HORSESHOES

"Aimin' 'em straight, tossin' 'em true... that's the way to play the game, boys, 'stead of just flingin' 'em out and trustin' to luck."

SMART BUYERS of radio advertising don't trust to luck, either. They know that the greatest sales-return per dollar comes from selling messages sent straight and true into the most active markets.

Number One Market of Industrial America is the famous Golden Horseshoe—the territory blanketed by WJR and WGAR. It's busy and prosperous under normal conditions. It's booming under the pressure of national defense work.

And here in this great market—where wheels of industry turn day and night; where payrolls are mounting every day; where there's more money earned, more money spent—advertisers don't depend on luck. They make certain of going straight and true. They score with WJR and WGAR!

THE GREAT STATIONS

WJR
THE GOODWILL STATION
Detroit

WGAR
THE FRIENDLY STATION
Cleveland

G. A. RICHARDS
President

Silly But Serious

SOMEWHERE, very probably, there are newspapers, or more than one, where the attempt to publish a piece of news in a manner that would seem reasonable and consistent in a given context is thwarted by a trend toward simplification of thought that is hopelessly jumbled by the methods of opinion-making and public relations. This is the story of what happened in Hawaii.

The Washington Post, a newspaper having direct affiliation with the Rockefeller Committee, published a story on Nov. 29, 1941, in which it was alleged that the LaGuardia Commission, under the leadership of Mayor LaGuardia, had been at work for the betterment of broadcasting for some time. The Post quoted the Commission's director, Mr. N. J. Taishoff, as saying, "The Commission is working on problems of broadcasting, and its work is now about 75% completed." The Post went on to say that the Commission's findings would be published soon.

The Post's story was based on information provided by Mr. Taishoff, who had been in charge of the Commission's work for several months. According to Taishoff, the Commission had been working on several important issues, including the regulation of broadcasts, the prevention of error, and the promotion of public information.

However, the Post's story was not entirely accurate. The Commission had been working on these issues, but it had not yet been able to come to any final conclusions. In fact, the Commission was still in the process of collecting data and conducting research. Taishoff had not yet provided the Post with any specific information about the Commission's findings.

The Post's story was not the only one that appeared in the newspapers. Other papers, such as the New York Times and the New York Daily News, also carried stories about the Commission. These stories were based on interviews with Mr. Taishoff, who had been quoted as saying, "The Commission is making progress, and we hope to have our findings ready for publication in the near future." However, these stories were also not entirely accurate. Taishoff had not yet provided these papers with any specific information about the Commission's findings.

The inaccuracies in the newspapers' stories were not limited to the Post and the other newspapers. The Commission itself was also involved in a number of disputes and controversies. For example, there was some disagreement among the members of the Commission about the proper role of the government in broadcasting. Some members believed that the government should play a greater role in regulating broadcasts, while others believed that the government should not interfere in the affairs of the broadcasting industry.

Despite these differences, the Commission continued to work on its various projects. Taishoff had been working on a number of initiatives, including the establishment of a new broadcasting company, the development of a new broadcasting curriculum, and the creation of a new broadcasting forum. These initiatives were all aimed at improving the quality of broadcasts and ensuring the public's safety.

In conclusion, the story of the Commission's work is a reminder of the importance of accurate information in the media. While the newspapers may have been able to report on the Commission's work, they were not able to provide a complete and accurate picture of what was happening. The Commission itself was also involved in a number of controversies, and its members held differing views about the proper role of the government in broadcasting. Despite these challenges, the Commission continued to work on its various initiatives, all of which were aimed at improving the quality of broadcasts and ensuring the public's safety.
WAYNE STEFFNER, account executive for radio division of KFJRO in San Francisco, died Aug. 1, became San Francisco representative for Radio Sales Inc., Chicago, after having served in a similar position for the company in the Los Angeles area. He succeeded Gordon Owen, who resigned to take a commentator's position on KNFOR.

NORMAN V. CARLSON, business manager of the transcription department of Photo & Sound, San Francisco, died Aug. 9, a native of New York, was responsible for setting up and operating the transcription department in the Army and ordered to report to Washington, D. C. He holds a reserve commission as a major in the Army Reserves.

HAL HUDSON, CBS-Pacific Coast Network commercial program manager, has sold his fourth film play, "Silent Train," to Paramount Pictures Inc.

SYDNEY GOLD, general manager of Associated News Service, affiliate of Elliott Service Co., New York, new celebrating its 30th anniversary, is planning a trip to the West Coast this August to see the cities of the West and to meet with the stations in connection with the current defense program.

A. SCHICHTER, NBC director of news and program events, on July 20 left for the West Coast on a month's business trip to line up NBC newsmen, with special reference to broadcasts from the Orient.

SAMUEL R. ROSENBAUM, president of WITL, Philadelphia, resigned last Monday (26) as president of the Robin Hood Dell, outdoor summer symphony concert series in Philadelphia, stating that his action was because of the pressure of other business interests.

SIDNEY ROBBINS, formerly of the commercial department of WAlA, Birmingham, and WINS, New York, has joined the sales staff of WWRH, Woodside, N. Y.

ELAND POWER has resigned as producer-director of the Public Radio Education Committee and as editor of the PREC Service Bulletin, a weekly publication. He has been with the station since its beginning in 1941, under the directorship of Dawson Dow Boutwell, chief of the US. Office of Education Division of Radio, Publication, and Exhibits.

MILLER C. ROBERTSON, for six months in charge of local sales at KMIC, Kansas City, has been named assistant sales manager.

SAM H. BENNETT, sales director of KMIC, Kansas City, has been named representative of the 10th District sales managers division of the NAB.

R. G. BUCKINGHAM, for the last two years merchandising and production director of WNAX, Yankton, S. D., resigned Aug. 1 to succeed A. C. Roper, Jr., publisher of the Yankton Press-Record and owner of the Royal Air Force.

JACK CAMPBELL, sales promotion manager of KPL-MG, San Francisco for the last four months, has resigned and no successor has been named as yet. Before joining the Pacific advertising manager of the Langdorff Broadcasters and then sales promotion director of a large whiskey firm.

HARRY MAIZLISZ, sales manager of KFWS, Hollywood, and Ruth Shaw Morse of New York, were married July 1 in Hollywood, he was revealed recently.

JACK E. THAYER, commercial manager of WNWK, Asheville, N. C., has been appointed chairman of the Civil Service Board of Asheville.

WILFRED STRICKLAND KING

WHEN THE NEWS got around, late in 1938, that Information Please had a sponsor, there was a certain amount of chagrin in several quarters. Other sponsors, it seems, were just about ready to sign a contract for this series which had proved so popular during the six months it had been on the NBC-Blue Network as a sustaining feature.

Wilfred Strickland (Bill) King, director of the radio department of J. M. Mathes Inc., had got there first for Canada Dry. And for the two years the series was under his supervision it kept gaining in popularity, despite the fact that many fingers were kept crossed when Information Please was put to work to sell as well as entertain.

There is a certain bromashness about Bill King. Once convinced an idea has merit he is perfectly willing to stick out his neck to promote it. More recently, since Information Please, he was instrumental in placing Duffy's Tavern under the sponsorship of the Schick In-jector Razor Co. Here was a show that had tried to be left out only piece meal.

Now off the air for the summer, it was acclaimed by radio editors as one of the most promising new comedy shows to hit the air in several years. Predictions are risky in radio, but King will give you odds on a growing Crossley when Duffy's Tavern reopens in September.

Bill King has been around New York longer than most advertising men, having been born in the metropolis Nov. 5, 1905. Even his collegiate career didn't take him away from the city, since he selected Columbia U as his alma mater. From there he went to the North British & Mercantile Insurance Co., where he was assistant advertising manager.

His first connection was made in 1925 when he joined the trade paper copy division of the George Bat-
RICHARD LINCOLN, for the last three years operations supervisor in the CBS production department, has joined the CBS program service department to serve in a general capacity and also as CBS contact on the Maj. Boves Amateur Hour.

DAVID ROSE, musical director of the Don Lee Network, and Judy Garland, movie star, were married July 25 in Las Vegas, Nev.

RAY MORGAN, formerly of WFMB, Boston, has joined the announcing staff of WINS, Washington.

RAY NOBLE has been signed as musical director of the weekly NBC Chase & Sanborn Show, sponsored by Standard Brands Inc. (coffee), when the program resumes in fall. He replaces Robert Armbruster, with the deal calling for Noble's orchestra, twin girl vocalists and a male choral.

BOB POLLOCK, assistant production manager of WSB, Atlanta, has been called to active duty with the Army. Holding a second lieutenant's commission, Pollock will be stationed at Atlanta, serving in the Monroe Branch.

IRENE KUHN, former New York newspaperwoman who has been in the NBC press department, has been transferred to the NBC promotion department under Ken R. Dyke, NBC director of promotion.

LIE BLAND, program director of WFMY, Youngstown, O., is convalescing after an appendectomy.

CLAUDE SWEETEN, musical director of KFKE, Los Angeles, and Jack Osborne, vocalist on the station, collaborated in writing the song "When You Love Is New," which will be featured in the new Dr. Christian film to be released through RKO.

KEN NILES and Tom Hanby, CBS Hollywood announcers, as well as Sam Balter, KFH, Los Angeles, sportscaster and commentator, have been signed by Columbia Pictures Corp. to play themselves in the film, "Harmon of Michigan," now in production.

JOY STORM, NBC Hollywood announcer, has been appointed Western division special events director, succeeding Don Thompson, now in the Navy. Storm has been with NBC since 1937, and before that was program director of KWK, San Jose, Calif.

BOB STEPHENSON has been transferred to NBC's Hollywood operations, a position vacated by Ted Hedger, who joined J. Walter Thompson Co., that city, as writer-producer under a leave-of-absence from the network.

ED CANEPA, formerly of WRBM, Pullman, Wash., has recently joined KSB, Santa Rosa, Calif.

ELINOR CANNON, secretary to Arthur J. Kemp, Pacific Coast CEN sales manager, recently announced her engagement to Joseph W. Robinson of San Francisco.

CHARLES GARLAND, formerly of newspaper promotional work, has joined KMBC, Beverly Hills, Calif., as publicity director.

BILL HENRY, CBS commentator, and Los Angeles Times columnist, will narrate opening sequences of the film, "Haroon of Michigan," being produced by Columbia Pictures Corp.

ALICE McCauley, of CBS Hollywood script department, has been promoted to studio ticket department director, replacing Anita Harryman, who has been transferred to the secretarial pool.

ALFRED COHN, staff musical arranger of WTIC, Hartford, has had two string transcription jobs published by BMI.

DONNIE LOHMANN, "June Martin" of KMBC Kansas City, was married to John B. Reilly, May 7. Members of the KMBC staff furnished the vocal selections at the ceremony and entertainment at the reception which followed.

BILL WELLS, formerly of WHIS, Memphis, Tenn., has joined the announcing staff of WCKY, Cincinnati.

RUSSELL J. OFFHAUS, known as "Superman" on "The PC Show," was married to the father of 7 lb. 12 oz. son, Russell Reid, born July 15.

WALLY REID, late director of agriculture of WWL, New Orleans, returned last week from Mexico, where he toured as special representative of the Louisiana Department of Agriculture.

BERNIE SMITH, for the last four years publicity director of KFKE, Los Angeles, has been appointed agriculture director of the station. Virginia West is temporarily holding down the post of publicity director until Smith's successor is appointed.

BARCLAY ALLEN, staff artist of KLZ, Denver, has just written a new song, "Let's Keep Those Stars in the Blue." Allen has had several songs published by BMI.

DERBY SPROUL, production manager of KLZ, Denver, has been named radio director of the publicity committee of the Denver Citizens' Safety Program. KLZ is carrying an extensive campaign of programs, and has arrangements in connection with the traffic safety.
MYRON J. BENNETT

THE PARTICIPATING PROGRAM BUY IN ST. LOUIS

24.3% of the St. Louis audience was tuned to Bennett during a recent *Ross Federal audience check. Another station had 29.2% while others trailed with 23.5%, 10.7% etc.

This audience division unquestionably makes Bennett one of the best dollar buys in St. Louis and partially explains its unusual success with sponsors.

*792 coincidental telephone calls 1:45-2:45 p.m., Tuesday July 29

RESUMING MARTHA DEANE

Woman's Series, Aug. 4

WOR, New York, on Aug. 4 will bring back to the air Martha Deane, successful participating program, which went off the air early in January. Marion Young, for the last six years woman's editor of NEA Service, former foreign correspondent and expert on beauty, fashions and decoration, will fill the role of Martha, discussing subjects of interest to women.

The program was started in 1934 under direction of Mary Margaret McBride. She was replaced in September, 1940, by Bessie Beatty, who became such a personality on her own that the name of the show was changed to Bessie Beatty early in January. Now the Martha Deane name is to be brought back as a new 2:23-3 p.m. participating show, Monday through Friday. One sponsor has already been signed, with others expected shortly.

JONAS WEILAND, owner of WFTC, Kinston, N. C., and 50% owner of WMVA, Martinsville, Va., the latter which he proposes to dispose of, is 25% stockholder in the Coastal Broadcasting Co., Inc., applicant for a new station, 250 watts on 1450 kc., in New Bern, N. C. Other principals are Louis N. Howard, local clothing merchant, president, 25%; Ellis H. Howard, manager of his father's clothing business, secretary-treasurer, 25%; D. L. Ward, attorney, 25%; Ray Hendler, cigar and candy distributor, first vice-president, 1%; J. H. Jones, insurance and real estate man, 1%.
PLAQUE AWARD for furthering the interests of aviation through his broadcasts on WLAC was made recently to Tim Sanders, special events announcer of the station, on the fifth anniversary of Nashville’s municipal airport. Conductor of Air Traveler Airs His Views, Sanders is credited with making the city air-conscious and being instrumental in making Nashville one of the outstanding air-terminals of the nation.

Wheaties Offer FOLLOWUP to the recent Wheaties and banana sales, WSAT, Cincinnati, under the signature of Roger Baker and Dick Bray, station baseball announcers, is distributing a humorous mailing piece telling the sad fate of "Grocer Goochbaum" and his helper who were trampled by hordes of angry females when his stock ran out during a recent giveaway offer of General Mills.

BROCHURES

WINN, New York—Booklet citing Martin Block’s Make Believe Ballroom as preferred listening in New York, with accompanying surveys as proof.


WNAX, Yankton, S. D.—Six-page folder and insert on WNAX coverage in Midwest farm community.

WKRC, Cincinnati—Illustrated folder on WKR C Cincinnati Pure Food Show and fair coverage.

KROD
EL PASO, TEXAS
CBS AFFILIATE
Covers ALL the El Paso Southwest
600 KILOCYCLES
1000 WATTS (Day)
500 WATTS (Night)

THE WAY HE HEARD IT!

TO PROMOTE the first sponsored fight telecast, of the Betina-Burman heavyweight on July 22, NBC sent window and mirror posters to the owners of more than 800 bars, restaurants and taverns equipped with video receivers in the New York metropolitan area, advertising the fact that the fight could be seen on their sets. Adam Had Stores, sponsors of the telecast as well as of the blow-by-blow broadcast of the fight on the Blue Network and, in Spanish, short-wave to Latin American listeners via NBC’s shortwave stations WRCB and WNDI, added another innovation to the event by stationing Ell Can, who handled the Spanish broadcast, at a roadside but at a television receiver, describing the bout as he witnessed it.

Macquarie’s Catalog

MACQUARIE BROADCASTING NETWORK, Sydney, Australia, has issued the second edition of its 100-page, 11 by 18 inch general catalog. Bound in fabricoid and completely indexed, the book is sub-titled “a manual for radio agencies and sponsors”, with foreword by H. G. Horner, general manager. Besides individual station and network statistical data, maps, diagrams and illustrations, the catalog contains general information on Australian radio of interest to agencies and sponsors. Compilation is by Norman Johnson, promotion manager.

For Power Boost FOLLOWUP to a recent increase to 1,000 watts by WBAD, Island Ill., is being made with the distribution to the trade of 1,000 reprints of a two-page newspaper spread with another mailing scheduled for one week later. Station promotion also features placement of car ads in 100 local buts.

Bags

ORDINARY paper bags are being distributed to the trade by WPEN, Philadelphia, to call attention to the station’s new dramatized news program, It Happened Today. “It’s in the Bag” states an imprint on the bag, with a promotional piece on the program on the inside.

Welcome Soldiers

ARMY CAMPS in the area covered by WOR, New York, are receiving posters inviting soldiers to see broadcasts at the WOR-Mutual Playhouse, New York. Drawn up by the station’s promotion department, the posters bear cartoons by Otto Sogow.

KZL Aids Del Monte

KZL, Denver, as part of a recent merchandising program for Del Monte Pineapple Juice, called grocers in Denver and advised them of Del Monte’s announcement schedule on the station. The grocers were urged to order complete stock to be able to fill all requests prompted by the air campaign. At the same time the station found out exactly what size cans the grocer carried and learned if he was interested in ordering additional stock. Of the 225 called, 20% of those grocers not already carrying the product said they would order it as a result of the KZL campaign.

Newspaper Deal

WDAS, Philadelphia, has closed a time-space deal with the Evening Bulletin, making it the first of five of the local newspapers. Cooperative deals are in effect with the Daily News, Evening Ledger and Philadelphia Record. Negotiations have been entered for a swap deal with the Daily Bulletin, most conservative of the local newspapers and the last to recognize radio, now having arrangements with WPIL, KYW and WPEN.

Yankee’s Party

Yankee COLONIAL networks and J. D. Tarcher, agency, acted as hosts to McKesson & Robbins Co. salesmen at a dinner at the Kenmore Hotel, Boston, July 25. Vice-President Arthur Benson and Assistant Vice-President Joseph Murphy headed the McKesson & Robbins group, which included Carleton McVarish, director of research for the networks, and Jim Ross, Yankee sportscaster. A business meeting followed the dinner.

On the Air

HUNDREDS of cardboard microphone cutouts, carrying the WTOC call letters and a caption, “We’re on the Air”, have been placed in show windows of all local advertisers on the station by WTTC, Savannah, Ga. The station also operates a sign printing department which supplies special program signs to advertisers.

Radio Avenues

UNIQUE promotional stunt concocted by Hal Rorke, CBS Hollywood publicity director, is used to perpetuate names and titles of network programs. He recently convinced county officials to name streets of a new housing development near Long Beach after CBS radio personalities.

WNEW, New York—Booklet citing Martin Block’s Make Believe Ballroom as preferred listening in New York, with accompanying surveys as proof.


WNAX, Yankton, S. D.—Six-page folder and insert on WNAX coverage in Midwest farm community.

WKRC, Cincinnati—Illustrated folder on WKRC Cincinnati Pure Food Show and fair coverage.
SINGING call letters at station breaks—that’s the innovation at KJBS, San Francisco. A transcribed singing spot tells the audience it is listening to KJBS. About 20 different versions have been transcribed and are used throughout the day. Ralph R. Brunton, station owner, figured that if similar singing announcements sell refrigerators, furs and gasolines, they should sell the station to the listeners.

On To Hollywood

POSSESSION of an unusual personality which warrants film attention is basis of the newly inaugurated monthly contest on Tayton’s Tattler, sponsored by Tayton Co. (cosmetics) on 7 CBS Pacific Coast stations. Women between 16 and 60 years old are invited to send in, accompanied by a label or card from one of the firm’s products, a detailed personality description and their photographs. Winners, judged by Jimmie Fidler, Hollywood columnist and program commentator; Earl Carroll, impresario; and studio casting directors, are awarded a free trip to Hollywood.

Cincinnati Defenders

TELLING the story of a different local defense industry each week, WCKY, Cincinnati, on Aug. 1 started a new Friday evening quarter-hour series, Industry on the March. The series was arranged by Helen Rees, who is doing special promotion work under direction of L. B. Wilson, president and general manager. Heads of the various reviewed industries appear on each program.

Defense in Dixie

A NEW defense program, Reveille In Dixie, has started on WSB, Atlanta. Programs include band music, brief notes on defense work in the South and feature a presentation of actual Army life at Fort Benning.

For Folks Back Home

AS A service to those the draftees leave behind, Jack Sherman of WMBD, Peoria, IL, broadcasts twice-weekly news about the local boys in various Army camps, such as promotions, activities and notices of leaves.

Two That Failed

WITH a record of only two broadcasts marred by atmospheric conditions out of the 180 delivered in the last five years from New York to London, Raymond Gram Swing, MBS news analyst, was more unlucky during his recent three-week stay in London. Out of eight scheduled talks to the United States, two, the first and the last, were unintelligible because of atmospheric conditions. Swing’s last talk from London was cut off after four minutes of frantic efforts by engineers to get the speech through clearly.

Hollywood Sustainer

NEW weekly half-hour, The Best of the Week, has been inaugurated on NBC-Blue stations, with Clinton (Buddy) Twiss as m.c. and commentator. Sustainer features the best Hollywood news story, oddity, song and draftee experience of the week. Gloria Blondell, radio and film actress, is to review the motion picture of the week in addition to being starred in the program’s dramatic spot.

-* *

Skipper Jim Freebies

KLZ, Denver, is offering youngsters membership cards and pins on its Skipper Jim broadcasts. Presentation of the cards and pins nets a free admission to Lakeside, a Denver amusement park.
RADIO HELPS COLLECT ALUMINUM
Broadcasters Do Their Part in National Drive
To Collect Pots and Pans for Defense

STANDING OUT again in a nation-wide public service drive, the radio industry cooperated wholeheartedly with the national defense campaign to collect scrap aluminum during National Aluminum Roundup Week, July 21-29. Stations in every area promoted the drive with special programs for several days before the actual collection started, and followed through with studio interviews and remote pickups to stir additional interest in the campaign.

The aluminum collection drive, in addition to promotion by individual stations, was actively promoted by the NAB and was accorded attention through the networks through special programs and announcements on regular commercial features and drew the active support of the manufacturing and operating end of the industry. Radio Manufacturers Asso. urged full cooperation of member companies and their distributors and manufacturers like RCA Mfg. Co. announced production innovations designed to substitute other materials for aluminum.

Individual Station Activity
Some of the individual activities reported to BROADCASTING by stations follow:

KTAH, Phoenix, Ariz.—Los Angeles Safety Club collected 1000 pounds of aluminum in first few days of drive in front of studio building.

KOY, Oklahoma City—Station talent and Flatfoot Four, famous police dog, entertained at aluminum furnishing local ball game, with aluminum as admission price and $2 defense bond given to person donating most aluminum.

WSUN, St. Petersburg, Fla.—Carried heavy schedule of special announcements and used mobile unit in house-to-house collection campaign.

WAAR, Boston—Broadcast opening of independent aluminum collection drive at the Sears, Roebuck plant in Boston.

KOY, Phoenix, Ariz.—Open local collection campaign with broadcast of presentation of used aluminum-base transmutation discs.

WTAD, Quincy, Ill.—Broadcast opening of local campaign, interviewing many and towing in used.

KOIL, Omaha—On opening day of local drive sent mobile unit along pickup route for special quarter-hour on-the-spot program.

WXO, Knoxville—Accepted aluminum donations as admission to Holiday Merry-go-Round, daily variety show, in lieu of regular dime admission, giving repeat performance to total audience of 1,250.

KOMO-KTR, Seattle—Special pre-drive promotion climaxing with one-hour kick-off program July 20, along with subsequent pickups from main local collection centers, including radio spot-by-spot description of donors toasting their offerings at an aluminum plaque of Hitler used as a target in the middle of the collection bin.

KPY, Cape Girardeau, Mo.—Using mobile unit as well as studio, carried broadcasts from collection bins and interviews with community leaders.

KHOD, El Paso, Tex.—Carried special broadcast, sponsored by Hilton Hotel, interviewing local civic officials connected with drive.

WCKY, Cincinnati—Tied in aluminum drive with local program urging listeners to advise stations of their willingness to donate and offering to dedicate musical numbers to donors on a special program. Sent the WCKY Studio Plane on residential tour with Boy Scouts to make door-to-door aluminum collections, picking up interviews with housewives and families.

WPFA, Manchester, N. H.—Carried special programs leading off with donations of used dishes.

WWRL, Woodhulls, Ill.—Presented special announcements in English and five foreign languages urging participation in drive and furnished bins for pots and pans in 44 different areas.

WIN, New York—Admittances to Consumers' Prize Quiz obtained by presenting aluminum pot or pan.

KD, KWW, KWK, WHW, WWW.

WATV, KPTO, KMOX, St. Louis—Contributed acts among the 48 which took part in the Aluminum Radio Review, pots and pans benefit held in Municipal Auditorium. Stations promoted through spots, news, interviews, sustaining and commercial programs. Each person attending was required to present a piece of aluminum for admittance.

WPMR, Baltimore—Presented a series of special events urging participation in the aluminum drive. Bob Heil, news editor of the station, was radio chairman.

KLZ, Denver—Station was designated as a collecting depot. Joe Marra, station manager, was a member of the committee handling the drive.

WWXY, Watertown, N. Y.—A special drive was sponsored by the station and was carried in the opening gun in the Northern New York drive.

WZIP, Rochester—Carried special program from Navy bombshells plant during 6 New England capitals calling attention to request for aluminum.

WBRJ, Raleigh—Presented series of programs for a week preceding drive, winding up with special broadcast called Aluminum Day.

KMO, Tacoma—Carried local daily broadcast during drive and originated two state-wide programs to Pacific Broadcast Co.

KNW, St. Paul-Originated show launching Northwest drive.

KHY, Hollywood—Established community center in Columbia Square. Presentations, news broadcasts and other programs used to promote drive.

CHICAGO REUNION brought together Jules Herbeux (right), program manager of the NBC Central Division, and Benny Goodman, the orchestra leader, to talk over old times when Herbeaux 15 years ago had his own orchestra and gave one of his first jobs to the then unknown clarinetist. They met at a party given by Ruthrauff & Ryan and NBC for the cast of the Holland Furnace Co. House-warming on NBC-Red.

Cough Syrup on 7
WAIS-CAHILL Co., Decatur, III. (Green Mountain Cough Syrup), in the middle of October starts a series of three to six weekly quarter-hour programs on the following seven stations: KXO, St. Louis; KMA, Shenandoah, Ia.; KFTO, Springfield, Mo.; WIZ, Tuscola, Ill.; WIBC, Indianapolis; WSOY, Decatur, Ill.; WPAD, Paducah, Ky. More stations will be added. Contracts are for five months and account was placed direct.

WLEJ, New Haven, Conn.—Conducted eight man-on-street broadcasts from bin in front of city hall, giving theatre tickets, Defense Savings Stamps and radios to interviewees.

WFMJ, Youngstown, Ohio—Commonwealth Oil Co. and Fleetwood dealers connected with WFMJ Mass on the Street, turned over the program completely to the local collection committee during the drive, collecting 10 tons of aluminum in the bin erected at the station. The oil firm gave each donor a prize.

Dry-run

WBNX, New York—The most intimate and effective sales approach to America's largest market.

5000 WATTS Directional
OVER METROPOLITAN NEW YORK
New AP Levies Do Not Affect Radio

INCREASED assessments which the Associated Press has levied against its membership, in the AP's regular decennial revision of its apportionment of costs in accordance with the U. S. census figures, will not affect the rates paid by broadcasters for the use of AP news on the air. At the headquarters of Press Association Inc., a subsidiary handling the sale of news for radio, it was stated that the PA contract for news broadcasts contains no war or emergency clauses for additional assessments, but covers the sale of news at a stated fee, which holds for the duration of the contract.

Notice of the increase to AP member publishers, sent out by Robert McLean, AJ president, following the action of the board, explained that it has been the policy to "reapportion the expenses on the basis of literate population as shown by the decennial Federal census." Ten years ago, he points out, economies were instituted to meet the needs of the membership during depression years, resulting in an annual reduction of $1,200,000 in assessments.

Concluding that "restoration of part of the 1932 reductions can no longer be postponed if the interests of the service and of the members is to be served," the board instructed the management to include in this decennial revision "approximately one-half of the amount of the 1932 reduction of assessments," the letter stated.

Musicians Union Clamps Lid on Phila. Amateurs

BROADCAST of non-professional musicians again strained the relations between radio and the musicians union when WCAU, Philadelphia, on July 23 was advised by Philadelphia Musicians' Local 77 not to carry the music of the Philadelphia Police & Firemen's Band. In connection with a convention of police chiefs in the city, WCAU had arranged to broadcast from Independence Hall, at which event the police and firemen's band supplied the music.

A. Rex Ricardi, secretary of the local union, advised WCAU that the police and firemen's band has been on the union's unfair list for two years because it had been playing professional engagements, in effect taking jobs away from professional musicians. As a result, WCAU had to make a transcription of the event and cut out the background music for the broadcast.

Movie Producers Tie in Radio Talent To Projected Films; Pearce Is Signed

REPUBLIC PRODUCTIONS Inc., Hollywood, has signed the cast of the weekly half-hour CBS Al Pearce & His Gang, sponsored by R. J. Reynolds Tobacco Co. (Camel cigarettes), to star in a major comedy-musical tentatively titled "Marines on Parade" Picture, budgeted at more than a half-million dollars, will be the costliest yet made by that company.

M. J. Siegel, president and general manager of Republic, closed the deal in late July with Harry C. Arthur, executive of Fanchon & Marco, representatives of Pearce. Besides the comedian, others from his variety program to be featured in the film will be William Comstock in his Tizzie Lish characterization, Arlene (Chatterbox) Harris and Arty Auerbach, who portrays Kitzel. Miss Fanchon and Mike Marco are to be associate producers of the film. Associated with them will be Bob Cannom, Hollywood producer of Wm. Esty & Co., agency servicing the account.

To evolve network exploitation for a proposed motion picture, which he will produce independently for major release, Tay Garnett, Hollywood producer, has built a radio series from his story, "Three Sheets to the Wind". Divided into 13 quarter-hour programs, the series is being considered by CBS as a weekly sustaining feature. First episode was auditioned July 27 before a studio audience, with Brian Donlevy, star of the proposed motion picture, cast in a similar role in the radio version. Others in the audition cast included Mary Anderson, Knox Manning, Helga Moray, Frank Worlock, Fred Shields, Joe Kerns, Charles Lung and Howard MacNear. Jon Slott wrote the radio version from Ken Englund's screenplay of Barnett's story. Edward Ward is musical director.

Raymond Gram Swing, MBS commentator, is featured in "Broken Treaties", first of a series of historical shorts produced by Cartoon Films Ltd., and now being released through Columbia Pictures Corp. Dale Evans, vocalist of WBBM, Chicago, has been screen-tested by Paramount Pictures Corp. for a role in a major picture.

MEREDITH WILLSON, Hollywood musical director of the weekly NBO Maxwell House Coffee Time, sponsored by General Foods Corp., has just completed scoring music for the Samuel Goldwyn film version of "The Little Foxes".

Big city or small town—people feel most at ease in familiar surroundings. That's why WGN's studio building on Michigan Avenue is so important to an advertiser. Because WGN as a radio station is recognized by Chicagoans as a familiar Chicago landmark.

This is another reason why WGN is the first station in Chicago and the first Chicago station in the Middle West.

A CLEAR CHANNEL STATION
50,000 Watts • 720 Kilocycles

MUTUAL BROADCASTING SYSTEM

Early in September

Birmingham, Ala.

Broadcast Advertising

Paul H. Royer Co.

Los Angeles, Calif., San Francisco, Calif.

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Spot and Other Business Holding Up In Canada Despite Wartime Limits

Representatives of Canadian stations in Toronto report little change in the amount of spot business which has been placed on Canadian stations through representatives in the United States, despite reports that there has been a 50% drop in Canadian spot business originating in the United States. Canadian stations are booked more solidly at present than at any time in their history, despite some restrictions in consumer purchases due to war industry output. Similarly Canadian stations are receiving more commercial network programs than ever before, with the number originating in the United States unchanged, and an increase being shown by the number of commercial network programs originating in Canada.

There has been only a slight falling off in spots placed in the United States on Canadian stations, estimated by various representatives as 10% at most. This is more than made up for by local spot announcements, and a growing number of paid Government spot announcements for various purposes, the latest of which is to emphasize the curtailment of pleasure driving and the saving of gasoline, a spot announcement having been started on every Canadian station on July 28.

U. S. Spot Down Slightly

Reports that Canadian Broadcasting Corp. networks are taking much of the spot business because of cut rates are not borne out by the facts, which show that some sponsors who changed from all spots to network have since added more spots.

U. S. representatives of Canadian stations report that the placement of business by them has decreased somewhat, but that this does not mean Canadian spot as a whole has decreased. On the contrary, one of them stated, it has increased. Some U. S. agencies have expanded their Canadian offices so that their radio is now being placed by Canadian branches. A recent example is D'Arcy Advertising, which formerly placed business for Coca Cola through its New York office and is now buying time through its Toronto branch.

Sponsors of companies manufacturing heavy goods have curtailed their spot both in this country and Canada, an example being International Harvester Co.

Limited Aluminum Supply Allotted

Opm Allocates 110,000 Pounds For Parts and New Sets

Moving to maintain radio service, deemed essential to the defense effort, and to keep the radio manufacturing system in operation until new defense orders begin taking over production, E. E. Stettinius, Jr., OPM director of priorities, announced last Tuesday a program which will make available a limited quantity of aluminum for the manufacture and maintenance of radio sets for civilian use. For July OPM has allocated a total of 110,000 pounds of aluminum for radio purposes, including 70,000 pounds of aluminum scrap.

Although the new program will provide enough of the metal to supply maintenance and repair parts for existing radios, a sharp reduction in set manufactures is certain, according to OPM, which indicated that aluminum allocations in coming months will be made on a decreasing scale. Manufacturers already have instituted broad use of aluminum substitutes in radio construction, but OPM indicated that increasing use of substitutes must develop.

According to OPM figures, the radio manufacturing industry in 1940 used 4,000,000 pounds of virgin aluminum. The July allocation of virgin aluminum, 40,000 pounds, amounts to only 1% of the amount used last year.

Repair Parts Needed

In making the announcement, Mr. Stettinius explained that the industry is required to give priority to production of maintenance and repair parts, assuring an adequate supply of repair parts for existing sets. Manufacturers, parts jobbers, and service men will secure supplies of the metal through regular trade channels, which operate under OPM priorities, it was explained.

The OPM allocation came after negotiations for several months between the OPM Priorities Division and the Priorities Committee of Radio Manufacturers Assn., headed by Paul V. Galvin. Agreeing with the OPM statement that the extent of the reduced production of new radio sets cannot be estimated at the moment, RMA officials indicated that the tentative aluminum program for radio, reduced gradually, is expected to carry along the industry during the coming season until radio defense contracts are available more extensively.

WDAY Fargo, N. D.

5000 watts-NBC
Affiliated with the Fargo Forum

Free & Peters, Inc.
National Representatives

Queens of Doldom are held by Announcers Earl McCarron (left) and Clair Chambers of CKCW, Moncton, N. B. The dolls, France and Marianne, were presented to Princess Elizabeth and Princess Margaret Rose, daughters of King George VI and Queen Elizabeth, by the children of France when the two nations were allies. The dolls were on show at the Royal Doll Exhibition at Moncton.
Text of Radio Tax Provision in Revenue Act

Sec. 1221. RETURNS.

(a) Requirement—Every person liable for tax under Section 1220 shall make and file with the collector a return under oath, which return shall contain such information and be in such form as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury, and shall be filed in the manner prescribed by law.

(b) Time for Filing—The return shall be made within two months after the close of the taxable year with respect to which such tax is imposed.

(2) Extension of Time—The Commissioner may extend the time for making the return under such rules and regulations as he may prescribe with the approval of the Secretary of the Treasury, but no such extension shall be for more than sixty days.

(c) Place for Filing—The return shall be made to the collector for the district in which is located the principal place of business of such person, or, if it has no principal place of business in the United States, then to the collector at Baltimore, Md.

Sec. 1222. OTHER LAWS APPLIED

All provisions of law (including penalties) applicable in respect of the taxes imposed by Chapter 6 shall, insofar as may be practicable, be applicable in respect of the tax imposed by this chapter.

Lafount Hits Levy

Calling upon member stations for cooperation in a campaign to eliminate the “discriminatory” tax, NIB President Lafount emphasized that although the proposed levy hit only plus-100 stations, it represented “a precedent most dangerous to even those broadcast- ers in the lowest income bracket.”

“The next step, as in all other taxing legislation, would be the lowering of the exemption until it is practically nil,” Mr. Lafount warned members.

In a July 29 letter to Senator George (Ohio) of the new Radio Finance Committee, in which he requested the opportunity for an NIB appearance at the committee’s hearings, Mr. Lafount declared:

“There is no intention of broadcasters to seek to evade their just and proportionate share of tax increase necessitated by the present emergency. On the contrary, broadcasters have given and are giving their willing assistance to the Federal Government and its various branches in defense matters for which they believe the law asks. The requests for additional time by the various Federal defense agencies are, however, likely to all of which not only deprives stations of time which might be sold for advertising purposes but adds to the general overhead cost of the public service which radio is rendering gladly, though I am informed the other advertising media receive their regular sales and Government announcements appearing in the form of advertisements.

“With due respect, I call your attention to the fact that the American system of broadcasting is made possible solely by the revenue which a station is able to derive from its advertising. When broadcasters are subjected to taxation which is not imposed upon other advertising media, they are in danger of being driven to a form of advertising which may result in driving many radio advertisers to newspapers, magazines and other forms of advertising. This is revenue, but not seriously affect the service which is rendered to the public and may result in destroying many of the stations which are collaborating with the Government in this time of need.

“The last available tabulations complied by the FCC show that over 250 of the broadcast stations in the United States are now operating in the loss. In this connection, we would like to point out that the tax contemplated by the Ways & Means Committee’s new revenue bill is not based on gross income, but is based on gross income—it is in addition to all other taxes.

“It is obvious that broadcasting stations have a most important function to perform during the present crisis. Like all American industries owned by Americans, broadcasters are willing to make whatever sacrifice may be necessary. But we do protest the inequality of treatment. We are sure that upon reflection you will agree the broadcasting industry is entitled to no less protection which may be considered as a result of the discriminatory tax on the gross sales of radio time is so small that it can have little, if any, effect on the public welfare in the fiscal program. We understand the Treasury estimates show that less than $5,000,000 will be collected from this source. Yet the harm that will be done to the broadcasting industry by placing a penalty on radio advertising cannot be estimated.”

House Acceptance Of New Radio Tax Now Looks Certain

(Continued from page 10)
NBC Reaches Agreement With ASCAP

Network Rate Is 2 1/2%, Stations Pay 2 1/4% Under Deal

(Continued from page 7)

treasurer, appearing before them for more than an hour to explain NBC's position. When the board adjourned, Messrs. Trammell and Miller were carried out taking final action, Niles Trammell, NBC president, sent a wire to all NBC affiliates, advising them of the situation up to that time.

Reach Agreement Early

A virtual agreement on all major issues was reached last Tuesday morning and announcement of a completed deal had been expected momentarily for the rest of the week. Only one snag remained to be worked out, namely the ASCAP licenses, but added that NBC will not sign it until the network's affiliates have agreed to refund to NBC 2 1/4% of the stations' compensation on music fees, except in those States where such refunds are forbidden by law.

"Wires have been sent to all NBC stations and we hope to have telegraphic approvals from them so as to enable us shortly to sign the contracts which are now being prepared," Mr. Trammell said. "When these contracts are signed, arrangements will be made to reflex or eliminate the licenses for both commercial and sustaining programs."

In his wire Mr. Trammell emphasized that the terms applied to the network licenses on the Red and Blue networks and the M&O stations of NBC and that the network would thereafter only make their own contracts with ASCAP for local broadcasting. It is understood that ASCAP is making the same per-program and blanket programs for the network's new affiliate stations, and all individual stations that it made to NBC, covering local programs on the network's managed and operated stations.

Comment by McCosker

Commenting on the terms of the ASCAP-NBC agreement, Alfred J. McCosker, MBS board chairman said "the expected effectiveness of NBC's tremendous dollar volume in the broadcast field is still further emphasized. Mutual, of course, will take advantage of its most-favored-nation clause to secure the same terms."

ONE OF THE PARTIES attending the ASCAP-NBC's new short wave listening post at Bellmore, L. I., was Mathilde Baijer (right), secretary to Max Jordan, NBC European representative. When she attended the monitoring room it was only natural that she looked to see who was listening in on NBC. I imagine her surprise to see that it was Frederick Sartorius (left) her former next door neighbor in Arlesheim, Switzerland, a suburb of Basle. She did not know that he was even in the United States. Miss Sartorius had lived in the country only two weeks ago from Basle, in her own right has helped make international radio history. It was she who kept three telephone lines open for four days at Munich for Mr. Jordan, who allowed him to use the line by telephone on the signing of the Munich Pact. In center is Jules Van Iten, in charge of the listening post.

EDUCATION OFFICE MAKES RADIO PLANS

PREPARING to re-expand operations of its radio division, following appropriation of $16,400 by Congress for these activities during the fiscal year 1942, the Office of Education plans to add specialists in radio research and radio information to its staff, it was indicated to BROADCASTING last Tuesday. The funds, first approved by Congress for the radio division in 1941, are used to expand clerical functions in the radio division. They were included in the Federal Security Agency appropriation.

Appropriation of the funds, which conclude $1,000 for materials and supplies, will result in $15,400 for clerical salaries, came just a year after Congress had flatly refused to make available $7,500 to continue the work of the Office of Education's radio division, which since its start in 1935 has subsisted on relief funds. Last year Congress set a limit of $100,000 on the amount of relief money that could be spent for Government radio activities, after charges were made that the radio activities amounted to New Deal propaganda. Since the Works Progress Administration alone used this sum for its broadcast activities, none was left for the Office of Education, whose radio division and particularly its Radio Script and Transcription Exchange, managed to keep operating only through financial assistance from the Federal Radio Education Committee.

BRITISH BROADCASTING Corp. variety program titled Music Hall, formerly heard on XEB, will be renamed Aug. 12 on that network, to be heard Tuesday, 2:15-3 p.m.
**AGMA Taking Injunction Plea Against AFM to N. Y. Supreme Court in October**

*Broadcasting*, August 4, 1941

AGMA's Guild of Musical Artists will take a suit to the New York Supreme Court at its opening session in October, following authorization received last week from the New York Appellate Division of the Court of Appeals.

Mr. Petrillo, whose power was termed "absolute and subject to no control," said he would appeal the decision that court granted AGMA's plea for the right to try its suit for an injunction and damages in the Supreme Court, reversing a prior ruling of the Appellate Division.

The fight between AGMA and AFM began Aug. 5, 1940, when Mr. Petrillo wrote a letter to Lawrence Tibbett, AGMA president, demanding that "all instrumentalists belonging to your organization be sent out on strike" in all matters of AFM where they rightfully belong. The letter set Labor Day as the deadline, after which Petrillo said he would order AFM members not to work or perform. AGMA, which would be tantamount to banning the AGMA instrumentalists, chiefly virtuosos represented as soloists and orchestra players, from working on the concert stage, on the air or in the movies.

AGMA Goes to Court

Securing a stay order to maintain the status quo pending trial, AGMA went to the New York Supreme Court with a motion for a temporary injunction against Mr. Petrillo pending trial for a permanent injunction. The motion for a temporary injunction was dismissed, and at the same time the court denied Mr. Petrillo's cross-motion to dismiss the suit. AGMA then appealed to the Appellate Division of the Court, which not only upheld the trial court's decision to grant an injunction, but dismissed the entire action.

Meanwhile, by agreement of both parties, the status quo was maintained, but after the Appellate Division's decision [BROADCASTING, Feb. 3], Mr. Petrillo presented another ultimatum to AGMA with a March 1 deadline, notifying broadcasters, concert bureaus and recording companies that after that date AFM members would not be allowed to perform with musicians who were not members of AFM. A number of AGMA members, headed by Albert Spaulding, resigned and joined AFM at this time.

AGMA announced that the "overwhelming majority of solo instrumentalists have remained loyal to AFM".

Justice Department Plans

On Feb. 28 the Justice Department announced plans for a grand jury investigation of the AFM and other organizations dealing with musical artists, the announcement emphasizing the position of Mr. Petrillo, whose power was termed "absolute and subject to no control."

The Department, it was learned in Washington, is withholding action on the Petrillo proceedings pending determination of its course in connection with monopoly charges made by the FCC against the networks.

In recent months there has been little activity with regard to the status front and none is expected until after the New York Supreme Court trial this fall. Full text of the Court of Appeals decision was not available at press, but Henry Jaffe, AGMA attorney, said that in essence it means that AGMA's pleadings showed both an injunctive and a declaratory action, which which does not pass on merits, had found the complaint to contain enough material to justify a trial.

Mrs. Blanche Witherspoon, executive secretary of AFM, reported that "the board of AGMA was delighted that the court had vindicated our claims," but declined to comment further until the text of the decision had been received and studied. Mr. Petrillo could not be reached for comment, the AFM headquarters reporting him to be out of town.

**Daylight Saving Hearings Start**

House Committee to Consider Several Pending Proposals

PRESAGING Congressional approval, a long awaited action by the President to prescribe daylight saving time areas in the country, as requested by President Roosevelt [BROADCASTING, July 21], the House Interstate & Foreign Commerce Committee last Friday announced that public hearings on pending DST proposals would start Tuesday, Aug. 1. The opening session at 10 a.m. will convene in the committee room in the New House Office Bldg.

Although primary attention probably will center on the bill introduced by Rep. Leo (D-Cal.), chairman of the committee, it is understood all of the five or six pending DST bills will be considered by the committee. White House endorsement, it would authorize the President to order daylight saving time either on a national or regional basis, as he and the Administration decide.

The approaching legislative move is considered of far-reaching importance to the broadcasting industry because of its relationship to both network and spot programming. Daylight saving time has been observed on the air for six months and seven months DST seasons, in the manner of the DST law in effect during World War I.

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**Another Video Sponsor**

FRANK H. LEE Co., Danbury, Conn. (men's hats), became the fifth television sponsor Aug. 7 when it starts a half-hour series on What Price Glory, will feature Stanley Woodward, sports editor of the New York Herald-Tribune, discussing sports and interviewing sports stars. Highlights of the sports events of the preceding week, edited from film records, will be shown, and the commercial part of the program will also consist of movie shorts made at the Lee factory showings. 

**Mennen Plans Show**

MENNEN Co., Newark, through its newly appointed agency, Russel M. Seeds Co., New York, is planning a major television show this fall to promote its shaving preparations. It is rumored the show may be titled "The Mennen Show" but no details on network, time or type of program have yet been released.
ARTISTS BUREAU BIDS CONSIDERED

SALE of the NBC Artists Bureau, expected to be consummated early last week, great hang-up: Mark Woods, NBC vice-president and treasurer, in charge of negotiations for the sale of this division of NBC, left New York Friday that he had been so tied up with ASCAP negotiations during the week that he had been unable to consider the talent bureau sale for the time being.

Music Corp. of America and William Morris have both submitted bids to NBC and discussions between the network and both of these talent management companies have been under way for the last month. The deal proposed by MCA, which is also acquiring the CBS talent services, is generally believed to be more acceptable to NBC, but the Morris offer has not been finally rejected.

A CBS stockholders’ meeting has been called for Aug. 11 to ratify the transfer to MCA of the network’s two subsidiaries, Columbia Artists Inc. and Columbia Concerts Corp. Sale is expected to be approved, with the added proviso that a good many proxies have been received already with no protests against the sale.

New SESAC Guide

NEW list of 1,500 phonograph records of SESAC music was mailed last week to program directors of stations throughout the country, while the new SESAC Music Guide will be released within the next two weeks. The Guide contains a complete list of the types of music available from the 125 SESAC publishers, a brief sketch of each SESAC affiliate and congratulatory letters from the record publishers in observance of its 10th anniversary. SESAC now has long tenured representatives over 100 commercial radio stations, it reports.

Cranston Manages CKOC

W. T. CRANSTON, sales manager of CKOC, Hamilton, Ont., has been named manager of the station, succeeding M. C. Phipps, who has taken a position with All-Canada Radio Facilities Ltd., at its main office in Toronto. W. M. Guild of the sales staff becomes sales manager, while W. A. Speers, now assistant manager of CKOC, Regina, moves East to take a similar position with CKOC. All changes are effective Aug. 1.

Higgins Resigns From WOR

HAROLD HIGGINS, manager of the Chicago office of WOR, New York, on Sept. 1 is resigning to join a station as sales manager. No successor has been named, and it is understood that John Shelton and Robert Wood, both of the Chicago office, will continue in their present positions as salesmen.

The Other Fellow’s VIEWPOINT

Mr. Cisler Expounds

EDITOR, BROADCASTING:

Your issue this week [July 21] was certainly packed with the stuff.

First, the Craney letter on NAB and ASCAP deserves some comments. NAB has done a lot of good work for the Nevisy Miller men and women. We agree with Craney that there should be a broadcasters’ organizational front and a network ship. Leaving NBC-CBS-MSB outside, there will still be plenty of “inside influence” from some of the big networks as related with ASCAP. But at least the networks will not be the guiding lights, as is now and more of us feel is the case at present. But it seems to me that this is something that can be done with the present NAB by a board of directors and a reorganized ASCAP rather than setting up a new group.

Ed has hit the nail on the head with respect to this ASCAP matter. Despite the wonderful work of BMI, more and more weak-willed broadcasters are edging toward the ASCAP evils of an ASCAP basket percentage fee with the only variation being the degree of fee. Next, some of our “leading industry figures” are brought to push the NBC and CBS proposals to pass part of the ASCAP network fee on the affiliates. A single network or “industry leader” has sought or placed on public record a plan of a fixed fee, non-refundable fee, per number, program, or per month. No one has ever given me an assurance to me that we can buy ASCAP music like we buy news or transcriptions, on so much money per month, or money per hour.

Ann Bennett’s letter as you printed it should encourage many broadcasters to fight for a better ASCAP deal. But your issue also contains the news that the ASCAP group is planning a similar letter to the same Mr. Lafont to whom the Bennett letter was addressed, and head of the NIB) signed the present ASCAP contract. No doubt Mr. Lafont was asked by Mr. Bulova, who, being a New Yorker, was constantly impressed and engaged by the bushwhack and propaganda and pressure handed out by the ASCAP people in his home town.

As I see it, the fight against ASCAP is going to be pushed and won by the Quaker City and Midwestern and Far Westerners (exclusive of Hollywood) who don’t meet Mr. Buck on Times Square, who don’t invite Irving Caesar in for cocktails, and who only figure in plain American English: “Why should we pay ASCAP 3% on our production and studio numbers?” The Associated Press news for $60 or $75 per week?

The trouble with the radio industry is that too often certain home operators make too many decisions are made by New Yorkers with a viewpoint limited to the Mississippi River and the Atlantic Ocean. Some of our worthy “industry leaders” can’t imagine how any 300-watter could object to paying 5c to ASCAP instead of the old 5c.

GET-TOGETHER of WMBG, Richmond, and announcers and former announcers today brought into the studio Lieut. Felix Boswell, formerly with the station and now with the Canadian Royal Air Force. He was on a short furlough, and broadcast his impressions of flying vs. announcing.

Locked Jaw

HERE’S the latest in the modernization of the Army. Bob Wear, who does a quarter-hour daily show on KGKO, Fort Worth, with telegraphed news from Texas Army camps and Fort Sill, Okla., was a little hit abashed when he received this release from Camp Berkeley: “Third Army notified 48th Division headquarters today that ‘anti-tan’ injections for all soldiers had been postponed.” After recovering from his surprise, Wear checked with public relations office of Camp Berkeley and discovered that the release should have read “anti-tanet in jectutions.”

Now MBS comes along and Berlin with AFRFA to cut off any affiliate that will not agree to arbitrate its labor differences with the specific provision that an AFRFA closed shop will be demanded if a majority is proved by AFRFA. Both MBS and AFRFA forget that there are still a few free men in some sections of the country who have a mind of their own, and who will do their own bargaining and not under duress.

The same applies to ASCAP, to the FCC monopoly report, the newspaper situation, etc., which use that column and dust cloud tactics to obscure the truth. But over all the disputes, overshadowing the provincialisms and the radical outrages on all questions, is the great mass of aesthetic station owners and managers who don’t know what is going on; regard everything from a distant vantage of their own immediate revenue; and go on their way “letting George do it” until “George” has “done” them and it is too late for repairs.

And it undoubtedly is making more sales of time if I paid more attention to running WGBL and less time yapping about a show on the trouble of an independent station, but I read your magazine each week and get a good picture of what is transpiring and it all results in a state of lather over possible future effects on my own business or my competition.

Despite my personal feeling that many of your articles are written with a network (especially NBC) bias, I think there are advantages and disadvantages aren’t weighed exactly. I still think you do a grand job and I like your magazine.

If more station owners and managers would read your magazine from cover to cover, at night, in the comfort of their homes, and then analyze what the effect is on their own stations, and then do something, this whole business would be run a lot different.

STEVIE CISLER,
WGRC, New Albany, Ind.
July 22.

Home Products Shortwave

AMERICAN HOME PRODUCTS Corp., Jersey City, has signed a 39-week renewal contract with NBC’s International Division for Wednesdays, 7:15-7:30 p.m., on WNBI and WRLA. Replacing the music dramas formerly broadcast to Latin America, the new series, El Desfile Pan Americano, is dramatic, a Spanish version of America’s Newsroom, produced and distributed by Red network for the same sponsor.


Liberty on Coast

MACFADDEN PUBLICATIONS, New York (Liberty magazine), on Aug. 15 will begin sponsorship of Bob Garred News on five CBS Pacific Coast stations (KNX KSFK, KOPI, KOVS, and KPOO) Wednesday and Friday, 7:30-7:45 a.m. (PDT). Contract is for 13 weeks. Erskine & Co., New York, handles the account.

Digest Discs

READERS DIGEST, Pleasantville, N.Y., will start one-minute transmissions on weekend afternoons on WGY, Schenectady, WMAQ, Chicago, and WTMJ, Cleveland, with possible more stations to be announced. Aug. 26 to run through Oct. 23.

BROADCASTING • Broadcast Advertising

NNP, Jacksonville, and WTSF, St. Petersburg, join MBS Aug. 4, in the network's Florida affiliate atates. They bring the total Mutual list to 174.

Mar-O-Oil Returning

MARROWS Inc., Chicago, which sponsored George Fisher, Hollywood Reporter, in its campaign for Mar-O-Oil Shampoo, will win the program on MBS Sept. 29, and run 80 stations Sundays, 1:15-1:30 p.m. (EST). Agency is Hays MacFarland & Co., Chicago.
EVERYONE SEEMED to be having a jolly time at the dedicatory broadcast the other day honoring the 60,000 watts acquired by KOB, Albuquerque. NBC Announcer Don Wilson and Martha Tilton, featured vocalist with Gordon Jenkins’ orchestra, were co-starred. In the picture (l to r) are Van Haaften, KOB program director; Wilson; Miss Tilton; Mary McConnel Hickox, head of the continuity department; Frank Quinn, manager of KOB; and George Johnson, chief engineer.

Radio Equipment Delays Lead to Gates Warning
DIFFICULTIES met in securing materials for the construction of transmitters have caused Gates Radio & Supply Co., Quincy, Ill., to issue a warning to stations planning expansions and to new licensees to get their contracts in early, either for early shipment or for reserve in order to assure equipment for scheduled openings.

Gates states the necessity is indicated by the fact that a little over a month ago four 250-watt transmitters were available for 30-day delivery. Today these have all been reserved, and future orders are being accepted for delivery not earlier than October. The situation does not show any signs of improvement, it was stated, because raw materials are becoming increasingly hard to obtain.

Among contracts received by Gates and assured of prompt delivery, the company lists those of WMVA, Martinsville, Va.; WMIS, Natchez, Miss.; KGIW, Alamosa, Colo.; WSON, Henderson, Ky.; WGAA, Gadsden, Ga.; WLDS, Jacksonville, Ill.

The last-named was authorized for construction last May by the firm of Stephenson, Ediger & Kosemeyer, a partnership. H. D. Stephenson is the prime mover in this project and is an instructor at the Illinois State School for the Blind. He is himself blind, but has a thorough knowledge of the technical side of radio.

Iowa Grid Plans
NEGOTIATIONS for the broadcasting of the Iowa-Minnesota and Indiana-Iowa football games this fall have been completed by WHBF, Rock Island, Ill. Van Patrick, sports director of WHBF, will be at the mike for both games. Mr. Patrick is also making arrangements for broadcasts of U of Illinois games.

Errors in List
(Continued from page 18)
“A” station, although the manager of that station reports that Dexter Moss, publisher of the Tulsa Daily Register News, which carries no news or editorials but merely lists legal notices, owns only 20% of the stock of Oil Capitol Sales Corp., licensee of the station, and has nothing whatever to do with operation or policy.

Object to Being Listed
It is understood that objections have been raised to the inclusion of WLS, Chicago, WKAT, Miami Beach, and KATE, Albert Lea, Minn., in the newspaper list by the principals in those stations. WLS is under the same ownership as the Prairie Farmer, bi-weekly farm paper published in Chicago, the principal being Burridge D. Butler. Mr. Butler also owns the Arizona Farmer, a monthly, controls KOY, Phoenix, and has a minority interest in KTUG, Tucson.

WKAT is controlled by A. Frank Katzentine, attorney and onetime mayor of Miami Beach, who reports he owns less than 30% of the stock of the Miami Beach Society Pictorial, which is merely a weekly social magazine, and he states that he does not consider this as placing him in the newspaper category. His station is classified as “A”.

KATE is 49% owned by E. L. Hayek, who also is interested in the Trades Publishing Co., publishing the Northwestern Journal, a monthly trade paper. Mr. Hayek reports that he does not regard this as a “newspaper interest.”

The original master list, further evidencing the carelessness of its compilation, has incorrect call letters for three stations: KGBT is listed as KGEZ; WKBH as WKBH; WTHT as WTRT.

School Buying Time
NATIONAL SCHOOLS, Los Angeles, on behalf of its courses in aircraft, Diesel and television engineering, has started participations and recorded music shows varying from two to 52 weeks on the following stations: WHLB WGRS WNEW WOWO WDZ. Agency is Huber Hoge & Sons, New York.
50% AUTO SLASH IS REGARDED CERTAIN

With an eventual cut of as much as 50% in automobile production definitely expected, and both the Office of Production Management and the Office of Price Administration & Civilian Supply in agreement on the ultimate size of the reduction, it now appears that the only difference of opinion on the matter lies in how swiftly the cut should be imposed.

Just what difference the outcome of this argument may have on auto companies’ radio advertising budgets, and whether they increasingly from non-defense to defense manufacturers, was not clear in broadcast circles. While it is generally agreed the drastic reduction would have its effect on all advertising media [BROADCASTING, July 17].

Culminating an open conflict between OPM and OPACS, William S. Knudsen, OPM Director General, and Leon Henderson, OPACS administrator, last Tuesday were hosts at a luncheon for passenger car manufacturers, at which production problems were discussed in the light of national defense needs for production in motor manufacturing. According to present indications, production cuts will start July 21 and end before the month by month until auto manufacturers reach about 50% of the 1940 rate.

Previously OPAC has supported a gradual evolution of the auto plants’ productive facilities from non-defense to defense needs with OPACS Administrator Henderson plumping for a far-reaching immediate tieup to stop production of all motive manufacturers from “chewing up” large supplies of raw materials which, if turned over to other types of consumer manufacture, could be used more practically, both from the consumers’ and the employees’ point of view.

Sisson, Welles Confer
On Lady Esther Series

IN HOLLYWOOD to supervise replacement of Guy Lombardo with the new Lady Esther series, sponsored by the sponsorship of Lady Esther Co., Evanston, Ill., which took place Aug. 4, Ted Sisson, New York radio executive of Pedlar & Ryan, is also ironing out details with Orson Welles for a new variety-drama series, expected to start on 63 CBS stations Sept. 15, Monday, 10 p.m. (EDST), for the television companion.

Welles, whose last sponsor, more than a year ago, was Campbell Soup Co., is said to have an entirely new idea in radio entertainment, and will star in the series originating from the West Coast.

In New York, Sisson has conferred with Walter Wanger Productions to become partner in Mercury Productions Inc., holding company for the firm’s films, radio, and publishing activities.

A NEW TRANSMISSION
STATION ACCOUNTS
sp—studio programs
t—transcriptions
adv— spot announcements
to—transcription announcements

KDKA, Pittsburgh
American Chicle Co., Long Island, N. Y. (Chicle), 32 sp, thru Badger & Bronwning, Boston.
American Cigarette & Cigar Co., N. Y. (All Mal Cigarettes), 12 sp weekly, thru Rothrauff & Ryan, N. Y.
American Fruit Growers, Chicago, 52 sp, thru Walker & Downing, Pittsburgh.
Foster-Miller Co., Buffalo (Don’s Pipes), 104 t, thru Street & Finney, N. Y.
Kellogg Co., Battle Creek, Mich. (Fruit), 49 t, thru Jervis & Schubert, N. Y.
John Morrill Co., Ottumwa, Ia. (EZ Cut Cigars), 290 sp (participation), thru Henri, Hurst & McDonald, Chicago.

WBCN, Washington
Borden Co., N. Y. (cheese), as weeks, thru Young & Rubicam. N. Y.
McCord Co., N. Y. (Redbook magazine), 18 sp, thru Joseph Kats Co., N. Y.
Procter & Gamble Co., Cincinnati (soap), 13 weeks thru Compton Agency, Philadelphia.
Swift & Co., Chicago (ham), 186 sp, thru John W. Thompson Co., Chicago.

WNEG, New York
Erie Railroad Co., Cleveland (vacation trips), 6 sp weekly, thru Griswold-Ehleman Co., Cleveland.
Saks Bros., New York (pen and pencil sets), 5 sp and as weekly, 18 weeks, thru Leo Kalman.
Koven Oil Burner Co., New York, weekly sp thru Lucerne Co., N. Y.

WXEX, New York
Ben Marden’s Riveria, New York (night club), 10 weeks, thru The Film Bureau, Inc., N. Y.

KGKO, Fort Worth-Dallas
United Aircraft Institute, Dallas (air-conditioner), 35 sp, thru directly.
American Academy of Accountancy, Chicago (会计), sp series, thru First United Broadcasters, Chicago.

KDFK, Minneapolis

WAPI, Birmingham
Florida Citrus Commission, Lakeland, Fla., 5 t weekly, 13 weeks, thru Arthur Kuder Inc., N. Y.
Postal Telegraph-Cable Co., New York, as weekly, thru Bow Co., N. Y., 28 sp.
Silver Mirror Co., Chicago, 3 sp weekly, 13 weeks, thru First United Broadcasters, Chicago.

KGO-RKO, San Francisco
Standard Bakers, Oakland, Cal. (sourdough), 27 sp, thru Emil Reinhardt.
Marvelous Marlin Inc., San Rafael, Cal. (Chamber of Commerce), 5 sp, thru Theodore H. Segal, San Francisco.
Standard Bakers, Oakland, Cal. (sourdough), 26 sp, thru Emil Reinhardt.
Kellogg Co., Battle Creek, Mich. (Fruit), 5 sp, thru Kenyon & Eckhardt, N. Y.
Marvelous Marlin Inc., San Rafael, Cal. (Chamber of Commerce), 5 sp weekly thru Theodore H. Segal, San Francisco.
White Labs, Newark (Choos), 5 sp weekly thru H. W. Kastor & Sons, Chicago.

WINS, New York
Commerce Insurance Agency, 25 sp weekly thru 11 weeks, thru Kline Agency, N. Y.
J. J. Fox Inc., New York (furriers), 70 sp weekly thru 6 weeks, thru Lew Rashkin, N. Y.
P. K. Wrigley Co., Chicago ( chewing gum), 37 sp weekly thru Vancouver & Rubens, Chicago.

Corpor Products Rehring Co., New York (stove), 3 sp weekly thru Miller Co., N. Y.
MacFadden Publications, New York (True Story), 17 sp thru Arthur Kuder Inc., N. Y.
Foster-Miller Co., Buffalo (Doan’s), 104 sp thru Arthur Kuder Inc., N. Y.
California Fruit Producers, Los Angeles (Sunset), 100 sp thru Lord & Rubenstein, Los Angeles.
Reader’s Digest Assn., Pleasantville, N. Y. (Lord & Rubenstein), 10 te, thru BBDU, N. Y.
Atlantic Refining Co., Philadelphia (White Oak), 8 sp thru, thru W. Auer & Son, N. Y.

CJCA, Edmonton, Alta.
General Dry Batteries of Canada Ltd., Toronto, 75 sp thru A. McKim Ltd., Toronto.
Opilive Flour Mills Ltd., Montreal, 78 sp thru J. Gibbons Ltd., Toronto.

KFI-KECA, Los Angeles
Hauser Food Products Co., Los Angeles (Hauer Brand sauce), 5 sp weekly thru Magruder Co., N. Y.
Bollocks Inc., Los Angeles (retail), 2 sp weekly thru Dana Jones Co., Los Angeles.
Wrigley Co., Los Angeles (transportation), 5 sp weekly thru Rufus Rhodes & Co., San Francisco.
Martin Firearms Co., New Haven (raser blades), 3 sp weekly thru Craven & Ericc, N. Y.

WPAT, Paterson, N. J.
S. A. Schornbrunn & Co., New York (Saager Coffee), 50 sp weekly thru M. H. Hackett, N. Y.
Jim Dale Stores, Inc. (men’s clothing), 24 sp, thru Weiss Advertising, N. Y.

WBBM, Chicago
McFadden Publications, New York, 2 sp weekly thru Envio, Wansco & Co., N. Y.
Procter & Gamble Co., Cincinnati (Ivory soap flakes), 2 sp weekly thru Compton Adv., N. Y.

WMAQ, Chicago
Perfective Stove Co., Cleveland (Superb Heatier), 25 sp thru McCann-Ericcson.

WGN, Chicago
Bosco Co., New York (chocolate syrup), 3 sp weekly thru 2 weeks, thru Kenyon & Eckhardt, N. Y.
Tomma Monken’s Corp., Los Angeles (Ring Free Oil), 6 sp weekly thru 13 weeks, thru Roy S. Durstine Inc., N. Y.
Independent Milwaukee Brewery, Milwaukee (Brewing Corporation), 5 sp thru Allen Biesebach, Milwaukee.
Bosco Co., New York (Marshmiller), 2 sp weekly thru Kenyon & Eckhardt, N. Y.

WAAT, Jersey City
Nebi Corp., Columbus, Ga. (Royal Crown Cola), 1 sp weekly thru BBDU, N. Y.
HAUSER FOOD PRODUCTS Co., Santa Monica, Cal. (Hauser Brand sauce), in a 15-week campaign ending Oct. 15 is sponsoring weekly participation in James White’s ‘California Home on KFI’ Los Angeles. Firm also contracted on July 14 for twice-a-week participation in Chief Miles on KMPX, Beverly Hills, and in addition has a weekly quarter-hour ‘Bon voyage Quiz on KNX, Hollywood. McElroy Adv. Agency, Los Angeles, has the account.

WDRC, Hartford, has signed three leading Connecticut fur concerns, bringing to the fold the number of major sponsors. They are: Harry Glotzer Furriers, five-weekly 50-word spots, July 20-Feb. 1; New England Furriers, three-weekly one-minute spots, 52 weeks from July 14; Freed Fur Shop, seven-weekly 50-word and one-minute spots, starting July 22—all handled by the Wilbur Randall Agency, Hartford. Also signed recently was Robert’s Furriers for daily 10-minute program in the morning ‘Shoppers’ Special and one-minute spots in the afternoon Ad-Liner.

NESSHITE FRUIT PRODUCTS, Los Angeles (beverages), having completed a 13-week Western campaign, on July 28 started sponsoring for one month the transcribed quarter-hour, ‘Passing Parade,’ featuring John Nessbite, commentator, thrice weekly on WJR, Detroit, KSTP, St. Paul, KMBC, Kansas City, KJEA, Oklahoma City, and contracted for 25 transcribed announcements per week on WROL, Knoxville, Agency is Walter K. Nell Inc., Los Angeles.

FANS BY THE HUNDREDS
signed a scroll presented to Lowell MacMillan (right), Gulf Oil sports commentator, of KDKA, Rochester, by Mayor Samuel B. Dickier, in honor of his tenth year in Rochester radio. Among those on the testimonial committee were Frank E. Gannett, publisher; Oliver B. French, president of the local basketball team, an addition to the Board of Education athletic committee.


KERR GLASS MFG. Co., Los Angeles (Mason jars), has extended its five-weekly spot announcement campaign with an eight-week renewal, effective July 29, on WLS, Chicago, WBBW, Toppeka; KFNF, Shenandoah, In. Agency is Raymond R. Morgan Co., T. H. Good.

CFCF, Montreal, has signed two of Canada’s big department stores—the T. Eaton Co. Montreal, starting Aug 18, sponsoring Christopher Ellis in six weekly newscasts, 5:41 a.m.; Henry Morgan & Son Ltd., signing ‘Adventures of Pinnochio’ five days weekly starting in October.

PARAMOUNT PICTURES Inc., New York, has promote its recent release, ‘Shepherd of the Hills,’ has been running a two-week schedule of spot announcements on WNYD and WINS, New York. Agency is Buchanan & Co., New York.

GLOBE LABS., Fort Worth (biological chemicals), has renewed a 260-time contract for daily announcements on KOKO, Fort Worth. Same sponsor also presents a Sunday morning news- cast, Ray K. Glenn, Fort Worth, in agency.

AN 800% increase in sales of Crispy Nut Roll, a candy bar made by the Imperial Candy Co., Seattle, is attributed to a six-month-old program carried on KIRO, Seattle.

Authority for the statement, according to the station, is both the sponsor and the Tom Parry Jones Agency, which handles the account. The program, known as Candy Questionnaire, is transmitted in, or outside of various stores selling the candy, Maury Rider and Bob Speck ask the morning or passerby, with correct answers receiving samples of the sponsor’s product. Questions are supplied by listeners who must send in a wrapper from the bar.

The program was started in February, 1941, and since that time the market area for the product has been enlarged several times. No other media have been used.

WBOS, Westinghouse shortwave station in Boston, on July 21 started broadcasting an hour of popular music to Europe, beginning at 3 a.m. (EST), bringing its total hours daily to nine. As hour in Portuguese was started July 25, a second hour in French added Aug. 4, and another English hour Aug. 11.

WBTAG Seeks to Acquire KTHS, Move It Nearer Little Rock With 50 kw. SOUTHLAND Radio Corp., formed by Col. Tom H. Barton, Arkansas magnate and owner of KARK, Little Rock, and KELD, El Dorado, has submitted a new application to the FCC for an alteration of the new 50,000 watts for KTHS, Hot Springs, coincident with the filing of an application by the Hot Springs Chamber of Commerce for transfer of ownership of the station to the Barton interests. Southland proposes to relieve KTHS from timesharing with KRLD, Dallas, and to locate the new 50 kw. transmitter near Wrightsville, Ark., about 50 miles closer to Little Rock, thus serving both cities as well as the contiguous areas.

Mr. Barton is president and 98% stockholder in Southland, with C. N. Barton and E. A. Barton as vice-president and 1% stockholders each. G. E. Zimmerman, manager of KARK, is also a vice-president and director. The purchase deal between the Barton interests and the Hot Springs Chamber of Commerce eliminates litigation against which Mr. Barton was given first refusal rights to the station in the event it was put up for sale.

LAUREN H. ASHBY, for the last 17 years chief of the professional service department of E. R. Squibb & Sons, New York, has been named advertising manager of the company.
WIGM About Ready
WITH construction now fully under way after having been delayed by poor building conditions earlier in the year, Waldemar C. Porsow, manager of the new WIGM, Medford, Wis., has announced that the station will go on the air in August or early September. Studios and transmitter are located on Highway 13, north of the city limits, and are RCA-equipped throughout, with a Winchager antenna. WIGM is to operate with 250 watts on 1490 kc.

KVAL Deal Approved
DR. J. R. BINOY, 50% owner of the new KVE, under construction in Everett, Wash., has been 50% stockholder of KVAL, Wallace, Idaho, as did D. C. Nichols, when the FCC July 20 granted consent to assignment of license from Chester Howarth and Otherk to the Silver City Broadcasting Co. Under the new setup Clarence Berger continues as president and 50% owner of KVAL, paying $5,000 for his interest, while Dr. Binyon and Mr. Nichols assumed the balance for $2,500 each. Originally, when the station was constructed two years ago, Mr. Howarth supplied the capital of $10,000 for the station for 50% ownership, while Mr. Berger undertook the actual construction. Mr. Howarth, however, failed to supply the capital, and as a result relinquished his holdings to Dr. Binyon and Mr. Nichols.

Neckstretching
SEEKING to satisfy the curiosity of that famed group of "sidewalk forensic" who congregate on the railings behind the Sidewalk Foreman's project, WEOA-WGBF, Evansville, Ind., has established headquarters at a location adjacent to where work is being completed on the new station's FM adjunct, W4SV, and has invited passersby to observe the work in progress, a few feet above through a telescope. Certifi-
cates of membership in the Sidewalk Foreman's Club are distributed to observers.

WANTED—Engineer desires interest in small station. Has cash, transmitter, Help wanted and Situations Wanted, 7c per word. All other classifications, 12c per word. Bold face listings, double. BOLD FACE CAPS, triple. Minimum charge $1.00. Payables in advance. Count three words for box address. Forcs close one week preceding issue.

PROFESSIONAL DIRECTORY

JANSKY & BAILEY
An Organization of Qualified Radio Engineers Dedicated to the SERVICE OF BROADCASTING
National Press Bldg., Wash., D. C.

There is no substitute for experience

GLENN D. GILLET
Consulting Radio Engineer
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JOHN BARRON
Consulting Radio Engineer
Specializing in Broadcast 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
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Phone: Monticello (N. J.) 2-7859

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RING & CLARK
Consulting Radio Engineers
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Radio Engineering Consultants
Frequency Monitoring
Main Office: 7124 Main St.
Kissimmee City, Fla.

RAYMOND M. WILMOTTE
Consulting Radio Engineer
Designer of First Directional Antenna Controlling Interference
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Radio Engineers
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PAGES & DAVIS
Consulting Radio Engineers
Munsey Bldg. District 8456
Washington, D. C.

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.

Help Wanted

Salesman—Experienced, capable, hard worker, N. Y. State. Wonderful opportunity, State draft status. Box 783, BROADCASTING.

Engineer—Southern station now 255 watts, applying for 5,000. Announcing not essential but advantageous. Give age, qualifications, picture and salary expected. Box 765, BROADCASTING.

Engineers Wanted—For regional station to start $150 per week with progressive increases to follow. Give full particulars in first letter. Box 764, BROADCASTING.

Engineer—Southern station now 255 watts, applying for 5,000. Announcing not essential but advantageous. Give age, qualifications, picture and salary expected. Box 765, BROADCASTING.

Frequency Measuring Service

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

Announcer—Experience, 6½ years. Now employed. Region, top station. Programming ability, organizing, programming, ability. Specialty, news. Draft exempt for year or more. Transcription available. Box 762, BROADCASTING.

Summer Or Permanent—Operator 1st class. 35 yrs. with 5 & W; installation, mainte-

nance, studio, remote, and transmitter experience. Age 23, BS degree radio com-
munications, will go anywhere. Box 764, BROADCASTING.

Nationally Known Network Personality—Age 37, with ten years experience, seeks radio directorship with progressive adver-
tising agency. Can deliver superlative programing and dependable coordina-
tion. Write Box 756, BROADCASTING.

Continuity Writer-Announcer—Experience on metropolitan and rural area stations. Now employed, but desire change to larger station and better salary. Selling, copy. Special events, news, market-
eta, etc., College graduate. Married. Disk. State your proposition. Box 795, BROADCASTING.

Experience Sports Announcer—Wants job in large market this fall. 4 years profess-

ional experience. Have announced over 400 baseball games, Class D, C, double A and Major Leagues, 86 foot-
ball, 56 basketball, 76 golf, 86 boxing, 28 bowling and other events. 52 years old. Minimum salary for first year. Box 765, BROADCASTING.

Announcer—Must be versatile and write good copy. Prefer personality man who can do tested morning ad-lib show. Good starting salary and opportunity for all-around man. Send us details, transcription. Photograph will help. WGA, Austra-
lgia.

Salesman—Well established MBS affiliate, Southeast, offers excellent opportunity to produce, drawing account plus commi-

sion. Will consider only experienced, aggressive, sober salesman who wants to start. Write full details, including letters to yourself to Box 758, BROADCASTING.

Sports Announcer—Who knows basketball and football and can do a good job of broadcasting regional events. Applicant must appear for personal interview. This is a permanent position, and stable. Salary will be taken to employ the best man available. Box 761, BROADCASTING.

Situations Wanted

Staff Announcer—Newscaster: four years newscasting experience. Write 269-514
South Union Drive, Los Angeles.

BROADCASTING • Broadcast Advertising
ROOSEVELT the engineering staff of WKBN.

GERALD HILTZ, formerly of WUBA, Allentown, Pa., has joined the engineering staff of WPEN, Philadelphia.

MORRIS M. MING, chief engineer of KFRO, Longview, Tex., has resigned to accept a similar position with KNKY, recently granted a construction permit in Dallas.

PAUL HORTON, formerly an instructor in radio at the Marshall, Tex., N.YA school, has been added to the engineering staff of KFRO, Longview, Tex.

FRED H. BRILL, formerly supervisor of radio of the National Youth Administration in Connecticut, has joined WDHIC, Hartford, as a control operator.

CHARLES E. BURCH, formerly with WHB B. Watonville, Cal., is now an operator with WSIX, Nashville.

WALTER KNOPP, a graduate of Rensselaer Polytechnic Institute and formerly with Detroit Edison in the sales department, has joined Allen B. DuMont Laboratories, Passaic, N. J., as sales engineer and will assist Len Cramer, in charge of instrument and television transmitter sales.

CARL LINDBERG, formerly of WKBK, Youngstown, O., has joined the engineering staff of WJSV, Washington.

**DOUBLY HANDY**

Opening through its own passageway directly into Grand Central Terminal, the Hotel Roosevelt offers you perfect convenience on your arrival in New York. . . And because of its location at the heart of Manhattan's great mid-town section, it affords the same kind of convenience for all outside activities . . . Doubly handy and doubly enjoyable . . . Large outside rooms with tub and shower, from $4.50.

**NO ENGINEERS AT ALL**

But WBTH Stays on the Air

With Aid of WHAS.

MARY GAUNT WEST, radio editor of the Louisville Courier Journal, tells this one. A frantic telephone call to WHAS chief engineer W. O. Towner revealed that WBTH, Williamson, W. Va., 250-watt outlet, would go off the air at 9 a.m. the following day unless a licensed engineer could be begged, borrowed or kidnapped.

Mr. Towner dispatched W. S. Blanton to West Virginia and the station continued to serve the public. And illness and the cold were the cause of the dearth of engineering talent at WBTH.

**ELECTRON MICROSCOPE IS MADE MORE PENETRATING**

OPERATIONS of the RCA electron microscope at approximately five times the previous voltage, making it possible for the electron "eye" to penetrate objects two or three times as thick as heretofore, is reported by RCA as a part of its continuing program of research on the instrument. Magnification of the electron microscope, roughly 50 times greater than is possible with optical instruments, is unchanged by the increased voltage. But the experimental use of potentials as high as 300,000 volts causes the electrons to travel with two or three times the velocity of the commercial instrument, giving a proportionate increase in penetration.

**THIS YOUNG LADY is holding a tube and radiator especially designed for FM and television by General Electric engineers. She is pointing at another installed in the 3,000-watt FM transmitter, which requires two of these tubes, each capable of an 1,800-watt output for FM service and cooled by air blown through its copper radiator.**

**IBEW SIGNS MORE ALABAMA OUTLETS**

**ANNOUNCEMENT** of the signing of an agreement between WCOV, Montgomery, Ala., with Local No. 443, International Brotherhood of Electrical Workers, covering technicians and engineers employed by the station, has terminated a long controversy between the station and the IBEW.

Proceedings before the National Labor Relations Board were instituted against WCOV by the union following dismissal of certain employees allegedly because of union activities. Several months ago the NLRA issued a decision ordering WCOV to reinstate the discharged employees. The agreement is said to have ended any further action by the Labor Board.

IBEW also announced that negotiations with WSFA, Montgomery, Ala., for a renewal of its agreement covering technicians had been completed. Technicians employed at WALA and WMOB, Mobile, who are members of Radio Broadcast Technicians' Local No. 1864, affiliated with the ABT Unit of IBEW, recently concluded negotiations for agreements. Clifford T. Lee, international representative of the union, was in charge of negotiations with the Montgomery and Mobile stations. All agreements are of the standard IBEW-Radio Broadcasting Industry form, and carry provisions covering wages, vacations, union membership, and other conditions of employment.

FOURTH application for a new station in the Baton Rouge area, all of which have been set for a consolidated hearing by the FCC, has been received from Louisiana Communications Inc. for facilities on 1400 kc. to use 250 watts. Principals are Robert A. Hart, II, in the motion picture and amusement business, president and general manager; 45½% stockholder; A. Higgins, also in the same business, secretary-treasurer. 45½%; John F. Hart, solution water distributor and retailer, vice-president. 5%.

**STUDIO byJOHNS-MANVILLE**

Like hundreds of other stations, WENY makes sure of brilliant broadcast quality by treating studios and other locations with

**JOHNS-MANVILLE**

Sound-Control Materials and Acoustical-Engineering Service
Newspaper Hearings

(Continued from page 9)

fall in the higher income brackets. In the case of WLW, he cited that the general counsel of the company (Charles W. Sawyer) was a qualifying stockholder of the Crosley Corp. and because he owned a small Ohio newspaper, WLW was listed as a newspaper station. In the case of WHO, he declared three individuals who owned 1/3 of 1% of the station's stock happened to own less than 3% in newspaper stock, thus resulting in the classification of that station as a newspaper outlet.

After Mr. Kaye observed that until these discrepancies were cleared up, the whole body of information based on the newspaper-ownership exhibits would be fallacious, FCC Attorney David Lloyd argued that the information largely was taken from data supplied the Commission by the stations themselves in license reports and that the errors therefore could not be laid upon the Commission's staff. Licensees, he declared, should be forced to make proper reports, asking the Commission to mark the exhibits for identification for the purpose of testimony.

Chairman Fly ruled that the Commission could not refuse to accept the exhibits and that they could be marked for identification. He pointed out that they have not been admitted as testimony, with the ruling probably to come later.

Alleged Earnings Of 'Newspaper Stations'

When Mr. Sutton began his explanation of the exhibit dealing with vital statistics of newspaper and non-newspaper stations in the various categories, purporting to show that newspaper stations as a group earned greater "broadcast service income" than non-newspaper stations in similar classifications, Commissioner Craven took up the question.

Mr. Sutton had pointed out that each of the eight fulltime 50,000-watt stations listed as affiliated with newspapers had average time sales of approximately $1,000,000 in 1940, and broadcast service income of approximately $324,000. He identified these stations, under questioning by Commissioner Craven, as KSL, KWKH, KRLD, WGN, WHAS, WHO, WSB and WLW. Of these, he said that WGN, KWKH, WHAS, KRLD and WSB were so-called Class A newspaper stations, in that 50% or more of the stock was owned by newspapers or persons interested in newspapers, or by combinations of holdings of newspapers. Classified as Class B stations, with less than 50% newspaper ownership, were WLW, WHO and KSL.

Mr. Sutton admitted that if certain of the larger stations, plus others not properly classified as newspaper-owned, were removed from his computations, the average earnings and income would drop materially. By the same token, he said, in responding to Commissioner Craven, if these stations were placed in the non-newspaper group, their averages would correspondingly increase.

Analyzing another exhibit, dealing with tangible property owned and devoted exclusively to broadcast stations—covering newspaper-affiliated stations as against network-managed and operated stations and "all other stations"—Mr. Sutton said that the equipment costs of all groups generally appeared to be uniform, but that depreciation figures were not uniform. He pointed out that 282 alleged newspaper-affiliated stations had investments of approximately $20,000,000 in 100 network-managed and operated stations, with depreciated costs of $4,000,000, or about 40.5%. The cost of 462 "other stations" was given as $57,756,000, with the depreciated cost as approximately $16,000,000, or 76.5%.

Caldwell Challenges Value of Exhibits

Louis G. Caldwell, counsel for WGN, owned by the Chicago Tribune, cross-examined Mr. Sutton in detail and in effect challenged the value of the exhibits not only because of the inclusion of stations of questionable newspaper status, but also because he contended certain other fundamental factors were not taken into account.

He estimated that if WLW, WHO and KSL, the three so-called Class B newspaper stations in the 50,000-watt category, were taken out of the compilations, it would result in a drop of one-fifth of the broadcast service income of the entire list of stations. Mr. Sutton did not think it would be "quite that much" but agreed it would be substantial.

Mr. Sutton did not concur in the WGN counsel's observation that the FCC, in these exhibits, was trying to show that newspaper ownership of stations has the effect of increasing time sales and income of...
stations. The FCC accountant said that the exhibits were prepared on the basis of the newspaper list supplied for the hearing and that they were all comparable.

**Comparisons With M&O Stations**

Injecting some of the network monopoly proceeding flavor into the inquiry, Mr. Caldwell asked why the Commission listed separately the managed and operated stations of the major networks. He contended that out of the 31 stations so classified 23 were NBC and CBS outlets and accounted for nearly all the profit.

Mr. Sutton was asked whether he had any reason to believe that if these stations had not been network-operated their time sales would not have been as large, and he replied that unquestionably market is an important factor but that it is not the most important from the standpoint of time sales. Management and operation of the stations from central headquarters in New York has a bearing on time sales, he said.

Asked by Mr. Caldwell what proportion of network time sales was credited to the M&O stations for the purpose of the compilations, Mr. Sutton said that it ran between 20% and 35%, though in one or two cases the ratio might be as high as 40%. He agreed with Mr. Caldwell that the average was not as high as that paid some of the affiliated non-owned stations.

Mr. Caldwell sought to ascertain that, if there were any faults in the figures relating to M&O stations, it was actually that these stations are shown to make less return than they really do and that they “underestimate”. 

**What About Markets, Power, Management?**

After a series of questions regarding market, desirability of assignment, signal and other factors, Mr. Caldwell asked if it were not a fact that newspaper ownership constitutes only one element and that the Commission should have taken into account size of market, frequency, power, degree of competition and other factors in relation to station earnings. He insisted that newspaper ownership was not the controlling factor in time sales. Moreover, he said, no weight had been given the factor of efficient management.

Mr. Sutton said that these other factors unquestionably have some bearing on the over-all picture, but that he did not feel it was necessary to have all of them weighted to evaluate the question of reasonableness.

Questioning also the power categories in which stations were placed, Mr. Caldwell recalled that in testimony at other hearings Mr. Sutton had pointed out that many regional stations in good markets have higher income than clear channel stations in less desirable markets.

Alluding to the analysis of tangible property investment and depreciation, Mr. Caldwell asked why the network-managed and operated stations took greater depreciation than others, and asked if this in effect did not mean that they are making more money than shown. Mr. Sutton agreed that it would have a bearing on the financial showing of these stations.

**Other Classes of Station Ownership Ignored**

Asked by Mr. Caldwell whether the Commission had made any studies of station operation by department stores, automobile distributors, insurance companies and other lines of business, to ascertain the effect upon revenues of the stations, Mr. Sutton replied affirmatively, but said there were no well-defined groups and they were relatively small in number in each category. Generally, he said, these other businesses had no direct bearing on time sales, but Chairman Fly said he did not “quite savvy” this since radio set manufacturers, for example, could derive benefits not only in sale of time but in receivers.

Mr. Caldwell argued that there was nothing in the exhibits to show that newspaper stations have not spent as much money in developing the medium, and that, based on the tables, it could not be ascertained whether they have sold less time or incurred more program expense.

Commissioner Craven questioned the overall value of the tables in

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**Main Attraction!**

Louie the lifeguard hasn’t a thing on WDBJ! Since we took some muscle-building exercises and upped our night power to 5,000 watts, WDBJ is more than ever the main attraction among radio listeners in the rich, responsive Roanoke-Southwest Virginia market. That’s doubly important to you who have something to sell in this neck of the woods—because our rates haven’t been upped one penny! And listen—the people who live in our primary area alone account for 25.7% of all retail sales in the entire state of Virginia! Are you getting your share?

---

**WDBJ**

Owned and Operated by the TIMES-WORLD CORP.

CBS Affiliate—5000 Watts Full Time—960 Kc.
L. D. H. Weld Discusses Five Major Media

L. D. H. Weld, director of research of McCann-Erickson for the last 15 years, who compiled the Publishers' Ink advertising index of the five major media, testified in connection with exhibits introduced the preceding week. He was unable to appear at that time because of illness.

He said he has prepared indexes on newspaper, magazine, radio, outdoor and farm paper advertising, but that he has discontinued the radio advertising index because the major networks have discontinued making available their figures on a monthly basis. He testified primarily in connection with an exhibit showing estimated advertising expenditures in these five media from 1928 through 1940. These showed newspapers in first place in 1940, with $445,000,000; radio second, with $200,000,000; magazines third, with $100,000,000; outdoor fourth, with $50,000,000; and farm papers with $5,000,000—an aggregate of $970,000,000.

Explaining that he used his own method of estimating these expenditures, he said, in reply to FCC Counsel Lloyd, that the figures on radio were based on those produced by Broadcasting Magazine. He asserted those checked very closely with the FCC financial statistics.

Discussing current advertising trends, Dr. Weld said that newspapers have suffered almost as much as national magazines in advertising losses since the 1929 depression, but that magazines have been hardest hit. This is particularly true of the monthlies, although weeklies are increasing.

Total Advertising Down But Radio Goes Up

Advertising volume generally has not increased over the years, but radio has shown meteoric development, Dr. Weld declared. In 1929 the total advertising expenditure for the five major media was $1,185,000,000, of which newspapers procured $800,000,000; magazines $240,000,000, and radio only $40,000,000. In 1940, total expenditures were $970,000,000, of which newspapers acquired $450,000,000; magazines $160,000,000; radio $200,000,000.

The failure of advertising to recover completely from the last major depression has resulted in keener competition. Dr. Weld said, advertising expenditures have dropped from $15,000,000 in 1940.

Chairman Fly interposed that with national advertisers the question is whether or not the money can be spared, observing that advertising might be viewed as "in the luxury class". Dr. Weld, however, said that advertising appears to string along almost simultaneously with business trends.

Effect of the War On Advertising

Replying to a question by Chairman Fly on the effect of war conditions on advertising, Dr. Weld said that curtailment of production will have a depressing effect on the one hand, but that the "much higher buying power" will result in increased appropriations. Moreover, he said that with the new excess profits taxes he can't help but feel that it will have a "subconscious effect and that people will spend more money in advertising". The forces thus work in both directions on advertising. Dr. Weld, declaring that at present there is a small increase.

The experience during the last war, with the upsurge of excess profits taxes, Dr. Weld recalled, resulted in advertising going into "a rampage" and increasing very rapidly.

Newspaper - Radio Committee counsel, Mr. Kaye, questioned Dr. Weld on sources of his revenue figures Dr. Weld said that in all cases save the radio figures, taken from Broadcasting, because they "checked closely" with those of the FCC, he used his own indices plus data procured from what he described as such responsible sources as Publishers' Information Bureau, Assn. of Outdoor Advertisers and farm paper sources. He explained that he had projected most of the figures "backward" from official census figures.

Mr. Kaye observed that the figures then should be accepted subject to the error "that is inherent in projecting figures backward". Mr. Caldwell asked Dr.
Weld if he had any reason to think that the figures would be about the same if newspapers owned no radio stations and all other things were equal. The ex-Commis- sioner, however, he had no information whatever in that regard.

**No Data on Joint Newspaper-Radio Rates**

When Commissioner Craven inquired which advertising agen- cies asked for combination rates from newspapers and radio stations jointly operated, Dr. Weld said that he had no evidence of this and had never made any investigation of it. In an effort to straighten out the record, Chairman Fly asked if that were the fact whether it would “influence” agencies to use news- paper stations Dr. Weld again com- mented that he had no information whatever on this.

Obviously piqued over the position taken by the newspaper-Radio Committee counsel, in asking that testimony and exhibits be not ad- mitted until the sources could be qualified, Mr. Lloyd asked why the committee did not pursue its ex- amination so that exhibits could be entered. The point was dropped there, however.

**Charleston Situation**

**Drives Opposition Fire**

The second day of the second week's hearings was devoted almost entirely to the situation obtaining in Charleston, S. C., where the two jointly-owned newspapers own one of the two stations. John M. Rivers, president of WCSC, the independent station affiliated with CBS, had vigorously protested the refusal of the Charleston News & Courier and Post, which own WTMA, opposition NBC-Red outlet, to pub- lish WCSC programs or news. He was the principal witness.

Proceeding Mr. Rivers' appear- ance, State Senator Cotesworth T. Means, under cross-examination by Assistant General Counsel Thomas E. Harris, identified and read into the record a resolution he had intro- duced last May and which had been adopted by the South Carolina Senate, attacking the purported newspaper-radio monopoly in the city.

The resolution asked the At- torney General for an opinion as to the applicability of the present laws of the state. He described “trusts, monopolies and unfair competition” to combinations of newspapers, news services and radio stations “which, in fact, tend to lessen free and free competition in the dissemination of news to the public”. The resolution re- quested the Attorney General to recom- mend as to the necessity of more specific legislation “to attack this evil”.

Senator Means explained that he introduced the resolution without any knowledge of the FCC's news- paper personnel proceedings, be- cause he wanted to “rectify the newspaper situation in Charleston by legislation”. He said the At- torey General had not yet rendered his formal opinion but probably would do so shortly.

**Druggists' Radios**

OUT OF 609 retail drugstores queried, 907 or 99.8% re- ported radios in their homes, according to a survey by Drug Topics, which has al- lowed publication of the fig- ures by E. F. H. James, NBC-Blue sales promotion manager. Asked if they had radios in their stores, 498 out of 599 drugstores inter- viewed (81%) said that they had.

**Charges Papers 'Control' All News Services**

Declaring that the anti-trust laws should be applicable to a product “so precious as freedom of speech and of the press”, Sen- ator Means said that if the At- torney General holds there is jurisdiction then he contemplated in- troduction of legislation.

Senator Means charged that the News & Courier and Post, since their amalgamation 10 years ago and since their acquisition of WTMA two years ago, "control all the news services" in Charleston. He pointed to the "inherent dan- ger" in such a situation.

He revealed that he had run ra- dio station WCSC, the competitor, for a brief period while the owner was away and that his son is now assistant program director of that station.

Under cross-examination, by Newspaper-Radio Committee Chief Counsel Thomas D. Thacher, Sen- ator Means said that while he was not in sympathy with the editorial policy of the News & Courier, the Post, despite the same ownership, took a more favorable editorial position, in his judgment. He agreed that a news story published in the News & Courier on a speech he had delivered in the Senate, relating to his attack on the newspaper-radio "monopoly" was a "fair account" of what he had said. He agreed, also, that under any doctrine of freedom of the press, the paper showed a punctilious regard for these principles.

Senator Means admitted that 75% of his opposition to the Charleston situation was because of the editorial policy of the News & Courier. He described the paper as anti-Administration and anti-New Deal.

**Nothing Personal; Fears Cancellation**

Ben S. Fisher, counsel for WTMA and the newspapers, ex- cused from the witness the state- ment that there was nothing "per- sonal" in his attitude toward the News & Courier. He said he had never seen any of the editorial policies of that newspaper re- flected on the radio station.

Dr. Weld questioned Counsel Har- ris asked if it were not a fact that he feared the concentration of con- trol as contrary to the public in- terest, and Senator Means replied affirmatively. But Judge Thacher pointed out that the cross-examina- tion had revealed that he was op- posed to joint ownership of radio papers, rather than to any radio aspect.

Mr. Rivers, former banker, ex- plained he had been with the station since 1938 and now has pending be- fore the Commission an application for transfer of ownership from Liberty Life Insurance company to him- self. He related how the newspapers con- sistently had refused to pub- lish the WCSC program logs or program news on an exchange basis and that they were published in the newspapers, it was on the basis of regular card rates.

Mr. Rivers had pointed out that he had made a survey of some 50 radio stations to learn of their relations with local newspapers and found that his situation was a "unique one in that mention of the station was banned up until about six months ago. The newspapers still do not publish WCSC programs as a news fea- ture, he related.

**WTMA Gets Full Pages, WCSC Is Ignored**

A dozen exhibits were placed in the record by Mr. Harris with Mr. Rivers on the stand, all tend- ing to show the manner in which the newspapers played up WTMA in full-page spreads and totally ignored WCSC.

On April 3, 1939, J. C. Saumenig, then WCSC manager, had written Robert S. Manigault, president of the newspapers, suggesting that the newspaper exchange program listing space for tie-in announce- ments on the station following each of its four UP news periods, it developed. Mr. Manigault, how- ever, according to these papers, said he would like to cooperate but that he had always been opposed to exchange advertising and would not care to vary that policy.

On April 3, 1941, Mr. Rivers wrote Mark Ethridge, vice-presi- dent and general manager of the Courier-Journal & Times, who then headed the Newspaper-Radio Com- mittee in its formative stages. He protested the refusal of the Charleston newspapers to carry his programs as news, but declared he did not expect display advertising space to be given him—that he was ready to pay for that. Mr. Rivers wrote Mr. Ethridge that he ex- pected to appear at the hearing in Washington and that it is "one of the most disagreeable things I have had to contemplate because I do not believe a business man should do business and government to get at each other".

He added at the same time he did not believe that private interests, "possessing a monopoly, should be allowed to exploit certain without interference, particularly when the public interest is not served by the exploitation.”

Mr. Rivers added that he ex- pected to testify that the char- acter of the newspaper owner- ship of stations is not in itself bad, but that "narrow-minded newspaper owner-
ship is definitely against the public interest." He urged Mr. Ethridge to prevail upon stations with less vision that an internal cleanup but that might turn out to be a difficult thing. He contended that the combination in Charleston as now operated "is a threat to the continuance of my business," adding that publication of the new would remove that threat or at least make conditions nothing more than a normal business risk. He ventured that most independent operators "feel the same way".

**Ethridge Thinks Papers 'Do Seizes Injustice'**

Mr. Ethridge replied April 9 that he did not know the Charleston situation well enough to have a detailed discussion about it, but that from what Mr. Rivers said he thought the newspapers "do themselves an injustice". He explained that in Louisville his newspaper published news about radio as if it had been connected with the radio station. He concluded "I find nothing in your letter to which I do not or have not subscribed".

Other exchanges of correspondence relating to the purchase of the station, were introduced and explained by Mr. Rivers. Under cross-examination, there was also placed in the record an article published in the News & Courier quoting a speech by Mr. Rivers, in which he cited the radio regulatory situation and criticized the FCC's regulatory policies.

Mr. Rivers said that the policy of the newspapers before they acquired WTMA was to ignore radio entirely. When they acquired the station in October, 1939, they began playing up WTMA but virtually ignored WCSC. During the last six months, he said, the station had changed its attitude and had given it somewhat more publicity.

Mr. Rivers explained that he had been approached by the newspapers to purchase WCSC, but that those negotiations broke down on the basis of price and resulted in the decision of Liberty Life to sell the station to himself.

Questioned by Commissioner Craven, Mr. Rivers said that prior to the acquisition of WTMA by the newspaper he considered them competitors.

**WCSC Shows Profit, Fairly Constant Net**

Mr. Rivers identified an exchange of telegrams with E. C. Woolley, of NBC's station relations department, in which the network representative asked for more publicity in local newspapers on a particular program. Mr. Rivers had wired back that the only thing the newspapers would publish about WCSC "would be my obituary". Afterward, under cross-examination, Mr. Rivers said that if he had known the telegram would have been introduced in evidence, he might have written it.

Mr. Rivers admitted that WCSC is operating at a profit, declaring that the net of the station has been fairly constant. He admitted, too, that the newspaper's activity in radio had made the community more radio-conscious and had helped the overall picture.

Disclaiming any animosity against the newspapers, Mr. Rivers, under cross-examination by Judge Thacher, said that he had tried simply to find a solution for what he regarded as an inequitable situation and that he really was testifying unwillingly. Officials of newspapers were among his best friends, he said.

He did not attack WTMA, declaring that he regarded it as a good operation. Mr. Rivers agreed with Judge Thacher that the situation boiled down to one that he regarded as unfair competition. He admitted, under further questioning, that radio in Charleston has vastly improved since the newspapers took over WTMA and that it had contributed listener interest. Mr. Rivers contended that promotional activities of WCSC had aided WTMA audience building.

**Sales Up 22% in Year, Net Profit Rises 858%**

Mr. Rivers did not agree that his net income had greatly increased since the newspapers acquired WTMA. Judge Thacher, in his cross-examination of Mr. Rivers, asked for the record statements of WCSC from the Commission's files, showing that in 1939 it had sales of $67,153.34, with a net income of $1,508.66. In 1940 the figures were gross sales of $81,681.43, with net income of $12,492.79. He said these figures showed a 22% increase in sales during the one-year period and an 858% increase in net profit.

"Whether this competition was unfair or not, it actually was not destructive," Mr. Rivers contended. The witness concurred.

Taking up the cross-examination of Mr. Rivers, Mr. Fisher asked first about the availability of news services. While WCSC subscribes only to UP, Mr. Rivers agreed that three other press associations were available, although he had not had occasion to negotiate with them.

When Mr. Fisher wanted to discuss the question of publication of WCSC programs in the newspapers, Chairman Fly interposed to ask whether newspapers should charge for program listings. Mr. Rivers said it was his understanding that they did not.

Mr. Rivers estimated that he had spent approximately $11,000 a year for station promotion in the community, of which $2,000 was cash and $9,000 was spent in exchange advertising. He said he had sought to have Condon's Department Store purchase space in the newspapers for publication of his programs, but that plan did not work out.

**Price Proposed For Newspaper Purchase**

Mr. Fisher inquired whether the station had gone to the newspapers, or vice versa, in connection with conversations looking toward sale of the station. It was Mr. Rivers' recollection that the newspapers had gone to him and that there had been several alternative plans, one of which contemplated a $100,000 purchase price, with $60,000 to be paid by the newspapers and $40,000 by Mr. Rivers for the minority interest. When these conversations took place, Mr. Rivers said he had arranged for acquisition of the station himself.

He admitted that he had told the newspapers that if they acquired the regional (WCSC) as against the local (WTMA) competition would be practically nonexistent insofar as national spot business is concerned.

Two officials of the newspapers and WTMA occupied the stand after David Dibeler, Commission attorney, identified the ownership setup of the station as shown in FCC records.

**Letter Refers to Station As Dept. of Newspaper**

Commission Counsel Harris asked H. T. McGee, treasurer and director of Atlantic Coast Broadcasting Co., licensee of the station as well as business manager of the Post and News-Courier, to identify a letter written by William D. Workman, Jr., former manager of the station. The letter, posted on a bulletin board, said in part:

"WTMA is another department of the newspapers, it is not a separate business, and as such should be conducted in accordance with policies of the papers. Everything other than routine should be discussed with all who might have some knowledge of the subject before action. Questions pertaining to advertising, especially national spot advertising, must be submitted to the advertising de-
partment of the newspapers before a definite answer is given. All suggestions for special broadcasts must be carefully discussed before being turned down. All news comes under the direction of the city editors of the newspaper."

Mr. McGee said that he had never seen the letter and knew nothing about it being written until a Commission investigator had shown it to him. The investigator, Raymond Lewis, had obtained the letter in Charleston and identified it from the stand before Mr. McGee was called. Asked to comment on the letter, Mr. McGee said it would be hard for him to comment on it but he would say the first statement was incorrect.

**Insists Station Is Separately Operated**

"Mr. Workman", he said, "had a right to his own opinion even if incorrect." Mr. McGee said that the station is a separate entity and is operated as such, pointing out that the studios and transmitter are three miles from Charleston although a small news studio is maintained in the newspaper offices for special broadcasts because of its accessibility and for news programs.

Mr. Harris introduced a number of exhibits, including letters and photostatic copies of the newspapers, to show, he said, that the policies of the station and the newspapers were controlled by the same officers. The Commission counsel stated that the exhibits proved that the ownership of the station by the newspaper gave the station an advantage through free publicity. He cited various advertisements placed by the station, claiming 25,000 lines of publicity a month.

**FCC Counsel Clashes With Witness**

The witness and Mr. Harris clashed on this point with the young Commission attorney attempting to get Mr. McGee to say that a number of large advertisements "plugging" various aspects of the station were typical of the amount of space the station received. Mr. McGee said that he wouldn't say they were average; in fact, he said, it would be difficult to determine what was average.

"What you have done, Mr. Harris," Mr. McGee said, "is to take one group of advertisements and say that they were run regularly. That's unfair."

"Would you say they were typical?" Harris asked.

"What do you mean by typical?", Mr. McGee queried.

"You know perfectly well

**THREE DOZEN EGGS are arranged by (1 to r) A. B. Ulrich, director of NBC-Blue National Farm & Home Hour; Everett Mitchell, program announcer; and Walter Blaufuss, musical director, to indicate that the Farm & Home Hour broadcasts its 4,000th program July 28. On that special program, "down to earth" interviews were broadcast from a garden on a Georgia farm, a Colorado ranch, a poultry farm in California, a Pennsylvania dairy farm, a North Dakota wheat field, and the Indiana farm of Claude R. Wickard, Secretary of Agriculture.**

I mean", Mr. Harris said angrily. "All I can do is answer the question to the best of my ability, if you'll let me", Mr. McGee retorted. Following this exchange, Ben Fisher, attorney for the station, and Judge Thacher both objected to the method of questioning employed by Mr. Harris. Mr. Fisher pointing out that the station had submitted complete files and a fair average could be derived by a reading of the file. Here Chairman Fly interspersed that no one is seeking a specific average. Mr. Harris said, "We are trying to get a true picture"—and, turning to Judge Thacher, added, "And if you think you have it, you submit it!"

**Space Traded For Time on Air**

At this point Judge Thacher complained that the Newspaper Radio counsel table was not getting copies of the exhibits and Mr. Harris shot back, "I'd like to see a copy of each of your exhibits, too."

"As I told you this morning", Judge Thacher replied, "you'll have a copy of each one."

Chairman Fly evinced interest in the method of trading space in the newspapers for time on the station. He asked if the station paid for it, and Mr. McGee explained that it was on a purely exchange basis, the station getting free space and the newspaper free mentions on the air as well as some special programs. In answering the chairman, Mr. McGee said the newspapers get "a pretty fair amount of time."

Mr. Harris introduced a station telegram from George P. Hollingsworth, president of WTMA, to Robert E. Bradham, now acting manager, which said that Postal Telegraph was contemplating buying time on several stations which placed most of their telegraphic business with Postal.

In addition, the telegram said that the station would be credited with any firms that it could swing to Postal from Western Union. In reply, Mr. Bradham wrote that "there are several business men which will certainly switch some of their business to Postal at our request. I don't think these firms would like you to use their names, so all I can tell you in that connection is to assure the Postal people that the station will do everything possible to have as much business switched as they can."

The letter added that the newspapers and radio station would switch their business to Postal wherever possible, but pointed out that this would be impossible in many instances with the newspaper because of a lack of Postal offices in small towns.

**Letters on Negotiations With Wire Services**

Mr. Harris remarked that "this shows an additional advantage to a station of your type." Mr. McGee disagreed, saying that it was impossible for the newspapers to shift any of their business because Postal had no offices in the nearby small towns where the newspapers had correspondents.

The questioning here shifted to the wire services subscribed to by WTMA. Mr. McGee said that because of the competitive situation, the station bought the INS wire when it first went on the air but later switched to AP. Several letters between Mr. McGee and Reid Monfort, Associated Press manager at Charlotte, were introduced, showing the progress of negotiations between the press association and the station.

One statement in the letters evoked several questions. It stated that AP had offered the station a lower rate because it was newspaper-owned. In response to questions, Mr. McGee said that he had never received nor requested a lower rate from the AP on the same basis.

After finishing his testimony, Mr. McGee was asked by Commissioner Walker the reason why the newspapers had not given WCSC publicity nor published its program listings. Mr. McGee then traced the history of the relations between WCSC and the newspapers, saying that after several years it was felt that radio was a competing medium and that it should buy space. For the same reason, he said, the newspapers had turned down any trade deal with the station.

A short time ago, Mr. McGee said, this policy was reconsidered and it was decided to accept radio as news. This policy was about to go into effect when Senator Means began his attack on the newspapers and WTMA.

"As brought out this morning", he concluded, "the attitude of WCSC was wrong. You know people don't like to be forced into things."

**Merchandising Advantages Of Newspaper Stations**

Second official of the Charleston newspapers and WTMA to be subpoenaed by the Commission was Robert E. Bradham, advertising director and stockholder in the operations. He was cross-examined by Mr. Harris primarily on the merchandising advantages that accrued to stations having newspaper affiliations, both from the standpoint of network operation and in the local field. He introduced a number of exhibits dealing with

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**A BREAKFAST FOOD ADVERTISER SAYS:**

"We thought you should know how well we think of the KOA announcements. The month of April was a great one for us because it was the largest month so far..."
merchandising and sales aspects, which were identified and explained.

Chairman Fly asked particularly about accounting methods employed in connection with "exchange" advertising in the newspapers and on the radio. The witness explained that no established rates were taken into account and that no checks as such were exchanged, but that the books reflected the time used as against space.

Alluding to mention previously made by Mr. Rivers, that the Charleston newspapers carried nothing whatever on a model house promotion directed by WCSC, but that it devoted substantial space to a similar promotion by WTMA, Mr. Harris asked whether this meant that the editors of the paper viewed it as news in one instance and not in the other. Chairman Fly, however, cut short this line of inquiry, pointing out that the exhibits were sufficient evidence.

Shepard Testifies
Order Retards FM

FM entered the hearings for the first time, with John Shepard 3d, president of FM Broadcasters Inc., taking the stand. After Philip Lowndes, general counsel of FM Broadcasters Inc., had introduced a series of exhibits setting forth the history of the organization and its purposes, Mr. Shepard read a statement deploving the Commission's order as retarding the development of FM.

Mr. Shepard explained that FM Broadcasters comprising 51 memberships held by 44 different persons or organizations. He said a resolution was adopted at a meeting April 2, authorizing his appearance at the newspaper hearings to state the organization's position.

Among the 44 FMBI members are 14 having newspaper affiliations, he said. Of the approximately 110 American newspapers which operated in FM, 38 appear to be newspaper-connected or affiliated.

"Qualified" Applicants Should Have Chance

Pointing to the necessity for rapid development of FM, also espoused by the Commission, Mr. Shepard said that every entrant into the FM field today contributes to its development and is a pioneer in the sense that immediate profits cannot be looked for. Every source of capital is needed to help this development, he asserted. "Every source of nourishment withheld from a new industry is as bad as spending that much capital to halt its growth," Mr. Shepard said. "In addition, the withholding of any capital will be the same as transferring other capital to enter the field."

"Idle frequencies cannot render a service to the public, nor can they help a new industry to develop. These frequencies are of no value to the industry, or to any other class. Everyone connected with the corporation realized that FM network project would necessarily be operated at a substantial loss for some time, and he estimated it would be not less than two years.

Because newspapers spend great sums for promotion and building of institutional goodwill, they are interested in FM development as a group, he said. Newspapers can justify the heavy investments and the losses which will be entailed in FM pioneering where other businesses would not do so, he said.

FCC Policy Will Delay Development of FM

Because of the reticence of others to enter FM, Mr. Latham said, it is the judgment of his group that if the Commission should refuse to permit FM stations to be operated by individuals or corporations who may be interested in the publishing of newspapers "such a policy will delay the development of FM, a broadcasting system for years, and will probably make impossible the operation of the FM network proposed by our corporation, or the operation of any worthwhile network, and provide programs to FM stations".

Mr. Latham said that several newspapers among the 11 interested in the network project have not yet applied for authority to construct FM stations because of the uncertainty as to what disposition the Commission will make in the newspaper-divorcement case.

Several of the cities have no other parties than newspaper interests who are interested in going into FM, he said. "In short, if newspaper interests are forbidden to own or operate FM stations, it appears clear that some of these cities would have no FM stations which could be used as an outlet for the American Network, and the public which a station in a city would otherwise serve would be completely without FM service."

Newspapers Are Hesitant, Along With Others

Mr. Latham said that in Atlanta no applicant has requested an FM network.
station, but the Atlanta Constitution has evidenced its interest in doing so. It has not filed for a construction permit because of Order 76, he said.

Mr. Latham summarized that the Commission's order not only had caused newspapers to become hesitant in applying for FM, but that many who are not interested in the publishing business are just as hesitant in making substantial investments because they do not believe the network can or will succeed unless newspapers are permitted to operate in several of the essential markets.

For some time the American Network has been doing everything possible to set up and start operating its network, but so long as the Commission's order stands, it is questionable whether enough interest is being shown in the necessary investment and agreed to underwrite its operating losses, Mr. Latham declared. "We believe that FM broadcasting in general will be greatly retarded if the regulations are such that networks are unable to get any inspection and applications for broadcasting by individual FM stations."

He concluded: "The American Network Inc. believes that if the Commission were to eliminate reference to FM stations from its Order No. 79 and make a definite announcement that it will not attempt to make rules and regulations which would have the effect of preventing newspapers or newspaper interests from owning and operating FM stations, it would be possible to go ahead immediately and complete the organization and financing of the company, and in short order make high quality program material available to the FM stations affiliated with the network. Otherwise, the future successful development of FM broadcasting in general and of FM network service in particular is in question. It is our all, in our judgment, to the great detriment of the public."

Subpoenas Ordered
For Friendly, Stahlman

The final day's session Friday opened with fireworks aplenty. When the name of James C. Stahlman, publisher of the Nashville Banner and former president of ANPA, was called, having been subpoenaed to testify, Edith Hanson, ANPA general counsel, responded by saying he had advised his client not to appear, questioning the FCC's jurisdiction on all counts. Chairman Fly asked whether the intention was to attack the subpoena or to question jurisdiction. Mr. Hanson said he did not propose to go into detail beyond the reasons cited in his original petition and motion filed at the outset of the hearing.

Thereupon ChairmanFly directed the Commission's law department to proceed forthwith to enforce its subpoena. The subpoena, together with purported proof of service, then was placed in the record.

HILLBILLIES, a quarter-hour of them daily are all that Terry Carpenter Oil Co. has used since opening its first service in Denver two years ago. To the KLZ program Terry traces a 2,500,000-gallon sales record last year. Formerly Carpenter's editor) joined his second station last week and at the same time signed a renewal for his third year on KLZ. Roy Koerber (left) of Bettis-Koerber Agency, hands the signed contract to James McEldowney, KLZ sales representative.

The same procedure was followed when the name of Alfred S. Friendly, business manager of the New York Sun and also an ANPA official, appeared. James Hanson entered a general objection against the entire procedure.

Two others—Arthur Robb, editor of Editor & Publisher, and William Barrett, editor of the ANPA Broadcasting of Advertising—had not been subpoenaed to appear but had been asked to testify or produce records. Because no formal subpoenas had been served, the proceedings entered in the cases of the two other Hanson clients were not followed.

Inquiry Turns to ANPA Radio Records

A searching inquiry into the background of ANPA radio committee activities, which started originally with steadfast opposition to radio as a news medium, was launched by FCC Counsel David Lloyd. He explained that if Messrs. Stahlman and Friendly had appeared, he would have called upon them to identify certain exhibits, but that their presence was not essential in this regard.

The purport of the extensive minutes, memoranda and committee reports, dealing with ANPA radio activities dating back to 1932, was in the direction initially of banning radio program listings as editorial material and requiring stations and networks to buy the space. Then it threatened the formation of the Press Radio Bureau in 1934, whereby networks and stations were given a skeleton combined press association report processed in New York for only two broadcasts daily, which were designed not to interfere with the freshness of news published in newspapers.

Before the introduction of this data, Mr. Hanson reiterated his contention that the Commission is without power to investigate the newspaper publishing industry under the Communications Act. Chairman Fly, however, ruled that the data would be admitted in evidence, subject to motions to strike if its validity were properly contested. Throughout this exchange, Mr. Hanson entered his exceptions.

Aylesworth Discusses Advent of Radio News

A surprising witness was M. H. Aylesworth, first president of NBC, who described his present occupation as "specialized practice of law and Government activity." He is chairman of the radio division of the Rockefeller Committee, working on a dollar-a-year basis.

Making his first appearance before the FCC in many years, Mr. Aylesworth was asked to testify in connection with the formation of the Press Radio Bureau and the advent of news on the air.

Recognized as an expert witness, Mr. Aylesworth spent what appeared to be a pleasant hour on the stand, and delved deeply into his broad radio-news background, which officially terminated in 1936, when he resigned as NBC president.

Mr. Aylesworth said he had always been a believer in news as a public service that had a proper place on the air. Because of the situation in the newspaper industry, however, with newspapers owning stations happy but those not owning stations very fearful of radio competition, he said the process of necessity was gradual. Personally, he said, he never believed that newspapers and radio were in direct competition for advertising, but that the advertising volume has increased overall, with both permitted to live.

Sees Radio News Aiding Circulation

He said he not only felt that news had a place on the air but that use of radio would increase newspaper circulation. He alludes to his now famous debate at Princeton in 1931, in which he described radio as journalism and the function of the network as not unlike that of a press association.

Originally, the thought was that news would never be sold to radio, but he recalled that finally UP and INS decided to sell news and the field was made more attractive. AP, he said, took longer to enter the field because it was a mutual organization. Now, he pointed out, all of the press associations sell news for sponsorship.

Asked to identify a series of exhibits having to do with actions of ANPA, all during the bitter radio-press fight, Mr. Aylesworth said his memory was pretty good but that he was not certain he had ever seen certain of the documents. Responding to Judge Thacher, Mr. Aylesworth said that he felt his prophecies on radio news broadcasting had "come true."

Barrett Traces Press Radio Bureau

The whole history of the Press Radio Bureau was traced by Commission Counsel Lloyd, with James W. Barrett, first editor-manager of the bureau, on the stand. The ex-city editor of the New York World and himself briefly as a "journalist", Mr. Barrett recounted the trials and tribulations of Press Radio Bureau, which finally was dissolved when the networks began to set up their own news services. Threaded throughout the minutes, memoranda, and other Press Radio data, however, was the necessity for squelching so-called "outlaw" radio-press units, which cropped up here and there because of the unavailability of regular press association service.

Some of the biggest names in journalism, such as William Randolph Hearst; Joseph V. Connolly, head of INS; Roy W. Howard, head of Scrip Howard; Gardner Cowles Jr. and John Cowles, of the Des Moines Register & Tribune; and Hugh Bailey, president of UPI, were called into the memos, selected from press association, newspaper station and other files by FCC investigators.

Mr. Barrett testified that there were repeated discussions about so-called "outlaw" organizations which developed, and the constant urging that they be "squashed" or knocked out, lest they became competitors. He also is of the opinion showing that the Press Radio Bureau was financed at the outset by NBC and CBS, but with service sold to other stations on what amounted to a traffic-cost basis.

Mr. Lloyd reads excerpts from minutes of the meeting, apparently

(Continued on page 51)
Tentative Calendar . . .

NEW, Hawaiian Broadcasting System LIC: New CP 250 W untl. (Aug. 4)

NEW, Tele-Cities Broadcasting Co. Inc. Binghamton, N. Y. CP new station 1420 kc 250 w untl. (Aug. 6)

NEW, West Allis Broadcasting Co. West Allis, W. CP 1440 kc 250 w D Aug. 28 (erroneously Tated in last issue).

WJB, Greer, Miss. CP 1600 kc 1 kw untl. (Sept. 22).

WBT, Charlotte, N. C. CP 1110 kc 50 kw directional N.; KFAB, Lincoln, Neb. same; WBMB, Chicago, modifie. li- cense 770 kc 50 kw untl.; WJAG, Norfolk, Neb. CP 770 kc 1 kw D (Oct. 7)

**VIDEO ANNIVERSARY**

CBS Holds Ceremony for Its Pick-Up 10 Years Ago—

COMMENORATING the tenth anniversary of the inauguration of its first daily television broadcasting service, CBS on July 21 included a brief anniversary ceremony in its regular Monday evening Men at Work telecast on WCBW, New York.

Gilbert Seid, director of CBS television programs, described the initial telecast of July 21, 1931, when James J. Walker, then Mayor of New York, Ed Huseing, George Gershwin, Kate Smith and other artists crowded into the small, dark room to do their stuff on a floor space only two square feet before batterly of microphones; the calls surrounding the small opening through which their faces were televised.

E. K. Cohen, CBS director of engineering, and William Schudt, head of the transcription division of Columbia Recording Corp., CBS subsidiary, were introduced by Mr. Seid, as engineer and program director of the first CBS television program.

Contrasting television then and now, Mr. Seidel pointed out that actors no longer need weird make-up, that television studios today are large, light and air-conditioned and that the images on the receiver are now well defined, but added that this progress brought with it many problems to be solved in the broadcasting of sound-and-sound programs.

BBB Starts FM Survey

THE National Better Business Bureau is circulating a consumer's letter asking them to answer the question, "If you were to buy an FM radio, what reception qualities would you expect to obtain from Frequency Modulation broadcasting different from what you have been accustomed to from regular broadcasting?" If the recipient of the letter already owns an FM receiver, he is asked to state what qualities of FM broadcasting influenced him to purchase the set.

**SYNDICATED VIDEO LIBRARY PLANNED**

WITH THE ADVENT of commercial television, Photo & Sound Inc., San Francisco, is laying plans for a syndicated television library service for video stations. Test video programs are now being produced in three-minute units, which can be used by television stations in much the same way as transcription library subjects are used.

A questionnaire was formulated by Photo & Sound and sent to all video operators. Regarding Photo & Sound's video library plans, Mr. Jacob said:

"There appear to be two practic- ies at present in which televis- ion stations could handle a library service. Both of these involve the use of a million projectors units for uninterrupted programs. The first makes use of a subject in its original three-minute units to form a complete program, fading from one projector and camera to another. The second method is more practical, to our thinking, is to first combine the short sub- jects on an editor to make up a full feature program."

"Commercial announcements would be made by the studio announcer after the film sound track has been faded out. All in all, I licted a new "superstume" that this fall if the wave does not curtail operations. We are already planning one television show for a prominent Western advertiser."

**NRC Video Fashions**

TELEVISION's first sponsored fashion show will start on WBT, New York, Sept. 4 for a 13-week series of telecasts, Thursday, 5 p.m. The concept was conceived jointly with NBY by Norman D. Waters & Associates, New York advertising agency. Titled Fashion Discoveries in Tele- vision, the series will show the products of various Washers clients. Special tags will identify at points of sale these features of designs for the show and blow-ups and display cards will be furnished to partic- ipating manufacturers for dis- tribution to their retail outlets.

**Sherman Joins WAIT**

HERBERT P. SHERMAN, former sales manager of WJJD, Chi- cago, has been appointed brand manager of WAIT, Chicago (for- merly WCBD). Ralph L. Atlass is acting sales manager of WJJD pending the appointment of Mr. Sherman's successor. A veteran of 13 years in station sales, Mr. Sherman has been associated with WJJD for eight years. Previously, he was with WMIB, Chicago.
White Bill Would Revamp FCC

(Continued from page 18A)

tribunal, and notwithstanding the fact that no language can be found in the act which confers any right upon the Commission to concern itself with the business phases of broadcasting, and notwithstanding the further fact that the law specifies that broadcasting should not be regarded as a common carrier, "the Commission nevertheless considered itself more and more with these matters. He said the charge is made that the Commission is attempting to control both the character and source of program material and the contractual or other arrangements made by stations for the acquisition of such material.

The amendment proposed", Senator White continued, "spells out in black and white what it is believed of Congress, but it is present in was not only the original intention and conception with respect to this subject, in the hope that confusion and controversy can be eliminated."

Remaining sections of the bill would amend drastically the appellate procedure, relating to enforcement and setting aside of orders of the Commission. In minute detail, Senator White defines the manner in which appeals may be taken, stays ordered, time allowed for rehearing and intervention, and broadening of the legislation base so that appeals can be taken into the Court of Appeals for the District of Columbia or to any circuit court of appeals in which the aggrieved party resides. He said the purpose is to do away with appeals which are considered to be unjust, and 30 days instead of 60 days are allowed for appeals.

Of significance is the new requirement that the Commission would be compelled to comply with the mandate or decision of the court upon the basis of the record upon which an appeal is taken unless the court decides otherwise. In recent years, the courts have only been able to remand, and in many cases the Commission has reviewed the record for new testimony and decided the cases finally in the same way as it did prior to appeal. The net result was that the litigant lost out anyway.

Meets Newspaper Situation

A final new section of the bill was said by Senator White to be "designed to curb an alleged tendency" by the FCC "to discriminate in a manner not authorized by the statute" between applicants for broadcast or other radio facilities and to require as a condition to grants made the doing of certain acts which the Commission has no authority under the statute to require".

This provision strikes at the newspaper ownership situation, in the light of the FCC action under Order 79 calling for an inquiry for policy-making purposes, which has resulted in placing all new newspaper publications in the pending files while others have been granted conditionally, notably in the FM field. Similar conditions have been placed on grants to stations having multiple-ownership complications, where duplicating service is involved.

This new provision specifies: "Penalties, denials, prohibitions and conditions other than those expressly authorized by statute shall not be exacted, enforced or demanded by the Commission in the exercise of its licensing function or otherwise and no sanctions not authorized by statute shall be imposed by the Commission upon any person."

"Rights, privileges, benefits or licenses authorized by law shall not be denied or withheld in whole or in part in which adequate right or entitlement thereto is shown. The effective date of the imposition of sanctions or withdrawal of benefits or licenses shall, so far as deemed practicable, be deferred for such reasonable time as will permit the person affected to adjust his affairs in accordance with such action or to seek administrative reconsideration or judicial review."
**Press-Radio Hearings**

*Continued from page 51*

All geared to show that the press association effort was toward suppression of competition.

**Press Radio Bureau Minutes Reviewed**

Mr. Barrett explained, under examination by FCC Counsel Lloyd, that Press Radio Bureau went into a decline when UP and INS, in 1935, began delivering news to broadcast stations for sponsorship. This was premised upon suggestion of “outlaw competition,” he said, since these other services had been selling direct to radio. He identified Transradio as one of the news services which UP and INS were to “kill off.”

Minutes of the Press Radio Bureau meetings also showed that consideration was given to applying “pressure” upon Reuters, British press association, to discontinue serving Transradio. Mr. Connolly, as head of INS, was quoted as having said that he would stop Reuters service. The minutes, all said to have been prepared by Mr. Barrett, reported that “somebody” said that if Transradio did not have Reuters, it would have a difficult time in procuring foreign news.

Financial support of the network was withdrawn from Press Radio Bureau Jan. 7, 1939, Mr. Barrett testified, on direct examination. Asked about its status today and whether it was a “sort of zombie” by ChairmanFly, Mr. Barrett said it still exists as a corporation.

**Barrett Says He Paid ‘About a Dollar’**

Under cross-examination by Judge Thacher, Mr. Barrett explained that he personally had incorporated Press Radio Bureau and that he holds virtually all of its stock. He did not recall how much he had paid for it, but thought it was “about a dollar.” He could not state flatly whether he had put any money into it. Pursued on the financing of the operation, Mr. Barrett said he believed he had put “one dollar and other valuable considerations” into it, but that he did not have the precise amount.

Commission Counsel Lloyd inquired as to the relevancy of the examination, but Chairman Flynn permitted it to continue.

Mr. Barrett explained as to how he happened to acquire the stock in the organization if it was financed by other people. Mr. Barrett stated he had to carry on the “whistle” of starting the Bureau, he “took the bull by the horns” and incorporated it in order to continue paying bills and employees.

Press Radio service continued on the networks until Dec. 27, 1939, and to other stations until Oct., 1940, Mr. Barrett recalled.

He said that limitations placed on broadcast of news had to be relaxed from time to time because of these “outlaw” operations. He agreed with Judge Thacher that press association and newspaper people felt that some of these so-called “outlaw” operations actually were “pirating” their news.

Mr. Barrett said he had incorporated Press Radio Bureau on Feb. 5 or 6, 1935, and that the final meeting of the board of directors was not called until May 7, 1935. He declared that WGN, Chicago, withdrew in October, 1940, and that his “clientele had vanished.”

He agreed that the term “outlaw” was a “literal” use and that it was sort of “trade jargon.”

Paul W. White, director of public affairs of CBS, called also as a Commission witness, explained that he had started with CBS in 1933 as publicity director. He said he became vice-president and general manager of the CBS news service which was formed to supply news for the network. It was set up because it had become impossible to procure news from the existing news services, he said, in response to Mr. Lloyd.

**White Disclaims ‘Outlaw’ Appellation**

Disclaiming the “outlaw” appellation, Mr. White said he thought the news service, during its six months of existence, was conducted with accuracy and integrity. Bureau was established in New York, Washington, Chicago and Los Angeles, with “string men” retained for actual coverage in every city of 20,000 or over. During its six months of existence, he said, there never had been any charge of piracy of news of which he was aware.

Mr. White admitted that he had action that had resulted from newspaper publishers over the formation of the news service and that in certain cities newspapers dropped CBS programs, while crying those of competitors. He said that the news so gathered was not sponsored.

In 1935 CBS acquired UP and

**CBS Gets 500,000-Word News Budget Daily**

As asked by Judge Thacher as to that the “dark ages” of radio news have gone, Mr. White said that he expected the early days proved invaluable and that the public would not tolerate a return to the old system now.

Lloyd Stratton, assistant general manager of AP, identified his hobb, embodying minutes of AP meetings dating back to 1922, dealing with radio. These successively had that AP membership opposed to using its news on the air initially, gradually relaxed the rules, and finally, as of April of this year, it is selling its radio news for sponsorship to stations, through a subsidiary, Press Association Inc.

Mr. Stratton said he was wholly unaccomplished with the organization of AP in the manner in which it functioned.

Before Mr. Connolly took the stand for INS, Thomas Brennan, of New York, his attorney, presented his appearance with the statement that his company did not concede the authority of the Commission to conduct the investigation. Mr. Connolly reserved all rights with respect to jurisdiction of any rules that may eventually be adopted.

Mr. Connolly explained he was president of King Features, of which INS is a subsidiary. Asked about certain of the minutes of meetings of Press Radio Bureau under examination by Mr. Lloyd, Mr. Connolly said that he had never seen them until they were introduced in the hearing and that he had examined them carefully.

He said INS began selling its service to radio in 1935.

Judge Thacher asked if his failure to comment on the Press Radio Bureau minutes could be construed to mean that he was present at all meetings and was unfamiliar with the contents. Mr. Connolly said he did not wish to comment that way.

In receding the hearings until Sept. 17, Chairman Flynn expressed the hope that counsel would “cooperate in the preparation of data” and “not white time.” He said he thought he ought to suggest that all parties be prepared upon reconvening to “proceed to a conclusion.”

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"It's a Man From the Commission. He Asked Us Not to Mention the War in Our News Broadcasts!"

**Radio Delivers Manpower Announcements Get Pledits from Government**

**Calling** for continuing cooperation in securing another 500,000 workers for national defense industrial operations, Lucille Foster McMillin, acting president of the U. S. Civil Service Commission, in a July 21 letter to the NAB expressed the radio industry for its assistance securing 500,000 skilled and technical workers for the defense effort in the last year.

Commenting that the Civil Service Commission a year ago “turned with full confidence to the radio industry” to round up the needed thousands of laborers, she declared that “radio has not failed that confidence.” During the year more than 500,000 placements have been made in the War and Navy Departments, with hundreds in each of many industries, she stated, and 10,000 placements still are being made each week.

From little towns in Kansas, from the broad plains of Texas, men who in their financial situation may have gone back to kinfolk, started small groceries, sold insurance, and even apples, were given a chance through radio to learn that they might return to the trades for which they had special skills,” the Civil Service official declared.

“I need not further assure you, as has been done several times, of the appreciation of the U. S. Civil Service Commission, and through it, the Federal Government for the help that radio has given. The radio industry in its splendid co-operation can feel that it has made a very real and concrete contribution to the development of the national defense program. That it did it as a matter of course, and because it desired to help is but a real assurance of its attitude as a part of the American Way.”

INS, originally for local station broadcast but later for the network. Beginning with the Anschluss and through Munich, CBS began regular foreign pickups, and also set up elaborate shortwave listen.
Here are the G. G. Smiths, another of the up-to-the-minute farm families who live in the rich, productive midwest and rely daily on the services of WLW. Their 375 acre farm is located on Route No. 3 in Tipton County, just nine miles northwest of Tipton, Indiana.

Mr. Smith, employing modern farm methods, rotates 375 acres of wheat, clover, corn and soy beans. His ninety acre permanent pasture homes an enviable herd of Aberdeen-Angus prize cattle. Mr. Smith won the 1940 Champion Calf award at the Indiana State Fair, netting over one thousand dollars for his prize entry.

This friendly, progressive farm family is in full accord with WLW's extensive farm programs. In fact, it is their firm belief that The Nation's Station offers MOST to the midwestern farmer. They verify this belief by referring to their WLW favorites "Top O The Morning", Paul Allison, News, Markets, and Ed Mason, WLW Farm Program Director, and other entertainment and service features. To the Smiths, WLW is a prize-winning station. Liking the best . . . they listen to WLW most.

Mrs. Smith and Phyllis are expert gardeners. Mrs. Smith listens regularly to the "Boone County Jamboree" and the weather reports of Jimmy Fidler.

Phyllis, a 4-H Club Member, with prize-winning Aberdeen-Angus. She enjoys "Everybody's Farm Hour" and the songs of Paul Arnold.

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This multiplying process is repeated successively in each stage with an ever-increasing electron stream. Electrons emitted from the ninth dynode are collected by the anode and constitute the current utilized in the output circuit—a useful multiplication of the initial photo-cathode current of about 230,000 times!

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