ONE ANNOUNCEMENT

MADE OVER WOR ON APRIL 25th

PULLED 66,172 REQUESTS

FROM WOR LISTENERS!

The incident recited above is not being run on this cover because it happens to be a WOR rarity. We mention it rather because WOR, in many months, has not been taking time out to mention this sort of thing.

It shows, we think, these things: Time bought at any time on WOR gets the kind of results that please agencies; leave sponsors happily bewildered; and, incidentally, amazed at the genius of their advertising agents!

We have just issued an interesting memorandum called “It’s a fact...” It describes the amazingly simple but shrewd strategy that created the bomb-burst reported above. A copy can be had pronto by addressing...

WOR

THAT POWER-FULL STATION AT
1440 BROADWAY, IN NEW YORK
Green and golden fields are battlegrounds, too. Tanks are tractors; bayonets are pitchforks. Without uniform, without glamour, the American farmer today is doing his job—doing it well. His is the biggest "Victory Garden" in the world; feeding sons, brothers and neighbors in uniform though they're half the world away. When whistles blow and the bands play "welcome home" to millions of America's fighting men, the farmer's job will have just begun. In the three years following the Armistice of World War I, more people died from famine and disease than were killed by bullets. The American farmer is determined that this shall not happen again. To us at WLS, these are our kind of people, the folks we like to keep informed and entertained. They like us and we like them. We have earned their friendship, their loyalty and their confidence— a confidence that extends also to advertised products associated with our name.
The Yankee Network-RKO promotion of the 50-city Premiere of "Hitler's Children" is a sensational and positive demonstration of the effectiveness of Yankee Network home-town coverage in giving equal emphasis to a sales message at all key points.

The promotion covered 26 cities where "Hitler's Children" was showing in March. These 26 cities were plotted to draw from nearby cities (as they do when a picture is playing one theatre exclusively in a given territory) to make up the 50-city Premiere.

The Yankee Network promotion broke box office records in every one of the 26 cities.

The results are dramatic proof that the friendly, neighborly acceptance of Yankee Network home-town stations is a potent sales factor throughout New England—and that this "Acceptance Is The Yankee Network's Foundation."

* Bangor, Me., Laconia, N. H., and Rutland, Vt., omitted, as picture did not show in these cities.

The Yankee Network, Inc.
Member of the Mutual Broadcasting System

21 Brookline Avenue
Boston, Massachusetts

Edward Petry & Co., Inc.
National Sales Representatives

The percentage figures given on this map show the attendance for the Yankee Network-RKO Premiere of "Hitler's Children" with relation to the average box-office attendance for the picture, as recorded in the post offices. The usual newspaper publicity and outdoor postings were used, as for any picture. The Yankee Network promotion is credited with boosting the box office from average to record breaking. Boston figures based on preview opening night; all others on full week's run.
The MOST ECONOMICAL BUY in OMAHA

KOIL

is a MUST For Outstate Nebraska

PLAYING TO A PACKED HOUSE

ADVERTISERS using "spots" on WFLA are playing to a packed house... the biggest audience that Tampa and WFLA have ever offered. A receptive audience, too, because it's made up of well-paid shipyard and other war workers; plus the military; plus the regular home folks. All with money to spend. The stage is set in Tampa for your product or service. You can ring up the curtain on increased sales with "spots" on WFLA... the most-listened-to-station in the Tampa trade area.
It takes a BIG medium to cover the big area of East Texas-North Louisiana-South Arkansas. That's why scores of alert advertisers choose KWKH to sell now and to build sales for the future. Include KWKH on your schedule to reach this important market—a region teeming with war activity. It's classified by the assistant director, Bureau of Census, as "having excellent prospects of retaining wartime growth."

CBS sets net daytime Circulation at 313,000 radio homes; net nighttime at 425,000. Ask Branham Company for further details.

cover it with CBS 50,000 WATTS KWKH A SHREVEPORT TIMES STATION SHREVEPORT, LOUISIANA
THE only difference between Harry Buckendahl and the typical Horatio Alger hero is that Harry has really been a hard worker! He was hard at work before he left High School. Immediately after that, he got into media sales (via stenography) and after a story-book succession of advances, is now the very successful National Sales Manager of two very successful radio stations . . .

Alongside such a biography, we rather quail from talking about how hard we’ve worked, "too"—but the fact remains that, lots of nights, you’ll find our lights burning a good deal later than would seem necessary for the ordinary kind of time-peddling. Maybe getting off a bunch of telegrams for market data on some customer’s special problems. Maybe dictaphoning or teletyping our stations for latest availabilities. Or this or that . . .

. . . The point is that Free & Peters believes in Service as a fact—not as a figure of speech. Otherwise how could we expect to continue pioneering, here in this group of pioneer radio-station representatives?
Nets Prepare to Operate Under New Rules

United Front Presented on Appeal to Congress for New Legislation

STUNNED by severity of the Supreme Court opinion upholding the right of the FCC to regulate practically everything that is radio, all networks are in the throes of contract renegotiations with their affiliates, in conformity with the chain-monopoly regulations, to meet the June 14 effective date. At the same time, however, the industry girded for a last-ditch effort for prompt enactment of legislation along the lines of the White-Wheeler bill (S-814) to limit and clearly define the FCC's jurisdiction.

Chance of Delay

The 5-2 ruling of the Supreme Court May 10 was not expected to wreak havoc overnight in the industry. Although FCC Chairman James Lawrence Fly said last Thursday that the June 14 effective date would not be postponed, reports persisted that a later date might ensue, either by FCC consent, through further court action, or possibly upon suggestion of appropriate Congressional committees. The desire is to allow for an orderly transition. If no postponement is forthcoming, it is expected the networks promptly will notify their affiliates that all contracts are revised in accordance with the terms of the regulations.

Chairman Fly said Thursday, after numerous questions regarding postponement had been raised:

"I want to correct any such misapprehension. The enforcement of the chain broadcasting regulations has already, as the result of litigation, been postponed over a year and a half since they were promulgated in their present form. The effective date of the regulations is now stayed by Supreme Court order until 10 days after its mandate goes to the lower court, or, in normal course, until June 14. The Commission has no intention of delaying their effective date further. A full month thus remains for stations and networks to make necessary adjustments of contracts."

The Fly statement occasioned considerable surprise, since it had been generally understood conferences would be held forthwith, looking toward an orderly transition from existing methods of operation. Chairman Fly, however, was represented as feeling that the Supreme Court decision constituted the last chapter in the five-year-old controversy and that no further delay should be entailed. Moreover, he evinced disappointment over the industry's decision to press for legislation. Evidently he feels there should be no conferences with the industry unless the legislative campaign is dropped. A delay in the regulations, it appears, can come only through normal legal processes or by way of Congressional demand. An avowed opponent of new legislation now, Chairman Fly, however, on June 25, 1942, asserted that if the FCC lost in the courts, he would seek new legislation to give the FCC added authority. His refusal to confer with the networks or even consider a postponement appeared to be at odds with the expression of the Supreme Court majority that the Commission "did not bind itself inflexibly to the licensing policies expressed in the regulations."

Sponsorship of 'Uncle Sam' Is Ordered Stopped July 31

OWL's 'Uncle Sam' series of 15-minute transcriptions will not be available for local sponsorship after July 30, Don Stauffer, chief of the Radio Bureau, notified stations last weekend, announcing that a revised program for sustaining use only would be distributed about August 1.

Wanted Name Stars

Change in the 'Uncle Sam' series was brought about, Mr. Stauffer said, after many stations had expressed disappointment at the lack of big name stars in the series. Mr. Stauffer said that services of these stars could not be obtained due to the fact that local sponsorship of 'Uncle Sam' had been permitted.

Expressing regret that withdrawal of the program would hurt about 250 stations which had obtained sponsors for the five-weekly series, officials of the Radio Bureau pointed out that 'Uncle Sam' is used on 820 stations. They said the majority wanted the improved type of program, which could not be had on a local sponsorship basis.

The new 'Uncle Sam' programs, Mr. Stauffer explained, will consist of only two programs weekly. They will use top ranking stars and will use familiar radio appeals that assure larger listening audiences. Advances and promotion material will precede each program.

Withdrawal of 'Uncle Sam' from local sponsorship has been approved by top officials of OWL. Mr. Stauffer said Friday. Officials of the agency earlier this month had said there was little chance that the Government would act favorably on a suggestion advanced at the NAB War Conference urging increased production of programs for local sponsorship (Broadcasting, May 10).

OWL's action in abandoning —

(Continued on page 56)

The majority opinion, handed down by Justice Frankfurter, was the most devastating blow yet struck upon radio's freedom of action. Aside from the effect it will have upon the dominant position of networks and their relations with stations, the opinion is of such magnitude and breadth as to cover several controverted issues affecting the FCC's regulatory powers.

In the majority opinion there is inferred judgment against multiple ownership of stations in the same locality. There is also implied control in the FCC over program content. Broad discretion is conferred on ownership aspects, which may have a bearing on the explosive issue of newspaper ownership of stations.

The regulations adjudged by the Supreme Court majority to be within the authority given the FCC by Congress were those as modified by the Commission Oct. 11, 1941. In essence, they are stripped down to the vital issue of option time, with the automatically-drawn-in effect of non-exclusive affiliations. Stations, however, could contract for first call on the time of particular networks, with contracts to run for not longer than two years—the FCC license term. In effect, every station becomes a free agent, since no network may exclusively option time on a given outlet.

Conferences Awaited

The "non-exclusive" options, regarded as no options at all, are exercisable, under the regulations, on 56 days' notice instead of 28.

The other rules were postponed by the FCC when it issued its revised regulations in latter 1941. It was from these regulations that CBS and NBC appealed, first to a statutory three-judge court in New York and then, after that court had upheld the Commission, to the highest tribunal.

In anticipation of developments, the networks some time ago appointed advisory committees which have met regularly with network officials. Station relations operations also have been enlarged, on the assumption that good-will and team work largely must displace rigid contractual aspects in maintaining efficient network performance, program clearance and sustaining program service.

While the five-year battle over...
the chain-monopoly regulations has oftentimes been tinged with acrimony, there was little rancor in evidence following the Supreme Court opinion. There was no immediate threat of a protracted struggle over the new industry, though the major networks clung to their view that radio over-all is destined to suffer on the long haul. All were agreed that the practical effect of the decision would stem wholly from the kind of administration given them.

Despite the FV statement, it was expected network heads shortly would begin conferences regarding enforcement of the rules, possible extension of time, and probable revision of the provision offered for the wars duration, lest there be an adverse effect on time clearance for sustaining programs, which these days almost without exception are tied into the war effort.

Presidents Niles Trammell, of NBC, and William S. Paley, of CBS, have repeatedly contended that application of the regulations would be ill-in timed in view of the stage of sustaining programs and result in destructive competition which could mean only deterioration of overall service. It is thought the FCC will not make a decision in the light of wartime conditions.

Legislative Plans

The all-out effort for remedial legislation, which is proceeding simultaneously with the Supreme Court's ruling, has been under way for several weeks. Under the leadership of Senator J. W. Miller, a group of industry representatives conferred in Washington several times last week and agreed that the White-Wheeler measure shall be supported. Hearings are scheduled to get under way on that bill before a five-man subcommittee headed by Senator Wheeler (D-Mont.) on May 15. The industry is expected to go forward in much the same way through the NAB, the Federal Communications Bar Assn., NBC, CBS, and probably other groups.

Promptly after the decision was handed down, Mr. Miller, along with the FCC emerged victorious in the Supreme Court fight, will foster new legislation was not indicated, but the conciliatory statement of Miller McClintock, recently named president of that network, was favorably received. While Mr. McClintock welcomed application of the rules "without apprehension" and stressed the need for sustaining the other common carrier activities. The functions of the Commission would be clearly delineated, eliminating all doubt as to the Congressional intent. Senator White, who was in collaboration with Chairman Wheeler, drafted the measure, is understood to be considering further changes dealing directly with the network issues and eliminating any semblance of FCC control over contractual relations between networks and affiliations.

While the only fundamental question involved in the network appeals was that of jurisdiction of the FCC, Mr. White has been dealing with works by affiliates, Justice Frankfurter went far afield in covering the scope of FCC jurisdiction and the Congressional intent. Although such observations and comments are regarded as dicta, not having a direct bearing on the issue before the tribunal, they nevertheless are pondered from time to time. The judicial trend conferring more and more authority on administrative agencies.

Broad in Scope

The court's ruling was admittedly a smashing victory for the FCC. There were no signs, however, of exuberance around the Commission following the decision, presumably because of the split court vote and the virtual mandate by both major and minority of the court that the proper forum for the industry is Congress. Moreover, it was generally felt that the FCC ruling, because of its revolutionary character, would galvanize Congress into action.

The powerfully-worded dissenting opinion of Justice Murphy, concurred in by Justice Roberts, also curbed FCC enthusiasm.

FCC-DCB Chairman Flye has stepped up efforts toward revision of the Communications Act, despite its ancient vintage. The radio portion of the existing Act was written in 1927—"at a time when broadcasting was just getting under way. Chairman Flye, who has conferred intermittently with the network heads regarding or otherwise in connection with the regulations, even in their present form, evidently has urged against any legislative steps. He repeatedly has expressed a desire for every efforts to foster new legislation, presumably on the ground that the courts would decide the issue with finality.

Capital Meeting

At a meeting in Washington last Tuesday, called by President Miller, the legislative picture was canvassed, with legislation the Supreme Court's ruling. Present, in addition to Mr. Miller, were C. M. Russell, NBC Washington vice-president; William S. Paley, of CBS, Washington; Earl C. Gammons, CBS Washington director; Joseph H. Ream, CBS vice-president and

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BROADCASTING • Broadcast Advertising
Nets Receive Decision Blow Calmly

‘Status Quo to Go On.’
‘Up to Stations’

Are Comments

WORD of the Supreme Court decision upholding the authority of the FCC to issue its network monopoly regulations was received calmly by the nationwide networks. NBC and CBS, which had instituted the court action in an attempt to enjoin the Commission from putting the rules into force, notified their affiliates that it will be some time before the new rules can be put into effect and that they will notify the stations of necessary contract changes before that time.

Mutual, which had sided with the FCC, sent to its affiliates copies of a statement given to the press by the network’s president, Miller McClintock, pledging the network’s cooperation with the FCC and the broadcasting industry. [See Page 24].

Practical Effect

Memorandum of CBS president William S. Paley to his network pointed out that because the practical effect of the rules will depend on the way they are administered, “we plan to confer with the Commission and determine, if possible, the explicit interpretation which will be placed upon each rule in connection with our present operations and contract relationships with stations” [See Page 22].

Niles Tramel, NBC president, sent the following message to NBC stations: “The United States Supreme Court in a decision rendered today (May 10) held that the FCC was within its jurisdiction in the promulgation of long contented network regulations. These regulations cannot go into effect earlier than ten days from the filing of the mandate of the Supreme Court with the three-judge Federal court which originally heard the case. Before the regulations go into effect we will advise you of any necessary contract changes to be made with periodic and spot advertisers. You may rest assured that every effort will be made on the part of your network to keep broadcasting functioning efficiently.”

In a press release, Mr. Tramel pointed out the “grave responsibility” of the Commission is so to administer its rules as to enable the continuation of “a satisfactory service to the public” [See Page 20].

The BLUE Network alone issued no public statement on the decision, but in the weekly closed channel talk with its stations the BLUE executives pointed out that the BLUE had been organized as a separate network company after the FCC had announced the new rules and had operated with the knowledge that these rules might some day be put into effect.

The stations were reminded that their future lay not in the rules the future can be best assured by affiliation with a strong network and that the cooperation between the network and its stations which has been mutually profitable in the past should continue so in the future.

This danger of special supernetworks not now stressed by the American Ass’n of Advertising Agencies and the Ass’n of National Advertisers in their briefs submitted to the Supreme Court is supported by the opposition of NBC and CBS to the FCC rulings [BROADCASTING, Jan. 25, Feb. 8]. Neither of these organizations would comment on the decision last week. It was understood that the NBC advertising director of the AAAA, said: “The brief is our statement. I don’t think we feel any differently now than we did then.”

Private Net Problems

Nor was any comment forthcoming from any national advertiser or agency. It is common knowledge that the possibility under the new regulations for the formation of such private networks has been discussed in the past but a number of leading agencies contacted by BROADCASTING last week unanimously denied any present plans for new networks.

The present network system has worked out profitably for themselves and their clients, they said, and there would be a big risk in changing from the tried and tested system. In any event, it was pointed out that even an individual network would require building up new departments to handle its operations, an almost impossible task in view of the great change of personnel. The consensus seemed to be that unless application of FCC regulations of itself so upsets normal network operations as to necessitate such a move, it was unlikely any advertiser or agency would initiate it, in the near future, at least.

Effects of the rulings have already been mitigated to a considerable extent. All networks have organized affiliate boards which meet periodically and network executives to work out mutual problems, giving the affiliates a voice in the formation of network policies. All networks have also instituted full-network plans which have induced many national advertisers to place their network programs on small or isolated stations that formerly included on their network schedules, to the profit of these affiliates, which will not be apt to be repressed from these plans by angling for business from other networks.

Effect of Rules

Of the eight rules promulgated by the Commission, no network is currently affected by those guaranteeing the stations the right to reject network programs or to establish their own natal time rates. The rule banning operation of two networks by a single organization has been suspended following the separation of the BLUE from NBC. CBS alone would be affected by the rule prohibiting the requirement that an affiliate agree to take no programs from another network, and the converse rule against a station’s requiring territorial exclusivity from its network would affect CBS and MBS.

Restriction of network ownership of stations in cities where there are not enough stations to permit all four networks to have independent stations, or that an affiliate would require CBS to discontinue WBT, Charlotte, and might, if broadly interpreted, result in the sale of other network-owned stations in markets where these outlets are the dominating stations. All networks would be affected by the limitation of station contracts to a two-year period.

Chief difficulties in operation under the new rules, however, would result from the one limiting network option of station time to restricted hours and making those limited options non-exclusive against other networks, as well as lengthening the recall time from 26% to 39% of schedules. It is this rule which might conceivably lead to the breakdown of consistent network affiliations and to the establishment of special private super-networks.

Industry opinion in New York is generally that the status quo will be continued for some time. In view of the changed conditions since the rules were first laid down two years ago, it is believed the Commission will not put the regulations into effect without conferring with network executives.

Station relations executives generally agreed that the effect of the new regulations will depend largely on the attitude of the stations. Pointing out that the rules do not require stations to take programs from other networks, although enabling them to do so, they expressed the belief that most of their affiliates would pass up such offers, realizing that the ultimate effect of accepting them would be to weaken or possibly destroy the present network formula which has proved so profitable for networks, stations and advertisers alike.

It should be obvious, they said, that if stations consistently and in large numbers reject network prestige sustaining programs, such as major symphony orchestras or public forums, in favor of outside commercial shows, the networks will be forced to discontinue their public service features and disintegrate the system.

These network executives also agreed that by and large their affiliates would be less susceptible to the offerings of other networks than they would be to proposals from national advertisers or advertising agencies who might attempt to set up their own networks of major market stations by contract.

Personna on WJZ

Summer Show Lineup Resembles 1942

War Affecting Decisions Of Some Sponsors This Year

AMERICA’S second war summer will show little change as far as network schedules are concerned from last year’s warm weather fare. Listeners will find some favorites taking the hiatus to which contracts entitle them; others may be replaced as in the past.

The war, however, has effected decisions by some advertisers. Many agencies reported conferences with their clients in progress last week or scheduled for the coming fortnight to decide on possible summer replacements or whether to discontinue until fall.

NBC Most Definite

NBC seemed most definite on its summer schedule with the following sponsors pretty well assured last week of continuing their programs without a summer break: American Tobacco Co., Kay Sera, Your All Time Hit Parade; Bell Telephone System, Telephone Hour; Cities Service Concert; E. I. Du Pont de Nemours Co., Casablanca; Emerson Drug Co., Ellery Queen; Firestone Tire & Rubber Co., Voice of Firestone; General Electric Co., Hour of Charm; Kraft Cheese Co., Music Hall; Molle Co., Battle of the Seesaw; Philip Morris & Co. & Co., Ginny Simms; R. J. Reynolds Tobacco Co., Garry Moore Show, with Jimmy Durante expected to drop out of the program. Sponsors: W. B. Jenkins, Inc., Rudy Vallée, Time, Inc., March of Time; Westminster Mfg. Co., Westminster program.

General Foods Corp. has announced its plans for Jack Benny’s vacation May 30 to Sept. 26 with Those We Love currently on CBS, as the fill-in. The company will give its Maxwell House Coffee Two weeks’ worth of Lenten work hiatus, starting July 3; The Aldrich Family probably a four-week vacation, but has not yet designated replacements for either. Standard Brands will take the Chase & Sanborn Hour off NBC May 30 to give Edgar Bergan an opportunity to tour army camps. A musical program, rumored to feature Paul Whiteman’s orchestra, is slated to take its place.

Ruthrauff & Ryan has purchased a package program entitled That’s Life with Fred Brady to replace Bob Burns for Lever Bros. Co., effective July 8. The 13-week series will feature Brady, M-G-M comedian, with other comics doing guest spots. The show on NBC, Tommy Riggs & Betty Lou, may go off, as Riggs expects to go in the army. This is not definite. Eddie Cantor leaves the network June 30 until fall. Bristol-Meyers Co. will replace him with A Date With Judy. Procter & Gamble Co. will give Ralph Edwards and Truth or Consequences a two-month respite starting June 26, and plans no replacement.

Information Please will take off NBC by R. H. Heinz Co. July 12 for an eight-week vacation with no substitute planned. Bob Hope is expected to go to London with some of the cast of his Pepsodent Co. show after looking June 29 broadcast. It is rumored that Johnny Mercer and Freddick Stacy may be signed for the summer.

Kraft Products’ Cabaret show, Abe's Irish Rose, is uncertain. Raleigh's Red Skelton show will be replaced effective June 7 by Beat the Band as a summer test. Show will be m.e.d. by Hildegarde and be a music quiz. If successful it will continue next fall, according to the agency, Russell M. Seeds Co., Chicago. Alex Moore's Chicago Co. June 27 continues The Great Gildersleeves, Sundays at 4:30, for eight weeks.

Shows to stay on the BLUE so far include Coca Cola Co., Victory Bands, Morton Downey; Carter Products, Inner Sanctum Mysteries; Ironized Yeast, Good Will Hour; Andrew Jergens Co., Chamber Music Society; Dr. Earle S. Sloan, Gangbusters.

Bristol-Myers will replace Duffy's with Haven MacQuarrie's Noah Webster Says, effective July 6. J. Walter Thompson is replacing W. H. Williams’ Co.'s True or False, which goes off the BLUE the end of June. Dubonnet may extend Alec Templeton's five-minute weekly series to a half-hour, while M-G-M is looking for a replacement for Victor Borge, currently in Hollywood, but who will go in the army.

Jergens will make up its mind on Walter Winchell for summer and next year's option, probably within two weeks. Indefinite as to continuation or replacement are Ford Motor Co., Watch the World Go By; American Cigarette & Cigar Co., Gracie Fields, may return to England; Miles Laboratories, Quiz Kids, and Wheeling Steel Corp., Musical Steelmakers.

CBS shows due to continue are American Tea Co., R. J. Reynolds Camel Parade; Armstrong Cork Co., Theatre of Today; P. Ballantine & Sons, Three Ring Time; Campbell Soup Co., Radio Readers Digest; General Foods, Adventures of Thin Man; Gulf Oil Corp., We, The People; Lady Esther, Screen Guild Players; Prudential Insurance Co. of America, Family Hour with a possible shift in talent; R. J. Reynolds Tobacco Co., Blondie, Thanks To The Yanks; Schenley Import Corp., Heats’ thrice-weekly news on Pabst Sales Co., Blue Ribbon Town.

Fred Allen Goes Off

Although Texas Co. is taking Fred Allen off CBS June 27, the company has not yet decided whether a musical show starring James Melton and Al Goodman’s orchestra will replace. Campbell Soup is taking the Milton Berle out of the Wednesday 9:30-10:30 period on CBS, replacing with a program built around Jack Carson, June 2. The Lux Radio Theatre goes off CBS July 12, to return for Lever, Sept. 13. E. R. Squibb & Sons will substitute another morale-building show for Keep Working, Keep Singing, America. "Ghost Shift" goes off May 21, with fall return undecided. General Electric Co. will discontinue Frazier Fisk show, and NBC will replace B. F. Keith’s Grapevine, which may return June 2. Overall, 13 Liberty Magazine's Ghost Shift goes off May 21, with fall return undecided. General Electric Co. will discontinue Frazier Fisk show, and NBC will replace B. F. Keith’s Grapevine, which may return June 2. Overall, 13 Liberty Magazine's Ghost Shift goes off May 21, with fall return undecided. General Electric Co. will discontinue Frazier Fisk show, and NBC will replace B. F. Keith’s Grapevine, which may return June 2. Overall, 13 Liberty Magazine's Ghost Shift goes off May 21, with fall return undecided.

No plans have been announced for Colgate-Palmolive-Peet Co.'s Al Jolson, R. J. Reynolds Camel Caravan; Corn Products' Stage Door Canteen; General Food’s Kate Smith; Ironized Yeast’s Lights Out, or Lever Bros. Mayor of Our

Summer Schedule Of General Mills

Lines Up News Broadcasts and Continues Child Programs

ALTHOUGH General Mills, Minneapolis, is not sponsoring broadcasts of ball games this year, the company has been lining up new programs for the network and spot basis for Wheaties through Knox Reeves Adv., Minneapolis. On May 7, G-M started sponsorship of John Gunther’s hour commentary on NBC the first Friday and Saturday evenings at 10:10-10:55 on 59 BLUE stations, while an unraveled number of stations are carrying local news casts in the G-M sponsorship for Wheaties. Contract for the John Gunther series is for 26 weeks.

Juvenile Series

For the first time, General Mills is continuing through the summer, although on a partial basis, with its two children’s programs on the BLUE, Jack Armstrong and the 10-15 Wheelie Boys, Mondays on Wheaties Monday through Friday at 5:30 (three repeats at 6:30, 7:30, and 8:30); and the Lone Ranger, now heard on 44 stations on Mutual, Wednesdays through Fridays at 7:30-8 p.m. for Kix.

Effective May 31, however, for 13 weeks throughout the summer, G-M will sponsor Jack Armstrong on Tuesdays and Thursdays and the Wheelie Boys will be carried sustaining on Mondays, Wednesdays, and Fridays. The Lone Ranger, effective June 2 will be sponsored by G-M Wednesdays and Fridays and broadcast sustaining on Mondays.

Under terms of a 52-week renewal contract effective May 31 full sponsorship of both shows will be resumed in the fall. Blackett-Semple Hummert, Chicago, is agency for Kix, while Knox Reeves handles Wheaties.

Town. Lever plans to replace Burns & Allen June 29.

Lutheran Laymen’s League is planning to continue its hour on Mutual, although in the past it has taken a summer vacation. General Foods has extended its Treasure Hour of Songs Thursday night on Mutual for an additional four weeks through June 3. While Raymond Capper remains in Sweden Paul Sullivan is handling his twice weekly news program sponsored by General Cigar Co. New series recently started on MBS is Pete Card, audience participation show sponsored by Lehr & Fink Products Co. on 204 stations. Details on other Mutual shows, which may be replaced, or go off for the summer, are not yet available.

CBS-Nielsen Contract

CBS has contracted with A. C. Nielsen to continue its continuing arrangement of listening habits, for which the research firm utilizes the Nielsen Electric Fader. Nielsen is now definitely negotiating with NBC, and the BLUE also has the service under consideration.
You Must Have Audience to Get Results . . . And “The Voice of Toledo” Has That Audience.

★ COVERAGE MAPS PROVE IT
★ SURVEYS PROVE IT
★ ADVERTISERS PROVE IT

Years ago WSPD decided that to “get” you must “give”. And in the word “give” we mean:—Service, Top Audience Programs, Public Events, Local Showmanship — truly the finest in radio entertainment! Result? — 21 years of honest-to-goodness work has made the people of this Community more than just WSPD-CONSCIOUS—WSPD is their “Listening Habit”. That’s important!
Durr Demands Cox Dismissal From House Probe Committee
Claims Congressman Has 'Personal Interest' in Proceedings, Criticizes Committee Methods

ANOTHER episode in the controversy provoked by Commissioner Clifford J. Durr, of the FCC, with the House Select Committee to investigate the organization, personnel and activities of the Commission, Durr in dramatic fashion included in his "handout" facsimiles of a $2,500 check issued to Rep. Cox by WALB, Albany, Ga., of Feb. 5, 1943, showing it as in payment for "legal expense." He claimed that Judge Cox, by virtue of his personal interest in WALB, could not properly discharge his duties.

Refused to Answer

The formal petition demanding Judge Cox's disqualification followed the refusal last month of Mr. Durr, who questioned, on matters in his personal financial affairs, copies of which also had been sent other members of the FCC and it is understood had been answered in almost every instance.

Mr. Durr protested the handling of the preliminary inquiry by the commission, asking the counsel, Eugene L. Garey, of New York, and said he was unwilling to testify before the Committee and certainly not before Congressman Cox or Mr. Garey, in the capacity of counsel. He was unwilling to furnish the Committee staff any further information unless and until the House, with a full knowledge of the facts, indicates its desire that the Committee, as now constituted, should continue with the investigation, or indicate it does not "deem such facts are of sufficient importance to warrant its attention." If the House so indicates, Mr. Durr said he would appear and answer all questions.

President Roosevelt, asked at his press conference last Friday about the Cox incident and the failure of the Dept. of Justice to act, said he was not aware of it. He commented he had heard something about the case in the past but had no new information.

Speaker Rayburn made no comment after receipt of the petition. He referred it to the Select Committee on the Judiciary. Judge Cox, however, remarked:

"Nowhere does Durr disclose that the resolution to investigate the Commission was pending long before the Committee's request to me. We (the Committee) are not going to approach you in such a manner as this. We are going to wait until all our investigative material is collected and then we will start hearings in an open and orderly manner. These boys down at the FCC have just waked up and discovered that they are being investigated. Congress could disqualify me if it wanted. The question is whether Congress will."

Garey Silent

Mr. Garey maintained his policy of no public discussion of the inquiry until public hearings are held. It was generally presumed, however, that Mr. Durr, as the Commission's newest member, was carrying the burden of the controver- sily provoked by the Congressman.

Mr. Durr has understood, to the pending Deficiency Appropriation Bill.

In addition to the petition (full text, herewith,) Mr. Durr addressed an identical letter to the five members of the Committee, a request that the petition be made available to him and also opposed its admission.

TEXT OF DURR PETITION

Text of petition filed with Speaker Rayburn seeking disqualification of Rep. Cox (D.-Ga.) as chairman of the select committee to investigate the FCC:

1. Clifford J. Durr, a citizen of the United States and a duly qualified member of the FCC (hereinafter sometimes referred to as the "Commission") has filed a request with the Hon. E. E. Cox to be disqualified by said House as a member of its Select Committee to investigate the proceeding pursuant to House Resolution 21, 78th Congress, 1st Session, entered by the House into its rules on March 31, 1943, which resolution in its findings and the resulting activities of the Federal Communications Commission, for the following reasons:

1. That said E. E. Cox has a personal interest in the investigation authorized by such resolution in that:

(a) Such resolution was introduced by the said E. E. Cox and he was at the time of the introduction of such resolution and at the time of the approval thereof in receipt of over $2,500 aggregate par value of stock of Albany Herald Broadcasting Co. and, so far as petitioner has been able to ascertain, is still the recipient of dividends on such stock by reason of the renewal of such license to the said E. E. Cox in connection with the said radio broadcasting activities of the said E. E. Cox in the said Albany, Ga., area and that the petitioner is, or has been, interested in the said stock as he claims that the said E. E. Cox, in introducing such resolution into the House, has a personal interest in such resolution in that:

(b) The $2,500 of stock above referred to was purchased by the said E. E. Cox with the proceeds of a check in the amount of $2,500 issued by Albany Herald Broadcasting Co. to the said E. E. Cox accompanied by a voucher stating that said check was in payment of "legal expenses"; the Commission being of the opinion that such information should be submitted to the Department of Justice for a determination as to whether or not such payment was made for services rendered to the said E. E. Cox and that the said E. E. Cox was bound to endeavor to secure favorable action in connection with application for renewal of the S.C. Commission's license to said broadcasting station and was urged by the said E. E. Cox, himself, to take action in connection with the said renewal; the said renewal application had been transferred to the Attorney General of the United States, the said E. E. Cox was, pursuant to the said application, duly reported to the Attorney General of the United States for appropriate action; so far as petitioner is advised such matter is still under consideration by the Attorney General.

In his remarks in support of House Resolution 21 Congressman Cox stated on the floor of the House on Jan. 19, 1943:

"Mr. Speaker: I am this morning bringing to you a matter in which I am most deeply interested and in which I have the deepest personal interest."

2. That the said E. E. Cox, prior to the beginnings of this investigation, the Commission had already precluded and condemned the Commission, its personnel and the extreme example of itself to be biased, prejudiced, and that it is impossible to serve the public interest, demands in the requisites for a member of such Committee in that, in a speech on the floor of the House on May 10, 1943, in support of Resolution 21, accused the Select Committee of "a nest of rats to be found in this entire country and a nest of Reds"; and that in a number of subsequent public pronouncements, particularly on the Senate, in temperate language, the Commission, its personnel and officers, and its work, have been denominated as "personal interest," and the members of the Committee or of Congress would receive all the information that they should.

Moreover, he said certain specific inquiries, such as calling Commissioner staff before the Committee to call for information of an entirely personal nature, in which he assumed the members of the Committee were not interested.

Removal of Files

"In addition to these objections to inquiries addressed to me individually, I have also opposed the action of the Committee staff in permitting the carrying away of truck of Commission files when time was not allowed even to list them; it is important to see to it that irreplaceable Government records were properly received," Mr. Durr said. (Presumably he referred to the confidential minutes of Committee meetings taken over by the coommittee, along with other official files [BROADCASTING, May 10]).

Mr. Durr asserted that a further incident had arisen. He said Dr. Robert D. Leigh, director of the FCC's Foreign Broadcast Intelligence Service, called in by the Committee last Monday (May 10) and asked to testify with no member of the Committee present. Mr. Durr repeatedly, however, refused to testify in closed hearing with only one member of the Committee present—Judge Cox. While Mr. Durr's letter did not say so, it was learned that Judge Cox was in sympathy and that Dr. Leigh was questioned at length regarding activities of his bureau, and the failure of the FCC to follow the Congressional instruction that Dr. Goodwin Watson and William E. Dodd Jr., FBIS employees, be discharged for alleged Commie sympathies. Such action was made by the House Appropriations Committee last month, but the FCC, by a 4-3 vote, refused to discharge the men. There is still opposition being considered in the House, with renewed demand expected for the discharge.

Contempt Considered

Also reported but not related in the Durr letter was the fact that Mr. Garey called Chairman Fly regarding Dr. Leigh's refusal to testify unless a transcription was supplied. On the telephone exchange, Chairman Fly was told that the Committee would not release transcript and that witnesses would be served if they did not testify voluntarily. The extreme measure of citing witnesses for contempt of the House has been under consideration in connection with such cases.

Commissioner Durr said in his letter that the incident and the requirement that witnesses testify behind closed doors before Congress alone "raises an issue even more fundamental than the procedure previously adopted, and

(Continued on page 58)
The Truth Shall Make Them Free

Across the seas, over the desert, through battle itself, short-wave radio brings the truth to untold millions. The hunted people in occupied Europe listen for its words of hope and promise. Neighbor nations renew their confidence in our friendship. The whole world is drawn towards a free, tolerant, united world-to-come. • Short-wave Station WBOS, Boston, Westinghouse owned and operated, and dedicated to the Four Freedoms, represents 22 years of Westinghouse development in international short-wave broadcast. Here in America, the same crystal-clear transmission of trustworthy programs makes Westinghouse standard broadcast stations popular with audiences and sponsors alike.
Battery Production Better, Says WPB

April Rate Was 425,000 with Goal of Two Bs Per Set

BATTERIES for farm-type radios were produced at a rate of 425,000 a month in April, the WPB Consumers Defense Committee reported Friday, noting that the present output is more than double the rate of mid-March when a serious shortage of B Batteries was reported.

Cautions that circumstances may prevent fulfillment of its plans, WPB said that it hopes to provide two batteries per set for every radio set, although only 1.4 batteries had been available in 1941. Increased supply of batteries per set was necessary, WPB said, in recognition of greater reliance of farmers on their radios. The statement estimated that rural sets now operate two hours more daily than before the war.

Sets Out of Operation

Stepped up production was arranged, the division said, when it was found that sets were going out of production. For the month of February, WPB had admitted, only 200,000 batteries were made. [BROADCASTING, March 29].

The present production rate, 425,000 monthly, is 50,000 more than the average monthly output for 1941 when 1.4 batteries were made for each set. Even allowing for the increased materials now in use, WPB said the April rate meant 1.62 batteries per set.

Despite these encouraging reports, the division said undue optimism was unwarranted since two factors could easily prevent attainment of the two-battery-per-set goal. The first, the statement explained, was the abnormal backlog of requirements that had piled up in the last six months.

Second, the statement warned, was the computing that the production rate could be maintained since prior claimants, including Army and Navy, might need facilities, manpower and critical materials involved.

A DEPARTMENT STORE'S RECORD

Daily Quarter-Hour on KMBC, Kansas City, Boosts

John Taylor Dry Goods Sales

WITH NO CHANGE in title, program format or personnel, Joanne Taylor, a retail promotion show, enters its eleventh year of successful selling on KMBC, Kansas City, for John Taylor Dry Goods Co.

More than ten years ago, the program was a bright idea in the brain of Maj. H. Kenneth Taylor, vice-president of the Kansas City firm, in active service, and Fred M. Lee, general manager. Why not a dramatized presentation of store news? So they chose a Monday-through-Friday mid-morning time when the women of Kansas City at their household tasks could tune in conveniently for shopping news.

The 15-minute programs have an institutional flavor and practical results. Ostensibly presented as a service to Kansas City women who have known John Taylor's as a shopping center for 62 years, the feature promotes the sale of specific radio and other merchandise. Seeing the program, a shopping office of "Joanne Taylor" where the store's "shopper" and others of the personnel carry on gossipy, informal conversation. During the course of the broadcast, merchandise is described in detail and prices given as it is shown to friends and customers who "shop in." According to the store's executives, the program has not only been selling goods for the last decade but has won new customers. Today, in the face of wartime shortages, it spreads good will and develops customer cooperation. Patriotic and civic efforts also have their place on the program—Red Cross, War Bonds, blood donor drives.

Meredith Waer, advertising director of the firm, is in charge of the program, with R. J. Potter-Calkins & Holden agency handling the account.

Producers Jolson-Wooley

ASSUMING additional duties, William L. Lawrence, Pedler & Ryan, producer of the weekly CBS Screen Guild Players sponsored by Lady Esther Ltd. (cosmetics), has taken over production of the Al Jolson-Monty Woolley Show, sponsored by Coit-Palmoive Feet Co. (toothpowder) on that network, for the remaining weeks of the season. He replaced Bill Backen, former producer of Sherman & Marquette, who resigned to devote full time to his motion picture commitments.

Stan-B on 29

A TOTAL of 29 stations will be used by Standard Brands Inc., New York, in a drive for the new vitamin product, Stan-B, starting in six West Coast stations May 17 [BROADCASTING, April 19]. Spot schedule calls for 15 transcribed one-minute announcements weekly on the following stations: KTKA KOW KSN KTUC KYOA KVM KGLL KNX KFI KHJ KWQ KPO KFRC KMJ KARM KFBR RWG KEX KSL KDYL KUTF KFPY KHG KGA KIRU KIO KJR KOL KMG. Agency is Ted Bates Inc., New York.

Boy Scout organisations are being wooed with glib announcements with wartime appeal for local use on stations carrying Mutual's Superman on a sustaining basis, until Kellogg Co. completes expansion of its sponsorship to the full network June 21.

Hammond-Calumet Corp.

Placed in Receivership

HAMMOND Calumet Broadcasting Company, Hammond, Ind., operators of WJWC, Hammond, went off the air last February, has been placed in receivership by the County Court of Chicagoland on petition of Marshall Field 3d, who filed suit for $200,000 loaned to the corporation as a majority stockholder of the corporation. The majority interest is held by John W. Clarke, Chicago investment broker, who has been commissioned as a major in the Army and is to be stationed at Charlotteville, Va.

Two attorneys of Hammond, Ind., has been appointed receiver, and Wm. R. Cline, who was manager of the radio station, and is a vice-president of the corporation, has been retained to liquidate the property. Among the remaining assets of the WJWC transmitter, two towers, speech input system and other equipment. Stockholders' alignment of the corporation is: John W. Clarke, 51%; Dr. G. E. Courrier, Elgin Minister and original stockholder, 4%; Marshall Field 3d and Doris Keane, former manager, 4% each.

Stauffer to L. A.

OUTLINING future OWI plans, W. L. Stauffer, chairman of radio bureau, that organisation will address combined writer, talent, network executive and agency production people of the Hollywood radio industry, during a meeting at NBC studios, that city, on May 29. It will be accompanied by Phil Cohen, his assistant and Washington deputy chief. Later on, OWI will appear in radio. Mr. Stauffer will meet with Hollywood radio section executive committee of the Advertising Council on May 25.

E' Award Broadcast

ARMY-NAVY "E" award ceremony was given at Loogooles, Ind., was broadcast May 15 by WL, Cincinnati, and fed by WIRE, Indianapolis; WAQ, Vincennes; WNBO, Terre Haute, and WLS, Chicago. The governor, Army and Navy representatives, and dignitaries of the city appeared on the program. Broadcast was handled by Gordon Graham, assistant to James Casidy, WLW-WSAI special events director.

Fur Shop Disc Series

PENN FIFTH AVE., New York fur store, is calling attention to its new and enlarged shop in a series of on-the-spot announcements on WHN and WNEW, New York. Campaign started April 28. Firm is new to radio, and plans to add about 12 stations a week. First campaign is successful. Agency is Lester Harrison Associates, New York.

National 'E' Award

NATIONAL BATTERY Co. will use the full BLUE May 29, for a broadcast from its plant in Depew, N. Y., to announce receipt of the Army-Navy "E" award. Participants will include military officials and Dorothy Thompson, BIBE commentator, who was born in a nearby neighborhood. Agency is Bronson West Adv. Co., St. Paul.
FROM CEDAR RAPIDS to Wrigley Field on an “A” card is a tough haul. The train from Wisconsin Rapids to Comiskey Park is crowded with people traveling on necessary war business. So...

THIS YEAR more than ever before, baseball to millions of fans in metropolitan Chicago and the five state surrounding area is going to mean the WGN baseball broadcasts.

WGN is the only station delivering major league baseball to the people in this entire area.

- 50,000 WATTS
- A CLEAR CHANNEL STATION

A Clear Channel Station

50,000 Watts
720 Kilocycles
AFM and Transcribers at Impasse

Negotiations Failure as Union Demands Boycott

NEGOTIATIONS between the American Federation of Musicians and the owners of transcription companies were discontinued last Thursday evening, after extended discussion had failed to resolve the impasse created by the union's demand that the transcriptions be withdrawn. After consideration by the AFM executive board last Thursday, Mr. Petrillo could not be reached for comment. A union spokesman said negotiations had been temporarily discontinued while each side considered the proposals of the other, but that the meetings might be resumed in three or four weeks. The transcription group issued the following statement:

"Transcribers' Statement

"Representatives of a number of electrical transcription companies have been meeting with the executive board of the AFM since Feb. 11 in an effort to effect a solution of the problems concerned in the strike of musicians against the electrical transcription industry which has been continued since Aug. 1 of last year, a period of more than 9 months. These meetings which started some weeks ago were concluded tonight (May 13) with both sides agreeing that an impasse had been reached. In a meeting last month a proposal was made to the union by the electrical transcription manufacturers that musicians be permitted to resume work on commercial advertising transcriptions with no further restrictions except that they be limited to one or for a single broadcast on a station. "For libraries it was proposed that they resume work on the basis of an increase in the pay of the musicians that would be sufficient to make it possible to return to work. It appears that there is no dispute between the union and the employers on the general subject of wages, hours and working conditions but the only basis on which the Federation is presently prepared to return to work is the limitation that the recordings made be withheld from broadcast by stations deemed at any time unfair by the AFM. This boycott demand was rejected by the transcription companies because of their station and customer relations and its doubtful legality. The meeting was concluded with the understanding that the electrical transcription companies would be available to meet at any time in order to consider new proposals to make which did not involve the boycott principle. The above statement was made by the following companies: Associated Music Publishers Inc., Empire Broadcasting Corp., Lang-Worth Features Programs Inc., Muzak Transcriptions Inc., Radio Recording Inc. of Midwest, WOR Recording Studios and World Broadcasting System."

Club Over Local Station

Effect of compliance with the AFM proposed condition for permitting the reemployment of union members in making music recordings would be to give the AFM practically complete control over any station's supply of transcriptions. This lever could be used to force a station to employ whatever number of staff musicians the local AFM union in the station's community wanted to demand, under the threat of cutting off the station's transcription service.

Industry attorneys have consistently held that a company which had bestowed a clinical boycott upon the AFM would not be subject to a strike because that client had been declared unfair by a union would be guilty of boycott. When the AFM has asked the networks to refuse to work for transcription stations which had been placed on the union's unfair list the networks have declined to cut off service to any station on legal grounds, and many distributors that are not members of the AFM when the AFM has removed remote music pickups from the complete network in order to prevent them reaching a single unfair station. In one instance, when the AFM had ordered its members to stop work on all programs of MBS, studio as well as remote and commercial as well as sustaining, did the union succeed in forcing a network to halt service to an affiliate station. The transcription situation is legally unanswerable. But even if the transcription companies were willing to accept the legal risk, it would be practically impossible for them to submit to a dead transcription library service if the conditions of the sale included the provision that continuation of service to any station would depend on that station remaining on the AFM fair list.

PALMER CONDUCTS CLINICS ON SALES

SERIES of radio clinics based on the book "Radio Salesmanship" is being held by the author, B. J. Palmer, of WKGW, Des Moines, and WOC, Davenport. Sessions are being held free of charge for those who are interested in improving radio copy.

Dates are New York, May 14; Hollywood, May 16, and Chicago, June 7. Hollywood meeting will be in the Terrace room, Roosevelt Hotel, 1499 N. Dearborn Street, and the event in the Roosevelt Hall of the Morrison Hotel. The "school" is in three sessions in each city, at 9 a.m., 12 m., and 2:30 p.m.

Mr. Palmer, as an exponent of "cleaning up" commercial air copy, is able to present his own time and money on the trip.

S. D. Gregory Resigning As Manager of WEAF

SHERMAN D. GREGORY will resign as manager of WEAF, New York, May 22. A successor will not be immediately appointed, according to station officials. Mr. Gregory will announce his future plans shortly.

1938 Mr. Gregory joined KDKA, Pittsburgh, at that time an NBC-sponsored station. He was connected with WOR, New York, Chicago, and Baltimore. In 1939 Mr. Gregory joined the management of WEAF as assistant to Albert J. Palmer, then manager of the station, and in 1940 was appointed manager of WEAF.
WE APOLOGIZE

for any misconceptions which may have been created by our ad on page 57 of the April 26th issue of Broadcasting.

We'd like to make this one point clear.

We are not yet operating in Cleveland.

However, we're working night and day, constructing our 5000 watt transmitter plant. If vim and vigor count we'll soon complete the job.

We won't give you a definite date for the birth, but we are certainly in an interesting condition. Actually, the experts in attendance assure us that the mid-summer breezes from Lake Erie will waft the programs of the new WJW to the eager ears of two million listeners in the Cleveland area.

WJW

BILL O'NEIL, PRESIDENT

Represented by HEADLEY-REED COMPANY
Press Blasts Opinion as Blow To Freedom of Speech, Press

Comment Attacks It as Promoting Law-Making By Commissions

TORRENTS of editorial criticism were loosed upon the majority of the Supreme Court for its decision last Monday, upholding the right of the FCC to regulate broadcasting. Major newspapers and newspapers across the country have editorialized against the decision. The majority opinion, by Justice Frankfurter, is seen by some as a threat to Press freedom.

The Wall Street Journal, the Chicago Tribune, the New York Times, the Washington Post, and the Los Angeles Times have all editorialized against the decision. The Globe-Democrat of Chicago, in an editorial titled "Freedom of the Press," wrote: "The Supreme Court decision is a blow to freedom of the Press and a blow to the public interest in broadcasting."

"The FCC," the editorial continued, "has the job of regulating the airwaves, and it has done a good job. The Court's decision is a blow to the FCC and a blow to the public interest."

The New York Times editorial continued: "The Supreme Court has decided that the FCC does not have the power to regulate broadcasting. This is a blow to the public interest in broadcasting."

The Washington Post editorial wrote: "The Supreme Court has decided that the FCC does not have the power to regulate broadcasting. This is a blow to the public interest in broadcasting."

The Los Angeles Times editorial wrote: "The Supreme Court has decided that the FCC does not have the power to regulate broadcasting. This is a blow to the public interest in broadcasting."

The Globe-Democrat of Chicago editorial continued: "The FCC has a job to do, and it has done a good job. The Supreme Court's decision is a blow to the FCC and a blow to the public interest."
IN ROUND FIGURES, how much would you guess the telephone business — in this country — has spent for additions to its physical equipment — materials, buildings, lines, switchboards, things like that — since the last war?

A hundred million dollars? A billion?

Four and one-half billion dollars have gone into telephone plant and equipment in the 25 years since that time.

And what would you say as to the number of toll calls in this war, compared to the last? You can probably guess that it's more this time, but how much more might surprise you.

More toll and long distance calls were handled in 1942 alone than in three whole years, at the time of World War One.

Then surely, you say, there are more telephones today to handle such an increase as that — and you're right. There are more than twice as many as there were during the last war, and there are more lines, too, and yet there are not enough. And copper, rubber and other materials are too scarce to build more.

These are just a few items about the telephone and the war. Telephone people are in the front rank of the war job here at home, and they are glad that this is so.

\textit{This is a quotation from The Telephone Hour, a regular program heard each Monday night over N.B.C.}

Mr. Justice Frankfurter delivered the opinion of the Court. 

The jurisdiction of the Federal Communications Commission (FCC) is dependent upon regulated private enterprise in discharging the far-reaching role which radio plays in our society, a somewhat detailed exposition of the history of the present controversy and the issues involved is appropriate. These suits were brought on Oct. 30, 1938, 1939, and 1940, to review the Commission's decision of May 2, 1939. We held last Term in Columbia System v. FCC, 340 U. S. 409, 71 S. Ct. 331, 95 L. Ed. 469, that the suit could be maintained under § 402 of the Radio Act of 1927, 43 Stat. 1000, 47 U. S. C. § 402 (a) (incorporating by reference the language of § 402 of the Radio Act of 1927). The hearing was held on Nov. 22, 1933, 38 Stat. 219, 28 U. S. C. § 471, and the decision by which we are dissatisfied was handed down on the merits. 47 F. Supp. 940. The cases are now here on appeal. 28 U. S. C. § 147. Since they raise substantially the same issues and were argued together, we shall deal with both cases in a single opinion.

Inquiry by FCC Into Chain Broadcasting

On March 18, 1938, the Commission approved an investigation to determine whether special regulations appropriate to radio stations engaged in chain broadcasting were required in the "public interest, convenience, or necessity." The Commission's characteristic inquiry was made, inter alia, in the following terms: "We have considered the requirements of the public interest, convenience, and necessity to be served by excluding affiliation and network regulations which are unduly burdensome to chain broadcasters and to the stations under their control ..." 1

Regulations of the chain broadcasting industry were the subject of another investigation. The Commission authorized the broadcast of a program for the "nationwide broadcast" of five Our Gang comedies. The decision was reversed. See 17 F. R. 2553 (1938).
The Inquiry

The committee submitted a report to the Commission on June 12, 1940, stating its findings and recommendations. Thereafter, briefs on behalf of the networks and other interested parties were filed. Full hearings were held on Oct. 25, 1940, and Nov. 18, 1940. The Commission issued proposed regulations which the parties were requested to consider in the oral arguments held on Feb. 1, 1941. The proposed regulations dealt with the same matters as those contained in the report and recommendations eventually adopted by the Commission. On Jan. 2, 1941, each of the national networks filed a supplemental brief discussing at length the question whether the Commission should report the proposed regulations.

The Commission issued its Report on Chain Broadcasting, setting forth its findings and conclusions and proposing regulations. It was not asked to investigate, together with an order abandoning its jurisdiction. With the consent of the parties, the Commission allowed the record to be reopened. The hearing was continued to May 5, 1941. The Commission's findings, conclusions, and recommendations are set forth in its Report, 17 F. R. 2553 (1938).

Regulations of the chain broadcasting industry were not in existence when the network operators began their program on Nov. 12, 1938, to chain, or "radio "report," programs outside their own stations. The network operators were dis- cussing the effect of chain broadcasting upon stations in the same network and upon stations in other networks; practices or agreements in restraint of trade, or in furtherance of a conspiracy in restraint of trade; and the scope of network practices and agreements (including those which are not in restraint of trade) and the extent to which they are being, or are likely to be, carried on regionally, nationally, or through contracts, common ownership, or other methods.

On April 6, 1938, a committee of the Commission was appointed to hold hearings and make recommendations to the full Commission. This committee held hearings for 73 days over a period of six months, from Nov. 15, 1938, to May 19, 1939. Order No. 37, announcing the investigation and specifying the particular matters with which it was to be explored, was published. In the Federal Register, 3 Fed. Reg. 637, and copies of the hearing was published in the Federal Register, 3 Fed. Reg. 637, and copies of the hearings were placed in the Commission's files. Ninety-six witnesses were heard by the committee to testify as to the network ownership, the regional networks, and the effects of network practices. Notices of the hearings were also served to the parties. Station licensees, national and regional networks, and transcription distribution companies were called to appear and give evidence. Other persons who sought to appear were also heard. The hearings were held from Jan. 29 to May 26, 1939.

The evidence covers 27 volumes, including over 5,000 pages of transcriptions, plus 300 exhibits. The testimony of the witnesses and other persons in the networks files more than 6,000 pages, the equivalent of 46 hearings days.

History of Chain Broadcasting Regulations

The committee submitted a report to the Commission on June 12, 1940, stating its findings and recommendations. Thereafter, briefs on behalf of the networks and other interested parties were filed. Full hearings were held on Oct. 25, 1940, and Nov. 18, 1940. The Commission issued proposed regulations which the parties were requested to consider in the oral arguments held on Feb. 1, 1941. The proposed regulations dealt with the same matters as those contained in the report and recommendations eventually adopted by the Commission. On Jan. 2, 1941, each of the national networks filed a supplemental brief discussing at length the question whether the Commission should report the proposed regulations.

The committee held public hearings on the subject of the public interest, convenience, and necessity to be served by excluding affiliation and network regulations which are unduly burdensome to chain broadcasters and to the stations under their control. The Commission agreed with the conclusions of the report and recommendations. The Commission did not adopt the report and recommendations, but it did adopt the proposed regulations and issue them as final regulations.

The greatest possible wisdom in the issuance of regulations which will enable the broadcasters of the nation to continue to render a satisfactory service to the public. I am convinced that unless such wisdom prevails within the Commission, that the people of the United States will be greatly disappointed and that there will be no fundamental laws governing broadcasting so that the American system of broadcasting as we have known it in the past will be destroyed. The Commission issued a report in May 1941 which was reversed by the Supreme Court in August 1941.

I have every confidence that despite the present limitations which are placed on chain broadcasting, the development of the broadcasting industry, that ultimately, either through action of the Commission itself or through Congress, will lead to the greatest possible wisdom in the issuance of regulations which will enable the broadcasters of the nation to continue to render a satisfactory service to the public. I am convinced that unless such wisdom prevails within the Commission, that the people of the United States will be greatly disappointed and that there will be no fundamental laws governing broadcasting so that the American system of broadcasting as we have known it in the past will be destroyed. The Commission issued a report in May 1941 which was reversed by the Supreme Court in August 1941.

The Supreme Court decision

The Supreme Court decision is significant because it has implications for the future regulation of the broadcasting industry. The Court held that the Commission's regulations were invalid because they were not supported by substantial evidence in the record. This means that the Commission's regulations cannot be upheld, and that the industry must operate without the benefit of the regulations that were put in place. This decision has important implications for the future of the broadcasting industry, as the industry must now operate without the guidance of the regulations that were put in place by the Commission.

The decision also has implications for the future of the Supreme Court. The Court has demonstrated that it is willing to interfere with the actions of the Commission, and that it is not afraid to challenge the decisions of the Commission. This is significant because it means that the Court is willing to take an active role in the regulation of the broadcasting industry, and that it is not afraid to challenge the decisions of the Commission.

In conclusion, the Supreme Court decision is significant because it has important implications for the future of the broadcasting industry. The Court has demonstrated that it is willing to interfere with the actions of the Commission, and that it is not afraid to challenge the decisions of the Commission. This is significant because it means that the Court is willing to take an active role in the regulation of the broadcasting industry, and that it is not afraid to challenge the decisions of the Commission.
Today, in the exciting time of war, Canadians enjoy through the CBC News Service bulletins that are dependable, authentic and presented in a clear and unambiguous style.

Here truly is a window on the world...a window that gives Canadians everywhere an accurate and impartial view of the world in action. Five CBC News Bureaux in Toronto, Halifax, Montreal, Winnipeg and Vancouver provide both national and regional services of news bulletins, based on the full newspaper wire services of The Canadian Press (which includes the international dispatches of Associated Press) and the British United Press (which includes the foreign service of the United Press). To 95% of the whole Canadian population...four CBC news bulletins are broadcast daily in each Time Zone. In the preparation of news, accuracy and conciseness are the guiding principles. There is no sensationalism, no false emphasis, no glorification of minor successes, no belittling or over-stressing of enemy victories—a balanced picture of the day's significant events.
public interest are eliminated." (Report, p. 4.)

Eight Network Abuses: (1) Exclusive Affiliation

The Commission found that eight network abuses were amenable to correction within the powers granted it by Congress.

Regulation 3.101—Exclusive affiliation

It was noted that the network affiliation agreements of NBC and CBS customarily contained a clause which limited a station to the station broadcasting the programs of one network. The effect of this provision was to hinder the growth of new networks, to deprive stations of the service to which they were entitled, and to prevent station licensees from exercising a full measure of control in determining which programs would best serve the public interest.

The Commission observed that in areas where all the stations were under exclusive contract to either NBC or CBS, the public was deprived of the opportunity to view programs presented by Mutual. The case cited in the Report: In the fall of 1939 Mutual TV's Pacific Coast stations were the only stations throughout the country, including NBC and CBS stations, that were broadcasting programs having no other stations. CBS and NBC immediately invoked the "exclusive clauses" and entered into contractual arrangements with these stations, and as a result thousands of persons in mutual listener areas were deprived of the opportunity to hear the broadcasts of the Pacific Coast stations.

"Restrictions having this effect", the Commission observed, "are to be condemned and met with a contrary interpretation irrespective of whether it be shown that such provisions were designed to serve the public interest or to the contrary. In the absence of a showing that the exclusive clauses were necessary and sufficient to protect the public interest in the content and scheduling of the programs, the Commission has no power to interpret such provisions in such a manner as to serve the public interest.

(2) Territorial Exclusivity—Not in the Public Interest

Regulation 3.102—Territorial exclusivity. The Commission found that another type of "exclusive" proviso was that the networks frequently granted to one station only the exclusive right to broadcast the World Series baseball games. It offered this program of exclusive rights as an example of the "exclusive clauses" which hindered the growth of new networks.

Regulation 3.104—Exclusive affiliation

The Commission found that the networks had developed, at the expense of their networks, a practice of "optioning" or "granting" to a standard broadcast station an option to broadcast, for a specified number of years, network programs. The determination of which station was entitled to the option was vested in the networks. As the Commission stated: "The network option is based upon the "exclusive clause". The network sees in this the only way to prevent another station serving the public interest. The "option" is a contract. The "exclusive clause" is a contract. The option takes the place of the exclusive clause. The option is not the exclusive clause. But the conclusion reached by the Commission is that the networks have changed the "exclusive clause" to a "network option".

This practice of granting options to stations was found by the Commission to be contrary to the policy of the Act: "Regardless of any changes in the pattern of data or its interpretation, or social life of the Nation or of the community in which it is located, the Commission's rule is fixed. Which stations are and which stations are not affiliated to network programs is a matter of policy and to be determined by the Commission in its discretion. What the public interest requires may change from time to time, and to the extent that the public interest so requires, standards for network affiliation must be altered."

(3) Term of Affiliation—FCC Said Two Years Long Enough

Regulation 3.105—Term of affiliation

Regulation 3.105 promulgated the interpretation that an affiliation contract bound the station for a period of five years. The Commission stated:

"We have found that the public interest is better served by having a specified time period, determined in advance, for the affiliation than by leaving the program or affiliation arrangements to be determined incident to the exercise of editorial and discretion by the networks.

"The five-year period is reasonable and adequate. The networks have already determined that five years is adequate. The Commission finds that the five-year period is a reasonable and adequate time period for the performance of network programs." (Report, p. 321.)

(4) Option Time Clauses—Hindered Local Service

Regulation 3.104—Option time

The Commission found that networks provide that a station may be granted the option to carry network programs for a specific number of years. The station is then given the opportunity to exercise the option to carry the network programs. An option which expires after the specified period is considered expired. The Commission noted that the networks had developed, at the expense of their networks, a practice of "optioning" or "granting" to a standard broadcast station an option to broadcast, for a specified number of years, network programs. The determination of which station was entitled to the option was vested in the networks.

This practice of granting options to stations was found by the Commission to be contrary to the policy of the Act: "Regardless of any changes in the pattern of data or its interpretation, or social life of the Nation or of the community in which it is located, the Commission's rule is fixed. Which stations are and which stations are not affiliated to network programs is a matter of policy and to be determined by the Commission in its discretion. What the public interest requires may change from time to time, and to the extent that the public interest so requires, standards for network affiliation must be altered."

(5) Right to Reject—An Obligation of Licensee

Regulation 3.105—Right to reject programs

The Commission found that most network affiliation contracts contained a public interest clause. The contract commonly provided that the station to reject network commercial programs. The FCC's regulations provided that the station "may reject a network program broadcast during any one of the three hours of network programming on any of its regularly scheduled network programs any one of the three hours of network programming on any of its regularly scheduled network programs if the public interest so requires."

This limiter on the ability of local stations to develop local program service. The Commission stated that "the right to reject is not an absolute right but a limitation on the ability of the licensees to select local program service. The right to reject is not an absolute right but a limitation on the ability of the licensees to select local program service."

(CBS issued no public statement on the Supreme Court decision and the FCC-Netcase, but William S. Paley, president of CBS, made the following statement regarding the decision:

"CBS is issuing no public statement on the Supreme Court decision and the FCC-Netcase Case, but William S. Paley, president of CBS, made the following statement regarding the decision:

"Because the practical effect of the Commission's new rules will depend almost wholly on the ways in which the Commission will confer with the Commission and determine, if possible, the explicit interpretation which will be made of the section concerning the new provisions, it is to be hoped that the Supreme Court will comment on any responsibility for the good or bad faith of the Commission's actions. In any event, our views are more than ever committed that the Commission's areas of definition, the broadcaster's freedom to deal with programs, and the public interest in programs are defined by the Congress in a new radio act."

William S. Paley, President, CBS
IT'S THE WORLD'S WACKIEST PROGRAM
(but how it puts over those spots!)

Toss a circus side show, a jitterbug carnival and some Dead-End kids into a radio studio, and there you have a reasonably exact facsimile of WGAR's popular new program, the "Friendly Open House."

Wayne Mack is master of ceremonies and has cooked up a super-duper method of making live and transcribed commercials a part of the entertainment, introducing them with drama, song, double talk or what-have-you.

Sherlock Holmes or Napoleon may introduce your announcement. Or perhaps Mr. Argus who lives in the attic of "Open House" (rap thrice on the water pipe for me, please) may do the honors. The only certainty is that listeners listen.

Adding to the fun, frivolity and hilarity are Maestro Walberg Brown and the Clevelandaires, the songs of Reg Merridew, and the piano team of Pildner and Wilson—all of whom (in person, ladies and gentlemen) help set the stage for your advertising message.

First choice in Cleveland for many spot buyers, this new radio show that packs a selling punch already has been expanded (now 4:45 to 5:30 P.M. weekdays). Even so, there'll soon be another waiting list. That's why right now is a dandy time to come on over to the "Friendly Open House."
MILLER McCLINTOCK, PRESIDENT, MBS

"FINALLY the radio industry is to have a practical application of the broadcasting rules promulgated by the FCC and confirmed by the Supreme Court. We welcome their application without apprehension.

"The Mutual Broadcasting System pledges its full cooperation to the FCC, to the broadcasting stations of the nation and to the network industry in the fair and businesslike operation of these rules as they now stand or as they may be amended.

"Mutual's position in this matter is predicated upon several fundamental policies:

1. We recognize that the strength of the American system of broadcasting lies in the cooperative relationship between networks and privately owned and competitive broadcasting stations.

Service Facilities

2. We believe that if this private operation is to be perpetuated as an integral part of our business structure and as an essential part of our democratic system of free speech, it must be free from governmental controls which go beyond the requirements of orderly and equitable operation and free from economic controls which impair competitive enterprise.

3. We hold that network operation is not an end in itself but a service facility to the public. It is a program and freely affiliated broadcasting stations assisting such stations in the fuller performance of their duty of serving public necessity and convenience is predicated upon several fundamental policies:

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2. We believe that if this private operation is to be perpetuated as an integral part of our business structure and as an essential part of our democratic system of free speech, it must be free from governmental controls which go beyond the requirements of orderly and equitable operation and free from economic controls which impair competitive enterprise.

4. Consistent with the above principles we stand for such contractual relations between the network organizations and their affiliated stations as will result in the broadest possible program service to the public and in the maintenance of competitive enterprise.

5. Finally, as operators of a national network, we recognize that we are engaged in a private enterprise which is carried on in the public interest, and are therefore right and properly subject to any community controls as may be necessary to serve the public interest.

"We shall continue to contract with such stations for network operation and shall enter into such agreements in the interest of systematic efficiency.

We shall insist upon a meritorious compliance with all contracts entered into under such option agreements.

Sees General Benefit

"We shall without exception or qualification continue to offer to our affiliated stations a first acceptance of all sustaining and commercial programs.

"Where a particular market is requested by an advertiser and Mutual does not have an affiliate in that area, we will offer to an independent station or to a regular affiliate of another network as the advertiser may indicate acceptance by the station in accordance with law.

"It is our belief that such offerings will benefit the public, the stations, the advertisers, and the networks.

"If in any respect the new rules fail to serve the interest of these four parties, Mutual will be among the first to join with the industry and public officials in seeking a more equitable and effective solution.

Regulation 3.106—Network ownership—One license to one owner

Regulation 3.106—Network ownership—One license to one owner

In business it is intelligence that guides safely through clouded situations
Federal regulation of radio\(^2\) begins with the Wireless Ship Act of June 24, 1910, 36 Stat. 629, which forbade any steamer carrying or licensed to carry 50 or more persons to leave any American port unless equipped with efficient apparatus for radio communication, in charge of a skilled operator. The enforcement of this legislation was entrusted to the Secretary of Commerce and Labor, who was in charge of the administration of the marine navigation laws. But it was not until 1912, when the United States ratified the first international radio treaty, 37 Stat. 1065, that the need for general regulation of radio communication became urgent. In order to fulfill our obligations under the treaty, Congress enacted the Radio Act of Aug. 13, 1912, 37 Stat. 302. This statute forbade the operation of radio apparatus without a license from

\(^{2}\)The history of federal regulation of radio communication is summarized in Herbert and Gross, Telecommunications (1926) 239-46; Administrative Procedure in Government Agencies, Monograph of the Attorney General's Committee on Administrative Procedure, 180, 70th Cong., 3d Sess., Part 1, dealing with the Federal Communications Commission, pp. 82-84; 1 Socolow, Law of Radio Broadcasting (1939) 38-41; Donohue, Origins and Development of Radio Law (1939).

### Intensive Coverage of a Prime Market

**REACHING more people than ever before—and with a clearer signal—WSIX gives intensive coverage of a market bursting with sales potentials.**

Within this station's 0.1 MV/M contour are over 1,250,000 residents, PLUS an enormous number of troops who also listen! To reach this cross-section of America, get on WSIX now at the peak of its coverage.

### Spot Sales, Inc. National Representatives

**Member Station, the Blue Network and Mutual Broadcasting System**

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**BROADCASTING • Broadcast Advertising**

May 17, 1943 • Page 25
It was held that he could not deny a license to an otherwise legally qualified applicant on the ground that he proposed station would interfere with existing private or Government stations. Hoover v. InterCity Radio Corp., 268 U.S. 353. And on April 11, 1926, an Illinois district court held that the Secretary had no power to impose the restrictions as to frequency, power, and hours of operation, and that a station's use of a frequency not assigned to it was a violation of the Radio Act of 1912. United States v. Zenith Radio Corp., 12 F. 2d 614.

This was followed on July 8, 1926, by an opinion of Acting Attorney General Donovan that the Secretary of Commerce had no power, under the Radio Act of 1912, to regulate the potentialities of operation of stations. 35 Ops. Att'y Gen. 173. Acting Attorney General Donovan issued a statement abandoning all his efforts to regulate radio broadcasting, except as stations under-take self-regulation.

President (Coolidge) Asked Radio Law to End Chaos

But the plea of the Secretary went unheeded. From July, 1926 to Feb. 23, 1930, when the Federal Radio Act of 1927, 44 Stat. 1102, almost 200 new stations went on the air. Yet the Congress, finding that the frequencies they desired, regardless of the interference they would produce, were now open, created the Federal Radio Commission, to regulate radio. There were 96 existing stations and 101 potential stations, 37 other frequencies not assigned, and 8 frequencies assigned to the Federal Radio Commission. As a result of all these factors, the Federal Radio Act of 1927, 44 Stat. 1102, 1106, 1107, 1108, 1109, 1110, 1111, 47 U.S.C. § 131 et seq., the legislation immediately before us. As there is a Federal Radio Act, 47 U.S.C. § 131 et seq., there is no need to refer to the Radio Act of 1927, the Federal Radio Act, and the Radio Act of 1934, the Federal Communications Act of 1934. By this Act Congress, in order to protect the national interest involved in the new and rapidly developing science of broadcasting, formulated a uniform and comprehensive regulatory system for the industry. The common factors in the administration of the provisions of the Act of 1927 and the Act of 1934 are extensive, and the Act of 1927 and the Act of 1934 are of the same general construction as the Act of 1927. By this Act Congress, in order to protect the national interest involved in the new and rapidly developing science of broadcasting, formulated a uniform and comprehensive regulatory system for the industry. The common factors in the administration of the provisions of the Act of 1927 and the Act of 1934 are extensive, and the Act of 1927 and the Act of 1934 are of the same general construction as the Act of 1927.

The Radio Act of 1927 created the Federal Radio Commission, composed of five members, each of whom was to be appointed by the President and confirmed by the Senate. The Federal Radio Commission, with wide licensing and regulatory powers. We do not pause here to consider whether the Federal Radio Commission, the Act of 1927 and of the authorization to the Federal Radio Commission, for the basic provisions of the Act are incorporated in the Communications Act of 1934, 47 U.S.C. § 131 et seq., the legislation immediately before us. As there is a Federal Radio Act, 47 U.S.C. § 131 et seq., there is no need to refer to the Radio Act of 1927, the Federal Radio Act, and the Radio Act of 1934, the Federal Communications Act of 1934. By this Act Congress, in order to protect the national interest involved in the new and rapidly developing science of broadcasting, formulated a uniform and comprehensive regulatory system for the industry. The common factors in the administration of the provisions of the Act of 1927 and the Act of 1934 are extensive, and the Act of 1927 and the Act of 1934 are of the same general construction as the Act of 1927.

Section 303 provides:

(1) That the Commission "shall consider and determine the questions whether the public convenience, interest, or safety requires any change in or modification of the authorization of any radio station..."

(2) That the Commission "may prescribe such regulations as in its discretion may be necessary or proper to carry out the provisions of this Act..."

(3) That the Commission "shall have authority to make special regulations applicable to radio stations engaged in chain broadcasting..."

(4) That the Commission "may prescribe such rules and regulations as may...be necessary or proper to carry out the provisions of this Act..."

These provisions, individually and in combination, direct the Commission that it may make regulations, and in connection with radio broadcasting extensions, to regulate the stations themselves in all respects. The provision is necessary to the management of the radio service, and to the extension of its usefulness to the public.

The Act itself establishes that the Commission's powers are not limited to the regulation of radio broadcasting, but that the "powers and duties of the Commission...shall be such as Congress...may...allocate to the Commission...in the public interest, convenience, and necessity.

The jurisdiction of the Commission extends to the regulation of radio broadcasting and certain other fields. The Commission is empowered to make rules and regulations for the protection of the public and to enforce and execute such rules and regulations. The Commission is empowered to make rules and regulations for the protection of the public and to enforce and execute such rules and regulations. The Commission is vested with the duty of enforcing the provisions of the Act, and of carrying out the purposes of the Act, and of carrying out the purposes of the Act.
in any one of several ways. More potent public or legislative might blanket out the signals of the local stations that they could not be heard at all. The stations might interfere with each other so that neither could be clearly heard.

One station might dominate the other with the power of its signal. But the community could be deprived of a school radio service was less crude. A man, financially and technically qualified, might apply for and obtain the licenses of both stations and present a single service over the two stations, thus wastefully expending a competence otherwise available to the area. The language of the Act does not draw such a situation from the analysis of regulatory powers of the Commission, and there is no evidence that Congress did not mean its broad language to carry the authority it expresses.

In essence, the Chain Broadcasting Regulations represent a particularization of the Commission's conception of the "public interest" sought to be safeguarded by Congress in enacting the Communications Act of 1934. The basic consideration of policy underlying the Regulations is succinctly stated in its Report: "With the number of radio stations limited by law, the public interest demands that those who are entrusted with the available channels shall make the fullest and most effective use of them. If a station engages in a network organization which limits his ability to make the best use of the radio facility assigned him, he is not serving the public interest. The net effect of the practices disclosed by the investigation has been that broadcasting service has been maintained at a level below that possible under a system of free competition. Having so found, we would be remiss in our statutory duty of encouraging the larger and more effective use of radio in the public interest if we were to grant licenses to persons who persist in these practices." (Report, pp. 81, 82.)

"Act Gave Commission Expansive Powers"

We would be asserting our personal views regarding the effective utilization of radio were we to say that the Commission was entitled to find that the general public aims of the Communications Act of 1934 comprehend the considerations which moved the Commission in promulgating the Chain Broadcasting Regulations. True enough, the Act does not explicitly state that the Commission shall have power to deal with network practices found inimical to the public interest. But Congress was acting in a field of regulation which was both new and dynamic. "Congress moved under the spur of a widespread fear that in the absence of governmental control of the public interest, might be subordinated to monopolistic domination in the broadcasting field." (See "Radio," forthcoming, Broadcasting Co., 300 U. S. S., 134, 137.)

In the context of the developing problems to which the Act gave the Commission not higgledy but expansive powers. It was given a comprehensive mandate to "encourage the larger and more effective use of radio in the public interest", if need be, by making "special regulations applicable to radio stations engaged in chain broadcasting." 1934 (2) (i).

Generalities unrelated to the living problems of radio communication of course cannot justify exercises of power by the Commission. Equally so, generalities not of all concrete considerations of the actual bearing of a regulation promulgated by the Commission to the public interest entrusted to it, cannot strike down exercises of power by the Commission. While Congress did not give the Commission unfettered discretion to regulate all phases of the industry, it did not frustrate the purposes for which

![In Radio, too CULTIVATION means PRODUCTION](image)

One bumper sales crop after another is WIBW's enviable record for its advertisers.

Our peak soil conductivity and 580 kc frequency gives us the "most-easily-heard" signal in a six-state area. But that's just our cultivating machinery. It's the way we use it that PRODUCES.

Post-War Plans Group Named by GOP Leader

A 33-MAN committee of Republicans to study post-war problems, including government finance, control of industry, and reorganization of war plants, has been appointed by Rep. Joseph W. Martin Jr., GOP House leader.

Included are eight Republican members of the House who have exhibited particular interest in radio and advertising. They are Rep. Wolverton, N. J., chairman; Holmes, Mass.; Wadsworth, Pa.; Halleck, Ind.; Harness, Ind.; Dickenson, Ill.; Hinshaw, Cal.; Ditter, Pa.

We use it to cultivate the permanent friendship and goodwill of farm and small town listeners. We use it to bring them friendly, neighborhood personalities . . . entertainment and service features that fit their every-day needs and interests.

Let us show you how you too can reap a rich harvest from WIBW's "know how" cultivation of this market that is wealthier than it has been in a lifetime.

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**Broadcasting - Broadcast Advertising**

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ONE BIG HAPPY FAMILY—by courtesy of NBC. This trio of femmes from the NBC New York office went visiting and stopped to chat with two officials of the West Coast office. They are (t. to r) Alex Robbins, western division manager of package sales; Helen Shervey, business manager; and Evelyn Haley, secretary to Frank Mullen, vice-president and general manager; Helen Kellie, secretary to Niles Trammell, president, and Sidney N. Strouts, western division vice-president. Yes, the ladies saw Hollywood.

* * *

A totally different source of attack upon the Regulations is found in § 4 of the Senate amendment, which authorizes the Commission to hold licensees from permission to change the character of the anti-trust laws. Two contentions are made—first, that this provision puts an unfair and unwarranted restraint on the competition outside the Commission’s concern before an applicant has been convicted of wrongdoing, and second, that in any event, the Commission would be acting in the scope of its powers under § 311 in issuing the Regulations.

While one of these contentions are un- founded, § 311 derives from 13 of the Radio Act of 1927, which expressly authorizes the Commission to refuse a license to any person judicially found guilty of violation of the anti-trust laws. The change in the 1934 Act was made in committee by Senator Dill, the manager of the legislation in the Senate, because “it seemed fairer to the public.” 79 Cong. Rec. 8825. The Commission was thus permitted to exercise its judgment in the public interest on the anti-trust laws disqualified an application from the “public interest.” We agree with the District Court that “The necessary implication of the `public interest’ referred to in § 311 was that the Commission might infer from the fact that the applicant had previously engaged in reducing radio, or had engaged in unfair methods of competition, that the disposition so different from that of 1927 that if it did it would make him an untied licensee.”

That the Commission may refuse to grant a license to persons adjudged guilty in any criminal proceeding in violation of the anti-trust laws certainly does not render irrelevant consideration of the練's exercise of the anti-trust laws.

In the course of the Senate debate on the conference report upon the bill, because of the opposition of Senator Dill, who was in charge of the bill, said: “We are not going to tie the hands of the Commission by any arbitrary rule.” The Attorney General and the courts. The contention misconceives the purpose of § 311.

The Commission’s Report indicates plainly enough that the Commission was not moving to administratively prevent the violation of the anti-trust laws:

"The prohibitions of the Sherman Act apply to broadcasting. This Commission, after being charged with the duty of enforcing the anti-trust laws, is the province not of the Commission but of the Attorney General and the courts. This contention misconceives the purpose of § 311.

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Court Concludes 1934 Act Authorized the Regulations

Alternatively, it is urged that the Regulations constitute an ultra vires attempt by the Commission to enforce the Sherman Act, by virtue of the anti-trust laws.

It was said by the network that in the enforcement of the anti-trust laws is the province not of the Commission but of the Attorney General and the courts. But we have already decided that this contention misconceives the purpose of § 311.

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The question here is simply whether the Regulations’ creation of a new class of licensees for the purpose of enforcing the anti-trust laws is the province not of the Commission but of the Attorney General and the courts. This contention misconceives the purpose of § 311.

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Dissenting Opinion

Following is the dissenting opinion rendered in the cases:

Mr. Justice Murphy, dissenting.

I do not question the objectives of the proposed regulations, and it is not my desire to question any statutory interpretation to weaken the authority of government agencies to deal efficiently with matters committed to their jurisdiction by the Congress. Statutes of this kind should be construed so that the agencies concerned may be able to cope effectively with problems which the Congress intended to correct, or may otherwise perform the functions given to it. But we exceed our competence when we gratuitously bestow upon an agency power which the Congress has not granted. Since that is what the Court in substance does today, I dissent.

In the present case we are dealing with a subject of utmost importance in the life of the nation. Although radio broadcasting, like the press, is generally conducted on a commercial basis, it is not an ordinary business activity, like the selling of securities or the marketing of electrical power. In the dissemination of information and opinion radio has assumed a position of commanding importance, rivalling the press and the pulpits. Owing to its physical characteristics radio, unlike the other methods of conveying information, must be regulated and rationed by the government. Otherwise there would be chaos, and radio's usefulness would be largely destroyed. But because of its vast potentials as a medium of communication, discussion and propaganda, the character and extent of control that should be exercised over it by the government is a matter of deep and vital concern.

Events in Europe show that radio may readily become a weapon of authority and misrepresentation, instead of a means of entertainment and enlightenment. It can be an instrument of oppression. In pointing out these possibilities I do not mean to intimate that it is likely that they are imminent or probable in this country, but they do suggest that the construction of the instant statute should be approached with more than ordinary restraint and caution, recognizing an interpretation that is not clearly justified by the conditions that brought about its enactment, and that it will give the Commission greater powers than the Congress intended to confer.

Finds No Authority
In Contract Relations

The Communications Act of 1934 does not in terms give the Commission power to regulate the contractual relations between the stations and the networks. Columbia Broadcasting System v. United States, 316 U. S. 407, 416. It is only as an incident of the power to grant or withhold licenses to individual stations under §§ 307, 308, 309 and 310 that this authority is claimed, 1 except as it may be provided by subdivisions (z), (i) and (y) of § 303, and by §§ 311 and 312. But nowhere in these sections, taken singly or collectively, is there to be found reason- able construction necessary inference, authority to regulate the broadcasting industry as such, or to control the programming operations of the national networks.

In providing for regulation of the radio the Congress was under the necessity of vesting a considerable amount of discretionary authority in the Commission. The task of choosing between various claimants for the privilege of using the air waves is essentially an administrative one. Nevertheless, in specifying with some degree of particularity the kind of information to be concerned in an application for a license, the Congress has indicated what general conditions and considerations are to govern the granting and withholding of station licenses.

Thus an applicant is required by § 309(b) to submit information bearing upon his citizenship, character, and technical, financial and other qualifications to operate the proposed station, as well as data relating to the ownership and location of the proposed station, the power and frequencies desired, operating periods, intended use, and such other information as the Commission may require. Licenses, frequencies, hours of operation and powers are to be fairly distributed among the several States and communities to provide service to each. § 307(h).

Explicit provision is made for dealing with applicants and licenses who are found guilty, or who are under the control of persons found guilty of violating the federal anti-trust laws. §§ 311 and 313. Subject to the limitations defined in the Act, the Commission is required to grant a station license to any applicant "if public convenience, interest or necessity will be served thereby." § 307(a). Nothing is said, in any of these sections, about network contracts, affiliations, or business arrangements.

Powers Cannot Be 'Derived by Implication'

The power to control network contracts and affiliations by means of the Commission's licensing powers cannot be derived from implication out of the standard of "public convenience, interest or necessity." We have held that: "The Act does not entitle the granting of licenses to the exercise of authority under which the public interest, convenience and the public interest, "will be served thereby." § 307(a). Nothing is said, in any of these sections, about network contracts, affiliations, or business arrangements.

Where there's SMOKE...There's SALES

Where there's SMOKE...There's SALES

Cigarette and tobacco brands—among the ranking top-sellers—have chosen WSRR as their Syracuse advertising medium—4 more than the second station and 12 more than the third!

Leaders appreciate WSRR's leadership...with its perfect combination—5000 Watts at 570 kc. (lowest frequency between Buffalo and New York). Basic Red NBC outlet serving an outstandingly prosperous area. High caliber station talent, with local large following. WSRR stays ahead of any Syracuse station not only in tobacco advertising but in foods and drugs, too.

Where there's smoke there's sales—and 13 tobacco brands make a lot of smoke over WSRR!

THIRTEEN cigarette and tobacco brands—among the ranking top-sellers—have chosen WSRR as their Syracuse advertising medium—4 more than the second station and 12 more than the third!

Leaders appreciate WSRR's leadership...with its perfect combination—5000 Watts at 570 kc. (lowest frequency between Buffalo and New York). Basic Red NBC outlet serving an outstandingly prosperous area. High caliber station talent, with local large following. WSRR stays ahead of any Syracuse station not only in tobacco advertising but in foods and drugs, too.

Where there's smoke there's sales—and 13 tobacco brands make a lot of smoke over WSRR!
casting and radio networks as they were then, or are now, and established, it is more likely that the Congress would have left it to mere inference or implication from the text, public convenience, interest, or necessity, or that Congress would have neglected to include among the considerations expressly made relevant to license applications by § 308 (b). The subject is one of such scope and importance as to warrant explicit mention.

The construe the licensing sections ($307, 308, 309, 310) granting authority to regulate fundamental and revolutionary changes in the business methods of the broadcasting networks—methods which have been in existence for several years and which have not been adjudged unlawful—would invalidate and distort their true meaning and extend them beyond the limited purposes which they were intended to serve.

Commission Not Authorized To Make 'Drastic Changes'

It is quite possible, of course, that maximum utilization of the radio as an instrument of culture, entertainment, and the diffusion of ideas is inhibited by existing network arrangements. And it is probable that some of the conditions imposed by the broadcasting chains are possibly not conducive to a freer use of radio facilities, however essential they may be to the operation of the chain broadcasting programs and the operation of the chain broadcasting business as it is presently conducted by the various corporations. It is evident that a correction of these conditions, and the nature and scope of the regulations will involve drastic changes in the business of radio broadcasting which the Congress has not clearly and definitely empowered the Commission to undertake.

**Objects to Commission's 'Assumption of Authority'

If this were a case in which a station license had been withheld from an individual applicant or licensee because of violations of law or of orders, it would be less than sufficient to make any objection. As an incident of its authority to determine the eligibility of an individual applicant in an isolated case, the Commission might possibly consider such factors. In the present case, however, the Commission has assumed the responsibility and the power to determine the conditions to which the regulatory power the chain broadcasting industry as a whole.

§ 303 (g) to study new uses for radio for provide experimental use of frequency channels, which would be larger and more effective use of radio in the public interest, it was the intention of the Congress to confer on the Commission the regulations to be set up. Manifestly subdivision dealt with experimental and development work—technically difficult, it was felt—should be under the jurisdiction of the construction of its concluding clause should be accordingly limited to those purposes as the construction of the prohibitions of the legislative history suggests that it had any broader purpose.

**Interference Problem**

None but the intention of the Congress by the enactment of § 303 (i) authorizing the Commission to make special regulations applicable to radio stations engaged in chain broadcasting, to invest the Commission with the authority now claimed over network contracts. This section is not restricted in any way by the Act of Radio of 1927, and it has its origin in a Senate amendment to the bill on the floor of the Senate.

It was evidently the purpose of the provision to authorize the Commission to make special regulations applicable to radio stations engaged in chain broadcasting. The Commission was justifying the responsibility and authority it has made special regulations applicable to radio stations engaged in chain broadcasting.

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It was evidently the purpose of the provision to authorize the Commission to make special regulations applicable to radio stations engaged in chain broadcasting. The Commission was justifying the responsibility and authority it has made special regulations applicable to radio stations engaged in chain broadcasting.

Nothing in § 303 (i) should be construed as simply authorizing the Commission to make special regulations applicable to radio stations engaged in chain broadcasting, in addition to those covered by § 304 or § 1886. The only thing required is that the Commission "com habitat complete authority...to control chain broadcasting" (§ 200, 30th Cong., 1st Session).

The form of the amendment was not the intention of the Senate Committee so as to authorize the Commission "to make special regulations applicable to radio stations engaged in chain broadcasting." The Senate Committee was not supposed to be able to make regulations applicable to radio stations engaged in chain broadcasting, in addition to those covered by § 304 or § 1886. The only thing required is that the Commission has the authority to make regulations applicable to radio stations engaged in chain broadcasting. The Senate Committee was not supposed to be able to make regulations applicable to radio stations engaged in chain broadcasting, in addition to those covered by § 304 or § 1886. The only thing required is that the Commission has the power to regulate and prevent it through its action in that regard. The Amendment requires a power, only concerning it strengths and conditions, not inconsistent with law, as may be necessary for the execution of the powers of the Commission under this Act. There is no provision in the Act for the control of network contractual arrangements. If the Congress desires to have a provision for the control of network contractual arrangements, it is entirely of its own and the Congress has no right to act as such.

**Should Not Be 'Interpreted Out of Context'**

The last clause should not be interpreted out of context and without referring to the problem to which it was addressed. It was essentially an interference provision aimed at determining the liability, power and wave length of chain stations, and was not intended to be applied to any program except the chain program. It was essentially an interference provision aimed at determining the liability, power and wave length of chain stations, and was not intended to be applied to any program except the chain program.

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presumably provided the means of dealing with the problem. The enforcement of these laws has been committed to the courts and other law enforcement agencies. To the usual penalties prescribed by statute for their violation, however, the Commission has been authorized by § 311 to refuse a station license to any person "finally adjudged guilty by a Federal court of attempting unlawfully to monopolize radio communication. Anyone under the control of such a person may also be refused a license. And whenever a court has ordered the revocation of a station license, as expressly provided in § 313, a new license may not be granted by the Commission to the guilty party or to any person under his control. In my opinion these provisions (§§ 311 and 313) clearly do not and were not intended to confer independent authority on the Commission to supervise network contracts or to enforce competition between radio networks by withholding licenses from stations, and do not justify the Commission in refusing a license to an applicant otherwise qualified, because of business arrangements that may constitute an unlawful restraint of trade, where the applicant has not been finally adjudged guilty of violating the anti-trust laws, and is not controlled by one so adjudged.

Congress' Intentions Made Clear Elsewhere

The conditions disclosed by the Commission's investigation, if they require control, are not by the invention of authority where none is available or by diverting existing power out of the public hands of agencies that have been entrusted with the enforcement of the anti-trust laws. In other fields of regulation the Congress has made clear its intentions. It has not left mere inference and guess-work the existence of authority to order broad changes and reforms in the national economy or the structure of business arrangements in the Public Utility Holding Company Act, 40 Stat. 900, the Securities Act of 1933, 48 Stat. 74, the Federal Power Act, 49 Stat. 858, and other measures of similar character. Indeed the Commission's Act itself contains cogent internal evidence that Congress did not intend to grant power over network contractual arrangements to the Commission. In § 215(c) of Title II, dealing with common carriers by wire and radio, Congress provided:

"The Commission shall examine all contracts of common carriers subject to this Act which prevent the other party thereto from dealing with another common carrier subject to this Act, and shall report its findings to Congress, together with its recommendations as to whether additional legislation on this subject is desirable."

Congress had no difficulty here in expressing the possible desirability of regulating a type of contract roughly similar to the ones with which we are now concerned, and in reserving to itself the ultimate decision upon the matters of policy involved. Insofar as the Congress deemed it necessary in this legislation to safeguard radio broadcasting against arrangements that are offensive to the anti-trust laws or monopolistic in nature, it made specific provision in §§ 311 and 313. If the existing network contracts are deemed objectionable because of monopolistic or other features, and no remedy is presently available under these provisions, the proper course is to seek amendatory legislation from the Congress, not to fabricate authority by ingenious reasoning based upon provisions that have no true relation to the specific problem.

Mr. Justice Roberts agrees with these views.

NEW IDEAS FOR CAMPAIGN THEMES

"This campaign's got a terrific angle: Where did you get it?"

"Well, most of it was developed from an idea I got out of a recent Printers' Ink story on Farm Morale. It seemed applicable to the bottling business, so I used it. Why the smile?"

"It's funny, Bill Jones of the Chronicle called my attention to a phase of that article in connection with our textile accounts in both urban and foreign language markets, shortly after I had suggested that it had a swell thought for our chicle people to use in radio, and now you. Doesn't the usefulness of Printers' Ink ever stop?"

This little scene may be taking place in your office right now. It might be a sales and ad manager instead of the copy and accounts men, we pictured. It could be a publisher and his assistant—a space man and his account, or an agency-client conversation. It could be anyone and everyone who knows he can do a better selling job with the help of Printers' Ink.

This is normal usage for Printers' Ink material, for F. 1. builds this usage, this wealth of ideas and information, into all its articles. This interpretive editorial policy delivering the "know-how" and "know-why" of advertising, management and sales, provides the vital "difference" that makes Printers' Ink the most quoted voice in the industry.

Edwin Hughes Honored

EDWIN HUGHES, president of National Music Council, has been awarded a citation of merit by National Assn. for American Composers and Conductors, for outstanding services to American music during the 1942-43 season. Award, which will be presented at the Waldorf-Astoria Hotel, New York, May 14, calls special attention to the Music Council's surveys on orchestral programs in relation to native compositions.

Printers' Ink

...THE VOICE OF ADVERTISING always heard, often quoted, never ignored

Lane Bryant Test

LANE BRYANT, New York, women's apparel chain, has started Melody Playhouse, a six-week quarter-hour variety program on WLIR, Brooklyn, to promote Brooklyn branch, which has not used radio previously. Time purchase is a test campaign, and includes an additional half-hour broadcast of the program in several Lane Bryant stores in other localities have used spots for mail order business. Lane Bryant agency is Cramer-Tobias-Meyer, N. Y.

MBS Billings Up

MUTUAL'S billings for April showed an increase of 5.3% over the figure for the same month last year, while billings for the first quarter of 1943 represented a decrease of 5.1% over a similar period in 1942. Figure for the first four months of this year stands at $5,721,840, compared with $5,390,896 last year. April billings were $961,918 this year and $904,845 the previous year.
BIGGEST LISTENING IN AMERICA'S 4TH

3 TIMES AS MANY PERSONAL CALLS AS EVER MADE BEFORE!

This survey was based on personal interviews—not on telephone calls! It utilized the technique recognized as the most reliable: the one seldom used—only because it's the most costly!

SMART BUYERS USE WAAT
SURVEY EVER MADE
LARGEST MARKET!*

Impartial Radio Research Paid for Cooperatively Proves
WAAT Invariably Delivers in North Jersey
Most Listeners Per Dollar! Send for the Facts!

As a smart time buyer you owe it to yourself
to send for a detailed report (by ¼ hour pe-
riods) of the latest Continuous Listener Survey
in America’s 4th largest market—conducted by
the Pulse of New York . . . whose monthly sur-
veys are paid for cooperatively by all major sta-
tions in this area.

This survey proves conclusively that although
WAAT does not deliver the most listeners in
North Jersey—it invariably delivers the “Most
Per Dollar.”

No wonder leading agencies and advertisers
are getting “on the beam”—are placing more
new national business than ever before on New
Jersey’s First Station! It will pay you to investi-
gate! Write, wire, or telephone WAAT; Executive
Offices, Hotel Douglas, Newark, New Jersey.

2nd Largest Audience Between
12 Noon and 6 P.M. In
America’s 4th Largest Market

<table>
<thead>
<tr>
<th>Radio Station</th>
<th>% of Listeners</th>
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<tbody>
<tr>
<td>WABC</td>
<td>18%</td>
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<tr>
<td>WAAT</td>
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<tr>
<td>STATION C</td>
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<td>STATION D</td>
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BUY BONDS WITH WHAT YOU SAVE!

“DOLLAR FOR DOLLAR
NORTH JERSEY'S BEST RADIO BUY”

*Do you realize this market contains over 3½ million people; more than these 14 cities combined:—Kansas City, Indianapolis, Rochester, Denver, Atlanta, Dallas, Toledo, Omaha, Syracuse, Richmond, Hartford, Des Moines, Spokane, Fort Wayne.
Without Rancor, Malice or Fear

AMERICAN broadcasting has a new business manager—the FCC. The sweeping and all-encompassing decision of the Supreme Court that, Congressional intent to the contrary, broadcasters are not competent to handle their own business affairs.

The FCC is a new agency, created by Congress, and vested with a broad mandate to regulate and supervise the new medium. Its formation, and the way in which it has been formed, give it a new status in American life.

The FCC is a national agency, with a national charter, and a national task. It is a federal agency, with federal authority, and federal responsibility.

The FCC is a business manager, with a business mandate, and a business task. It is a business manager, with a business charter, and a business responsibility.

The FCC is a public agency, with a public charter, and a public task. It is a public agency, with a public authority, and a public responsibility.

The FCC is a private agency, with a private charter, and a private task. It is a private agency, with a private authority, and a private responsibility.

The FCC is a professional agency, with a professional charter, and a professional task. It is a professional agency, with a professional authority, and a professional responsibility.

The FCC is a scientific agency, with a scientific charter, and a scientific task. It is a scientific agency, with a scientific authority, and a scientific responsibility.

The FCC is a technical agency, with a technical charter, and a technical task. It is a technical agency, with a technical authority, and a technical responsibility.

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We Pay Our Respects to —

Personal Notes

VICK KNIGHT

Igor should be Vick Knight’s middle name. He has just joined Foote, Cone & Belding as vice-president and radio director for the agency. Vick will make his headquarters in the agency’s Hollywood office.

Until last week he had been executive producer of radio in Hollywood for the Biow Co., New York agency. He has brought both his personal talent and performance on the three programs sponsored by Philip Morris cigarettes—the Playhouse and Crime Doctor on CBS and Johnny Presents Ginny Simms on NBC.

Vick did the same for Eversharp on the CBS Take It or Leave It and handled spots for Froster & Gamble’s Lava soap, Toot den trifrice and Bulova watches. In addition, he set up new programs for Biow clients.

In his spare time he turns out orchestral and musical works. His play, Cartwheel, was selected by the Oxford U-Press as one of the “ten best in radio history”, while a recent song of his, “We’ve Got a Job to Do”, heard on a Fred Allen program, was purchased by Universal Films as a patriotic finale for the picture “Private Buckaroo”.

Mr. Spence was to recuperate, according to Mr. Spence and their daughter, an Atlantic City, Mrs. Spence was to be interred in a family plot at Pleasantville, New Jersey.

Mrs. Edwin M. Spence

ADELIA SPENCE, wife of Edwin M. Spence, former NAB official and director of WWDG, Washington, D.C., died last Wednesday after a year’s lingering illness. Following an operation last fall, Mrs. Spence was removed to Florida to recuperate, accompanied by Mr. Spence and their daughter, an Atlantic City, Mrs. Spence was to be interred in a family plot at Pleasantville, New Jersey.

GEORGE DEPUE Jr., for the last three years national sales manager of ABC, Allentown, Pa., is joining Hendley-Reed Co., New York station representative, as a solicitor. Current represent presents an expansion of the sales force.

JACK SPRINGER, in sales and advertising at Portland and San Francisco, has been appointed the sales staff of Advertising & Selling Magazine.

JACK H. NORTH, of Aubrey, Moore & Wallace, Chicago, has been appoint- ed manager of Chicago Advertising Club, replacing Ward Derrell who has joined C. E. Hoover Inc., New York.

ARNOLD C. BOONE has joined KMOX, St. Louis, as salesman. He was formerly with WCKY, Cincinnati.

FIVE WOR SALESMAEN GET SALES PRIZES

FIVE WOR salesmen received cash and War Bond prizes in April as they hit the sales path for a 20% increase over the same month last year. Bob Wood received first prize of $100 for the largest single new business sales, Plough Inc., for sponsorship of Fulton Lewis from first to fifth.

Other prizes went to Bill Crawford for the largest number of new business sales, Orms Williams, greatest number of accounts on the New York station for the last two years; Malcolm Stuart, most personal calls this first week, and John Nell, most new business in second week.

Bonus checks also were given to George Schmidt, Mr. Nell, Mr. Crawford and Mr. Stuart, of the New York office, and Mr. Wood and John Shelton, of the Chicago office.

New business sales totaled 61, including contracts from 18 accounts not on the station in the last two years.

Southard CRC V-P

PAUL E. SOUTHARD, sales manager of Columbia Recording Corp., New York, has been elected vice-president in charge of sales, effective May 1. Starting in 1916 with the Aeolian Pian o Co., Mr. Southard spent six years with the Bruns- wick-Balke Cal- lender Co. His present position is with RCA-Victor in charge of the company’s record operations and supervisor of Vic- tor’s Camden school for distributor salesmen. He joined CRC in 1939, where he organized the record sales department.

Mr. Southard will move to new offices next month, and will be in charge of the company’s record operations and supervisor of Victor’s Camden school for distributor salesmen. He joined CRC in 1939, where he organized the record sales department.

FIVE WOR SALESMAEN GET SALES PRIZES

Two program, was purchased by

Broadcasting - Broadcast Advertising

May 17, 1943 Page 35
Ann Ginn Named
ANN GINN, director of women's activities of WTCN, Minneapolis-St. Paul, has been named state chairman of the women's division of general salvage. Her new job requires her to travel throughout the state, in charge of collection of household fats, tin, and nylon and silk hosiery. Although she begins work with her new job immediately, Miss Ginn will continue her activities with WTCN, where she has a daily program, Around the Town with Ann Ginn.

MARGARET WHITTMORE, former assistant manager of the CBS studio building, has been made program assistant to William Robson, CBS producer-director. Miss Whittemore joined CBS in 1940 as secretary to John R. Carson.

DALE STAFFORD, sports editor of the Detroit Free Press, has begun a 10-minute sports broadcast over WJR, Detroit, addressed to the swing-shift workers. The program is aired from 12:20 to 12:30 a.m., five nights weekly.

BYRUM SAAV, veteran football and baseball broadcaster, is starting his own show The Sport Page, Byram Steam, Editor on WIBG, Philadelphia, six nights weekly, 7:30-7:45 p.m. Miss Saaam currently does broadcasts of both Philadelphia major league teams and the Atlantic Baseball Network.

CHARLES WRIGHT, program director of WELI, New Haven, is the father of two.


Several Changes in Farm Staff Announced By CBC

W. J. McPherson, agricultural economist, has joined the staff of the CBC farm broadcast department at Toronto. He was formerly with the Bank of Nova Scotia, Manitoba Pool Elevators Ltd., and lately has been secretary to the National Farm Radio Forum. McPherson replaces Neil M. Morrison, who has been appointed CBC supervisor of talks at the national program office, Toronto.

Harry J. Boyle, farm commentator for Ontario and English-speaking Quebec, has been transferred to the farm broadcast department of the national program department. He was formerly with the Stratford (Ont.) Beacon-Herald, and prior to that farm commentator on CKNX, Wingham, Ont. His new work will be the coordination of the CBC's daily regional noon farm broadcasts to make this service more unified across Canada. Boyle's place on the Ontario regional farm broadcast is taken by A. R. Kemp, new to radio, farm specialist of the Sarina (Ont.) Observer.

NYU Workshop Faculty

ROBERT J. LANDRY, CBS director of program writing, has been appointed director of the Summer Radio Workshop of New York U. for 1943, succeeding Douglas Coulter, CBS director of broadcasting. Landry, a CBS program director, will once again be in charge of production for the Summer Workshop, which will be conducted July 6 to August 13. Included will be lectures by leading authorities in the radio field, sessions on radio in the classroom, field trips, and visits to rehearsals and broadcasts of leading network shows.

DORIS HASTINGS, secretary to Thomas Velotta of the Blue's news and special features department, has made head of the program division of the network's research department. Priscilla Lombard leaves the staff of the program business office to take over Miss Hastings' former duties.

ROBERT L. McKEE has left the announcing staff of WBBM, Chicago, to rejoin NBC Chicago, succeeding Fort Pournon, who has joined the Navy.

MYRON GOLDEN, continuity writer of NBC, Chicago, has been appointed assistant continuity editor.

YOU helped build this city of Washington, Alexander Hamilton. But compared to your town our city is behemoth! Why Alex, when you put your administration's budget for operations up against our TWO BILLION A WEEK... there's no comparison! And these 1,250,000 people of ours Alex: they have an average family income of $5,316! Highest in the nation!

It's more than that though, Alex. These million and a quarter Washingtonians have the future of the world in the palm of their hands! Each day thousands and thousands of orders for materials to fight a war come out of Washington; each day they spend more than two-hundred-fifty million dollars!
"How to get more listeners per dollar in the Atlanta market"

A new study of comparative coverage in the Southeast's Number One market

WAGA or Headley-Reed will be happy to furnish you with a copy

94 QUALITY BAKERS USING SPOT SERIES
QUALITY BAKERS of America, New York, has started a spot radio campaign to obtain housewives and local grocers support for the Government nutrition program and to promote bread and Flavo-Range baking through 94 member bakeries.

Public service angle, including an attempt to get 75,000 grocers to pledge themselves as "home front quartzmeasters," is an added feature in the cooperative organization's radio advertising.

Beginning in mid-April Quality Bakers began distributing spot announcements to members for placement on local stations 12 to 15 times weekly. Live spots will be followed by transcription programs in processing. In the fall shift will be made to quarter-hour transcribed programs for about 50 stations.

Last year Quality distributed announcements for use in a campaign for Flavo-Range on approximately 36 stations [Broadcasting, June 8, 1942]. Store displays, truck posters, full-page ads in papers and other media are being used as well as radio.

Blayne R. Butcher Goes To Ward Wheelock Co.

BLAYNE R. BUTCHER, executive in the radio department of Lennen & Mitchell, New York, for nine years, is joining Ward Wheelock Co., New York, as radio director the latter part of this month. Among other duties he will supervise the Radio Reader's Digest program, sponsored on CBS by Campbell Soup Co.

Mr. Butcher, prior to joining Lennen & Mitchell, where he has handled such programs as Walter Winchell, Sammy Kaye and Paul Whiteman musical series, and the serial Follow the Moon, Mr. Butcher was night supervisor of WCAU, Philadelphia, was the production department of WLW, Cincinnati, and had previous radio experience with WBAP, Ft. Worth; WGH, Newport News; WLVA, Lynchburg, and WTR, Norfolk, Va.

Serials Archived

SCRIPTS of two NBC serial programs, Pepper Young's Family and When a Girl Marries, both authored by Elaine Stern Carring- ton, have been requested by Princeton U. for inclusion in its Archives of Radio. General Foods Corp., New York, sponsors the latter program for its various food products, while Pepper Young is sponsored by Procter & Gamble Co., Cincinnati, for Camay soap and Chipsco.

Swing Repeats Broadcast

RAYMOND GRAM SWING, blue commentator, on May 10 will repeat a broadcast he made ten years ago in which he indicted the burning of books in Germany. Talk will be repeated at the request of the Office of War Information and the Council on Books in Wartime.

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AN EDUCATIONAL program which has won instantaneous popularity among old and young alike is the 15-minute Adventures in Research, which originates at KDKA, Pittsburgh. Started on Jan. 7, 1942, as a local feature, the "KDKA pet" is now carried by 96 stations in 43 states and Alaska. KCVC, Redding, Calif., is the latest to adopt the show. Adventures in Research has become a "national institution of learning," through the answers to countless commonplace and intricate questions submitted by the radio audience to Dr. Phillips Thomas, veteran engineer of Westinghouse Research Laboratories.

When the program was introduced it was designed primarily to appeal to adolescents. It was conceived as a practicable supplement to the academic pursuits of youngsters of high school age. But the questions submitted for Dr. Thomas' solution by husbands, wives and many of advanced learning soon indicated Adventures in Research had attracted a cosmopolitan adult audience.

KDKA's popular 5:45 p.m. Saturday program was adopted by the other stations in the Westinghouse group, KYW, Philadelphia; WBZ and W-67-B, Boston; WBZA, Springfield, Mass.; WOWO, Fort Wayne, and W-75-F in Pittsburgh. Thereafter its adoption in all sectors of the United States was rapid.

Today Dr. Thomas is delayed with a wide variety of queries ranging from those which deal with prosaic household gadgets to others probing deep into the maze of science. He is interviewed by Paul Shannon, KDKA Staff Announcer, who casually asks and discusses the questions from which many little-known facts evolve.

Schools in many cities have adopted Adventures in Research as a part of their curriculum. They borrow the weekly transcriptions so that the student bodies may assimilate the weight of worthwhile information.

Much credit for the success of the program must be given to Dale Jackson, KDKA's "man behind the scenes," who produces the program.

Walter Guild Is Named As Partner in Agency

WALTER GUILD, vice-president and radio director of Sidney Garfinkel Advertising Agency, San Francisco, has been named as a full partner in the firm. Coincidental with the new partnership the head of the agency has changed his name to Sidney Garfield. Name of the agency is now Garfield & Guild, Advertising, and Mr. Guild now has headquarters to provide office space for increased personnel are at 660 Market St. Agency now occupies the penthouse floor of the Pacific Mutual Life Insurance Building.

Associated with the Garfinkel Agency for four years, Mr. Guild is the author of a recent article on the woes of the spot radio buyer [Broadcasting, April 5].

CBS foreign correspondent Larry Leasure's forthcoming book on Russia will be titled 12 Months That Changed the World and will be published by Alfred A. Knopf, July 12.
ATHERTON W. HOBLER, New York board chairman of Deutzon & Bowles Inc., is in Hollywood for a week's conference with Al Kaye, West Coast representative and producer, to discuss a summer replacement show for the weekly NBC Maxwell House Coffee Time, sponsored by General Foods Corp. (coffee). Current season ends July 1, with half-hour variety series scheduled to resume following an eight-week hiatus.

HARRY M. SAVAGE, formerly in charge of the script and public relations department of Harry E. Foster Agencies in Toronto, is now a Pilot Officer in the RCAF, attached to the Radio Branch of the Department of Public Information, Ottawa. He has been assigned to work with the Adv. Agencies of Canada and will name Jack Horler of Baker Adv. Agency in production of a new series of quiz broadcasts featuring RCAF personnel.

C. W. CULPEPPER, freelance copy writer, has joined the copy department of Hillman-Shayne-Cremer, Los Angeles. Mr. Culpepper will also handle research.

ROBERT A. DAVIES Jr., formerly of George P. Hollinbery Co., station representative, has joined Donahue & Coe, New York, as account executive.

EDWARD F. THOMAS has left Carl Byoir & Assoc. to join the publicity staff of Geyer, Cornell & Newell, New York.

HOMER GRIFFITH Co., Hollywood, has been appointed western representative of RTK, Visalia, Calif.

Honor Guest. Emerson Poote, president of Poote, Cone & Belding, chatted with network and agency executives at an informal Hollywood reception tendered him during a West Coast trip. West Coast hosts (1 to 2), are Donald W. Thornburgh, Pacific Coast vice-president of CBS; Mr. Poote; Lewis Allen Weis, vice-president and general manager of Don Lee Broadcasting System; Don Belding, Los Angeles manager and chairman of the board of Poote, Cone & Belding; Don E. Gilman, western division vice-president of BLUE, and Lewis S. Frost, assistant to Sidney N. Strotz, western division vice-president of NBC.

MARY BURKE, a member of the publicity staff of BBDO, New York, in 1938, has returned to the agency as assistant to Bill Maloney, publicity director. Miss Burke replaces Mary O'Neil, who is giving up her business career to devote her time to her home. Miss Burke has been active in the agency field as publicity representative and account executive since leaving BBDO several years ago.

CORLISS WILBER, program supervisor in the radio department of Compton Adv., New York, has been placed in charge of all daytime serials for the agency. Joan Geddes, former publicity director, has been named program supervisor in charge of new programs, while Lilian Selcohn of the radio department replaces Miss Geddes as publicity head.

DOUGLAS V. MARTIN Jr., has joined the Gardner Adv. Co., St. Louis, in an executive capacity. He is the originator of the "4th State" definition of the St. Louis Globe-Democrat market and has headed the paper's promotion department for 21 years.

MAXINE SMITH, at one time motion picture editor of the Chicago American and more recently publicity writer, has been appointed Pacific Coast radio publicity director of J. Walter Thompson Co., Hollywood.

WICK CRIDER, New York publicity director of J. Walter Thompson Co., returns to his headquarters in mid-May following 10 days' conferences with West Coast executives of that agency.


JACK W. MURRAY, associated with Robert E. Clarke & Assoc., Miami, has joined Donahue & Coe, New York, as account executive and member of the service staff.

KNIGHT MADE V-P OF F-C-B AGENCY

VICK KNIGHT, who resigned as executive producer for Biow Co. on the West Coast in April, has joined Poote, Cone & Belding as vice-president and radio director, with headquarters in the agency's Hollywood office (see "We Pay Our Respects To"). His first assignment will be the new Campbell Soup Co. program starring Jack Carson which starts on a CBS nationwide network June 2.

Mr. Knight has been in New York the last few weeks clearing up his affairs with Biow. His most recent creation was the Philip Morris & Co. program "Johnny Presents Ginny Simms," which has risen steadily in popularity since it started on NBC last September. Since his resignation from Biow, John Ryder, manager of the agency's Hollywood office, has taken over temporary supervision of the Ginny Simms show as well as the CBS "Take It Or Leave It Show."

Mathes Vice-Presidents

DR. O. L. TINKLEPAUGH, director of research and merchandising, of J. M. Mathis Inc., New York, and Howard W. Newton, copy director of the agency, have been elected vice-presidents. Dr. Tinklepaugh was associated with Lennen & Mitchell, New York, in research work prior to joining present agency five years ago. Before joining L & M, he served as personnel director of Vick Chemical Co. Mr. Newton, who has served as copywriter for several agencies, once headed an agency in California.
**National Advertisers and New York's numerous nationalities have one thing in common. They both agree that WBNX is the FOREIGN LANGUAGE STATION of GREATER NEW YORK.**

No wonder, then, that WBNX with its 5,000 watts, directional, plays the dominant role in selling the 5,000,000* foreign-language-speaking-audience of the world's greatest market.

To cash in on the opportunities of this super-market, advertise your national products over WBNX, the Winner of the Peabody Citation for Public Service to Foreign Language Groups.

* Over 70% of metropolitan New York's population is foreign born or of foreign parentage.

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**Intruders**

WHEN Betty Wells, operator of Women's Club on KSO, Des Moines, invited listeners to enroll as members, she was amazed to find six men among the first hundred writing in. Swing shift, with men home at odd hours, seems the logical explanation, says KSO.

---

**Yankee Doodle Quiz**

INSPIRED by the current controversy over ignorance of American history, precipitated by the New York Times survey, WJZ, New York, adapted a quiz program, titled Yankee Doodle Quiz. Three adults team against high school students in the broadcasts, each of which deals with a single historical field, such as transportation, or inventions. Brief dramatizations, employing sound effects and actors, introduce each round of questions.

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**Prophylactic**

INFORMATION for fruit-growers of Southern New Jersey and Eastern Pennsylvania is being given in a week-to-week by KYW, Philadelphia. Spotted each Saturday morning at 6:25 a.m. during the regular R.F.D. 1600 broadcasts, the feature deals largely with the incidence of common diseases and insects in specific fruit-growing areas and what growers can do to prevent damage to their fruit crop.

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**Quartet of the Hour**

DEDICATED to the Quartet of the Hour, WFIL, Philadelphia, has started a new weekly program called The Quartet of the Hour, dramatizing the needs of our soldiers fighting on foreign fronts. It is under the direction of Capt. Thomas J. Schmitt of the Quartet of the Hour in Philadelphia.

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**Rationing Help**

WITH Great emphasis on dramatizing the "Do's and Don'ts" of food planning, and a Question Box based on queries from listeners, What's Your Ration? on WHK, Seattle, houseswives advice in meeting rationing problems four quarter hours weekly at 9 p.m.
OWI’S EISENHOWER TAKES COLLEGE JOB

RESIGNATION of Milton S. Eisenhower, deputy director of OWI, was announced by Elmer Davis last week. Mr. Eisenhower, who has been administrative troubleshooter for OWI since it was set up a year ago, is to leave about Sept. 1, to become president of Kansas State College, his alma mater.

A veteran of 20 years in government, Mr. Eisenhower has always been closely associated with radio through intimate friendships resulting from associations in the Agriculture Dept. in the 1920s. Among his friends there were Frank E. Mullen, OWI president and general manager; Frank M. Russell, NBC vice-president; Lt. Com. Harry C. Butcher, CBS vice-president now on active duty, and Sam Pickard former radio commissioner, and later CBS vice-president. At Kansas State he will have opportunity to participate in radio through KSAC, the college station.

As director of information for Agriculture Mr. Eisenhower was an early advocate of the use of radio, and in 1926 helped establish the National Farm & Home Hour. He served as director of information for Agriculture until 1940, when he went with the War Reolocation Authority. It has been said the plan for OWI was largely his creation. Gen. “ Ike” Eisenhower is his brother.

APRIL RATINGS UP IN HOOPER REPORT

APRIL 30 Hooper “National” Program Ratings Report indicates that 10.6% of the 123 network sponsored programs show significant gains in their ratings over the previous report, a gain not shown by a single program in April, 1942. Only 18.7% of the programs showed significant losses this year. The Evening Average Audience Index, which currently stands at 10.5, also shows an increase of more than 10% over last year in the audience to sponsored evening network programs.

Heading the list of “First 15” programs in the April 30 report is Bob Hope, followed by Fibber McGee and Molly, Charlie McCarty, The Aldrich Family, Jack Benny, Radio Theatre, Mr. District Attorney, Walter Winchell, Frank Morgan-Fannie Brice, Rudy Vallee, Bing Crosby, Screen Guild Players, Take It Or Leave It, Kay Kyser and Fred Allen. Red Skelton continues to lead after 10:30 p.m. (EWT).

KCKN—A 250-watt local non-network station holds more day-time listeners than three network outlets at a lower program rate.

KCKN is programmed entirely and exclusively for Kansas City’s 725,000 “city” listeners. No other Kansas City station is programmed exclusively for the metropolitan city audience. No other Kansas City station offers national advertisers a low “local” rate.

<table>
<thead>
<tr>
<th>Network Station</th>
<th>Morning</th>
<th>Afternoon</th>
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Hooper - October through February

KCKN—3rd in Kansas City

BROADCASTING - Broadcast Advertising

Capper Publications, Inc.

In N. Y. C. — 420 Lexington — Mohawk 4-3280
In Chicago — 180 North Michigan — Central 5977

May 17, 1943 — Page 41
WHO, Des Moines
DeKalb Agricultural Assn., DeKalb, 114, as thru Western Adv. Agency, Chicago.
Morton Salt, 52, thru J. Walter Thompson Co., Chicago.
Pierce’s Proprietaries, Buffalo (Gold Medal Discovery), 50, thru Duane Jones Co., Chicago.

KQW, San Francisco
Richard Shipyard, Richmond, Cal. (employment), weekly, ed, direct.
Procter & Gamble Co., Cincinnati (Ivy rope), 2 as thru Compton Adv., N. Y.
Lorus Bros. & Co., Richmond (Domino Enameled Ware), 2 as thru Warren & Legler, N. Y.
Norwich Pharmacal Co. Norwich, N. Y. (Pepto-Bismol), 2 as thru Lawrence, Gummere Co., Chicago.
Langendorf United Bakers, San Francisco (Homan & American Meal bread), 52 weekly, thru Erwin, Wasey & Co., San Francisco.
Procter & Gamble Co., Cincinnati (Dust), 1 as thru Compton Adv. Agency, N. Y.

WEAF, New York
S & W Fine Foods, San Francisco (orange marmalade, apple juice, etc.), 5 as thru, 52 weeks, thru S. C. Groot Inc., N. Y.
New York Telephone Co., New York (institutional), 63, as thru, BBDO, N. Y.
Meadows Packing Foods, New York (True Story Magazine), 4 as thru, Raymond Specter Co., N. Y.

WABC, New York
Savings Banks of New York State, New York (Bank services), 6 as thru, thru Rothschild & Resnik, N. Y.
Gordon Baking Co., Detroit (Silver Cup bread), 6 as thru, thru L. Miller Co., N. Y.

WOR, New York
Barney’s Clothes, New York (men’s clothes), 25, thru Emil Mogul, N. Y.
Roxy Theatre, New York, 23, thru Kayton-Dieter Co., N. Y.
Curtis Publishing Co. Philadelphia (Saturday Evening Post), 48 as thru, Mac- farland, Avery Co., N. Y.
Meadows Packing Foods, New York (true story magazines), 4 as thru, Raymond Specter Co., N. Y.

WWJ, New York
Mencken, Newark, N. J. (alcohol, shave products), 5 as thru, weekly, thru Russell & Seid Co., Chicago.
United Drug Co., Boston (Kaiser market sale), 14 as thru, weekly, thru Street & Fink, N. Y.
Beecham Packing Co., Canaanoharie, N. Y. (gum), 2 as thru, weekly, thru Newell-Emmett Co., N. Y.
Telephone Co., New York, 5 as thru, weekly, thru BBDO, N. Y.

WLIB, Brooklyn
Lane Bryant, New York (women’s ap- paral), 7 as thru, weekly, thru Kramer-Tobias-Meyer, N. Y.
Henry George School of Social Science, New York (free courses), 7 as thru, weekly, thru.
Twenty-Cent Fox Corp., New York (Wisconsin meat), as thru, thru Kay- ton-Spiero, N. Y.

WQXR, New York
General Foods Corp., New York (Maxwell House coffee), 6 as thru, weekly, thru Benton & Bowles, N. Y.
Henry George School of Social Science, N. Y. (Tasty Yeast), 28, as thru, thru C. L. Miller Co., N. Y.

WQXR, New York
General Foods Corp., N. Y. (Post-Tenal), 7 as thru, weekly, thru Benton & Bowles, N. Y.

CFCH, North Bay, Ont.
Household Finance Corp., Toronto (small loans), 52 as thru, BBDO, Chicago.

KIHJ, Hollywood
Interstate Bakers Corp., Los Angeles, 2 as thru, weekly, thru Dan Baker, N. Y.

WWA, Wheeling, W. Va.
Studebaker Corp., South Bend, Ind. (insti- tutional), 4 as thru, thru G. G. & Co., Chicago.

CHEX, Peterborough, Ont.

THREE DRUG ITEMS AMONG FTC ORDERS
CEASE AND DESIST orders were issued last week by the Federal Trade Commission ordering certain advertisers to cease misrepresentations in advertising over the radio and in other media by three firms manufacturing medi- cal products.

Bristol-Myers Co., Hillside, N. J., is ordered to cease false advertis- ing concerning its laxative Sal- hepta, which claims therapeutic and curative properties as a treatment for all ailments such as rheumatism, indigestion, etc.

For the preparation Nash’s C & L Malaria Chilling Tonic and Lax- ative, formerly known as Nash’s C & L Tonic, made and distributed by William G. Nash Sr., William G. Nash Jr., and Florence Nash Cox, trading as Nash Bros. Drug Co., Jonesboro, Ark., the Commission ordered cessation of advertis- ing that the preparation is an effect- ive treatment for malaria, liver trouble and other ills and that it is not habit forming and is endorsed by physicians and nurses.

McNeil Drug Co. and Associated Adv. Agency, both of Jacksonville, Fla., have been ordered to cease representing that the medicinal product is universally known as Magic Remedy, McNeil’s Magic Remedy and McNeil’s Magic Remedy, Brand has any therapeutic properties associated with rheumatism, gastr- icular swellings or similar conditions, in excess of that afforded by a mild analgesic.

Ad Club Re-elects
ALL OFFICERS and directors of the Advertising Club of New York were elected to office for the coming year at the annual meeting of the Club in New York May 11. Among the group of 13 directors continuing in office are Daniel S. Tuthill, vice-president of Na- tional Concerts & Artists Corp.; Frederick W. Trenner, managing di- rector of the 4 A’s; Charles C. Green, managing director of the Advertising Club, and Russell T. Thomas, sales manager of WOR, New York.
N. Y. Bell Spots

AS PART OF the Bell Telephone Co.'s projected radio campaign to urge limited use of long distance telephoning [Broadcasting, May 3], the New York Telephone Co. started a 13-week campaign in New York State, the week of May 3, using four stations in each of three major markets—New York, Buffalo and Syracuse. Company head is using about five live announcements weekly on WBBF WEAF WOR WAAB WGR WKBW WNNR WSYR WFLS WOLP. Agency is BBDO, New York.

The McElroy Division has produced a master recording containing 10 35-word announcements, for George H. Newsted Co., Cincinnati jewelers.

Weeny, Elmira, N. Y., has sold the games of the Elmira Pioneers to Gordon Coy, women's specialty shop; J. P. and M. Sullivan, furniture store, and McKinnon General Tire Co., tires and recap. Mr. McKinnon is president of the bell club. Bill Pope will direct the performances of the games when the team is away, as well as broadcast from the home park.

PITTSBURGH BREWING Co. (Iron City Beer) is now sponsoring Walter Compton's four o'clock commentary on WCAE, Pittsburgh.

KELITE PRODUCTS Inc., Los Angeles (Keltene cleaner), on May 7 started live origination of its three-weekly five-minute program, Name in the News, on the Arizona network (KFY KTUC KSUN). Featured is Bithie Miller with local talent. Transcribed version had formerly been used on KOLK, Arizona.

GENEFAL FOODS Corp., N. Y. (Grape Nuts and Grape Nuts Flakes), is sponsoring broadcasts of home games of the Chicago White Sox and Cubs on WCFL Chicago. Season started April 21, Hal Totten, who has been handling the games since 1924, will again announce the broadcasts. Agency is Young and Rubicam, N. Y.

BARKER BROS. Corp., Los Angeles (home furnishings), in a six-day campaign which started May 2, sponsored 15 announcements calling attention to pre-fabricated home now on exhibit in that store, on five Los Angeles area stations, KNX KFI KECA KHJ KMPC. Agency is Rudolfe May ADR, that city.

SUNNYVALE PACKING Co., San Francisco (Manchlo soups), has started participations on KGW, San Francisco. Agency is Foot, Conn & Belding, San Francisco.

CASH INCOME and GOV'T PAYMENTS (IN MILLIONS)

NORTH CAROLINA

$221.8

AVERAGE OF NINE OTHER SOUTHERN STATES

$133.3

Source: Department of Agriculture, 1940

WPTF with 50,000 Watts in Raleigh is NORTH CAROLINA'S No. 1 SALESMAN

NBC - 680 K.C.
Kansans at Home, Listen More, With Rationing of Gasoline

Dr. Whan Completes Supplementary Farm, Village Audience Survey Including Battery Sets

EFFECT of gasoline rationing on Kansas rural buying habits and radio listening has been studied by Dr. F. L. Whan, U. of Wichita, Wichita, Kan., as a supplemental study to the 1943 Kansas Radio Audience Survey. Copies of the 56-page report have been released by WIBW, Topeka, and Ben Ludy, manager.

Gas rationing in itself made the usual Whan personal interview method, used in earlier studies of the series, impossible. Instead, school children carried questionnaires home, parents filled them in, and the completed forms were returned to school heads. One of every 109 farm families in the state was covered; one of every 192 "village" families, or community of 2,500 persons, or less.

More or Less Time at Home

Of particular interest to the radio industry was Question 8 of the survey. As compared with last year, do you and your family spend less or more time or more time (since gasoline rationing) in your home? Slightly more than 60% of the farm families spent more time at home; 54% of the village families. Only 4.6% and 4.1% of the farm and village families respectively reported less time. Remander said "same time as before."

Question 9 followed with: Do you and your family spend more or less time listening to the radio, than you did a year ago? Although the increases reported were strikingly large they did not quite equal the increased time spent in the home. A fraction more than 47% of farm families said they listened more, 11.5% less, 41.4% the same; village families—46.3% more, 6% less, 47.7% the same.

Relationship of battery sets to increased or decreased listening in rural areas, and the possible effect of failure to get batteries, is reflected in another question: How does your set get its power?

Of the 1,029 set-owning farmers reporting, 891 said sets were battery-powered. Of these, 154 were served by family-owned generators. Of the 1,060 set-owning village families, 42 reported battery sets, 5 having generators. Of the 933 battery set families, 15 or 1.6% wrote in the margin of the questionnaire that they were having trouble getting batteries. (Three said they would listen more if they could get the batteries.)

By types of power for sets, 47.4% of the high-line families said they listen more than a year ago; 49.6% less, and 46.2% the same. Battery powered sets owned less, 44.3% more listening, 14.1% less, and 40.4% the same.

With 4.9% of the high-line families reporting less listening it is not reasonable to suppose 47.7% of the 14.1% battery set families reporting less listening are having trouble with batteries.

More Money to Spend

Other question brought out that Kansas farm families have far more money to spend than last year. They reported as follows: 32.8% have about the same as last year; 40.0% have up to half again more; and almost 20% report 1½ to twice more.

Figures for village families were comparable showing only 6.6% receiving less income than last year.

Another question asked: When war ends or materials are again available, what household articles or farm equipment do you plan to buy as soon as possible—either to replace things worn out or to buy for the first time?

Answers indicate that 20.7% of the farm families will buy receiving sets; 25.3% of the village families. Higher percentages of families will buy, according to the answers, autos, farm equipment, such as trucks, tractors, etc.; furniture, refrigerators, washers, or clocks. More than 21% will buy washing machines; 10% guns, and 5% furnaces.

Standards of living do not affect the decision to buy receiving sets when available again. But those in a high standard of living will buy more receiving sets, autos, washers or clocks and furnaces.

On the other hand the answers...
Watch Fishing Bulletins for Violation Of Weather Code, Censorship Warns

THE Office of Censorship in Washington has turned its attention to a problem arising out of information releases on fishing conditions being sent to stations by the conservation departments of several states. The releases are a compilation of news on fishing as reported by telegram from different sections of each state, then forwarded on to radio stations by fast mail for broadcast as soon as received.

The problem results from the fact that in many cases detailed weather information is included in the releases and, if used on the air, would constitute a violation of the Weather Clause of the Code of Wartime Practices for American Broadcasters. The Office of Censorship is contacting state conservation departments as fast as it is discovered that a state is furnishing broadcasters with such service in an effort to control this dangerous information at the source. However, the office points out that stations should edit any weather information in these releases in accordance with the provisions of the Code. The fact that it is furnished by a state agency does not constitute appropriate authority for broadcast.

Radio management is asked to report any such cases to the Office of Censorship.

Driscoll to Go Overseas

DAVE DRISCOll, director of war services and news of WOR, New York, will go overseas soon to make on-the-scene recordings of fighting activities in the European war area for retransmission in this country. Mr. Driscoll will use the Soundmirror, recording and playback equipment with which he has pioneered in documentary broadcasting.

Our Error

EDITOR, BROADCASTING:

An obvious typographical error was made in BROADCASTING Magazine, issued today, stating that the RMA-FCC plan for organization of the Radio Technical Planning Board was rejected last week "by the Radio Manufacturers Association." It is obvious that the article intended to state that the RMA-FCC plan had been rejected by the Institute of Radio Engineers, and a correction in your next issue would be appreciated so that all interests may be correctly advised.

BOND GIESBRECHT
Executive Vice-President
Radio Manufacturers Assn.
May 10, 1943

POP CONCERTS of the Boston Symphony Orchestra started on the BLUE Saturday, May 1, 8:15-9:15 p.m., continuing until mid-July. Milton J. Cross, commentator of the BLUE Metropolitan Opera Co. broadcasts, now concludes, is heard on the Boston Symphony programs. Special feature of this year's concert is a music memory quiz. Prizes are recordings.
AMERICAS NETWORK OBSERVES BIRTHDAY

IN OBSERVANCE of the first year of full-scale operations, the CBS Network of the Americas will present a birthday broadcast May 10 on CBS, 11:15 p.m. to midnight (EWT), with musical greetings from New York, Buenos Aires, Santiago and Havana. A special musical program will be shortwave to Latin America from 10:30-11:15 p.m. the same evening with a recapitulation in Spanish of the network's program highlights.

William S. Paley, president of CBS, in dedicating the network a year ago stated its purpose: "The underlying philosophy of this new network is a simple one—the establishment of a medium for the exchange of culture, entertainment and information among the peoples of this hemisphere, an instrument of friendship and understanding among the Americas."

A year ago, the network was of 76 stations; today it totals 97. Starting with a daily schedule of seven program hours, the network now shortwaves daily over CBS' three international transmitters eight and one-half hours in Spanish and six and one-half hours in Portuguese.

Under the supervision of Edmund A. Chester, director of shortwave broadcasting and Latin American relations, outstanding entertainers have been brought to New York and are heard daily on shortwave broadcasts of typical music of their respective countries.

THIRD YEAR of affiliation with MBS was marked by North Central Broadcasting System and its member stations' giving to the United States-American Relations Fund, William Boler, NCBS president at the Hotel Nicollet, in Minneapolis recently. NCBS, which has offices in New York and Chicago, has renewed the Mutual affiliation contract for another two years. Seated clockwise around the table are: L. I. McCary, KWNO, Winona; A. A. Fay, KABR, Aberdeen; Leonard J. McNeil, KSJB, Jamestown; Bert Wick, KDLR, Devil's Lake, N. D.; W. Westmoreland, WEAU, Eau Claire, Wis.; E. M. Marzet, KVOX, Moorhead, Minn.; J. W. Haas, WACO, Austin, Tex.; Superior, Wis.; WJMS Ironwood, Mich.; James Comroy, Robert A. Kennedy, WDWM, Superior, Wis.; D. A. Clayton, NCBS vice president; Howard S. Johnson, NCBS director; Charles Winton, E. S. Mittendorf, WLOL, Minneapolis; Fred Weber, MBS general manager; Mr. Boler; Edward L. Hayek, KATE, Albert Lea; Harry Linder, KWLM, Willmar.

War Agency Guide

HANDBOOK listing the names and functions of all Government war agencies, including the Army and Navy, has been published by OWI. The booklet, covering 150 pages, contains names of all key personnel, their functions and telephone numbers. It is available (20c) through the Supt. of Documents, Government Printing Office, Washington.

U. S. SHOW’S WIN, SAYS FRANCISCO

SHORTWAVE and transcribed programs from this country to Latin America are fast overcomimg German propaganda, Don Francisco, director of the radio division, Office of the Coordinator of Inter-American Affairs, said during a three-day Pacific Coast visit in early May.

Mr. Francisco conferred with Jack Runyon and Hobart Montee, Hollywood and San Francisco managers, respectively, of CIAA, to collect data on coast operations, prior to his current tour of Latin American republics. He recommended the cooperation of radio and film stars and of the Hollywood Victory Committee.

Among the most effective programs, Mr. Francisco mentioned a narrative series on people and customs of the United States, conducted by Molinos Campos, Argentine caricaturist; broadcasts featuring film stars speaking in Spanish or Portuguese; a musical series, "Hollywood Views the Americas," featuring Rosita Moreno; and all shows dealing with U. S. war activities.

Programs are designed to hold regular audiences through use of features that are built into the network's basic schedule.

Gunther For G. Mills

GENERAL MILLS, Indianapolis, on May 7 started its third program on the BLUE for the interests of Cherrios with sponsorship of John Gunther's twice-weekly news broadcast. Other programs for Cherrios are "The Lone Ranger" and "Hop Harrigan," while General Mills also presents "Jack Armstrong" on the BLUE for Wheaties. Gunther's news is heard Friday and Saturday, 10-10:15 a.m. A symphony, "Saved by Radio Is Hinted" by U. S. Rubber Contract Given Board Report Prominence

SPONSORSHIP by U. S. Rubber Co., New York, of the CBS Sunday afternoon Philharmonic Symphony Orchestra will provide financial assistance to the Philharmonic Society at a time when "such help was necessary if the organization was to go forward," according to Marshall Field, president and chairman of the board of directors of the Society.

Mr. Field included this statement in his report of the 101st Philharmonic season at the Society's annual meeting in Steinway Hall, New York, last Monday. He reported the Society had an operating deficit of $130,500 last season "net from sources other than the sale of tickets, fee from broadcasting and royalties from records."

"This deficit," he continued, "was made up by income from the Endowment Fund, the Guarantors Fund, dues from the Auxiliary Board, contributions from radio members and gifts from friends of the Society."

Speaking of U. S. Rubber's presentment of the concerts starting May 23 (BROADCASTING, May 10), Mr. Field said the Society "will now be able to issue to its subscribers a prospectus of the coming season and it is hoped that their response will be as generous as in the past. It is further hoped that the friends of the Society who have supported it with gifts in the past will continue to do so as generously as possible so that plans for the future development of the Society may be carried out."

Mr. Field said that the trouble between the Society and Local 802 of the AFM has been cleared up to a point where one can state that an agreement satisfactory to both sides will be arrived at shortly."

Another For Gootee

LT. THOMAS E. GOOTE, former NBC studio engineer in Hollywood, has been decorated with the Order of the Purple Heart for wounds received serving with the Army Air Forces in the European theatre of operations. Lt. Gootee, who is attached to the RAF in England, has already received the RAF Air Force Cross and two other American decorations.

50,000 WATTS NIGHT AND DAY

SOUTH NAVOL AND RICHMOND

WILL COVER ATLANTA AT LOW COST

LOWES

Represented by SPOT SALES INC.

Page 46 • May 17, 1943
**Mysteries of Radar Partially Disclosed**

**WPB Releases Two Articles On Building War Machine**

A PEEK into the problems faced by Ray C. Ellis, and the WPB Radio & Radar Division, in building a giant new electronics industry to supply Radar to the armed forces, was given last week in two articles released by the WPB, outlining the history of Radar and the military Radar program.

Interpreting for the layman in some detail the operating principles of Radar, the WPB articles explained that Radar itself was based on the same radio discoveries that made standard broadcasting possible. The articles continued beyond the points covered in an Army-Navy statement last month to describe expansion of the radio industry to meet the multi-billion dollar Radar demands.

Since Pearl Harbor

At the time of Pearl Harbor, five major companies turned out military radio equipment, the releases said, only one of them an important producer of home sets. There were 1,000 companies making components and about 50 assembling home sets at the time.

To spread the work done by these five companies to many thousands needed to do the job, WPB said, management, engineers, workers all had to be trained and facilities provided. In April, 1942, production of home sets was stepped up and within a year the industry was turning out military material at eight times peacetime levels.

The articles described the industry's personnel problems, pointing out that most of the engineers are young men who are being absorbed by selective service. Large numbers of the workers, however, are women, including more than 50% of Signal Corps inspectors.

Over half the materials required for Radar are critical, the report says, and maintenance of the flow of production has been difficult. Much trouble has resulted from failure of manufacturers to order components on a regular basis, resulting in bottlenecks and peaks of production. At the moment, the articles said, the Radio & Radar Division is seeking to smooth the flow of production.

Defeat of the Axis will be followed, Mr. Ellis, chief of the division, predicts, by use of knowledge in electronics to build peacetime industries putting ultra-high frequency radiation to a dozen purposes. Food preservation, automatic control of machinery, fire detection, regulation of lighting and other uses will be found, he said.

** Flynn on War Job**

ROY M. FLYNN, chief engineer, KRLD, Dallas, has been drafted to do a war job at the Radio Research Laboratories, Cambridge, Mass. Station's technical staff until Mr. Flynn's return will be headed by Claude Miles and B. B. Honeycutt. Mr. Flynn came to KRLD from the Dallas Radio Laboratories in 1927. He has superintended the construction of the station's subsequent power equipment.

**There Goes The**

**IMPROVED GATES TRANSMITTER**

You'll Want Tomorrow!

A few years ago we "got a kick" when a station in Alaska bought Gates equipment—Alaska seemed so far away . . . and names like Guadalcanal and Bize were places we left behind in our geography books.

But today, we at Gates suddenly find ourselves at the crossroads of the world. Everyday Gates transmitters, tuning and control units, amplifiers and remote equipment start on their journey to the many odd-named war fronts.

Our experience of over 21 years of good designing, durable construction and assured performance, stand behind every Gates product. To this has been added new methods of engineering, improved efficiency. These developments are vital to our Armed Forces and of great significance to you who have plans in post-war radio.

Our engineering staff stands ready to consult and advise on the maintenance of your present equipment—whether you are Gates-equipped, or not.
and now it's 64

Since January, 1938, WAPI has been the national spot business leader in Birmingham. In foods. In drugs. In fact—in total spot quarter-hours WAPI has, every month, broadcast twice as much spot time as the other two local stations combined.

During April, 1943 (the 64th consecutive month) Birmingham national spot quarter-hours were distributed like this:

<table>
<thead>
<tr>
<th>Station</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>WAPI</td>
<td>58.3%</td>
</tr>
<tr>
<td>Station B</td>
<td>19.2%</td>
</tr>
<tr>
<td>Station C</td>
<td>12.5%</td>
</tr>
</tbody>
</table>

Ask Radio Sales why WAPI is this unfailing first choice of experienced advertisers.

WAPI * BIRMINGHAM

Represented by Radio Sales, the SPOT Broadcasting Division of CBS

BROADCASTING • Broadcast Advertising

Paul Schubert's Mutual commentaries are now being shortwaved in part to the British Isles and to Allied troops overseas by the Office of War Information.
Dentifrices Production Threatened; Oral Hygiene Study Proves Big Usage

WAR TIME problems of container and material supplies are believed by many industry executives to constitute a serious threat to continued production of prepared dentifrices, an important group of radio-advertisements products.

In some quarters, it is believed that there is a tendency greatly to understate the importance of dentifrices to public health. This is considered by many dentists and a study of the usage of prepared dentifrices, submitted last week by the Committee on Oral Hygiene of the Toilet Goods Association. The information was gathered by A. C. Nielsen Co., Chicago research firm, and the Psychological Corporation, through inventory of homes and dentifrice products in a representative sample of urban population.

Almost seven packages of prepared dentifrices are consumed per year by an average family in the United States. Consumption has been growing, with an increase from 208 million packages in 1936 to 233 million packages in 1940.

There is little difference in consumption between the upper, middle and lower income groups, indicating that all classes of the population regard these products as necessities. The figures gathered by Nielsen show that 93.8 per cent of upper income families use prepared dentifrices, as do 91 per cent of the middle and 87.2 per cent of the lower income group, with a composite figure of 91.4.

Very few consumers believe tooth brushing is adequate for oral hygiene unless tooth brush is used with a prepared dentifrice. This is shown by the figures on use of toothbrushes compared with use of dentifrices. The number of those using the toothbrush without a prepared dentifrice is found in the lower income group, where 93.2 per cent use a brush and 87.5 per cent use both brushing and a dentifrice. Thus, nearly all families in all income groups using toothbrushes also use prepared dentifrices.

Directed toward the problem of wartime supplies of materials and containers, the report points out that in Britain production of dentifrices was allowed to expand 11 per cent in the last six months of 1942.

The American public uses mainly paste dentifrices (50.5 per cent), powders (35 per cent), and liquids, 3 per cent. Two per cent use "others"—mainly salt and soda.

With an overall consumer demand of 238 million packages," the report says, "it is obvious that no one type of container will meet consumer's dentifrice requirements, either because of ingredient shortages or lack of packaging facilities."

The report concludes with three observations:

(1) The availability of dentifrices in forms the American people have accepted, and which have become traditional, has created an oral hygiene which have contributed to public health.

(2) There is nothing in experience to justify the belief that if deprived of prepared dentifrices the public would continue to maintain their habits of oral hygiene.

(3) Any act which might cause a substantial portion of the American public to discontinue their habits of oral hygiene is detrimental to public health and welfare.

Schenley Sponsors Shows In Latin American Field

MARKING its venture into international radio advertising, Schenley International Corp., New York, has started a national campaign which will be carried on about 30 stations in approximately 14 Latin American countries by the end of the year. Purview of the drive is to familiarize listeners in southern countries with the House of Schenley, as a build-up for post-war promotion of Schenley's products.

Initial schedule, which got under way in Brazil, May 4, and in Argentina, May 7, utilizes a half-hour weekly program of drama and music, which has been recorded on four stations in Brazil and on Argentina's Radio Splendide network, comprising some eight stations. Remaining part of the schedule is expected to begin sometime in August, with transcriptions in some countries and live programs in others where recordings are not possible. Business is placed by McClure-Erickson, New York, which handles domestic advertising for Roma Wine Co., Schenley subsidiary, and for Old Charter whiskey.

Knomaark Sports

KNOTMARK MFG. Co., Brooklyn, begins a campaign for Kno- mark and Esquire shoe polishes [BROADCASTING, Feb. 22], has started sponsorship of a seven-times weekly, quarter-hourly of sports on WHN, New York. Bert Lee and Marty Glickman, the sports casters, are heard in the 5 to 5:15 p.m. period usually pre-sized by the New York Dodgers and the World Series. In a routine performance and Dodger games in a round-up titled Sports Extra. Agency is Consolidated Adv., New York.

Arrid Complaint

ARRID is not harmless and will not accomplish the results claimed in terminating under-arm perspiration and odor, as advertised. According to a complaint by the Federal Trade Commission against Gompers & Co., which markets Arrid deodorant. Continued use, the complaint alleges, will irritate the skin of some individuals.

WFPL, Ft. Lauderdale-Miami, has appointed Headley-Read Co. as national sales representative.

Boycott Threat!

PROTESTING absence of Joel Kupperman, six-year-old brain whiz, who dropped out of school for two years ago because of a series of transcribed addresses by eminent authorities which will be distributed to 100 stations, beginning with the week of May 24, Walter S. Leoness, presently submitted wide, announced last week.

Series will feature such speakers as Nicholas Murray Butler, president of Columbia University, and Charles E. Wilson, chairman of the Carnegie Endowment; James B. Shotwell, noted historian who served with President Wilson's advisory staff at the peace conference following the last war and who recently submitted a report to the organization of Peace; John W. Davis, Democratic candidate for President in 1920; Silas Strawn, chairman of Montgomery Ward & Co.; Douglas S. Freeman, historian and publisher of "Richmond News Leader, and others.

An audience-participation feature will be injected into the series, Mr. Leoness stated, through announcements on the programs "inquiring listeners as to their general post-war plans to the sponsoring groups. Those deemed most valuable and those most frequently selected will be used as the basis for future programs.

First 13 of the post-war broadcasts are prepared and are ready for distribution, Mr. Leoness said. A preview recording, introducing and explaining the purpose to President Wilson's listeners and containing excerpts from some of the talks, has been sent out.

'Inequity' Raises Legal

Under New WLB Ruling

POWER for the War Labor Board to grant wage increases in cases involving gross inequities was re- moved by the Stabilization Director James F. Byrnes last week, following a statement by the Board that "the war price control" was under provisions of the President's "hold-the-line" order which permitted raises only to correct sub- standards of living.

The Byrnes order will open the way for settlement of some of the 35 or so radio cases now in the hands of the Board, it is believed. Extent of the relief is still in doubt, however, because the WLB will make no further grant raises in cases of inequities. Further definition of the terms is expected.

Fitch Adds Dreier

F. W. FITCH CO., Des Moines (Iowa), has announced that May 16 will incorporate a five-minute newscast featuring Alex Dreier into the Fitch Bandwagon, heard Sundays at 7:30-8. The full-length commentary will be broadcast at 7:55-8, with special commercials for the Fitch shaving products, Nationwide, Frisco, and Powerhave cream. Agency is L. W. Ramsay Co., Davenport, la.

100 STATIONS GET

WORLD WIDE SERIES

TO AID in the creation of an informed public opinion to deal with the problems of the post-war world, World Wide Broadcasting Foundation, working in cooperation with the Carnegie Endowment for International Peace, is preparing a series of transmitted addresses by eminent authorities which will be distributed to 100 stations, beginning with the week of May 24, Walter S. Leoness, presently submitted wide, announced last week.

Series will feature such speakers as Nicholas Murray Butler, president of Columbia University, and Charles E. Wilson, chairman of the Carnegie Endowment; James B. Shotwell, noted historian who served with President Wilson's advisory staff at the peace conference following the last war and who recently submitted a report to the organization of Peace; John W. Davis, Democratic candidate for President in 1920; Silas Strawn, chairman of Montgomery Ward & Co.; Douglas S. Freeman, historian and publisher of "Richmond News Leader, and others.

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'Broadcast Advertising' • Broadcast Advertising
Sponsored Army Show on CBS Canceled by AFRA Decision

Union Won't Waive Code for AER Benefit Show
Because of Profit to Network and Sponsor

Refusing to waive its commercial code to allow the all-soldier cast of This Is the Army to broadcast a series of four one-hour programs on CBS under the sponsorship of Liggett & Myers Tobaccos Co., the American Federation of Radio Artists last week rejected the request of officials of Army Emergency Relief for permission to present the series, which would have netted the fund approximately $40,000.

Union notified Maj. Gen. Irving J. Philipson, executive director of the Army Emergency Relief Fund, on that decision, Philipson said his national board had voted "by an overwhelming majority" that it would be unfair to permit uniformed men working for regular Army pay to participate in a venture that would result in substantial profits for both CBS and the sponsoring company, it was explained by Emily Holt, executive secretary of the union.

"Tibbett to Washington"

Before polling the board members, she said, and Lawrence Tibbett, president of AFRA, had gone to Washington to discuss the whole question with Maj. Gen. Philipson, with whom AFRA had made arrangements for the series.

Union's stand was endorsed by A. L. Berman, president of This Is the Army Inc., Army-controlled agency in charge of the show's financial affairs, who said that his organization agrees with the union, adding that "if it was a purely Army show we know AFRA would be the first to cooperate."

At the War Dept., the Radio Branch indicated that if AFRA, CBS and the sponsor had worked out arrangements for the show, there would have been no objections by Army officials. Though War Dept. policy dictates that in general Army men may not appear as comedians and stooges on commercial shows, exceptions are made when a program advances the interests of the Army and is of good taste. Army Regulations provide that military personnel shall not be placed in economic competition with civilians in any manner to reduce civilian opportunity to earn a means of livelihood. They further provide that the program, if sponsored, performance of Army personnel is permitted, provided such performance is an incidental part of a complete program but not a regular part of a series of programs.

Last February when the CBS Lux Radio Theatre broadcast condensed version of This Is the Army, the War Dept. approved the all-soldier cast.

Citing figures collected by the Hollywood Victory Committee that the entertainment industry of America has raised well over $2,000,000 for Army-Navy Relief, Mrs. Holt said that even so the decision to reject this request was a difficult one, but the union feels that "soldiers and sailors should not be asked to go on the air to sell cigarettes or soap or any other competitive commercial product."

It was also pointed out that the series was to be presented on Tuesday evenings from 9:30 to 10:30 p.m., when Fibber McGee & Molly and Bob Hope broadcast on NBC, time not currently sold on CBS which, with Army talent, would have collected time charges for its full network for the four-week period, or possibly for longer if these broadcasts secured a large enough audience.

Executive of Newell-Emmett Co., agency for Liggett & Myers, declined to comment on the situation except to say that the agency had not been involved in the negotiations with the Army or AFRA, which had been conducted entirely by CBS. CBS executives similarly refused to discuss the subject or to amplify the statement sent May 8 to its stations when the rejected proposal was received. This message read:

"Decision Surprise to CBS"

"A wholly unexpected development has blocked the broadcasting of This Is the Army which we asked you to clear beginning May 25 for four weeks. Confidentially, after this cleared, there were lengthy and laborious negotiations with high officials of the United States Army and Irving Berlin and after careful consideration by Maj. Gen. Phillipson, with whom the schedules were blocked, AFRA raised objections to allowing Army soldier cast to perform. We have negotiated unsuccessfully with AFRA management who met for final decision last night and refused permission for broadcast. We must regretfully therefore cancel earlier reservations."

AFRA's action raises the whole question of the propriety of radio appearances of members of the country's armed forces, which is alleged in some quarters heretofore has been decided on an apparent hit or miss basis, with no consistent policy. Sgt. Gene Astry broadcasts each Sunday for Wrigley's Spearmint gum, but Sgt. Emmett Stone was denied permission to broadcast on Thursdays for General Foods, to cite but a single example. Outside of radio, the Army cancelled the Joe Louis-Bill Conn fight which had been scheduled for the benefit of Army Emergency Relief because the fighters and the promoters would also profit, yet they would have permitted the This Is the Army broadcasts if AFRA had not intervened.

Persons Over 45 to Get WJSJ Technical Courses

MEN and women over 45 will be trained as radio technicians by WJSJ in Philomack, station technical supervisor, will teach the courses tuition-free. Object is to get transmitter and control operators.

Mr. Hendrick has had previous teaching experience, having conducted the extension division of North Carolina State College technical school work in Winston-Salem.

"The school is planned to be of benefit to all stations in our area," says Harold Esse, station director. "Each student is expected to understand his or her under no obligations to accept employment at WJSJ nor is the station under obligation to provide or obtain employment for any student. "Naturally we expect to pick a couple good ones for TV."

Course will last six to eight weeks, two evenings per week. Graduate citizens should be ready for the next FCC examination due in Winston-Salem first week in August.

FCC Orders Link Rates Equalized After June 30

Equalizing the charges representing the radio link in foreign or overseas radio communications, the FCC last week ordered establishment of uniform arrangements for the division of charges for foreign and overseas radiocommunications between licensees in the fixed public and fixed wireless services and their foreign correspondents to be effective June 30.

The Commission ordered that each of the fixed public and fixed public press licensees of the AT&T, Globe Wireless, Mackay Radio & Telg. Co. (Cal.), Mackay Radio and Telg. Co. (Del.), Press Wireless, RCA Communications, Radio Corp. of Puerto Rico, South Porto Rico Sugar Co., Tropical Radio Telegraph Co., United States-Liberia Radio Corp. be modified to include the following condition:

"This license is granted upon condition that the licensee shall not operate under or enter into any contract, agreement, or arrangement for the division of the radio link portion of the charges for foreign or overseas service on a basis other than 50% thereof to the licensee and 50% thereof to the foreign correspondents of such licensee."

Red Cross Cites WHAM Citation from the American Red Cross for "appreciation of service" has been awarded to Little Show, weekly program heard on the past 26 weeks on WHAM, Rochester. Presentation was made by Maj. William W. Frew, assistant director for recruitment. Features were lieutenants who have received blood plasma while in action, as well as talks by prominent citizens, and music.
Employment Helps At USES Offices
McNutt Points Out Varying Regional Provisions

MOST RELIABLE information about the rights and responsibilities of employees and workers under the recently enacted hiring controls [BROADCASTING, April 19] of the War Manpower Commission is available at local USES offices. War Manpower Commission Chief Paul V. McNutt said last week he pointed out that the entire nation is now blanketed with regional stabilization agreements involving varying provisions in many of the 12 national manpower regions.

Completion of the network of regional stabilization agreements makes it possible for workers in essential industries to move to new jobs provided it is in the interest of the war effort. Under the usual stabilization agreement, WMC points out, employers issue "statements of availability" to workers to enable them to accept new jobs.

Consult the USES

These statements are to be issued when an employee is discharged or when he wishes to take a job where his services will be more effectively utilized. Refusing to explain further how employers will know when they have a right to issue these statements of availability, Mr. McNutt said, "when in doubt, consult the USES.

While the national hiring controls were going into effect, officials of the WMC confirmed Thursday that a new list of critical industries may be drawn up to assist draft boards in granting deferments.

Admitting that the present list of essential industries, which covers 35 industries and 1800 jobs, is now too bulky to provide any sort of effective assistance to draft boards in determining deferments, officials of WMC said that a shorter list of "critical" jobs is being considered.

Even if the critical list is adopted, they indicated, the list of 35 essential industries will probably be retained since it has become a

vital part of hiring machinery under the stabilization programs, and since "industries like to be on an essential list because it gives them sort of a Government blessing."

Officials explained that the essential industry list never guaranteed deferment, and that with the manpower pinch becoming more acute it has become far too all-inclusive to be of service to draft boards. It is, however, they say, a practical instrument for other manpower regulations.

Another development last week was an announcement by Brig. Gen. Lewis B. Hershey, director of Selective Service, that drafting of pre-Pearl Harbor fathers is likely to begin by August 1. Selective Service has advised employers to fill in Form 42B for each such father now on his staff. This form assures the employer 15 days' notice before these men, now in 3A, are reclassified, so that he may appeal for their occupational deferment to 2A or 2B.

WLB OK's CBS Contract

APPROVAL of the entire new contract between the International Brotherhood of Electrical Workers (AFL) and CBS covering technicians and supervisory personnel was announced by the War Labor Board last week following reconsideration of an earlier decision which had ruled out provisions for a shorter wage progression and shorter maximum work day, although approving a 7-cent-an-hour wage increase. WLB notified Law- son Wimbler, international repre- sentative of the union, that it had reconsidered in the light of IBEW's appeal [BROADCASTING, April 5, 12].
Durr Asks Cox Dismissal
(Continued from page 18)

intensifies a concern which I have felt for some time." Mr. Durr said these facts raise serious question as to whether or not Congressman Cox has the disinterest and objectivity requisite for the chairman or member of a committee charged with a duty to investigate and to report upon its investigation to the House.

The facts indicate, he charged, that Congressman Cox was inspired to "a large degree, if not wholly, by prejudice, animosity, and personal interest in introducing the resolution pursuant to which this investigation is being conducted, in pressing for its adoption, and in conducting the investigation since its passage."

Exhibits Included

"Because of his personal interest and because of the prejudice and bias which he has already shown... I do not think Congressman Cox is an appropriate person to conduct an inquiry into my activities as a member of the FCC, or into my personal affairs," said the Durr letter. "Nor, in the light of long-standing precedents of the House, do I believe that, having the full information before it, the House will deem proper for him to conduct an inquiry into the activities of the FCC."

Along with the petition, Mr. Durr filed a nine-page memorandum, dated May 13, reciting the history of the WALB case and quoting copiously from testimony during the proceedings, which began on March 6. He pointed out that the $2,500 check matter had been referred by unanimous vote of the Commission in March, 1941, to the Department of Justice. For such action as the Department might deem appropriate. He added to Section 113 of the U. S. Criminal Code, making acceptance of improper payments for personal services rendered by members of Congress and certain others in public life in any proceeding before a Government agency a criminal offense punish- able by imprisonment and fine.

He contended the record "shows a self-interest and a bias so obvious as to render Congressman Cox unqualified for the position committee." He also cited "long-standing precedents of the House to support the disqualification here sought." After announcing these, he said other examples could be cited showing it has been repeatedly determined that where charges are brought by a member in a matter in which he is a full party interested, that member is not ap- pointed to the investigating committee.

The exhibits attached to the Durr newspaper release included a photostat of a purported WALB check dated Aug. 18, 1941, made out to Mr. Durr for $2,500 and endorsed by Judge Cox, and having cleared through the City National Bank of Albany on Aug. 30, 1941, and the voucher purportedly showing payment for "legal expense."

No Replies To FTC

RADIO & Periodical Division of the Federal Trade Commission has received no comments yet from broadcasters opposing efforts by PGad B. Morehouse, director, for simplifying clerical work in sending out reports of returns submitted to the commission, according to Mr. Morehouse. These suggestions, made in a letter to a broadcaster and printed in the May 7 NAB Reports, are intended to make the continuity returns easier for the broadcaster but would have no effect on their handling by the FTC, Mr. Morehouse said. The requests have been most cooperative, he continued, and the Commission is glad to do what it can to make their work easier.

War Food Guide

OFFICIAL GUIDE, showing how food advertisers can tie in with the National Wartime Nutrition program, was released last week by the Nutrition & Food Conservation Branch, Food Distribution Administration, in cooperation with the OWI and the Advertising Council. Promotional phases were developed through the Council, with Benton Kastor, advertising director, and W. Roden, of Harold H. Clapp Inc., campaign coordinator. Kellogg Co., Battle Creek, Mich., printed the folder.

UP'S STYLE BOOK

Phil Newsom, Radio Manager,
Advises on Writing-

STYLE BOOK for radio news has been written by Phil Newsom, news director of WIP, and is available to UP radio clients, the UP radio staff, journalism schools and other duty not yet as-signed.

Pocket size, cloth bound, and illustrated with cartoons which emphasize the chief idea of each chapter, the book assumes the reader is already experienced in news writing, and tells him how to alter his style to make printed words clear and effective when heard as they have been on the printed page.

Mr. Newsom stresses use of shorthand, reporting, as an informal style, frequent re-writes, and care in picking stories since they go indiscriminately to the whole family. The book is illus- trated throughout with news stories involving the principles set forth.

‘This Is Official’ Set By Blue as War Series

SECOND network program to be announced following the statement made at the NAB Convention that the four networks were being asked to cooperate in spreading Government messages [BROAD- CASTING, May 3], is the BLUE’s Washington press conference on the air," which starts May 23. Titled This Is Official and heard Sundays 1-1:30 p.m., the program is to be presented from Washing- ton in cooperation with the OWI and is designed to provide answers to questions on the war, as submitted by the people.

Each broadcast features a "ans- wer panel," made up of Government officials starting with Prentiss Brown, head of the OPA; Chester Davis, Federal food administrator; Paul V. McNutt, chief of the War Manpower Commission, and representatives of WPB and the War Dept. An interlocutor, who will select the questions each week and present them to Government heads, will be named shortly, NBC's all- Government bureau served in part by Col. Ralph Weston, gets under way June 5.

This Is Official was developed by John H. Heiney, of Washington, who also will produce. Mr. Heiney originated Prof. Quiz, said to have started the quiz-a-cycle in net- work broadcasting.

Strong Jap Signal

JAPANESE international broad- cast transmitter at Tokyo is throw- ing a good signal along the Eastern Seaboard of the United States, as well as the West Coast, according to reports received in Washington. The Tokyo international, JLG4, apparently using about 100 kw, beamed to this country on 1615 kc, is putting on news in English at 7 p.m. (EWT). These propaganda broadcasts are fol- lowed by a dozen or so phonetic messages from American prisoners held by the Japs, allegedly attest- ing good treatment and good health. The first of one American prisoner reported she received some 120 letters from friends throughout the country after a recorded message mentioning his name.

BROADCASTING • Broadcast Advertising

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JOHN MULLEN GETS NEW OWI COPY JOB

JOHN A. MULLEN, vice president of Bennett & Bowles, has been appointed Copy Chief of the OWI Radio Bureau. Mr. Mullen is Chief of the Bureau an- nounced last week that his immediate Chief post is a new one, Mr. Stauffer said, in- volving supervision of the texts of all OWI Radio Bureau announcements, and other duties not yet as- signed.

Mr. Mullen was one of the original consultants of the OWI Radio Bureau. Officials stated that he had done "yeoman work in helping to lay plans for the Bureau's opera- tions." At his new post, Mr. Mullen will report directly to Mr. Stauffer.

At Benton & Bowles, Mr. Mullen was director of commercials. Date of his joining the OWI agency has not yet been set, nor have plans been made for his replacement. He will be responsible for the entire OWI agency, with which he has been as- sociated for nine years. For his past year, he has been on the Radio Advisory Committee of the Advertising Council.

Own Agency Is Opened By Weston Hill in N. Y.

WESTON HILL, widely known to the radio industry as a copywriter and creative executive for various agencies, has announced the opening of his own agency, Hill Adv. & Pub. Relations, 202 Park Ave. South, New York. Telephone is PL 2-7800.

Mr. Hill also announced that a branch office will be opened soon in Chicago. He did not reveal details of personnel or accounts.

Most recent agency affiliation for Mr. Hill has been with Sherman & Marquette, Chicago, where he served as a copywriter and contact man in Colgate-Palmolive-Peet Co.’s Cashmere Bouquet cosmetic and soap, and on the Country Dis- tributors account. Prior to that, he was vice-president and copy chief of H. W. Kaster & Sons, Chicago.

ASCAP in North Dakota

ASCAP is again doing business in North Dakota, the Society reports, following notification by State of- ficials that it is in compliance with Chapter 115 of the 1939 Session laws has been accepted and that reports to be submitted by ASCAP have been accepted and filed as provided for by the statute. Licenses in North Dakota are handled through the Minnesota office, under the direction of E. W. Peterson.

Made Director

HILDEBRAND SANDERS (Mrs. Fred Levinger), Jr., broadcaster for the past three years of Mitchell-Faust Adv. Co., Chicago, has been ap- pointed copy chief by Mr. Levinger, L. Paul Holman Faust, vice- president and radio director, is on leave, serving with Naval Public Relations in Chicago.
NEWMEN WELCOME Henry Cassidy, reporter who scored the beat on Premier Stalin’s demand for a second front at a dinner at Toots Shor’s restaurant, New York. Occasion was Cassidy’s first network appearance, on the BLUE’s “The World In Your Ear” with Roy Porter. Present were G. W. (Johnny) Johnstone, director of news and special events for the BLUE Network; Max Hill, former AP newsman at Tokyo; Porter, Cassidy, Louis Lochner, former AP news chief at Berlin; W. J. McCormack, special AP radio sub-sidary; and Clark Lee, AP newsman with MacArthur on Bataan.

FLYERS TO LEARN FROM DISCS

Navy and Interior Depts. Completing Course of Eight Months on Morse, Blinker, Etc.

BIGGEST transcription job for a single project—an estimated 250,000 pressings of a recorded naval training course—was described last week by Shannon Allen, director of the Interior Dept.'s Radio Section, and Assistant Officer George S. Marshall of the Navy’s Bureau of Aeronaughtics.

Elements of the Morse Code, and blinker and semaphore signalling systems, will be taught to every Navy aviation by means of recordings, the masters of which are now being prepared at the radio studios of the Interior Dept. Thus, through transmissions, one man will teach the systems simultaneously in all Navy schools, providing a measure of relief for the manpower problem.

Masters of the entire 600-disc course are expected to be finished by summer. Transcribed on eight-minute records, the course covers eight months of training, using four records per lesson. Records carry Mr. Marshall’s voice as he gives instruction and dictation, and the sounds of Morse code as it spells out practice messages. Through the use of filters in both the recording and playback equipment, the 700-cycle tone of the audible code is also used to actuate a flash lamp for the teaching of the blinker. Special equipment required for the project was designed and constructed by the radio section’s engineering department.

A completely automatic playback set-up, in which the recorded tone acts as a loudspeaker, operates an automatic slide film projector and actuates a flap-bracket blinker, is manufactured by Magnavox Co.

World Broadcasting System has the transcription contract. Pressings will be made on vinyl.

Sousa Still Leads

WITH BAND music hitting a high in popularity in time of war, the Army Band reports that John Philip Sousa’s “Stars and Stripes Forever” still leads the hit-parade of band music. Under the direction of Peter G. Farcy, Jr., who leads the band, the Sousa’s “Stars and Stripes Forever” still leads the hit-parade of band music.

Nehi on 22

NEHI Corp., Columbus, Ga., to promote its Par-T-Pak beverages and sparkling water, starts a varied schedule of transmitted spot announcements on 22 western stations. Contracts are for 26 weeks. Stations include KFRE KVEC KSRO KOMO KNO KILO KGW KQW KHJ KJMS KBG KROE KTUC KPMK KVOE KKO KIT KIDO KIEM. Agency is BBDO, Los Angeles.

DREW PEARSON TIP
TERMED A ‘SMEAR’

INVESTIGATORS checking the alleged “smearing” of a Louisiana member of the U. S. Congress by Drew Pearson, columnist and radio commentator, will be heard today May 17) by the House Military Affairs Committee which assigned the investigations to the case after Rep. Brooks (D-La.) appointed to representing Louisiana members and requesting the probe.

Chairman May of the committee said witnesses should be Carlos P. Dunn (rep. “Ask what managers and the Civil Service Commission has been questioning him in regard to various persons reported as having been his guests. Rep. Monroe had been a guest at Mr. Monroe’s house, according to newspaper accounts.

In his regular broadcast, for Serutan, Mr. Pearson is said to have offered “a tip” to the government regarding the firing at saying that a member of the Louisiana House delegation was to get “a juicy commission” on a contract of a deal promised by Mr. Monroe. Since no Louisiana member was specified by name the delegation made formal request for an inquiry into whether the “smear” charge was made.

NO COMMERCIAL
But WFLI Client Renews On Good-Will Basis

HARMON L. BLACKBURN, owner of Old Original Bookbinder’s, Philadelphia seafood restaurant, has signed a second 13 weeks Home Front Heroes contract over WFLI. For ten minutes six nights a week the program permits volunteer war workers to tell their stories and make a pitch for their activities and not a word of commercial for the restaurant is given.

The identification of the show with the client is a single line a way of credit. Occasionally Mr. Blackburn and the client, although Eddie Fast usually handles it.

Shows are handled by the Philip King, Advertising agency, Philadelphia. Requests for time are received from numerous volunteer agencies, and the greatest single problem is making the selections. Time is asked by war relief agencies, for Britain, Russia, Belgium and Holland; the United War Chest, merchant seaman’s canteen, Stage Door Canteen, and Anloni, Jewish Welfare Board clubs, YMCA, American Legion, Red Cross, Philadelphia Fellowship Committee, and many others.

Only restriction is that organization representative make no request for financial aid, Gifts may be solicited such as equipment and fittings for clubs. Blackburn, although making no commercial appeal on the air, plugs the program in numerous ways in his restaurant.

Mr. Blackburn seeks no returns in these days of limited food supplies. He’s satisfied in good-will accumulating.

May 17, 1943 • Page 53
Nets Prepare for New Rules

(Continued from page 8)

secretary; Judge E. O. Sykes, former FCC chairman, Philip J. Henney Jr., and Herbert L. Bingham, members of the Federal Communications Bar Assn., executive committee; Kenneth L. Ford and Howard Houseman, CBS attorneys.

Following this session, Mr. Miller called a meeting of the NAB Legislative Committee to be held in Washington, Wednesday (May 19). Members of the committee are James D. Shouse, WLW-WSAI, Cincinnati; James W. Woodruff Jr., WRBL, Columbus, Ga.; Don S. Elias, WWNC, Asheville; and Messrs. Russell and Beam.

Under Supreme Court procedure, the mandate will not be handed down for 25 days, or until June 5 at the earliest. During that time the networks may petition the court for rehearing, a procedure often resorted to but seldom granted. The regulations, however, cannot become effective until June 14 because on March 12 the court granted the CBS motion for a stay of mandate 10 days beyond the regular date. The cases were argued before the court Feb. 11-12, with Solicitor General Charles Fahy for the Government; Louis G. Caldwell, MBS general counsel, for that network, in support of the Government's position; Charles Evans Hughes Jr., for CBS; and John T. Cahill, for NBC.

The extremes to which the court majority went in deciding the case were manifested not only in the language of the majority opinion, but in the comments of the former Harvard professor in reporting the momentous ruling in open court.

Extremely businesslike, he commented that the Congress intended that the FCC should regulate the “spiritual and intellectual” phases of broadcasting, as well as the technical. However, he indicated, the courts do not appear in the written opinion. It was regarded as of highest significance, however, for if that judgment holds, there is nothing spoken that can be regulated by the FCC. The comment was made in the face of the precisely-worded “no censorship” provision of the law.

Powerful Dissent

Justice Frankfurter was joined in the majority opinion by Chief Justice Stone and Associate Justices Jackson, Harlan and Mr. Justice Black disqualified himself, presumably both because his brother-in-law, C. J. Durr, is a member of the FCC and because he was a member of the Senate when the Communications Act of 1934 was passed. Justice Rutledge, newest member of the Court, took no part because he did not hear the arguments.

The powerfully worded dissenting opinion was delivered from the bench almost in toto by Justice Murphy. He was joined in the opinion by Justice Roberts, who had written the opinion in the Sanders Case two years ago, overriding the FCC and holding that it had no authority to control business aspects of broadcasting operations. That opinion was effectively overturned by the majority in the network-monopoly ruling.

The Supreme Court ruling, however, does not terminate pending litigation against the networks on the question of purported monopoly, aimed at exclusive contracts, time options and the related issues. The Dept. of Justice still has pending before the Federal District Court in Chicago its anti-trust suits against RCA-NBC and CBS, alleging violation of the Sherman Act on these counts and others, including dual ownership and operation of two networks by RCA, station ownership, and the related issues.

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It was this dictum that appeared to convey to the FCC implied consent to prevent stations from interfering with each other". Justice Frankfurter said the Act does not restrict the Commission merely to the supervision of the traffic but puts upon it "the burden of determining the composition of that traffic. The facilities of radio are not large enough to accommodate all who wish to use them. Methods must be devised for choosing from the many who apply. And since Congress itself could not do this, it committed the task to the Commission."

Traffic Officer

Answering contentions that the Commission is a "kind of traffic officer, policing the wavelengths to prevent stations from interfering with each other", Justice Frankfurter said the Act does not restrict the Commission merely to the supervision of the traffic but puts upon it "the burden of determining the composition of that traffic. The facilities of radio are not large enough to accommodate all who wish to use them. Methods must be devised for choosing from the many who apply. And since Congress itself could not do this, it committed the task to the Commission."

It was this dictum that appeared to convey to the FCC implied consent to prevent stations from interfering with each other. The court, continued, the act gave the Commission "not niggardly but expansive powers." The Commission was given a "comprehensive mandate to encourage the larger and more effective use of radio in the public interest," if need be, by making "special regulations applicable to radio stations engaged in chain broadcasting."

Broad Powers

Throughout the opinion, Justice Frankfurter professed the broad, rather than the restricted powers given the FCC by Congress, because of the fluid and dynamic state of radio. Congress did not attempt to give the Commission "an itemized catalog of the specific manifestations of the general problems for the solution of which it was designed as a regulatory agency," he said.

After concluding that the act authorized the Commission to "promulgate regulations designed to correct the abuses disclosed by its investigation as chain broadcasting," the majority opinion stated there remained for consideration the claim that the Commission's exercise of such authority was unlawful. Pointing out that the regulations were assailed as arbitrary and capricious, Justice Frankfurter said that if this contention meant that the regulations were "essentially nullified, that they are not likely to succeed in accomplishing what the Commission intended, "we can only say that the

FARMERS are better informed about current market conditions than they have ever been in the past, according to Lance G. Hooks, Chief of Radio and Market News Section of the Great Lakes Regional Office of the Food Distribution Administration, Chicago, who recently conducted a survey of 142 stations in Illinois, Indiana, Ohio, Michigan, and Wisconsin.

Of the 119 stations reporting, 100 carry 486 daily market news broadcasts and farm programs. Of these 295 stations, 61 produced farm programs. Ninety stations broadcast 193 daily farm programs directed toward aiding farmers solve wartime problems of production and marketing.

The Act, the majority opinion continued, "does not withdraw such a situation from the licensing and regulatory powers of the Commission, and there is no evidence that Congress intended its broad language to carry the authority it expresses."

While the act does not explicitly say the Commission shall have power to make network practices found inimical to the public interest, Justice Frankfurter contended that in the context of the developing problems to which it was directed, the act gave the Commission "not niggardly but expansive powers." The Commission was given a "comprehensive mandate to encourage the larger and more effective use of radio in the public interest," if need be, by making "special regulations applicable to radio stations engaged in chain broadcasting."

In the Know

142-Station Survey Shows

Farmers Are Informed

IN THE KNOW

142-Station Survey Shows Farmers Are Informed
appeals have selected the wrong forum for such a plea."

The court's duty is, in an end, he said, when he finds that the action of the Commission was based upon findings supported by the evidence and was made pursuant to authority granted by Congress.

Congress' Responsibility

"It is not for us to say that the public interest will be furthered or retarded by the chain broadcasting regulations. The responsibility belongs to the Congress for the grant of valid legislative authority, and the Commission for its exercise."

Contending that the Commission did not bind itself inflexibly to the licensing policy expressed in the regulations, the majority said, "it was a "if time and changing circumstances reveal that the 'public interest' is not served by application of the regulations, it must be assumed that the Commission will act in accordance with its statutory obligations."

Answering the networks' contentions that the first amendment to the Constitution was not abrogated because the regulations abridge the right of free speech, the majority said that it is "to be denied his Constitutional right of free speech." Unlike other modes of expression, the court said, radio inherently is not available to all.

"That is its unique characteristic and that is why, unlike other modes of expression, it is subject to governmental regulation. Because it cannot be used by all, some who wish to use it must be denied."

The question is simply whether the Communications Act does not give the Commission the authority to regulate the contractual relations between stations and networks, Justice Murphy said.

Holding unequivocally that the Communications Act does not in any way authorize the Commission to control the broadcasting industry as such, or to control the complex operations of the national networks.

Differing sharply with the majority, he contended the power to control network contracts and affiliations by means of the Commission's licensing powers cannot be derived from impingement of the public interest standard. He cited the Sanders case wherein he said, "the court held the Commission is given no 'supervisory control' of the 'programs, of business management, or of policy' of licensees."

* Not Judged Unlawful

"To construe the licensing sections as granting authority to require fundamental and revolutionary changes in the broadcasting methods which have been in existence for several years and which have not been adjudged unlawful would inflate and distort their true meaning and extend them beyond the limited purposes which they were intended to serve," Justice Murphy said.

Pointing out it is quite possible that maximum utilization of radio is inhibited by existing network arrangements and that some of the conditions imposed are not conducive to a freer use of radio facilities, the minority nevertheless concluded "It is left with the present authority of the Commission to prescribe the remedy for such conditions."

"It is evident that a correction of these conditions in the manner proposed by the regulations would involve drastic changes in the business of radio broadcasting which the Congress has not clearly and definitely empowered the Commission to undertake."

The Commission had reversed the order of things, Justice Murphy said, asserting its real objective is to regulate the business practices of the major networks "thus bringing within the range of its regulatory power the chain broadcasting industry as a whole."

By means of these regulations and their enforcement, the Commission would not only extend its authority over business practices but would "greatly enlarge its control over an institution that has now become a rival of the press and is a purveyor of news and entertainment and a medium of public discussion."

"Mere Incident"

To assume such a function and responsibility of such wide reach and importance in the life of the nation "as a mere incident of its duty to pass on individual applications for permission to operate a radio station and use a specific wavelength, is an assumption of authority which I am unwilling to lend my assent," he said.

Reriterating the view that there may be need of regulation, Justice Murphy declared he did not hold "that the Commission was justified in claiming the responsibility and authority it has assumed to exercise without a clear mandate from the Congress."

The conditions disclosed by the Commission's investigation, which began in 1938, if they require correction, "should be met, not by the invention of authority where none is available or by diverting existing powers out of their true channels and using them for purposes to which they were not addressed," the minority opinion contended, "but by invoking the aid of the Congress or the service of agencies that have been entrusted with the enforcement of the anti-trust laws."

He concluded that, "the fixing of existing network contracts are deemed objectionable, because of monopolistic or other features, and no remedy is presently available under these provisions, the proper course is to seek amendatory legislation from the Congress, not to fabricate authority by ingenious reasoning based upon provisions that have no true relation to the specific problem."

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**In the Sweet Buy and Convey**

If you'd like that grand and glowing feeling that comes from seeing your merchandise more almost like magic, put WAIR to work in this great American market. You'll learn exactly why WAIR is famous for its sales ability.

WAIR

Winston-Salem, North Carolina

**Broadcasting**

Broadcast Advertising

May 17, 1943 • Page 55
Grade Labeling Is Abandoned By OPA for This Year's Pack

Price Fixing by Grade Rule Does Not Require to Be Continued but New Quality on Label

ABANDONMENT of compulsory grade labeling of the 1945 fruit and vegetable pack was announced by OPA last weekend, after four months of indecision while canner and consumer groups appeared agreed upon to overthrow and sustain the order.

OPA's action has been variously predicted and denied throughout recent weeks, with rumors of action either way leaking from the agency. Grade labeling had been carried over from the Leon Henderson administration, but was reaffirmed by Frank M. Brown, OPA's director Feb. 26 (Broadcasting, March 1). Mr. Brown said it was necessary to enforce price ceilings.

Decision to abandon grade labeling resulted, an official said, from Congressional pressure and from the impracticability of putting the order into effect after such a long delay.

Grading to Remain

Officials of the agency said OPA will continue to set prices on foods by grade but that the grade need not be carried on the label. Grading will be handled by the National Marketing Administration standards, which are to be marked on sale invoices and made available to consumers.

At the time that OPA was deciding to drop its grade label rulings, the agency adopted new regulations basing pricing on a mixture of grade labeling and established brand names. Prices on canned fruits and vegetables were fixed by brand where no grade appears on the label. This method carries an indication of quality, the price is determined by a schedule based on grades.

Other Objects-priced

Two other important groups of radio-merchandised products also came under new OPA pricing systems during the week. Elaborate systems of determining the ceilings of proprietary drugs and pharmaceuticals and of cosmetics and toilet articles were issues.

As to price control by brand, OPA officials said this was regarded as the simplest and most efficient way of fixing prices, and that the agency has never had any desire to injure or detract from established brand names, as charged by some opponents of grading.

Adoption of brands as a price-fixing device came almost the same time that a House Interstate subcommittee, under Rep. Lyle Boran (D-Okla.) was hearing Price Administration's Prentiss Brown defend OPA's standardization programs. There is no reason, however, to believe that the two events are related. Rep. Boran's committee, acting under the Halleck Resolution (HRes 98) will begin public hearings next Monday. After an executive session with the Committee last Thursday, Mr. Brown said that OPA intended to go ahead with enforcement of a non-price-orientation order, one of the principal topics before the committee.

The original momentum for the Halleck Resolution had been provided by canner opposition to the grade labeling regulations. Instigated by these groups, Rep. Halleck (R-Ind.) proposed the study, which was later enlarged to include all OPA plans for standardization, and for regulation of newspaper.

RCA Planners to Study

Social, Economic Trends

RCA Victor Post-War Planning Committee, announced by David Sarnoff, RCA president, will address to the company's annual stockholders' meeting May 4, is studying the current social and economic events as a basis for determining the problems that will arise in the immediate post-war period.

This study will make possible the development of proper solutions, according to F. R. Deakins, executive assistant on commercial matters to the general manager of the RCA Victor Division, and chairman of the planning committee. Other committee members are: Dr. C. B. Jolliffe, chief engineer; J. M. Hardin, advertising manager; Henry C. Bonfig, general sales manager, and F. H. Corregan, executive assistant on financial matters to the general manager.

Golenpaul Misses First Show

FOR THE FIRST TIME since Information Please has been on NBC, Dan Golenpaul, owner and producer of the show, sponsored by H. J. Heinz Co., will not be sitting at m. c. Clifton Fadiman's side, the help with the planning and scoring the broadcast of May 17 from New York. The program is going to hook up with NBC Hollywood studios where John Struther and Boris Karloff will be guest Municipalities. Golenpaul will be there helping them. Franklin P. Adams and John Kieran will continue as the "experts" as the guest of the agency is Maxon Inc., New York.

Vacation Policy Continued

WHIO, Dayton, believes that in spite of the war and the all public should get away from wartime radio for a short time. All personnel with pay in a year will have two weeks free pay; those serving six months or more, one week. Even those who have worked less than six months will have a few extra days off in addition to regular holidays. Everyone fresh from service, another main reason of the Halleck Resolution was to bring back the old-time fair treatment of the longshoremen. Need for the allocate, which will be of five minutes p.m., arose from inability of the hiring hall to handle a flood of calls from longshoremen incident to the landing of ships under wartime emergency conditions. The plan, which will be handled in some way as not to reveal information of military importance, has the approval of the Maritime and Navy authorities, according to the FCC.

Free Calls

AT REQUEST of the Pacific Coast Maritime Industry Board, the FCC has granted KVA, San Francisco, permission to broadcast without charge calls to longshoremen. Need for the announce, which will be of five minutes p.m., arose from inability of the hiring hall to handle a flood of calls from longshoremen incident to the landing of ships under wartime emergency conditions. The plan, which will be handled in some way as not to reveal information of military importance, has the approval of the Maritime and Navy authorities, according to the FCC.

Station Breaks Slated

ON OWI Air Schedule

STATION break announcements will probably be included shortly as a more important part of the OWI radio schedule. Officials of the agency promised a regional meeting in Cleveland last Thursday. The meeting was attended by John K. Carpenter, WHK-WCLE, regional consultant.

Attention, the meeting were representatives of 45 stations in Ohio, Michigan, West Virginia, and Kentucky, William M. Spire, chief of the Allocation Division, Richard F. Connor, retiring station relations chief, and Mrs. Elaine Ewing, assistant station relations chief, represented OWI. Mr. Spire also said the station breaks would be used by regional offices wherever material permitted.

Scholarships Changed

While VE conditions have led the Detroit Board of Education to change the terms of the radio education scholarship offered by G. A. Richard, president, and Lee Fitzpatrick, vice-president and general manager of WJRE, Detroit. The $5,000 U. S. Navy scholarship, offered Detroit high school seniors to stimulate them to make radio broadcasting careers, has been replaced with an outright grant of $1,000 plus $4,000 to be held in escrow until winner returns from military service. The sum will then be available for the education or rehabilitation of the winning contestant.

New Campbell Series

CAMPBELL Soup Co., Camden, through Ross & Belding, on June 2 starts sponsoring for 13 weeks a half hour comedy-variety program on 119 CBS stations. Wednesday 9-10 p.m. (EWT). Packaged by Music Corp. of America, national talent service, series is called "The Milton Berle Show" for the summer. Jack Carson is featured comedian with Johnnie Carson, also being produced by Vick Knight, the Hollywood originating variety show will utilize weekly guest stars. Lud Gluskin is business manager. Carlton Kadell announces.


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NATIONAL Assn. of Broadcast Engineers & Technicians and NBC began negotiations last week for a new contract between the network and its technical employees, to become effective at the expiration of the present contract, which dates from July 1, 1941. When negotiations with NBC are completed, the union will negotiate with the BLUE, whose present union contract was taken over from NBC at the time that two companies were separated. Meetings are being held under the arbitration clause of the contract.

Major changes asked for by the union are a 10 cent per hour increase in compensation, in accordance with the cost-of-living differential; an eight-hour minimum work day, and extra compensation for men working the 3 a.m. to 6 p.m. shift. Both sides report "satisfactory progress" last Friday after three days of negotiations, which will continue this week.

NABE's negotiating committee comprises J. H. Brown, chairman, president of the union; F. C. Schnepfer, NABET vice-president and chairman of the Chicago chapter, and Harry Hiller, chairman of the New York chapter. O. B. Han- sen, vice-president of the Chicago Engine- erine of NBC, and John H. Mac- Donald, vice-president and as- sistant secretary, represent the network.

Phipps Would Buy WTAL VOLUNTARY assignment of the license of WTAL, operated by Flor- ida's Capitol Broadcasting Corp., to Tallahassee, to Capital City Broad- casting Corp., for $25,000, is sought in an application filed with the FCC. Sole stockholder in the new corporation is J. H. Phipps, a major in the Army Air Forces, now stationed in Washington. Pres- ident is his wife, Elinor K. Phipps; vice-president is Teresa Myers, for two years advertising manager of the Tallahassee (Fla.) News De- mocrat; secretary is Lester Cross; treasurer and assistant secretary is J. F. Riley. Mr. Phipps is the son of John S. Phipps and grandson of Henry Phinns, who with Andrew Carnegie founded the U. S. Steel Corp.

STARRING military personnel, the Fort Benning Theatre of the Air, a new program from Fort Benning, Ga., is being heard on WRRK, Columbus, Ga. Originally announced by Pvt. Harry Sturmer, Special Service Office, show is heard semi-monthly on Thursday at 7:30 CWT. Capt. Robert Shoen- ton and Lt. Robert H. Humpf handle casting and directing. First program features Pvt. Charlie of Lt. Gen. George S. Patton, whose ar- mored units, now in Tunisia, were activated at the request of General.

100% Girls WITH the arrival of June Remaly, first female harbor, K49KC, FM station in Kansas City, has a 100% girl staff in both technical and programming. Orren Nigh, whom Miss Remaly replaced, remains as supervising technical chief. Miss Remaly is expected to be one of his time in the War Pro- duction activities of Commer- cial Equipment Co., licensee of the station.

"SOUND SISTER" Jane Gray Chose Her Job — With Deliberation

NEW KIND of career girl is Jane Gray, who has joined the WLW- WSAI, Cincinnati, sound-effects de- partment. Unlike most young ladies whose aspirations lead to radio she passed up the customary feminine roles of actress, woman's commen- tator or announcing.

Jane became interested in radio at the U. of Iowa, where she took courses in radio acting, writing and directing and for two years managed the sound effects department of WUI, the college station.

Speaking frankly, she says: "I know clearly I haven't a good voice. I can't act as well as I'd like to, and my writing leaves something to be desired, so sound seems the best bet. I like radio—so I'm willing to do practically any job around a station."

Jane's ambition brought her to the sound department of WUI, WSAI and an opportunity to learn all about the assorted rattles and noises that make the "scenery" of radio productions.

Lou Maxon May Leave OPA Information Job

LOU R. MAXON, Detroit advertising executive serving as public relations chief of OPA, has re- liably reported last week to be con- sidering resigning from the agency to protest OPA's "lack of clearcut policies." Mr. Maxon, it was said, is also dissatisfied with the work he has been allowed to do in Washing- ton.

An outspoken opponent of OPA grade labeling policies, Mr. Maxon's resignation had been sought by labor and consumer groups. During those periods, he had said he "would not quit under fire." Mr. Maxon was brought to Washington at the beginning of the administration under President E. M. Brown. He would return to his agency.

AMP Licensees

KGA, Spokane, has a new licensing agreement with Associated Music Pub- lishers, and the following stations have extended their licenses with AMP for additional periods: KNOX, Manteo- rer: KHSL, Chico, Cal.; KIT, Yakima, Wash.; KORE, Eugene, Ore.; KRNK, Roanoke, Ore.; WJHP, Hazleton, Md.; WLOL, Minne- apolis; KMO, Tacoma, and KICA, Clevis, N. M.

NBC, UNION PACT BEING NEGOTIATED

UNCLE Sam Discs

(Continued from page 7)

direct aid to the local stations left Government subsidies entirely in Congressional hands. Treasury officials were reported last week to be preparing an opinion on the Bankhead Bill to authorize paid adver- tising in weekly newspapers. While the Bankhead Bill rested with the Senate Banking and Currency Committee, Rep. Cannon (D-Mo.) introduced a similar measure in the House, which was referred to the Ways and Means Committee. Like the Bankhead Bill, the Cannon Bill omitted radio although Rep. Can- non said the omission was made an oversight and did not indicate his opposition to paid time for radio.

The Uncle Sam programs started about three months ago. Officials said reaction has mixed with favorable reports from many large cities and sharp criticism from small stations, many of whom ex- pressed disappointment over the lack of big name talent, and the failure to use audience appeals. Although no definite plans for the new series were available last weekend, discussions are underway with the Advertising Council. Officials said the new programs will be around the particular talents of the stars, and will utilize showmanship to provide the widest possible cir- culation for the war messages. Mr. Staufer's letter urged stations to give the best time they had open.

"Because we are asking the help of the top programs on the air, we do not find it possible to present five programs a week as we did in the past," Mr. Staufer wrote, explaining the cut from five to two discs weekly.

"We realize that many stations which have presented Uncle Sam as a sponsored series will regret that sponsorship under this new arrangement is no longer possible. At the same time we feel that the new series, using the great radio stars of this country, will secure a larger audience for the stations and will provide the best possible circulation for war mes- sage."

SECOND 'FREEDOMS' PROGRAM TO BLUE

BLUE will again be used by the Saturday Evening Post as an ex- hibition of "Freedoms" paintings, on June 3, goes on public display at Rockefeller Center, New York. Washington painters will have an exhibition, which features the original paintings of the "Four Freedoms" by Norman Rockwell which was broadcast on the BLUE April 26 (BROADCASTING, April 26). War Bonds are sold in connection with the program which is now touring the country.

The June 3 program, which occupies double the amount of time previously used, will be heard 10:30-11:30 p.m., with a recorded repeat at midnight. Talent will in- clude a name band, some of the comedians. Audience will be made up of 2,500 invited guests. Agency is MacFarland Aveyard & Co., New York.

May 17, 1943 • Page 57
Robertson Follows Jones in Agency

Cincinnati Man Retires After 30 Years; Will Vacation

RALPH H. JONES, after more than 30 years as president of the Cincinnati and New York advertising agency bearing his name, has announced his retirement. Simultaneously the board of directors elected Charles M. Robertson Jr. as president, and Stanley A. Willer as vice-president and general manager.

Announcement also made that A. E. Johnston, director of advertising and display of Kroger Grocery & Baking Co., has been named vice-president in charge of creative production of the company.

Mr. Johnston, an authority on the mass market, has been with Kroger for 12 years, coming from Sears, Roeck-

To Take Rest

“Long deferred vacation” was looked forward to by Mr. Jones who added that his immediate plans were indefinite. His company is in the “hands of men who have long been trained in the principles and technique which have won the Ralph H. Jones Company recognition throughout the U. P. and as leader in the creation of effective advertising,” he said.

The new president joined the company 14 years ago and for 10 years he has been director of radio. His experience includes copy writing, research and mechanical problems. He has applied to radio advertising many ideas which have marked advances in the use of the medium.

Mr. Willer has been vice-president for six years but takes over the general management for the first time.

“The company will continue to build upon the solid foundation Mr. Jones has formed over a period of three decades,” Mr. Robertson said.

Mr. Johnston, originator of “Joe America,” personifying the young and laboring populace, is the author of a new book, “One Nation For Sale.” In announcing the appointment, Mr. Robertson said of Mr. Johnston’s “masterly grasp of how to sell America” is an extraordinary asset to an advertising agency, whose stock in trade is its ability to influence the average man and woman to buy products and services.

Among accounts served at the Ralph H. Jones Co. are Carter Coal Co.; P. F. Collier & Son Corp. (Dr. Fitty’s 5 Foot Shelf); Modern Kitchen Bureau; Electric Range and Water Heater Division of National Elec. Mfrs. Assn.; Alexander Hamilton Institute; Kroger Grocery & Baking Co.; Ten-B-Low Co.; Dow Drug Co.; Netherlands Plaza Hotel; Mizzy Margarine Co.; Crosley Corp. (WLW, WSAI); C. F. Street Mfg. Co.; Stearns & Foster Co.; Sorg Paper Co.; Cincinnati Street Railway; J. G. Wilson Co.

HANDED KEYS to the shop to Charles M. Robertson Jr. (right), newly-elected president of Ralph H. Jones Co., is Mr. Jones himself (left), retiring after 30 years as head of his own agency, succeeding on is Stanley A. Willer, named vice-president and general manager.

ADVERTISING AS SOCIAL PANACEA
Bert Johnston in New Book Proposes Broad Application of Selling Techniques

IT’S UP to the advertising profession, the men whose job it is to understand people and who know the science of selling products or politics, to sell the world the ideas of enduring peace, the brotherhood of man, and the economics of “The American Way,” writes Bert John-

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Bert Johnston in New Book Proposes Broad Application of Selling Techniques

IT’S UP to the advertising profession, the men whose job it is to understand people and who know the science of selling products or politics, to sell the world the ideas of enduring peace, the brotherhood of man, and the economics of “The American Way,” writes Bert Johnston in his recently published One Nation For Sale [Johnston & Hardin Co., Cincinnati, $2]. The author of this thought-provoking little volume is a vice-president of the Ralph H. Jones Agency.

Johnston calls this broad application of market analysis, and selling technique “Humanics”, and the “combination marketer-advertiser-psychologist-sociologist” who applies its principles, a “Humanicist.” He sets forth two basic laws of selling—Displacement and Point of Superiority. Ideas and merchandise are not introduced and put over in a vacuum; they must displace the old idea, precondition, inferior or familiar article, he claims. And they accomplish this through their Point of Superiority, that quality which makes them more desirable than their predecessors. In our dynamic capitalistic economy, we don’t simply sell; we “out-sell, out-advertise, out-campaign, out-influence the competition”. First of all The American Way must be sold to the American public, characterized by the author as Joe America. This means solving the knotty problem of capital vs. labor which, says Mr. Johnston, is primarily a public relations job. It requires a new branch of the advertising profession “to point out to Labor [in the common language of Joe America] the value of capital and the need for labor to be responsible to capital, and then to point out to capital its need for and dependence upon labor and the responsibilities it must assume toward labor.”

Radio plays a leading role among the promotional media the Humanicist must use, the author believes, for it is “the No. 1 factor of entertainment and communication in the round of Joe America’s activities”. Anyone who wants to influence people must study radio listening habits. Research proves that “people spend more time listening to radio than doing any other one thing except working and sleeping”.

Kaltenborn on Coast
MACMILLAN PETROLEUM Corp., Los Angeles, starting shifting date of its Pacific Coast radio campaign to promote MacMillan Ring-Free motor oil, begins three-weekly sponsorship of H. V. Kaltenborn on six NBC Pacific stations, May 16-Monday, Wednesday, Friday, 4:45-6 p.m. (PWT). Transcribed rebroadcasts are also scheduled three times per week on KFO KFI, and KGW, with similar releases on KFI and KGW, 10:30-10:46 p.m. (PWT). On KFI only, product promoted will be MacMillan Ethyl gas. Contract is for 62 weeks. Logan & Arnold, Los Angeles, has the account.

Bank’s New Series
A CAMPAIGN, prepared in cooperation with the Federal Housing Administration, to show how successful a mortgage may be effected through a new amortized mortgage plan, has been started on WMCA, Corp., Los Angeles, by the Dime Savings Bank, Brooklyn, Contract, started May 16, calls for about 25 transcribed programs weekly. Announcements consist of famous quotations, including the source, tied in with the campaign, will be confined to WMCA, New York, station used by Dime Savings for the contract’s first 62 weeks, was placed through at Adv., New York.

Peterson in Sweden
ELMER PETERSON, correspondent of the NBC London staff, has arrived in Sweden as a guest of the Swedish Press Club—the only staff radio correspondent in a group of Americans invited to make a tour of the country in reciprocation for a U. S. tour arranged for five Swedish journalists last summer. Mr. Peterson will remain in Sweden during May. During his stay, he will broadcast to NBC listeners from Stockholm. Mr. Peterson visited Sweden in 1933 and 1935 as a reporter.

Union Sponsorship
TELLING the public about their contributions to the welfare of our country’s shipbuilders’ Union, Local 802, CIO, is sponsoring 15 fifteen-minute programs beginning May 11th, from WIBG, Philadelphia. The programs, at 8 p.m. Mondays, are directed by J. E. Lason, feature writer for Public Ledger Syndicate and conductor of women’s programs at WIBG, and guest speakers will be interviewed.

New Record Drive
CAMPAIGN conducted last year by Records For Our Fighting Men program of the American Legion ship that a second drive to obtain even more than the 300,000,000 records already shipped to the various stations and abroad will be held in July. Radio will again be the most important medium used, and the American Legion will again offer $11,000,000 in collection centers.

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Radio Urged to Continue Bond Selling, Second Loan Final Count Is 18½ Billion

WITH SECOND War Loan over-subscribed by a billion, hitting a top of $18,533,000,000 in the final count, high praise has been sounded for radio's overwhelming bond promotion. At the same time, the industry is being urged to continue unabated campaigning.

In a recent radio address, Secretary Morgenthaler thanked stations throughout the country, pointing out that "the real battle is still ahead of us" for "our war expenditures this year will be more than double the sum raised last year.

Washington, the War Savings Staff reports that people will be asked now to invest every dollar above basic essentials in bonds, and payroll savings will be applied to individuals but to families as well. The 10% plan will become past history as families are asked to plan a budget each month which will permit higher and higher wage deductions for bonds. It is felt that as the drive drills beyond the painless area and reaches into nerve, sustained and intensified appeals will be needed.

Campaign Suggestions

Latest edition of "Radio News", a Treasury bulletin, presents some of the best ideas evolved during the Second War Loan so that stations may borrow features from each other for future promotion. The May-June edition of "Big Guns", a Treasury bulletin for retail stores, asks that stations on the "extra bonds", over and above the amount returned for payroll savings, be pushed, and suggests that radio advertising use the "Four Freedoms" theme and tie in with National Flag Week (June 7-14) and Father's Day (June 17).

According to recent OWI figures, the greatest portion of radio time given to Government announcements went to bonds during the Second War Loan, with bond listener impressions reaching 80% on Radio Day. War Bond listener impressions average roughly 26%. Members of the Radio Section of the War Savings Staff who have been in the field state that station managers and staffs continue to do an amazingly good job of using every possible event and local angle to put War Bonds over, often giving more time to promoting U. S. securities than to promoting their own stations.

Auctions Sell Bonds

At KWK, St. Louis, Rush Hughes has received his third Treasury citation for "magnificent" bond selling which has resulted in the purchase of $102,275 worth of securities since last August 19.

Bond auction at KVOR, Colorado Springs, evolved as laugh when 1250 articles, which netted $101,000 in bonds, were a pig, billy goat, calf, donkey and silver fox. A bit of silk parachute of a flyer who jumped to safety after the Tokyo raid brought $30,000. So excited was the bond chairman that he offered the shirt off his back—which raised another $1,000 in bonds. At WSAZ, Huntington, W. Va., Manager Flen J. Evans' brother, pilot of a B-17, offered bullets fired from the guns of his ship in an auction which raised about $6,000 in two hours.

To mark the million-dollar mark passed by WJBK, Detroit, a scout coop visited the studio and took part in a 15-minute program centering about bond purchases. WHAI, Greenfield, Mass., raised $17,000 for Uncle Sam in half an hour, through an "interview with bond buyers" program in a local department store. Lanny Ross addressed the spectators, sang his theme song and led the crowd in the National Anthem.

Whaling on Main Street

Patriot's Day in Massachusetts was celebrated by WNBH, New Bedford, in a whaleboat which sailed down a main street harpoon-bonding. This novel stunt raised $47,715. Hitler birthday advertisement by "Grouchy Gus" at WITC, spent $3,175,000,000 in bonds. At WHAI, a dinner and entertainment staged at a New York night club by WBYN, with admission by purchase of a $100 bond, netted a gate of $100,000 and an equal sum for the sale of dances at $10,000 a dance.

A Mayday show at the "Rumpus Room" of the Merchandise Mart for the Second War Loan at WMTJ, Milwaukee. Admission was by bond purchase, adding $115,000 to M. C. Johnnie Olson's total bond sale of $1,000,000. In Dayton and Montgomery Counties, where thirty million dollars was raised for the Second War Loan, WHIO programs and rallies were credited with much of the drive's success. On WAAO, Newark, the home town of Norman Tokar, the "Henry" of WNBC's Aldrich Family, and Jack Kelk ("Homer Brown") broadcast every ten minutes on May 15, and took telephone bond pledges in person from listeners.

Buyers Get Free Records

For the month of May, KTUL, Tulsa, stimulates bond sales from a band stand on main street and makes free recordings, to send to service men, of the voices of parents and sweethearts who buy bonds during a daily two-hour program.

Sales accomplished by the bond tour of Truth or Consequences, sponsored on NBC by Procter & Gamble, have rocketed to $69,616,953 after the May 8 broadcast in Seattle. Another amazing sale promoter is a March 1 paper's disposal of Jacky Benny's violin for a million dollars in bonds. Benny has now volunteered his services as virtuoso to the Treasury and plans are being laid for the comic to appear with a symphony orchestra, with admission by War Bonds only.

Over $5,000,000 in Bonds bought as admission to today's (May 17) opening of the Ringling Brothers Barnum and Bailey Circus sold out one evening in advance. In Seattle, WBZ-May 19, the stations have added over $1,100,000 to the U. S. "war chest".

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Five announcers of a county hotel in Mississippi, a county hotel in Alabama, and a county hotel in New York, were selected for the spring meeting of American Television Society, held last Thursday at the Hotel Capitol, New York.


Merger of Postal, W. U. Covered in Agreement

AGREEMENT to merge was signed last week by the Postal Telegraph and Western Union Telegraph Co. The action was taken under authority of an Act of Congress approved March 6, 1943, and in cooperation with a merger, committee consisting of Commissioners Payne, chairman; Clifford J. Durr and Ray C. Wakefield, named by the FCC to deal generally with problems arising in connection with any proposed merger of domestic telegraph carriers.

FCC Chairman James Lawrence Fly commented that "a genuine public benefit, in terms of improved public service during the war period, will result from a sound plan of merger between Western Union and Postal Telegraph. The companies can be sure of our prompt consideration of the matter."

The carriers must now submit an application to the Commission before a merger can be effected and thereafter the Commission will order a public hearing on the application, according to the FCC. While plans for distribution of international telegraph traffic among the carriers concerned has not been completed, this subject is still under consideration by the FCC Committee and the companies affected. Leading up to the signing of the merger agreement, a number of conferences was held by the Committee and representatives of Postal, Western Union, American Communications (CIO) the Commercial Telegraph Corporation and others whose interest the merger might affect.

NEW FM ANTENNA

DESIGNED TO RELAY FM programs from studio to main transmitter via any of the 25 assigned channels centering on 337 megacycles, a new radio relay antenna has been developed by engineers of the General Electric Company department at Schenectady.

One of the new antennas is in operation telegraph plant of YAPI, Schenectady, to the main transmitter 12 miles away in the Helderberg mountain range.

Says M. W. Scheldorf, E-G engineer, "The antenna concentrates its radiation in a narrow beam in the direction only, in accordance with well defined and narrow limitations of the Federal Radio Commission, so that it may be used within a nonmetallic housing which protects the entire electrical system from the weather, it mounts easily on a single metal pole.
**Classified Advertisements**

**Help Wanted**

An Experienced Announcer—Wanted at once for regular assignment. Permanent position on station. Must have experience on station located in Great Lakes District. Please write full details on your qualifications, experience, references, etc. Box 685, BROADCASTING.

**ANNOUNCER-PRODUCER**—WANTED IMMEDIATELY. Experience essential. Box 687, BROADCASTING.

**EXPERIENCED SALESMAN**—KGNC, Amarillo, Texas. Need an experienced personality announcing commercials manager. Also need experienced news man, and continuity writer. Box 625, BROADCASTING.

**WANTED**—Announcer, experienced. Send complete resume, including letter, status, married or single, salary, and age to Box 617, BROADCASTING.

**Situations Wanted**

**ANNOUNCER-PRODUCER**—Desiring position with progressive station.ktu. Excellent program experience. Also need experienced news manager. Excellent program experience. Box 624, BROADCASTING.

**Program Director**—Commercial—WANTED. Two years’ experience on local network or larger station. Good salary and benefits. Box 620, BROADCASTING.

**ANNOUNCER—PRODUCER**—Desiring position with progressive station.ktu. Excellent program experience. Also need experienced news manager. Excellent program experience. Box 624, BROADCASTING.

**BROADCASTING**—Young Woman Announcer—PRODUCER Experienced. Wanted immediately. Box 685, BROADCASTING.

**Announcer—**Formerly with CBS affiliate. Available. Will consider any location. Box 672, BROADCASTING.

**Announcer—**Inexperienced. Seeking position as strong air personality. Box 686, BROADCASTING.

**ANNOUNCER—**Inexperienced. Seeking position as strong air personality. Box 686, BROADCASTING.

**Young Woman—**Experienced Programmer, Production, Writing, Announcing. Ideas plus experience. Box 688, BROADCASTING.

**Solid Background**—For news presentation, programming, and commercial and/or personality announcing. Midwest family man. Let’s exchange references. Box 688, BROADCASTING.

**WANTED**—Immediate opening for experienced news writer. 100-word minimum charge $1.00. Payable in advance. Count these words for box address. Forms close one week preceding issue. Box 900, BROADCASTING.

**BROADCASTING**—Broadcast Advertising

**PROFESSIONAL DIRECTORY**

**JANSKY & BAILEY**

An Organization of Qualified Radio Engineers

Dedicated to the Service of Broadcasting

National Press Bldg., Wash., D.C.

**Paul F. Godley**

Consulting Radio Engineers

Montclair, N. J.

MO 2-7859

**McNary & Wrathall**

Consulting Radio Engineers

National Press Bldg., D.C. 1205

Washington, D. C.

**HECTOR R. SKIFTER**

Consulting Radio Engineer

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Saint Paul, Minnesota

**Radio Engineering Consultants**


Silver Spring, Md.

(301) Woodrow, Wash., D.C.

Main Office: 7134 Main St.

Crosstown of the World

Hollywood, Cal.

**RING & CLARK**

Consulting Radio Engineers

Washington, D. C.

Munsey Bldg. • Republic 2347

**Kennedy Lauds, Raps Recording Engineering**

HIGH praise for researchers and technicians who are developing better methods of sound transmission was given by J. B. Kennedy Jr. of the New York Times radio department at the May meeting of the Institute of Radio Engineers in New York. Strong condemnation was added for those engineers and manufacturers of home sound reproducing equipment who undo the good work of the former.

Mr. Kennedy illustrated his talk with slides of radio programs made by himself on home equipment. He emphasized the quality of NBC FM station recordings as having "good balance, minimum of noise and more musical 'reality'" and said, "and this is the way phonograph records will sound when needle noise has been banished."

An enthusiastic FM fan, Mr. Kennedy said that "FM broadcasting is doing something for the listener beyond the immediate possibilities of AM broadcasting. The only objection is that FM and television sound channels reveal too many defects from small stations. FM actually is too good for the studios and the concert artists, in a sense. They could be played broadcast tape-tape when FM carries the program."
Fort Industry Co. Acquires WFTL, Ft. Lauderdale, Fla., at $275,000 Cost

SALE of WFTL, Fort Lauderdale, Fla., by Ralph A. Horton, retired investment banker, to the Fort Industry Co., headed by Lt. Com. George B. Storer, for $275,000, was consummated last week, subject to FCC approval. Applications covering the transaction were filed with the FCC last Wednesday in behalf of both Mr. Horton and the Fort Industry Co.

The station recently began operating on 710 kc. with 10,000 watts full time. The station covers local 600 watt assignment. There have been reports of its impending sale for some time, due to the ill health of Mr. Horton. It is a Mutual outlet.

Fort Industry Co. owns and operates WWVA, Wheeling; WSPD, Toledo; WMMN, Fairmont, W. Va.; WAGA, Atlanta; WETO, Fort Myers; WOKY, Lima; WWVE, Ft. Wayne, Ind.; WNNY, Norwalk, Conn.; WOR; WCAU, Philadelphia; WOR, New York. O. J. Harold Ryon, assistant director of censorship, is vice-president and treasurer of the Fort Industry radio empire, but is on leave while on Washington business.

Lt. Com. Storer likewise is on leave, serving as material procurement officer in the 9th Naval District in Chicago. Active direction of the company is in the hands of George W. Smith, executive vice-president; Beattie Martin, manager of all WWVA, and L. A. Pickley, general manager in Detroit.

The agreement covering the transaction, filed with the FCC, sets out that several mortgages are outstanding on WFTL, which are satisfied as part of the $275,000 transaction. The grand total of all the equipment and property in WFTL was given as approximately $181,000. A certified report by an accountant set the total cost to Mr. Horton of WFTL and its operations, to March 31, at $222,500, including original cost, depreciation, cost of financing and interest and services.

Included in the purchase price of $275,000 were mortgages aggregating $56,000 held by Florida banks. The contract may be cancelled at the end of six months, if the FCC has not approved the application for transfer.

The application for transfer was filed by Andrew W. Bennett, Washington attorney.

Pen to Hubbard

BECAUSE President Stanley E. Hubbard of KSTP, Minneapolis-St. Paul, started the movement to create a postwar world center of aviation in the Twin Cities, he received a letter of thanks from Gov. Harold E. Stassen. And with the letter came the pen Governor used when he signed the airport bill.

Nelson, Grabhorn Slated For New York Club Post

NOMINATIONS of officers for the 1943-44 sessions of the Radio Executives Club of New York were announced last Wednesday by the nominating committee, with ballots to be mailed out to members this week and results to be announced May 26.

Candidates for next year's presidency are Linnea Nelson, timebuyer at J. Walter Thompson Co., and Murray Grabhorn of the Blue Spot Sales Department. Vice-presidents are both Black, timebuyer of Joseph Katz Co.; for secretary, Warren Jennnings, New York representative of W.L.W., Cincinnati, and Lou Moore, Radio Advertising Corp., and for treasurer, Ninette Jones, Tarvin, KBDT, and Maxwell Dane, WMCA, were named.

The May 19 meeting of the club has designated SESAC Day, it was announced by Tom Lynch, Wm. Esty & Co., and president of SESAC.

Also featured at last week's meeting was the award of a plaque to Dr. Edward J. N. Beatty's program on WOR, New York. Contract starts May 17 and continues for 52 weeks. No further radio plans at present. Agency is William H. Weintraub Co., New York.

Comford Plans Test

COMFORT PRODUCTS, Chicago (foot balm), is planning a test radio campaign in Midwestern and West Coast markets. A new product, this is the first advertising planned. Nature of radio promotion and markets have not been released by agency, Malcolm-Howard, Chicago.

Summer Plans

WESTINGHOUSE ELECTRIC & MFG. Co., East Pittsburgh, Pa., is forgoing a summer hiatus, will continue its Programming Program on 156 NBC stations, July 2-30, 3 p.m. (EWT). John Charles Thomas is m.c.-vocalist, with John Nesbitt, narrator. Victor Young is musical director, with Ken Darby's vocal chorus being featured. Clare Olmeda is producer, Beery & Rubican Inc., agency servicing the account.

RESULTS from the first announcer training school of WEEI, Boston, were so good that a second school will be opened May 17. Only men are eligible, and they must be in deferred draft classifications and be employed in a non-essential industry.

ALL BLUE OFFICERS ARE AGAIN ELECTED

MARK WOODS, BLUE president, and other officers of the network were re-elected to their respective positions on May 7 of the board of directors. Officers include Niles Trammell, chairman of the executive committee; Edgar Seibel, executive vice-president; Phillips Carlin, vice-president in charge of programs; Keith Kiggin, vice-president in charge of stations; Fred M. Thrower, Jr., vice-president in charge of sales; E. E. Burke, vice-president in charge of the central division; Don E. Gilman, vice-president in charge of the western division; Lunsford P. Yandell, vice-president; Charles E. Rynd, treasurer; Leonard E. McIlroy, secretary; Alexander D. Nicol, controller; Anthony M. Hennig, assistant treasurer; Robert D. Sweeney, assistant secretary; and Christian Hautz, assistant secretary.

Air Wick on WOR


Up To 213 Stations

GENERAL FOODS Corp., New York, has expanded the list of stations carrying announcements for Post Toasties, Post Raisin Bran and Bran Flakes from 150 to 213 [Broadcasting, May 3]. Of the current total, 74 are used as part of the G-F campaign on the Key-Transcription Network [Broadcasting, May 10]. Agency is Benton & Bowles, New York.

THREE STATE RADIO GROUPS IN MEETINGS

ANNUAL MEETING of the Radio Council of New Jersey, held last Monday in Newark, was attended by more than 60 representatives of civic and educational groups. Theme was radio education in war-time. Speakers included Sterling Fisher, director of the NBC Inter-American U. of the Air; "The Sin in Mr. Lady"; Leon Levine, CBS assistant director of education; Elsie Dick, vice-president, WOR, New York. Irving Rosenhaus, general manager, WAAT, Jersey City, was one of the vice-presidents of the council.

Last Friday, two other state radio councils held their annual meeting. The radio council of the Midwestern and Eastern Radio Council at Schenectady, and the Radio Council of Minnesota in Minneapolis. Former group also met May 16 to hear talks by Mrs. Dorothy Lewis, NAB coordinator of listeners' activities; Grace John- son, BLUE; Arch Oboler, producer-director; Dr. James Rowland Angell, NBC public service general manager, general manager of WGY, Schenectady, was luncheon toastmaster.

The three state meeting featured reports on radio in the war and after from the Ohio State Council, with talks by Burton Fauzi, WLW, Minneapolis; Max Karl, educational director, WCCO, Minneapolis; Muriel Stewart, director of state tuberculosis assn.; Ann Ginn, WTN, Minneapolis, and Hale Cavanor, OWI.

Nelson Promises Paper

Status Quo Until Oct. 1

PRESENT shortage of paper for newspapers and magazines is alarming, WPB Chairman Donald Nelson told a House Interstate subcommittee last week, assuring that inventories in paper for publications is unlikely, at least until Oct. 1. Mr. Nelson's statement was read direct from a Washington situation, which was a resolution offered by Rep. Hal Rogers, Ky.

The subcommittee issued a report Monday recommending that the 10% paper cut be applied to government agencies as well as publishers. The committee also suggested that the War Manpower Commission recognize paper making as an essential activity to protect its labor supply.

Lt. Com. Guider Promoted, Heads Radio Procurement

LT. COM. JOHN W. GUIDER has been promoted to full commander in the Radio Division of the Navy's Bureau of Ships. Formerly in the Bureau of Supplies & Accounts, Com. Guider is now head of the Procurement Branch of the Radio Division.

A pioneer in the practice of radio law, Com. Guider left the law firm of J. J. Trimble, of which he had been a member for 10 years, when he was called to active duty last March. Since then he has followed radio career and served his partner, Lt. Com. Duke M. Patrick. Com. Guider was graduated from the Naval Academy in 1922.
HAVE A HEART, FELLOW-

WHO'S UP AT 6 IN THE MORNING?

We made one of those worked-to-death map offers* — at 6 A. M. imagine!

All of the Heart of America responded—from the 49% rural as well as the 51% urban.

Yes—they're wide-awake with the Early Birds out here—wide-awake to a sales story.

Proof again that one station—and only one station—reaches all of the Heart of America!

* Map offer at 6 A.M. brought replies from 90 Missouri and Kansas counties—from 14 outside states and Canada. This offer was made six mornings only—at 6 A.M.—no other teasers or plugging.

The alarm at KMBC goes off at 5:30 A.M. The Early Bird Jamboree starts the day with a song and a laugh.

To keep in touch with the times, 6 A.M. finds news from all the world being aired by KMBC to all of the Heart of America.

That 49% rural audience tunes to KMBC at 6:15 A.M.—for Phil Evans and his farm and livestock market news.

Colorado Pete and the Dixie Four, a KMBC service feature, keep them awake at 6:30 A.M. with western and hill-billy hoedowns.

Service features build audiences in the Heart of America. The Midland Minstrels and the Texas Rangers carry on at 7:30 A.M.

KMBC
OF KANSAS CITY
FREE & PETERS, INC.
SINCE 1928—THE BASIC CBS STATION FOR MISSOURI AND KANSAS
WHAT'S THE "COVERAGE" COVERING UP?

"Coverage" is a loosely used term often employed in radio to cover up embarrassing features such as, for instance, a lack of listeners. Less and less do time buyers jump at the conclusion that "coverage" is synonymous with "listeners", or "circulation."

You can get "coverage" of Oklahoma City through four different stations, but only ONE...WKY...has LISTENERS in large, profitable quantities.

In the morning, WKY has 47.0% of the listeners (Hooper, February-March); in the afternoon, 55.6%; and in the evening, 57.8%.

WKY provides coverage far out into the state, too; farther out on its 930 kc. frequency than any other Oklahoma City Station. What's under THIS coverage? Well, listening habits aren't bound by city limits and every survey of out-state listening ever made has shown WKY to be the decisive favorite among Oklahoma City stations there, too.

If you want coverage, and if you want LISTENERS in the Oklahoma City area, WKY provides more of both than any other station.

WKY
OKLAHOMA CITY

OWNED AND OPERATED BY THE OKLAHOMA PUBLISHING CO.
The Daily Oklahoman and Times - The Farmer-Stockman
KVOR, Colorado Springs - KLZ, Denver (Affiliated Mgmt.)
REPRESENTED NATIONALLY BY THE KATZ AGENCY, INC.