

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934. The National Association of Broadcasters



Vol. 2 - - No. 33
JULY 7, 1934

NEW COMMISSION APPOINTED

Before leaving Washington on his Hawaiian cruise, President Roosevelt appointed the seven men who will become the newly created Federal Communications Commission.

The new Commission will meet for the purposes of organization on July 11. In the meantime the Federal Radio Commission will remain in power but will not pass upon any matters of importance.

The members of the new Commission are as follows:

Judge E. O. Sykes, Democrat, Mississippi, chairman, appointed for a seven-year term.

Thad H. Brown, Republican, Ohio, appointed for a six-year term.

Paul Walker, Democrat, Oklahoma, appointed for a five-year term.

Norman Case, Republican, Rhode Island, appointed for a four-year term.

Irvin Stewart, Democrat, Texas, appointed for a three-year term.

George Henry Payne, Republican, New York, appointed for a two-year term.

Hampson Gary, Democrat, Texas, appointed for a one-year term.

Judge Sykes for eight years was a member of the Mississippi Supreme Court and was appointed to the Federal Radio Commission in 1927. He has served with distinction as a member and as chairman of the Federal Radio Commission and his appointment as chairman of the new Commission was favorably received by the industry. He has broad experience in the field of radio regulation and possesses a keen knowledge of the problems of broadcasting.

Thad H. Brown has held important public offices in his state of Ohio and was a former Secretary of State of that State. He served as general counsel of the Federal Radio Commission and as a member of the Federal Radio Commission from the second zone. He is well-informed on the subject of broadcasting and undoubtedly will be assigned as one of the Commissioners on the radio division of the Commission.

Paul Walker has been chairman of the Oklahoma Corporation Commission, a lawyer of long experience in the regulation of utilities and is considered as a liberal.

Norman Case, was, for five years, Governor of Rhode Island.

Dr. Irvin Stewart is radio expert of the State Department and participated in both the Madrid Conference and the North American Conference.

George Henry Payne is a newspaper man and author and a member of the New York City Tax Commission.

Hampson Gary was Minister to Switzerland under President Wilson and is now practicing law in New York and Washington.

There is a rumor current that Representative Anning S. Prall of New York, appointed by President Roosevelt to the Radio Commission, but who never took office, will succeed Mr. Gary when the former is eligible to take office next year.

Herbert L. Pettey, Secretary of the Federal Radio Commission, will be named Secretary of the new Commission and there is a

probability that Dr. C. B. Jolliffe, chief engineer, will be retained in a similar capacity in the new Commission. Dr. Jolliffe has the unqualified support of the Institute of Radio Engineers and of the engineering profession generally.

It is expected that Paul D. P. Spearman, formerly assistant general counsel of the Radio Commission, will be named general counsel of the new Communications Commission. Mr. Spearman, before coming to Washington, was counsel for the Mississippi Railroad Commission and is experienced in the field of telegraph, telephone and radio regulation.

Directors of the three separate divisions created under the law will be named by the Commission at one of its early meetings and appointments to other posts provided for by the act also will be considered. There is every possibility that George B. Porter, acting general counsel; Fanny Neyman, one of the most able lawyers in the legal division; and Ben S. Fisher, assistant general counsel, will be retained by the new Commission. Albert Stephan, former examiner for the Interstate Commerce Commission, who acted as clerk to the Senate Interstate Committee and assisted in drafting of the new law, also will be named to an important post in the new Commission.

The best information obtainable is that the new Commission will give first consideration to a sweeping investigation of telephone and telegraph rates. This is indicated by the fact that Senator Dill, Washington, co-author of the Communications Act, dropped, at the last minute his resolution to investigate the telephone company with the understanding that the new Commission would undertake a thorough study of the problem. Another indication that the Commission will turn promptly to telephone and telegraph rates is the failure of the National Recovery Administration to codify these industries.

However, the law itself makes mandatory a study of the various proposals made to Congress that the Government should allocate a percentage of broadcasting facilities to religious, educational, and similar bodies. The law provides that this report must be made on or before February 1, 1935, and, of course, is of vital interest to every broadcaster.

CODE HEARINGS STILL UNDER ADVISEMENT

The National Recovery Administration is giving study to the testimony adduced at the recent hearing held in Washington on the labor and wage provisions of the broadcasters' code. It is uncertain when a decision will be reached in the matter.

NOTICE

Any NAB member desiring information relative to the Kansas City College of Management, Westover Building, Kansas City, Mo., should write to the Southland Radio Corporation, Laurel, Mississippi.

Make your plans now to attend the

TWELFTH ANNUAL NAB CONVENTION

NETHERLAND-PLAZA HOTEL

CINCINNATI, OHIO

SEPTEMBER 16, 17, 18 AND 19, 1934

COPIES OF COMMUNICATIONS ACT SENT

Members of the NAB received copies of the Federal Communications Commission Act in the mails this week.

RECOMMENDS AGAINST NEW TEXAS STATION

Charles H. Gunthorpe, Jr., applied to the Radio Commission for a construction permit for a new broadcasting station to be located at Nacogdoches, Texas, to use 1420 kilocycles frequency, 100 watts power and daytime operation. Ralph L. Walker in Report No. 571 this week recommends that the application be denied.

The Examiner found that there is need in the community for radio service but he doubted if enough talent is available there and if there is enough commercial support for a station. He also calls attention to the fact that "the State of Texas is now 44 per cent over quota, while the Third Zone is 30 per cent over quota."

WLEY MOVE RECOMMENDED

Examiner Ralph L. Walker this week recommended favorable action on the application of Albert S. Moffat, owner of Station WLEY, Lowell, Massachusetts, for construction permit to move WLEY to Lexington, Mass., without change in frequency or power assignment.

FEDERAL RADIO COMMISSION ACTION

APPLICATIONS RECEIVED

First Zone

NEW—Irving D. Sisson, Pittsfield, Mass.—Construction permit for new station on 950 kc., 1 KW, daytime. Transmitter site to be determined at or near Pittsfield, Mass. Studio located Park Hotel, Pittsfield, Mass.

WNYC—City of New York, Department of Plant and Structures, New York, N. Y.—Modification of license to increase power from 500 watts to 1 KW.

WJAR—The Outlet Company, Providence, R. I.—Extension of special experimental authority to use additional power at night of 250 watts (licensed already 250 watts night, 500 watts daytime) for regular license period, 9-1-34 to 3-1-35.

WNAC—Shepard Broadcasting Service, Inc., Boston, Mass.—Modification of license to change frequency from 1230 kc. to 830 kc. (facilities of WHDH).

Second Zone

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

Third Zone

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Modification of license to increase power from 500 watts to 500 watts night, 1 KW daytime.

WACO—Central Texas Broadcasting Co., Inc., Waco, Tex.—Modification of license to increase time from specified hours to unlimited time.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Authority to determine operating power by direct antenna measurement.

Fourth Zone

WKBB—Sanders Bros. Radio Station, East Dubuque, Ill.—Construction permit to change equipment and increase daytime power from 100 watts to 250 watts, also change from specified hours to unlimited time.

KGNF—Great Plains Broadcasting Co. (a corp.), North Platte, Nebr.—Modification of license to increase power (day) from 500 watts to 1 KW.

KGCU—Mandan Radio Association, Inc., Mandan, N. Dak.—License to cover construction permit authorizing removal of transmitter and studio and equipment change.

WAAF—Drivers Journal Publishing Co., Chicago, Ill.—License to cover construction permit authorizing rebuilding of station destroyed by fire.

NEW—Edward Hoffman, St. Paul, Minn.—Construction permit to erect a new station to be operated on 1310 kc., 100 watts, unlimited time.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Modification of license to change hours of operation from daytime to from 8 a. m. to local sunset.

Fifth Zone

KVOS—KVOS, Inc., Bellingham, Wash.—License to cover construction permit to move transmitter and studio locally.

KGIX—J. M. Heaton, Las Vegas, Nev.—Modification of construction permit authorizing removal of station and new equipment requesting authority to move transmitter locally and extend dates of commencement and completion.

NEW—Palmer Broadcasting Syndicate, Inc., Cheyenne, Wyo.—Construction permit to erect new station, operating on 1210 kc., 100 watts, unlimited time, transmitter site to be determined.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit (granted to install new equipment and increase power from 1 KW to 1 KW night, 2½ KW daytime) to request further increase in daytime power to 5 KW and extension of commencement and completion dates.

KOOS—H. H. Hanseth, Inc., Marshfield, Ore.—Modification of license to change frequency from 1370 kc. to 1200 kc.

KTM—Pickwick Broadcasting Corp., Los Angeles, Calif.—Authority to determine operating power by direct antenna measurement.

APPLICATIONS RETURNED

WKFI—J. Pat Scully, Greenville, Miss.—Modification of construction permit granted 10-10-33 to move station to 1635 Carrollton Ave., Greenwood, Miss., and extension of commencement and completion dates. (Request of applicant; construction permit retired to closed files.)

KGNF—Great Plains Broadcasting Co., North Platte, Nebr.—Construction permit to install new frequency control equipment. (Wrong form.)

WCFL—Chicago Federation of Labor, Chicago, Ill.—Modification of construction permit to extend date of completion to 2-1-34. (Verification of date.)

NEW—W. L. Gleeson, Alameda, Calif.—Construction permit for new station on 1500 kc., 100 watts, unlimited time; transmitter located Central and Broadway, Alameda; studio, Alameda Hotel. (Secs. 26 and 9 unanswered.)

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Consent to voluntary assignment of construction permit to E. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick. (Improperly executed.)

NEW—Clinton Broadcasting Corp., Clinton, S. C.—Construction permit to erect a new station to be operated on 1120 kc., 500 watts, daytime. (Improperly executed.)

KFJI—KFJI Broadcasters, Inc., Klamath Falls, Ore.—Construction permit for new equipment to change system of modulation. (Incomplete.)

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Modification of license to increase night power from 500 watts to 1 KW. (Unnecessary, and Rule 49.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934. The National Association of Broadcasters



Vol. 2 - - No. 34
JULY 18, 1934

NEW COMMISSIONERS TAKE OATH

The Federal Communications Commission, created by an Act of Congress approved June 19, 1934, was organized on July 11 with the seven members appointed to that body by President Roosevelt present. Judge Eugene O. Sykes, named chairman by the President, presided at the organization meeting.

One of the first acts of the Commission was the appointment of Paul D. P. Spearman of Tremont, Miss., as general counsel of the Commission at a salary of \$9,000 annually and the appointment of Herbert L. Pettey of Kansas City, Mo., as secretary at an annual salary of \$7,500. For several years Mr. Spearman acted as general counsel of the Federal Radio Commission when he resigned to engage in private practice of law specializing in radio cases. Mr. Pettey was nominated for secretary by Judge Sykes. He has been serving as secretary of the Federal Radio Commission since March 31, 1933.

Following the organization meeting Chairman Sykes outlined to the press a program for the vigorous enforcement of the new law and pointed out that the Commission must make a report to Congress not later than February 1, 1935, recommending such amendments to the law as it deems advisable in the public interest.

COMMISSION FORMS DIVISIONS ON JULY 17

The Federal Communications Commission organized its division in keeping with the Communications Act. Three divisions composed of three members each were created, with Chairman E. O. Sykes serving on each division. The divisions and personnel follow:

Division No. 1—Broadcasting

Commissioner Gary—Chairman
Commissioner Brown—Vice Chairman
Commissioner Sykes.

Division No. 2—Telegraph

Commissioner Stewart—Chairman
Commissioner Payne—Vice Chairman
Commissioner Sykes.

Division No. 3—Telephone

Commissioner Walker—Chairman
Commissioner Case—Vice Chairman
Commissioner Sykes.

THE BROADCAST DIVISION shall have and exercise jurisdiction over all matters relating to or connected with broadcasting.

THE TELEGRAPH DIVISION shall have and exercise jurisdiction over all matters relating to or connected with record communication by wire, radio or cable, and all forms and classes of fixed and mobile radio-telegraph services and amateur services.

THE TELEPHONE DIVISION shall have and exercise jurisdiction over all matters relating to, or connected with telephone

communication (other than broadcasting) by wire, radio or cable, including all forms of fixed and mobile radiotelephone service except as otherwise herein specifically provided for.

The whole Commission shall have and exercise jurisdiction over all matters not herein otherwise specifically allocated to a division; over all matters which fall within the jurisdiction of two or more of the divisions established by this order; and over the assignment of bands of frequencies to the various radio services. In any case where a conflict arises as to the jurisdiction of any division or where jurisdiction of any matter or service is not allocated to a division, the Commission shall determine whether the whole Commission or a division thereof shall have and exercise jurisdiction, and if a division, the one which shall have and exercise such jurisdiction.

BROADCAST DIVISION MEETS

The first meeting of the Broadcast Division of the FCC was held on Tuesday, July 17. Routine applications were passed upon and this was the business transacted. The FCC in the near future appoint directors for the three divisions.

The Broadcast Division will hold its next meeting next Tuesday, July 24, and it is probable that weekly meetings will be held Tuesdays thereafter. The Telegraph Division will probably meet Wednesdays and the Telephone Division on Thursdays.

OLD REGULATIONS IN EFFECT

With respect to the transfer of records and property of the Federal Radio Commission, Interstate Commerce Commission or Postmaster General to the new Communications Commission and the continuing in effect of all orders, determinations, rules, regulations, etc., of the Interstate Commerce Commission, Federal Radio Commission or Postmaster General, the Commission made public the following announcement:

"Attention is invited of all persons, firms, companies, or corporations, who are licensees, permittees or who may be otherwise affected by any order, determination, rule, regulation, permit, contract, license, or privilege which has been made or granted by the Interstate Commerce Commission, Federal Radio Commission or the Postmaster General under any provision of law repealed or amended by the Communications Act of 1934, approved June 19, 1934, which are in effect at the time said act becomes effective, that they are, by Section 604 of said Communications Act, *continued in effect until modified, terminated, superseded, or repealed by the Commission or by operation of law.*"

FOREIGN BROADCASTS AUTHORIZED

The Commission, at its organization meeting, adopted the following order in re Section 325 (b) and (c) requiring a permit for maintenance of studio programs to foreign radio stations:

"In order to continue existing service pending receipt of and action upon applications under Section 325 (b) and (c), the Com-

Make your plans now to attend the

TWELFTH ANNUAL NAB CONVENTION

NETHERLAND-PLAZA HOTEL

CINCINNATI, OHIO

SEPTEMBER 16, 17, 18 AND 19, 1934

mission ordered that temporary licenses be issued to the National Broadcasting Company, Inc., and the Columbia Broadcasting System authorizing the maintenance and use by them, or by any person subsidiary thereto, or affiliated therewith by contract or otherwise, of any existing radio broadcasting studios or other apparatus from which programs are produced and transmitted to a radio broadcasting station in Canada, said permit to contain the following express condition:

"This permit is issued on a temporary basis only and is subject to cancellation at any time by the Commission without notice or hearing. The authority herein granted shall not be construed as a finding that the location, maintenance or use of said studios for the purpose of this permit will be in the public interest, convenience or necessity beyond the express terms hereof."

BRIEF SKETCH OF CHAIRMAN SYKES

JUDGE EUGENE OCTAVE SYKES, who was named by President Roosevelt chairman for a term of 7 years, is one of the five original members of the Federal Radio Commission and started to serve on that body when it was first organized March 15, 1927. At that time he was named vice-chairman and served in that capacity until he was elected chairman March 21, 1933, a position he held until the Federal Radio Commission was abolished by enactment of the Federal Communications bill.

Judge Sykes was born at Aberdeen, Miss., on July 16, 1876. He received his academic training at St. John's College, Annapolis, a noted institution of learning, the third oldest college in the United States, and at the United States Naval Academy. He received his LL.B. degree at the University of Mississippi in 1897, and then began the practice of law at Aberdeen, Miss. He was Democratic presidential elector-at-large from Mississippi in 1904.

In 1916 Judge Sykes was appointed a Justice of the Supreme Court of Mississippi and soon afterwards was elected to the same office for a term ending 1925. He voluntarily retired from the bench in 1925 and resumed the practice of law.

Judge Sykes has attended several international radio conferences in an official capacity in recent years. He was named by President Coolidge chairman of the American delegation to the North American Radio Conference held in Ottawa in 1929. President Hoover appointed him chairman of the American delegation to the International Radio Conference held in Madrid in 1932, which lasted from early September until the end of December. At Madrid he was named chairman of the important technical committee. President Roosevelt named him chairman of the U. S. delegation to the North and Central American regional radio conference held in Mexico City in 1933.

Judge Sykes is a member of the Delta Kappa Epsilon, a Mason, an Elk, and a member of the Sons of Confederate Veterans. His home is at Jackson, Miss.

BRIEF SKETCH OF THAD H. BROWN

COLONEL THAD H. BROWN was born and reared on a farm in Lincoln Township, Morrow County, Ohio. He has always manifested keen interest in farming and stock raising, and in farmers' problems. For years he has owned and supervised farms of his own in his native state.

Colonel Brown attended country school and was graduated from high school, following which he taught school for one year.

He is an alumnus of Ohio Wesleyan and Ohio State Universities and was admitted to practice law in Ohio in June, 1912, and in 1930 he was admitted to practice before the Supreme Court of the United States.

He served 19½ months from July 1917, in the army during the World War. He entered as a Captain and was a Major upon retirement. He has been a Colonel in the Officers' Reserve Corps for the past eleven years.

He was appointed a member of the State Civil Service Commission of Ohio, February 1, 1920, by Governor James M. Cox, and served on that Commission until his resignation to qualify for Secretary of State of Ohio.

From 1919 to 1920 he was Second Post Commander of Franklin Post No. 1 at Columbus, the largest post, numerically, in the state.

From 1920 to 1921 he was Chairman of the Americanization Committee of the American Legion of Ohio.

He served as Secretary of State of Ohio from January 8, 1923, to January 10, 1927.

From April, 1927, to February, 1928, he was President of the Cleveland Radio Broadcasting Corporation, managing Radio Broadcast Station WJAY.

He became Chief Counsel of the Federal Power Commission September 13, 1929, and resigned December 16, 1929, to become General Counsel of the Federal Radio Commission. He resigned this office to become a member of the Federal Radio Commission March 28, 1932.

On April 25, 1933, he was selected Vice Chairman of the Federal Radio Commission.

Colonel Brown is a member of the following:

American, Federal and Ohio State Bar Associations.

American Academy of Political and Social Science.

Executive Committee, American Section, International Committee on Radio.

American Legion of Ohio.

He is a Presbyterian; 32nd Degree Mason, and a Member of the Shrine.

He is married and has one son, Thad, Jr., 17 years of age.

BRIEF SKETCH OF PAUL WALKER

PAUL ATLEE WALKER was born January 11, 1881. He is of Virginia Quaker stock, which migrated from that State early in the 19th century.

He graduated from the University of Chicago in 1909 with the degree of PH.B., and from the University of Oklahoma, Law Department, in 1912, with the degree of LL.B. He was for three years principal of the Shawnee, Oklahoma High School. For three years thereafter he was an instructor on the faculty of the University of Oklahoma. He has lived continuously in Oklahoma since 1905.

From 1912 to 1915, Mr. Walker practiced law at Shawnee, Oklahoma. For more than 15 years he was connected with the State Corporation Commission of Oklahoma serving as Counsel and Commissioner. He was elected to the Corporation Commission by popular vote and chairman of the Commission by vote of the Commission in January, 1931, serving in that capacity until July 11, 1934, when he became a member of the Federal Communications Commission by appointment of President Roosevelt for a term of five years.

In 1919 Mr. Walker was appointed referee by the Supreme Court of Oklahoma, under a statute which provided assistants to the court to enable the court to dispose of accumulated undecided cases. In this capacity he served till 1921, preparing opinions in cases which were referred to him by the court. He was highly commended for this work.

At the conclusion of his services with the Supreme Court of Oklahoma, he resumed his work as Special Counsel for the State Corporation Commission. As such counsel he was engaged continuously in the conduct of important litigation before the Corporation Commission of Oklahoma, the Interstate Commerce Commission and in Federal Courts. He represented the State of Oklahoma in rate litigation and proceedings which brought about a reorganization of the Oklahoma rates on grain, cotton, livestock, petroleum and other important commodities. He also instituted and conducted the Consolidated Southwestern Cases, so-called, in which important rate reductions for the Southwest were obtained.

Public utility investigations initiated by Mr. Walker while serving as chairman of the Corporation Commission of Oklahoma, and handled by him during his administration, included a general investigation of natural gas, electric light and power, telephone and cotton gin rates. He is the author of the report of the Corporation Commission in the Lone Star investigation affirmed by the State Supreme Court of Oklahoma, July 10, 1934.

In the important Rate Investigation carried on by the Interstate Commerce Commission under the Hoch-Smith Resolution, he was chairman of the Legal Committee, representing the Southwestern State Commission and Shippers' organization.

He served as chairman of the Committee on Cooperation with the Interstate Commerce Commission in the National Association of Railroad and Utilities Commissioners from 1925 until appointed a member of the Federal Communications Commission. He was a member of the Executive Committee of the Association and a member of its Committee on Legislation.

Mr. Walker was commissioned Major of the Oklahoma National Guard in 1918, and served as Judge Advocate General with the rank of Lieutenant Colonel of the Oklahoma National Guard during the period 1919 to 1934.

His College Fraternities are: Sigma Alpha Epsilon (Social), Phi Delta Phi (Legal), and Delta Sigma Rho (Debating and Oratorical).

He is a member of the following lodges:

Oklahoma City Lodge No. 36, A.F.&H.

Cyrus Chapter No. 7, R.A.M.

Bethlehem Commandry, No. 45.

India Temple, A.A.O.N.M.S. of Oklahoma City.

National Sojourners, Oklahoma City Chapter No. 43.

In politics Mr. Walker is a Democrat.

He is a member of the First Presbyterian Church of Oklahoma City, and has been a member of the Session of that church for several years. He is also a member of the Y.M.C.A. there.

He is a member of the Mens' Dinner Club of Oklahoma City, a prominent public affairs and social organization.

Mr. Walker married Myra Evelyn Williams on June 2, 1914, at Durant, Oklahoma. They have four children, two sons and two daughters.

BRIEF SKETCH OF NORMAN CASE

NORMAN STANLEY CASE was born in Providence, R. I., October 11, 1888. He is of Colonial and Mayflower ancestry, his forbears coming to Rhode Island to settle with Roger Williams.

He attended the public schools in Providence, graduating from Federal St. Grammar School in 1900; Classical High School in 1904. He received his A.B. degree from Brown University in 1908. He spent 1908-1909 in travel around the world. He attended Harvard Law School from 1909-1911, then Boston University Law School 1911-1912, and received his LL.B. degree from the latter institution in 1912.

He then practiced law in Rhode Island, having been admitted to the Rhode Island Bar in 1911, and the Massachusetts Bar in 1912. He was admitted to practice before the Supreme Court of the United States in 1923. He served in the Providence City Council from 1914-1918, although his term in that body was interrupted by his military service.

He enlisted in the Massachusetts National Guard as a private in 1909 when in law school, and rose from that rank through corporal, sergeant, 1st sergeant to a Second Lieutenant of Cavalry, Massachusetts Squadron in 1912, and 1st Lieutenant in 1913. In 1915 he transferred from the Massachusetts National Guard to the Rhode Island National Guard and became 1st Lieutenant of Troop A, 1st Rhode Island Cavalry, with which organization he served on the Mexican border in 1916.

In 1917, as Captain of Co. A, 103rd Machine Gun Battalion, 26th (Yankee) Division, he went to France in October of that year, and served with that Division until he was made a General Staff Officer, serving under Major General James G. Harbord. He was honorably discharged from the army in July, 1919. He received the decoration of Chevalier de L'Etoile Noir from the President of France.

He served as a member of the Soldiers Bonus Board of Rhode Island from 1920-1922, which was the Board that distributed the State bonus to Rhode Island men who served in the World War.

He was appointed U. S. Attorney for the District of Rhode Island in 1921 by President Harding, and served until 1926. In the fall of 1926 he was elected Lieutenant Governor of Rhode Island and succeeded to the Governorship in February, 1928, upon the death of Governor Pothier. He was subsequently elected Governor in 1928, and re-elected in 1930, serving until January, 1933. His service as Governor extended over a period of five years.

He was chairman of the Executive Committee of the Governor's Conference of the United States, 1930-1932, of which committee President Roosevelt was a member.

Governor Case received the honorary degree of Doctor of Laws from Manhattan College in 1930, and from Rhode Island State College in 1931. He is a member of the First Baptist church of Providence and a 32nd degree Mason. He is a Colonel in the Reserve Corps of the U. S. Army, commanding the 315th Cavalry.

Governor Case was married in 1916 to Emma Louise Arnold, of Bethel, Vermont, and they have three children, Norman Stanley, Jr. (1917); John Warren, 2nd (1921), and Elizabeth Richmond (1924).

During his term as Governor, the State of Rhode Island reduced her indebtedness each year. He was the first governor of the state to appoint Superior Court and District Court judges, the change in the law being made upon his recommendation. The Unemployment Relief Act was also passed during his administration, and during his term as Governor, Rhode Island took care of her own relief situation.

He is a member of the American Legion, Veterans of Foreign Wars, State Commander of the Military Order of Foreign Wars, various patriotic societies and the University Club of Providence.

BRIEF SKETCH OF IRVIN STEWART

Born at Fort Worth, Texas, October 27, 1899.

Graduated from Fort Worth High School.

Attended University of Oklahoma Law School, 1917-1919.

Received Degree of LL.B. from the University of Texas, 1920, and was admitted to the bar in Texas the same year.

Received B.A. and M.A. degrees, University of Texas, 1922.

Served on the faculty of the Department of Government at the University of Texas from 1922 to 1926, except for one year residence at Columbia University; subjects taught were constitutional law and international law.

Received Ph.D. from Columbia in 1926.

Served as Assistant Solicitor in the United States Department of State, Washington, June 1926 to January 1928.

Returned to the faculty of government at the University of Texas from February 1928 to June 1929.

Became head of the Department of Government at the Graduate School of the American University, Washington, September, 1929.

Entered the Treaty Division of the Department of State on October 1, 1930, and served as expert on communication matters in the Department until July 10, 1934.

Was a member of the American delegation to the International Radio Conference, 1927; International Technical Consulting Committee on Radio Communication, Copenhagen, 1931; Pan American Commercial Conference, Washington, 1931; International Radio Conference, Madrid, 1932; International Telegraph Conference, Madrid, 1932; North and Central American Regional Radio Conference, Mexico City, 1933.

Was a member of the Interdepartmental Committee on Communications, and worked with the congressional committees in drafting the bill creating the Federal Communications Commission.

Is the author of one book, "Consular Privileges and Immunities," Columbia University Press, 1926, and the editor of a volume on radio published in the Annals of the American Academy of Political and Social Science in 1929.

Is a contributor to various legal periodicals.

Married and has one son nine months of age.

BRIEF SKETCH OF GEORGE H. PAYNE

GEORGE HENRY PAYNE was born in New York City, August 13, 1876. He attended the College of the City of New York, 1891-93, following these studies with a special course in pharmacy and later studying law at the New York Law University.

In 1893 he embarked upon his journalistic career as proprietor of the Long Branch Summer Season. In 1895 he assumed the proprietorship of The Gothamite. During the period 1896-1912 Mr. Payne served successfully as associate editor of Criterion Magazine, editorial writer for the Commercial Advertiser, musical and dramatic critic of the New York Evening Telegram, and political writer for the New York Evening Post. In 1915 he served as lecturer on the history and development of American journalism at the Cooper Union.

Mr. Payne has been active in political life for a number of years. He was a member of the New York County Republican Committee, 1906-07, was a candidate for the New York State Assembly in 1908, and in 1912 was one of the New York managers of the presidential campaign of Theodore Roosevelt. In 1920 Mr. Payne was floor manager of the campaign of General Wood for the Republican nomination for president. In the same year he was candidate for election to the U. S. Senate. Mr. Payne has also served as tax commissioner of New York City, and is a member of the State Council of National Defense.

Mr. Payne is president of the City Traffic and Health Association, Secretary of the Choate Memorial Committee, president of the Eastern and Middle West Travellers and a member of the Military Order of America. He was decorated with the Order of Danilo I by the Montenegrin Government in 1921.

Mr. Payne is author of numerous books in the fields of drama, journalism and politics. Among his better known works are "A Great Part and Other Stories," "The Birth of a New Party," "History of the Child in Human Progress," "History of Journalism in America," "England—Her Treatment of America," a one-act musical comedy entitled "In Silver Idaho" and a one-act play, "The Lightning Stroke."

Mr. Payne is a member of the Metropolitan Club of Washington, D. C., the Army and Navy, City, National Republican, Park Republican and Hardware Clubs of New York, and the Cercle Interallie of Paris, France.

BRIEF SKETCH OF HAMPSON GARY

HAMPSON GARY was born in Tyler, Texas, April 23, 1873. His father, Franklin Newman Gary, a native of South Carolina, was a distinguished lawyer. Mr. Gary comes of colonial stock on both sides of his house, and his forbears saw service in the Ameri-

can Revolution. His great-grandfather was a General in the War for Independence.

Mr. Gary was educated at Bingham School, N. C., and the University of Virginia, and is a member of Phi Beta Kappa and Alpha Tau Omega of the latter institution. He was captain of U. S. Volunteers in the Spanish American War and later was colonel of the Third Infantry regiment of Texas. He was a member of the Texas House of Representatives, serving on the Judiciary and Finance Committees, and was nominated presidential elector for the state-at-large in 1908 but declined the honor. He was made a regent of the University of Texas in 1909 and his excellent work in that post is still remembered.

Before coming to Washington, Mr. Gary had won recognition in his profession. He was referee in bankruptcy for four years and a number of his opinions are published in the reports and several are cited in text books. He was standing master in chancery for the U. S. Court for two years and his decisions were rarely appealed. He was counsel in much important litigation, practicing in both the state and federal courts.

In 1914 he was made special counsel to the Department of State and later became a solicitor of same. After the entrance of the United States into the World War in 1917, President Wilson sent him as our envoy to Egypt. While serving at Cairo he was in charge also of American interests in Palestine, Syria and Arabia, and was at the front beyond Jerusalem with Field-Marshal Lord Allenby for a while in the World War, and in 1919 was called to Paris for technical work with the American Commission to Negotiate Peace.

Switzerland was the next field of Mr. Gary's service, his years of training in the law and in the State Department, practical experience as our diplomatic representative at Cairo, and the added insight gained in questions of world-wide significance at the Peace Conference caused the President to nominate him to be Envoy Extraordinary and Minister Plenipotentiary to that country. For several reasons the post was at that time one of the most important in the whole foreign field. The aftermath of war had brought to Berne and Geneva problems touching nearly every nation in the world. They raised difficult questions of international law and diplomacy. Mr. Gary was able to take care of every interest of the United States and received the high commendation of his Government.

Mr. Gary has practiced law in Washington since 1921 and also in New York City since 1931, having offices in both cities. He is a member of the American Bar Association, American Society of International Law, Sons of the Revolution, and the New York Southern Society. His clubs include the Metropolitan, Cosmos, Chevy Chase, and Lawyers.

COMMISSIONERS GUESTS AT PARTY

Chairman Eugene O. Sykes, Commissioners Thad. H. Brown, Paul A. Walker, Norman S. Case, Irvin Stewart, George Henry Payne and Hampson Gary and Paul D. P. Spearman, general counsel, Dr. C. B. Jolliffe, acting chief engineer, and Herbert L. Petzey, secretary, were the guests at a party attended by about 60 persons interested in radio, telephones and telegraphs at the Burning Tree Club at Washington, D. C., on Tuesday, July 17. Col. Marvin H. McIntyre, secretary to the President, was one of the honor guests. William Hard, internationally known author and radio commentator, was toastmaster.

DISCUSS CONVENTION PROGRAM

Ed. W. Spence, WPG, and Philip G. Loucks, NAB Managing Editor, discussed details for the September convention of the NAB to be held at the Netherland-Plaza Hotel, Cincinnati, Ohio, September 16, 17, 18 and 19. Appointment of a general convention committee and announcement of a tentative program will be made within the next two weeks.

MCCOSKER ON NEW YORK COMMITTEE

Mayor LaGuardia of New York appointed Richard C. Patterson, executive vice president of the National Broadcasting Company, William S. Paley, president of the Columbia Broadcasting System, and Alfred J. McCosker, president of the Bamberger Broadcasting Service and president of the NAB, as a committee to study and make recommendations for improving the usefulness of WNYC, the station owned by the City of New York. Mr. Patterson was named chairman of the committee.

CARPENTER GOES TO CLEVELAND

H. K. Carpenter, general manager of Station WPTF, Raleigh, N. C., for the past six years, has been named manager of WHK,

Cleveland, Ohio, effective July 23. He will succeed M. A. Howlett, who resigned to return to his former work with the Watch Tower Society. Mr. Howlett has been in charge of WHK for eight years. Recently Mr. Howlett and his two brothers sold control of WHK and WAIU, Columbus, Ohio, to the Cleveland Plain Dealer.

Mr. Carpenter, who is a member of the NAB Board of Directors, and is chairman of the NAB Cost Accounting Committee, has been active in radio since 1926 when he left the Goodyear Tire and Rubber Company to manage WEAR and WTAN in Cleveland.

TRADE COMMISSION CITES ADVERTISERS

The Federal Trade Commission has scheduled ten informal hearings based upon alleged false and misleading statements made by advertisers over radio stations.

These hearings will be conducted by Chairman E. J. Adams, Clyde M. Hadley and W. F. Davidson, who constitute the special board of investigation which is surveying newspaper, magazine and radio advertising. The cases result from continuities submitted to the Commission by stations and there is every indication that other cases will follow.

Under the procedure set up by the Board neither the station, advertising agency nor advertiser is mentioned in its announcements nor are the charges made public. The hearings are held in executive session and only the advertiser is named as respondent.

Chairman Adams says that in some instances advertisers who have been barred by newspapers have advertised by radio and that continuation of a policy of broadcasting false and misleading statements by radio advertisers would adversely affect radio as an advertising medium.

Chairman Adams has expressed pleasure with the manner in which stations are cooperating with the Commission and hails this as proof that station owners, for the most part, are interested in protecting the public against false statements.

CHANGE PUBLICATION DATE

The Broadcast Division of the FCC will meet Tuesdays and in order to report as rapidly as possible the actions of the Division, the publication date of NAB REPORTS will be changed from Fridays to Tuesdays.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

First Zone

WGCP—May Radio Broadcasting Corp., Newark, N. J.—Granted license covering increase in power and installation of new equipment; 1250 kc., 1 KW night, 2½ KW day, shares with WNEW.

Second Zone

None

Third Zone

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted extension of special experimental authority to operate until 8 p. m., PST, for period ending February 1, 1935.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Granted license covering changes in equipment, and increase in daytime power; 1330 kc., 1 KW night, 2½ KW day; unlimited.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted license covering changes in equipment and increase in daytime power; 1390 kc., 1 KW night, 2½ KW day; unlimited.

WGPC—Americus Broadcasting Corp., Albany, Ga.—Granted license covering move of station from Americus to Albany, Ga., and installation of new equipment; 1420 kc., 100 watts, daytime.

Fourth Zone

WBBM—WBBM Broadcasting Corp., Chicago, Ill.—Granted extension of special experimental authority for synchronous 3/7 night time operation with KFAB from August 1 to February 1, 1935.

KSO—Iowa Broadcasting Co., Des Moines, Iowa—Granted modification of C. P.; changes in authorized equipment and for approval of exact transmitter location at 715 Locust St., Des Moines, Iowa.

- KFAB**—KFAB Broadcasting Co., Lincoln, Neb.—Granted extension of special experimental authority for 3/7 nighttime hours operation synchronously with WBBM and additional nighttime hours 7:30 to 8:30 p. m., from August 1, 1934 to September 30, 1934, and from 8:30 to 9:30 p. m., from October 1, 1934, to January 31, 1935.
- WAAF**—Drovers Journal Publishing Co., Chicago, Ill.—Granted license covering rebuilding of station destroyed by fire; **920 kc.**, 500 watts daytime.
- KGCU**—Mandan Radio Assn., Mandan, N. Dak.—Granted license covering local move of studio and transmitter and installing new equipment; **1240 kc.**, 250 watts, specified hours.

Fifth Zone

- KFWB**—Warner Bros. Broadcasting Corp., Hollywood, Cal.—Granted C. P. to change equipment and increase daytime power from 1 KW to **2½ KW**.
- KWFV**—Hilo Broadcasting Co., Ltd., So. Hilo, Waiakea, T. H.—Granted modification of C. P. to extend completion date to September 1, 1934.
- KXA**—American Radio Telephone Co., Seattle, Wash.—Granted extension of special experimental authority to operate simultaneously with WJZ from local sunset to 10 p. m., PST, using 250 watts, for period ending February 1, 1935.
- KVOS**—KVOS, Inc., Bellingham, Wash.—Granted license covering local move; **1200 kc.**, 100 watts, unlimited time.
- KOOS**—H. H. Hanseth, Inc., Marshfield, Ore.—Granted modification of license to change frequency from **1370** to **1200 kc.**
- KTM**—Pickwick Broadcasting Corp., Los Angeles, Cal.—Granted authority to determine operating power by direct antenna measurement.

LICENSE RENEWALS

- WBAP**—Carter Publications, Inc., Fort Worth, Tex.—Granted temporary license subject to such action as may be taken upon the renewal application, which was set for hearing.
- KFEQ**—Scroggin & Co., Bank, St. Joseph, Mo.—Granted temporary license subject to such action as may be taken upon the renewal application, which was set for hearing.
- WRAX**—WRAX Broadcasting Co., Philadelphia, Pa.—Granted renewal of license on a temporary basis, subject to the condition that it may be cancelled at any time without advance notice or hearing when program tests are commenced at the new location in conformity with permit granted October 27, 1933, authorizing operation on frequency **920 kc.**
- KYW**—Westinghouse E. and M. Co., Chicago, Ill.—Granted renewal of license on temporary basis subject to the condition that it may be cancelled at any time without advance notice or hearing, when program tests are commenced at new location, Philadelphia.

TEMPORARY AUTHORIZATIONS

- WHDF**—The Upper Michigan Broadcasting Co., Calumet, Mich.—To operate from 7 to 9 a. m., CST, July 22, 29; August 5, 12 and 19, and from 6:30 to 7:30 p. m., CST; July 23, 25, 26, 27, 30; August 1, 2, 3, 6, 8, 9, 10, 13, 15, 16, 17, 20 and 22, 1934.
- WLB**—University of Minnesota, Minneapolis, Minn.—To operate from 10 to 10:45 a. m., CST, on July 19, 26; August 2, 9, 16, 23 and 30, 1934, provided WCAL and WRHM are silent.
- WRHM**—Minnesota Broadcasting Corp., Minneapolis, Minn.—To operate from 11:45 a. m. to 12:50 p. m., CST, on July 19, 26; August 2, 9, 16, 23 and 30, provided WLB remains silent.
- WKRC**—WKRC, Inc., Cincinnati, Ohio—Extended special temporary authority to operate with temporary emergency conventional antenna with power of 1 KW daytime, 500 watts night, for period July 25 to September 1.
- WQDM**—Regan & Bostwick, St. Albans, Vt.—To operate from 12 noon to 1 p. m., EST, July 22, 1934.

SET FOR HEARING

- WMCA**—Knickerbocker Broadcasting Co., Inc., New York City—Modification of license to increase daytime power from 500 watts to 1 KW.

MISCELLANEOUS

- KMPC**—Beverly Hills Broadcasting Corp., Beverly Hills, Cal.—Renewal application designated for hearing. Temporary

license granted subject to further Commission action on application for renewal.

- KTSA**—Southwest Broadcasting Co., San Antonio, Tex.—Suspended grant of special experimental authorization because of protest of KSD, St. Louis, and application designated for hearing.
- WIS**—Station WIS, Inc., Columbia, S. C.—Suspended grant for C. P. to move transmitter to site to be determined; to change frequency from **1010 kc.** to **560 kc.**, and to increase power from 500 watts to 1 KW night, and from 1 KW to **2½ KW** to LS. Application designated for hearing because of protests of stations WQAM, Miami, Fla.; WLIT, Philadelphia, and WFI, Philadelphia.
- NEW**—H. E. Studebaker, Lewiston, Idaho—C. P. for new station, **1420 kc.**, 100 watts, unlimited time, heretofore set for hearing, was denied as in case of default.

The Division reopened dockets Nos. 2219 and 2238, in re application for renewal of license of WBBS and application for consent to voluntary assignment of license of station WBBS to Virgil V. Evans, for further hearing in conjunction with Docket 2236, application of Virgil V. Evans for C. P. to move station WBBS from Huntsville, Alabama to Greenwood, S. C.

APPLICATIONS RECEIVED

First Zone

- NEW**—William M. Mace, Saranac Lake, N. Y.—Construction permit to erect new broadcast station to operate on **1370 kc.**, 100 watts power, unlimited time. Transmitter and studio located Glen St., Glens Falls, N. Y. (Requests facilities of Station WGLC.)
- NEW**—Willis T. Shaughnessy, Bay Shore, N. Y.—Construction permit to erect new broadcast station to operate on **1370 kc.**, 100 watts, unlimited time. Transmitter site to be determined in Suffolk Co., N. Y. Studio, Bay Shore, N. Y. To be considered under Rule 6.
- WHDH**—Matheson Radio Co., Inc., Boston, Mass.—Modification of license to increase hours of operation from daytime to unlimited with power of 1 KW until sunset at Denver and 500 watts thereafter.
- WCNW**—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit, as modified, authorizing move of transmitter, installation of new equipment and increase in daytime power requesting changes in equipment and extension of commencement and completion dates.
- WHOM**—New Jersey Broadcasting Corp., Jersey City, N. J.—Construction permit to move transmitter from Jersey City, N. J., to Pier, Hoboken, N. J., and install new equipment.
- NEW**—Irving D. Sisson, Pittsfield, Mass.—Construction permit to erect a new station to be operated on **950 kc.**, 1 KW, daytime, amended to request **640 kc.**

Second Zone

- WKBZ**—Karl L. Ashbacker, Ludington, Mich.—Modification of construction permit authorizing removal of transmitter from Ludington to Muskegon, Mich., requesting an extension of commencement date from 7-8-34 to 8-8-34.

Third Zone

- NEW**—Raymond L. Hughes, Midland, Tex.—Construction permit to erect new broadcast station to operate on frequency of **1200 kc.**, 100 watts power, daytime. Transmitter located 1 mile west of Midland on U. S. Highway No. 80, outside of city limits. Studio, 117 Wall, Midland.
- KGRS**—E. B. Gish (Gish Radio Service), Amarillo, Tex.—Construction permit to make change in equipment and increase power from 1 KW to 1 KW night, **2½ KW** daytime.
- KBTM**—W. J. Beard (Beard's Temple of Music), Paragould, Ark.—Modification of construction permit authorizing installation of new equipment and removal to Jonesboro requesting an extension of completion date from 7-15-34 to 10-1-34.
- NEW**—Winger and Thomas, Chattanooga, Tenn.—Construction permit to erect a new station to be operated on **1420 kc.**, 100 watts, daytime.
- NEW**—Dudley J. Connolly, Chattanooga, Tenn.—Construction permit to erect a new station to be operated on **1420 kc.**, 100 watts, unlimited time.

- WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Modification of license to determine operating power by direct antenna measurement. (Corrections made.)
- NEW—Lakeland Broadcasting Co., Lakeland, Fla.—Construction permit to erect a new station to be operated on 1200 kc., 100 watts, unlimited time.
- NEW—Carolina Radio, Inc., Anderson, S. Car.—Construction permit to erect a new station to be operated on 1200 kc., 100 watts, unlimited time.
- WREC—WREC, Inc., Memphis, Tenn.—Extension of special experimental authorization to operate with power of 1 KW night, 2½ KW daytime, for period 9-1-34 to 3-1-34.

Fourth Zone.

- KGNF—Great Plains Broadcasting Co. (a Corp.), North Platte, Nebr.—Authority to install automatic frequency control.
- WCFL—Chicago Federation of Labor, Chicago, Ill.—Modification of construction permit to extend date of completion to 2-1-35.
- KMMJ—The M. M. Johnson Co., Clay Center, Nebr.—Construction permit to install new equipment and increase power from 1 KW to 2½ KW.
- WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—License to cover construction permit granted 6-29-34 for new equipment and increase in power.
- KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Modification of construction permit authorizing installation of new equipment, move of transmitter and increase in daytime power to 500 watts requesting approval of old site for transmitter and make changes in equipment.
- WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Consent to voluntary assignment of license to Truth Radio Corp.

Fifth Zone

- NEW—Dr. J. R. Burgess and Geo. R. Bairey, d/b as WHM Broadcasting Co., Helena, Mont.—Construction permit to erect a new station to be operated on 1420 kc., 100 watts, unlimited time.
- KFXF—Colorado Radio Corp., Denver, Colo.—Modification of license to increase power from 500 watts to 500 watts night, 1 KW daytime.
- KLS—S. W. Warner and E. N. Warner, d/b as Warner Brothers, Oakland, Cal.—Modification of license to change time from daytime to unlimited.
- NEW—Great Western Broadcasting Assn., Inc., Logan, Utah—Construction permit to erect a new broadcasting station to

operate on 1500 kc., 100 watts, unlimited. Transmitter located on site to be determined, Logan, Utah. Studio same location. To be considered under Rule 6 (g).

- NEW—Great Western Broadcasting Assn., Inc., Provo, Utah—Construction permit to erect a new broadcasting station to operate on 1210 kc., 100 watts, unlimited time. Transmitter and studio: Site to be determined, Provo, Utah. Consideration under Rule 6.
- KIT—Carl E. Haymond, Yakima, Washington—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

APPLICATIONS RETURNED

- WSDU—WSDU, Inc. (Joseph H. Uhalt), New Orleans, La.—Voluntary assignment of license. (Rule 19.)
- KWK—Thomas Patrick, Inc., St. Louis, Mo.—Special experimental authority to increase power from 1 KW to 2½ KW, also make equipment change. (Request of applicant.)
- WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Voluntary assignment of license to Truth Radio Corp. (Jurat.)
- WDZ—James L. Bush, Tuscola, Ill.—Construction permit to make change in equipment and increase power from 100 watts to 250 watts. Consideration under Rule 6 (g). (Jurat incomplete.)
- NEW—Ark-La-Tex Radio Corp., Laurel, Miss.—Construction permit to erect a new station to be operated on 1310 kc., 100 watts, specified hours, facilities of WAML. (Failure to answer Commission letters.)
- KUMA—Albert H. Schermann, Yuma, Ariz.—Voluntary assignment of license to E. B. Sturdivant. (Failure to answer Commission letters.)
- WBCM—James E. Davidson, Bay City, Mich.—Modification of license to increase daytime from 500 watts to 1 KW. (Not sworn to.)
- NEW—Guthrie Broadcasting Co., Guthrie, Okla.—Construction permit to erect a new station to be operated on 1200 kc., 100 watts, share time with WBBZ. (Incomplete.)
- NEW—Leo J. Blanchard, Fredericksburg, Tex.—Construction permit to erect a new station to be operated on 1120 kc., 250 watts, hours not clearly stated. (Incomplete.)
- KMBB—Liner's Broadcasting Station, Inc.—Construction permit to make changes in equipment, increase power from 100 watts to 250 watts and change frequency from 1200 kc. to 1240 or 970 kc. (Rule 5, 6, 116, 117, and transmitter site.)
- NEW—Joseph H. Hallock, Portland, Ore.—Construction permit to erect a new station to be operated on any local channel, 100 watts, daytime. (Rule 5.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - - No. 35
JULY 20, 1934

BROADCAST ADVERTISING IN MAY

Gross sales of time over broadcasting stations and networks during May amounted to \$6,922,395.00, a gain of 3.8% over the April level and closely approximating the March high point. Seasonal trends were in part offset by a cyclical upswing in various parts of the industry. National network declines were less than the usual amount to be expected at this time of the year. Individual stations revenues increased 9.7% partly due to seasonal and partly to cyclical reasons. Local station advertising rose 21.3%.

All sections of the country experienced gains in volume of non-network business, the heaviest increases occurring in the east and middle west. Stations in the 5,000 watt and over class experienced an 11.7% increase in revenues, all other stations gaining except those in the 100 watt class. Electrical transcription volume dropped 15.9% due to national spot declines, while live talent volume rose 25.3%, marked gains occurring in both the national spot and local fields. This trend seems to indicate that the truly national users of spot broadcasting, who most consistently employ electrical transcriptions, are beginning to withdraw for the summer season.

Marked gains were experienced in a number of fields of sponsorship. Heaviest gains included a 23.1% rise in beverage advertising, an 18.8% increase in department and general store advertising, and marked rises in the automotive, accessory, soap and household supply and amusement fields. The automotive rise was due to a 60.7% in national spot business in this field. Amusement advertising, almost exclusively local, rose 66.4% as compared with April.

Trend in General Radio Advertising

The trend in general radio advertising is found in Table I:

TABLE I

TOTAL BROADCAST ADVERTISING VOLUME

| Class of Business | 1934 Gross Receipts | | Cumulative Jan.-May |
|------------------------|------------------------|----------------|------------------------|
| | April | May | |
| National networks... | \$3,739,719.00 | \$3,728,481.00 | \$18,833,357.00 |
| Regional networks... | 61,888.00 | 44,559.00 | 281,473.00 |
| Individual stations... | 2,868,350.00 | 3,149,090.00 | 13,626,026.00 |
| Total | \$6,669,957.00 | \$6,922,395.00 | \$32,740,856.00 |

Seasonal tendencies are in evidence in the above table, though they are partly offset by a general seasonal upswing. The national network decline is considerably less than normal for May. On the other hand the 9.7% increase in individual station non-network revenue is probably considerably more than normal, station revenue seemingly tending to rise during May due to seasonal reasons. The individual station rise has been due to a 21.3% increase in local radio advertising sponsorship as compared with April. Regional network volume decrease approximately 28% due mainly to seasonal forces. National network volume during May is especially encouraging, being 2.6% ahead of May 1932, and 64.0% higher than May 1933.

Comparison With Other Media

A comparison of the relative volume of broadcast advertising with that of other media is found in Table II.

TABLE II
ADVERTISING VOLUME BY MAJOR MEDIA

| Advertising Media | 1934 Gross Receipts | | Cumulative Jan.-May |
|-----------------------------------|------------------------|-----------------|------------------------|
| | April [†] | May | |
| Radio Broadcasting.. | \$6,669,957.00 | \$6,922,395.00 | \$32,740,856.00 |
| National Magazines ¹ . | 12,009,933.00† | 11,935,736.00 | 49,641,041.00 |
| National farm papers | 593,059.00 | 558,222.00 | 2,408,871.00 |
| Newspapers ² | 44,501,000.00 | 46,452,000.00 | 199,696,250.00 |
| Total | \$63,773,949.00 | \$65,868,088.00 | \$284,487,018.00 |

¹ National magazine totals are for 108 periodicals, prepared by Publishers' Information Bureau, Inc., from which source national farm papers and networks are also taken.

² Estimated.

† Corrected for late editions.

National magazine volume decreased slightly less than 1% as compared with April, contrary to the usual seasonal trend. Monthly magazine volume was approximately 25% greater than for May 1933, while weekly magazine volume was 48% ahead of the same month of the preceding year. Farm paper advertising declined 5.9% as compared with April, due to seasonal factors, though showing a gain of 80.0% over May 1933. Newspaper advertising revenue rose 4.7% during the month, following the normal seasonal trend in that field.

Non-Network Advertising by Power of Station

With the exception of the 100 watt class, wherein slight declines occurred as compared with April, a general gain in non-network revenue was experienced by all classes of stations. Stations in the 5000 watt and over class showed an increase of 11.7% in non-network revenues as compared with the preceding month. Stations in the 2,500-5,000 watt class experienced a 9.6% increase in business, and those in the 250-1,000 watt class a 4.7% gain. The volume of non-network advertising placed over various classes of stations is found in Table III.

TABLE III

NON-NETWORK BROADCAST ADVERTISING BY POWER OF STATION

| Power of Station | 1934 Gross Receipts | | Cumulative Jan.-May |
|-----------------------|------------------------|----------------|------------------------|
| | April | May | |
| Over 5,000 watts.... | \$1,073,740.00 | \$1,299,640.00 | \$5,374,743.00 |
| 2,500-5,000 watts ... | 184,600.00 | 202,410.00 | 979,095.00 |
| 250-1,000 watts | 1,185,780.00 | 1,234,240.00 | 5,492,572.00 |
| 100 watts and under.. | 424,230.00 | 412,800.00 | 1,779,616.00 |
| Total | \$2,868,350.00 | \$3,149,090.00 | \$13,626,026.00 |

Advertising by Geographical Districts

Gains in non-network business were experienced in all sections of the country. The heaviest increases occurred in the North Central Area, with a rise of 14.2% over April, and in the New England-Middle Atlantic Area, with a rise of 11.5% over the preceding month. The gains in other sections were relatively slight. Most sections of the country now stand close to the March high point, with the New England-Middle Atlantic Area showing marked gains over that period. The amount of non-network advertising placed over stations located in various sections of the country is found in Table IV.

TABLE IV
NON-NETWORK BROADCAST ADVERTISING BY
GEOGRAPHICAL DISTRICTS

| Geographical District | 1934 Gross Receipts | | Cumulative Jan.-May |
|--|------------------------|----------------|------------------------|
| | April | May | |
| New England-Middle Atlantic Area..... | \$1,025,090.00 | \$1,143,017.00 | \$4,408,715.00 |
| South Atlantic-South Central Area..... | 386,200.00 | 398,243.00 | 1,931,573.00 |
| North Central Area.. | 1,028,670.00 | 1,174,721.00 | 5,169,608.00 |
| Pacific and Mountain Area | 428,390.00 | 433,109.00 | 2,116,130.00 |
| Total | \$2,868,350.00 | \$3,149,090.00 | \$13,626,026.00 |

Spot and Local Advertising

The relative volume of spot and local non-network advertising is found in Table V.

TABLE V
COMPARISON OF NATIONAL SPOT AND LOCAL
BROADCAST ADVERTISING

| Class of Business | 1934 Gross Receipts | | Cumulative Jan.-May. |
|---------------------|------------------------|----------------|-------------------------|
| | April | May | |
| National Spot | \$1,491,770.00 | \$1,479,126.00 | \$6,635,487.00 |
| Local | 1,376,580.00 | 1,669,964.00 | 6,990,539.00 |
| Total | \$2,868,350.00 | \$3,149,090.00 | \$13,626,026.00 |

National spot advertising volume declined approximately 1% as compared with the previous month. Local radio advertising rose 21.3% as compared with April. The relative steadiness of national spot volume is due in a large measure to an increase in advertising activity on the part of companies operating in relatively localized territories and therefore inclined to utilize live talent programs rather than electrical transcriptions. This is indicated by the marked decline to be noted in electrical transcription volume during the month (see Tables VI and VII).

Advertising by Type of Rendition

The trend with regard to electrical transcription, live talent, record broadcasts and spot announcements during the month is found in Tables VI and VII.

TABLE VI
NON-NETWORK BROADCAST ADVERTISING BY
TYPE OF RENDITION

| Type of Rendition | 1934 Gross Receipts | | Cumulative Jan.-May |
|---------------------------------|------------------------|----------------|------------------------|
| | April | May | |
| Electrical transcriptions | \$868,580.00 | \$729,892.00 | \$3,372,726.00 |
| Live talent programs | 1,146,230.00 | 1,436,151.00 | 6,092,776.00 |
| Records | 47,910.00 | 46,661.00 | 221,270.00 |
| Spot announcements. | 805,630.00 | 936,386.00 | 3,939,254.00 |
| Total | \$2,868,350.00 | \$3,149,090.00 | \$13,626,026.00 |

TABLE VII
COMPARISON OF LOCAL AND NATIONAL SPOT ADVERTISING BY TYPE OF RENDITION
(May 1934)

| Type of Rendition | Gross Receipts for Month | | |
|---------------------------|--------------------------|----------------|----------------|
| | National spot | Local | Total |
| Electrical transcriptions | \$580,788.00 | \$149,104.00 | \$729,892.00 |
| Live talent programs.. | 600,370.00 | 835,781.00 | 1,436,151.00 |
| Records | 1,310.00 | 45,351.00 | 46,661.00 |
| Spot announcements... | 296,658.00 | 639,728.00 | 936,386.00 |
| Total | \$1,479,126.00 | \$1,669,964.00 | \$3,149,090.00 |

There was a marked decline during the month in electrical transcription volume which amounted to 15.9%. This was due almost exclusively to decreased national spot volume. Live talent volume, on the other hand, rose materially. General volume in this field increased 25.3% as compared with the previous month, while local live talent volume increased 37.0%. There was little change in the record field. Spot announcement business rose 16.5% as compared with April, due principally to a rise in local sponsorship.

Participations

There was a marked increase of the volume of participations during May. Live talent programs of this type increased approximately 58% during the month. The volume of participations during the month is found in Table VIII.

TABLE VIII
PARTICIPATIONS OVER INDIVIDUAL STATIONS

| Type of Rendition | 1934 Gross Receipts | | Cumulative Jan.-May |
|-------------------------------|------------------------|--------------|------------------------|
| | April | May | |
| Electrical transcriptions.... | \$150.00 | \$154.00 | \$974.00 |
| Live talent programs..... | 105,330.00 | 166,148.00 | 604,968.00 |
| Records | 7,600.00 | 5,170.00 | 36,414.00 |
| Total | \$113,080.00 | \$171,472.00 | \$642,356.00 |

Radio Advertising Sponsors

There were marked increases in a variety of fields during the month. Automotive advertising volume rose 14.4%, due almost entirely to a rise of 60.7% in national spot volume. Evidently the automotive industry is applying special pressure in their most profitable markets. Accessory and gasoline advertising rose 13.2% as compared with April, increases occurring principally in the network and local fields. Department and general store advertising rose 18.8%. Beverage advertising rose 23.1%, principally in the national network and local fields. Soap and household supply volume increased 14.8% due mainly to a rise in network volume. Total retail advertising of all types increased 13.8% during the month. The only important decline was in the confectionery field where national network volume decreased 78.7%, due to seasonal factors.

The volume of broadcast advertising sponsored by various types of business is found in Tables IX and X.

The following trends are to be noticed in the aforementioned tables.

1a. *Amusements.* A marked gain has occurred in this field during the month, due to seasonal factors. Advertising volume was 66.4% greater in May than in April, the rise occurring entirely in the local field.

1. *Automobiles.* Advertising in this field rose 14.4% during the month. National network volume held even; national spot volume rose 60.7% and local advertising increased 23.2%.

2. *Accessories, gasoline and oil.* Accessory and gasoline advertising rose 13.2%, due principally to seasonal factors. National network volume increased approximately 10%, while individual station volume rose 23.6%, due almost entirely to local sponsorship.

3. *Clothing.* An increase of 5.1% occurred in this field, due again mainly to seasonal factors. National spot advertising rose approximately 60% in this field.

4. *Drugs and pharmaceuticals.* Advertising volume rose 5.0% in this field. The gain was fairly evenly distributed among national networks and individual stations, a slight decline having occurred in the regional network field.

5. *Toilet goods.* Toilet goods advertising rose 2.6% during the month. Individual station volume rose 4.0% with local sponsorship, principally beauty parlors, increasing approximately 10%.

6. *Foodstuffs.* Advertising in the food field declined 1.5% during the month, due mainly to a drop of 10.3% in national network volume. National spot advertising dropped 2.6%, though local sponsorship increases were sufficient to effect a 10.1% rise in non-network food advertising as compared with April.

7. *Beverages.* A gain of 23.1% occurred in this field. National network advertising rose 27.7% as compared with the previous month, regional volume showed no change, while non-network volume increased 12.5%, due principally a 29.8% in local advertising in this field.

TABLE IX
RADIO BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS
(May 1934)

| Type of Sponsoring Business | Gross Receipts for Month | | | Total |
|---|--------------------------|--------------------|-----------------------|-----------------------|
| | National Networks | Regional Networks | Individual Stations | |
| 1a. Amusements | — | — | \$66,350.00 | \$66,350.00 |
| 1-2. Automobiles and Accessories: | | | | |
| (1) Automobiles | \$218,996.00 | — | 190,300.00 | 409,296.00 |
| (2) Accessories, gas and oils | 394,489.00 | \$16,192.00 | 256,460.00 | 667,141.00 |
| 3. Clothing and apparel | 30,176.00 | 600.00 | 206,100.00 | 236,876.00 |
| 4-5. Drugs and toilet goods: | | | | |
| (4) Drugs and pharmaceuticals | 342,256.00 | 2,709.00 | 428,605.00 | 773,570.00 |
| (5) Toilet goods | 882,264.00 | — | 137,590.00 | 1,019,854.00 |
| 6-8. Food products: | | | | |
| (6) Foodstuffs | 651,637.00 | 8,128.00 | 597,470.00 | 1,257,235.00 |
| (7) Beverages | 378,949.00 | 9,739.00 | 146,375.00 | 536,063.00 |
| (8) Confections | 23,710.00 | 250.00 | 36,170.00 | 60,130.00 |
| 9-10. Household goods: | | | | |
| (9) Household equipment and furnishings | 50,196.00 | 848.00 | 236,980.00 | 288,024.00 |
| (10) Soap and kitchen supplies | 225,073.00 | — | 54,230.00 | 279,303.00 |
| 11. Insurance and financial | 56,173.00 | 2,675.00 | 74,635.00 | 133,483.00 |
| 12. Radios | 35,742.00 | — | 14,825.00 | 50,567.00 |
| 13. Retail establishments | — | — | 139,370.00 | 139,370.00 |
| 14. Tobacco products | 309,570.00 | — | 3,850.00 | 313,420.00 |
| 15. Miscellaneous | 129,250.00 | 3,597.00 | 559,780.00 | 692,448.00 |
| Total | \$3,728,481.00 | \$44,559.00 | \$3,149,090.00 | \$6,922,395.00 |

TABLE X
NON-NETWORK ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS
(May 1934)

| Type of Sponsoring Business | Gross Receipts for Month | | |
|---|--------------------------|-----------------------|-----------------------|
| | National Spot | Local | Total |
| 1a. Amusements | \$5,775.00 | \$60,575.00 | \$66,350.00 |
| 1-2. Automobiles and Accessories: | | | |
| (1) Automobiles | 133,950.00 | 56,350.00 | 190,300.00 |
| (2) Accessories, gas and oils | 146,695.00 | 109,765.00 | 256,460.00 |
| 3. Clothing and apparel | 37,770.00 | 168,330.00 | 206,100.00 |
| 4-5. Drugs and toilet goods: | | | |
| (4) Drugs and pharmaceuticals | 311,545.00 | 116,060.00 | 427,605.00 |
| (5) Toilet goods | 102,140.00 | 35,450.00 | 137,590.00 |
| 6-8. Food products: | | | |
| (6) Foodstuffs | 340,280.00 | 257,190.00 | 597,470.00 |
| (7) Beverages | 58,390.00 | 87,985.00 | 146,375.00 |
| (8) Confections | 30,200.00 | 5,970.00 | 36,170.00 |
| 9-10. Household goods: | | | |
| (9) Household equipment and furnishings | 73,340.00 | 163,640.00 | 236,980.00 |
| (10) Soap and kitchen supplies | 45,140.00 | 9,090.00 | 54,230.00 |
| 11. Insurance and financial | 22,380.00 | 52,255.00 | 74,635.00 |
| 12. Radios | 7,935.00 | 6,890.00 | 14,825.00 |
| 13. Retail establishments | 4,500.00 | 134,870.00 | 139,370.00 |
| 14. Tobacco products | 1,406.00 | 3,444.00 | 4,850.00 |
| 15. Miscellaneous | 157,680.00 | 402,100.00 | 559,780.00 |
| Total | \$1,479,126.00 | \$1,669,964.00 | \$3,149,090.00 |

8. *Confectionery.* A marked drop occurred in this field due to a 78.7% decrease in national network volume. Seasonal factors were responsible.

9. *Household equipment and appliances.* Advertising by the household equipment field rose 14.3% during the month, due almost entirely to increased non-network volume. National spot volume rose 20.0% and local business 18.0%.

10. *Soap and kitchen supplies.* An increase of 14.8% occurred in this field of sponsorship, national network advertising being responsible in the main. There was a slight increase in national spot volume.

11. *Insurance and financial.* There was no change of importance in this field, slight losses in the national network field being offset by increases in the individual station field.

12. *Radio.* Radio advertising volume declined approximately 10%, national network advertising decreasing 20.5%.

13. *Department store and general stores.* Advertising of this type rose 18.8% as compared with April. General retail advertising of all types increased to a somewhat lesser degree.

14. *Tobacco products.* A decline of 3.2% was experienced in this field, due to decreased national network volume.

15. *Miscellaneous.* Miscellaneous sponsorship of radio advertising decreased 5.5% over the month, due mainly to a 42.0% decline in the national spot field.

Retail Advertising

Retail advertising of all types increased 13.8% during the month. Among the more important gains were the 130% increase in drug store advertising, the doubling of confectionery advertising, a 41.0% increase in the hardware field and a similar increase in the household equipment field. Slight gains were experienced by the automobile accessory, clothing and restaurant fields. Grocery store, beauty shop and furniture store advertising held even. Automobile agency and used car advertising declined approximately 20%. Beverage retailers and radio stores also cut their radio advertising. Miscellaneous sponsorship among retail stores rose approximately 48%. The volume of retail advertising during May is found in Table XI.

TABLE XI
RETAIL ADVERTISING OVER INDIVIDUAL
STATIONS
(May 1934)

| <i>Type of Sponsoring Business</i> | <i>Gross Receipts for Month</i> |
|--|-------------------------------------|
| Automobiles and accessories: | |
| Automobile agencies and used car dealers..... | \$39,400.00 |
| Gasoline stations, garages, etc. | 52,100.00 |
| Clothing and apparel shops..... | 148,300.00 |
| Drugs and toilet goods: | |
| Drug stores | 27,850.00 |
| Beauty parlors | 3,965.00 |
| Food products: | |
| Grocery stores, meat markets, etc. | 64,250.00 |
| Restaurants and eating places ¹ | 22,510.00 |
| Beverage retailers | 1,130.00 |
| Confectionery stores, etc. | 4,580.00 |
| Household goods: | |
| Household equipment retailers ² | 68,160.00 |
| Furniture stores | 56,385.00 |
| Hardware stores | 24,080.00 |
| Radio retailers | 6,800.00 |
| Department and general stores | 139,370.00 |
| Tobacco shops | 1,280.00 |
| Miscellaneous | 66,690.00 |
| Total | \$726,850.00 |

¹Exclusive of hotels.

²Such as electric refrigerators, oil burners, sweepers, furnaces and the like.

General Business Conditions

The general trend of business during the month has been comparatively steady, with some minor recessions. The New York Times Index of business activity was 85.5 on June 23 as compared with 84.9 on May 26. Automotive production declined from 332,000 units in May to approximately 300,000 units in June. Steel ingot production during the week of June 30 was 60.5% of the 1923-25 average as compared with 76.3% on May 26. Uncertainty as to materials on hand on the part of users, and some breaks in prices further increased the uncertainty in this field. The electric power output index, however, rose from 99.5 on May 26 to 100.5 on June 23.

Prices have remained comparatively steady during the month, following slight recessions in numerous fields. During the week of May 19, building costs were 8.8% below 1929, farm prices were 43% below those of that year, furnishing, fuel and lighting costs 12%, food 35% and general retail prices 25% below 1929. May retail sales were slightly less than expected. Cotton textile production was down due to the 12 week curtailment operation. The wheat shortage is another disturbing element in the business situation. Business developments during the next few months should be watched with considerable care, since the situation at the present moment, in spite of some basic improvement during past months, is still highly uncertain.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - - No. 36
JULY 25, 1934

FCC TELEPHONE DIVISION ORGANIZES

The Telephone Division of the Federal Communications Commission held its first meeting Friday, July 20. The Division, which comprises Commissioners Walker (chairman), Case and Sykes, issued its first order to the telephone carriers subject to the Communications Act of 1934, calling for the filing on or before September 1, 1934, of certain data on interstate and foreign telephone rates.

Order No. 2, issued on the same day, called for the filing of certified copies of agreements, contracts or arrangements for handling of traffic by telephone companies subject to the provisions of the Act.

Order No. 3 called for information in interlocking directorates and stock ownership of the various telephone companies doing interstate or foreign business.

It is understood that the investigation will include an inquiry into rates charged for program circuit facilities furnished to broadcasting stations.

SECURITIES ACT REGISTRATION

The following companies filed registration statements with the Federal Trade Commission under the Securities Act:

- Trustees of Shattuck Properties Corporation, San Francisco, Calif. (2-1000, Form F-1)
- C. H. Graves & Sons Distillers, Inc., Boston, Mass. (2-1001, Form A-1)
- Willet Oil Company, Atascadero, Calif. (2-1002, Form A-1)
- Big Wedge Gold Mining Company, Los Angeles, Calif. (2-1003, Form A-1)
- B. D. Buckley, St. Louis, Mo. (2-1004, Form A-1)
- Bonnie Dee Garment Company, Inc., Quanah, Tex. (2-1005, Form A-1)
- Van Dorn Iron Works Company, Cleveland, Ohio. (2-1006, Form D-1)
- Van Dorn Iron Works Company, Cleveland, Ohio. (2-1007, Form D-2)
- Bankers Industrial Service, Inc., Wilmington, Del. (2-1008, Form A-1)
- Winand-Pikesville Distillery Co., Baltimore, Md. (2-1009, Form A-1)
- United Wholesale Druggists, Inc., Boston, Mass. (2-990, Form A-1)
- San Francisco Paramount Corporation, New York City. (2-991, Form D-2)
- Dome Oil Company, Los Angeles, Calif. (2-992, Form A-1)
- Haddam Distillers Corporation, Modus, Conn. (2-993, Form A-1)

- Medico-Dental Investment Co., Stockton, Calif. (2-994, Form D-2)
- Bondholders' Protective Committee, Tuckahoe Apts., Richmond, Va. (2-9933, Form D-1)
- Western Limestone Products Company, Inc., Omaha, Nebr. (2-996, Form D-2)
- Weston Massachusetts Companies, Boston, Mass. (2-997, Form A-1)
- Union Liquidating Company, Inc., Baltimore, Md. (2-998, Form F-1)
- Shattuck Properties Corporation, San Francisco, Calif. (2-999, Form D-2)

42,540,239 RECEIVING SETS IN USE

According to an estimate made by Lawrence D. Batson, Electrical Equipment Division, Department of Commerce, radio broadcast receiving sets in use throughout the world are apportioned among the various nations as follows:

| | |
|----------------|------------|
| United States | 18,500,000 |
| United Kingdom | 6,124,000 |
| Germany | 5,424,755 |
| Japan | 1,739,160 |
| France | 1,554,295 |
| Canada | 1,100,000 |
| Spain | 700,000 |
| Czechoslovakia | 620,000 |
| Argentina | 600,000 |
| Russia | 600,000 |
| Denmark | 551,681 |
| Austria | 507,459 |
| Australia | 500,341 |

Approximately 4,000,000 sets are divided among the remaining nations.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Thursday, July 26, 1934

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Facilities requested: 890 kc., 250 watts, 500 watts LS, unlimited time. Present assignment: 100 watts, 250 watts LS, 1500 kc., unlimited time.

WMMN—A. M. Rowe, Inc., Fairmont, W. Va.—Renewal of license: 890 kc., 250 watts, 500 watts LS, unlimited time.

Make your plans now to attend the

TWELFTH ANNUAL NAB CONVENTION

NETHERLAND-PLAZA HOTEL

CINCINNATI, OHIO

SEPTEMBER 16, 17, 18 AND 19, 1934

Thursday, August 2, 1934

WEBR—Howell Broadcasting Co., Buffalo, N. Y.—Facilities requested: 630 kc., 500 watts, unlimited time. Present assignment: 1310 kc., 100 watts, 250 watts LS, unlimited time.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Renewal of license: 1310 kc., 100 watts, unlimited time.

APPLICATIONS GRANTED

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Granted modification of license to change hours of operation from 6 a. m. to LS to 8 a. m. to LS.

KGNF—Great Plains Broadcasting Co., N. Platte, Nebr.—Granted authority to install automatic frequency control equipment.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted authority to determine operating power by direct measurement of antenna.

NEW—Westinghouse Electric and Manufacturing Co., Pittsburgh, Pa.—Granted C. P. and license (spec. exp.), 60000 kc., 150 watts.

SPECIAL AUTHORIZATIONS

WSMK—Stanley M. Krohn, Jr., Dayton, Ohio—Granted extension of special temporary experimental authority to operate simultaneously with KQV from 7:30 p. m. to 12 midnight, EST, for period August 1 to 31, 1934.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted extension of special experimental authority to operate simultaneously with WSMK from 7:30 p. m. to 12 midnight, EST, for period August 1 to 31, 1934.

KGGF—Hugh J. Powell and Stanley Platz, d/b as Powell & Platz, Coffeyville, Kans.—Granted extension of special temporary authority to operate Tuesdays and Thursdays from 7:15 to 9:15 p. m.; Wednesdays from 8:15 to 9:15 p. m., CST, for period August 8 to September 7, 1934, provided WHAD remains silent.

WPFB—Otis P. Eure, Hattiesburg, Miss.—Granted special temporary authority to operate from 2:30 to 6 p. m., CST, July 25.

KGKB—East Texas Broadcasting Co., Tyler, Tex.—Granted extension of special temporary authority to operate from 8 to 10 a. m., 12 noon to 1 p. m., and 5 to 8:30 p. m., CST, instead of 8 to 10 a. m., 12 noon to 2 p. m., 5 to 6 p. m., and 7:30 to 9 p. m., CST, as scheduled, for period August 10 to October 9, 1934.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—Granted special temporary authority to conduct field intensity survey tests, using 100-watt portable transmitter, between 12 midnight and 6 a. m., EST, from August 1 to September 1, provided, however, that station remains silent from 4:30 to 4:30 a. m., EST, August 3, due to Commission monitoring schedule.

WJAR—The Outlet Co., Providence, R. I.—Granted special temporary authority to conduct field intensity survey tests, using 50-watt portable transmitter, between 12 midnight and 6 a. m., EST, during month of August, 1934.

WMBH—Joplin Broadcasting Co., Joplin, Mo.—Granted special temporary authority to operate from 9:30 to 11 p. m., CST, July 25, 26, and 27. Also to operate from 2:30 to 7:30 p. m., CST, August 5 and 12, and from 9:30 to 10:30 p. m. or later, CST, on August 3, 4, 5, 9, 10, 11, 12, 13, 14, 21, 22, 23, 30, and 31. Also to operate from 10 to 10:50 a. m., CST, on August 5, 12, 19, and 26, and from 2:30 to 3:30 p. m., CST, August 19 and 26.

WEW—St. Louis University, St. Louis, Mo.—Granted special temporary authority to discontinue operation, with exception of broadcasting all government reports, for period August 1 to September 1, 1934.

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—To operate station without approved frequency monitor for period August 1 to September 1.

WLS—Agricultural Broadcasting Co., Chicago, Ill.—Granted special temporary authority to make field strength measurements

of former transmitter site of WLS at Crete, Ill., using 100-watt portable transmitter, between 12 midnight and 6 a. m., CST, for period of three weeks from July 24.

RENEWAL OF LICENSES

WIBG—WIBG, Inc., Glenside, Pa.—Present license extended for 1 month from August 1, on temporary basis, subject to such action as may be taken on application for renewal pending before it.

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Granted renewal of license for auxiliary transmitter for term ending September 1, 1934.

KSOO—Sioux Falls Broadcasting Association, Inc., Sioux Falls, S. Dak.—Granted special temporary authority to continue operating daily until 6:30 p. m., CST, and on Sunday nights beginning at 9:30 p. m. with reduction of power to 1 KW. for period August 1, 1934, to February 1, 1935.

KGDM—E. F. Pepper, Stockton, Calif.—Granted special temporary authority to operate on present frequency and power from midnight until 6 a. m., PST, for period ending February 1, 1935.

KEKH—International Broadcasting Corp., Shreveport, La.—Granted renewal of license on temporary basis, subject to such action as may be taken on application for renewal, which has been set for hearing, and upon the application of Ark-La-Tex Radio Corp. involving the facilities of this station.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted renewal of license on temporary basis for auxiliary transmitter, subject to such action as may be taken upon renewal application now pending before it.

SET FOR HEARING

WNAC—Shepard Broadcasting Service, Inc., Boston, Mass.—Modification of license to change frequency from 1230 kc. to 830 kc. (facilities of WHDH).

WACO—Central Texas Broadcasting Co., Inc., Waco, Tex.—Modification of license to change hours of operation from specified to unlimited.

RATIFICATIONS

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted 30-day extension of program tests period, pending action on license application.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Granted extension of special temporary authority to operate station without approved frequency monitor for period beginning July 16 to August 1.

WNER—Associated Radiocasting Corp., Columbus, Ohio—Granted extension of authority to operate broadcast pickup station from July 20 to 30, 1934; 2060 kc., 100 watts.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Granted special temporary authority to operate station without approved frequency monitor for a period not to exceed 15 days.

WRVA—Larus & Bro. Co., Inc., Richmond, Va.—Granted special temporary authority to determine operating power employing temporary anmeter, pending repair of original anmeter, for period of 15 days.

KFNF—Henry Field Co., Shenandoah, Iowa—Granted extension of special temporary authority to use time assigned to but not used by stations WILL and KUSD, for period July 20 and ending August 20.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Granted special temporary authority to operate station without approved frequency monitor for period of 10 days.

KWLC—Luther College, Decorah, Iowa—Granted modification of special temporary authority to remain silent for period beginning July 18 and ending August 18, and to reduce hours of operation to 2 hours daily, for period beginning August 19 to September 10.

MISCELLANEOUS

- KTSA—Southwest Broadcasting Co., Inc., San Antonio, Tex.—Granted permission to continue operating on **550 kc.** with 1 KW night, 250 watts day, until 3 a. m., August 8, 1934, to provide time to secure crystals for former frequency, **1290 kc.**
- WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Granted petition to hold hearing scheduled for August 2, before Broadcast Division.
- NEW—Abraham Shapiro, Astoria, Ore.—Granted petition to refer to Examiner application for C. P. for broadcast station to operate on **1370 kc.**, 100 watts, unlimited time.
- WHBY—WHBY, Inc., Green Bay, Wis.—Denied petition seeking suspension of order of Federal Radio Commission entered June 29, 1934, denying application for C. P. to change frequency from **1200 kc.** to **1360 kc.**, and change power from 100 watts to 1 KW, unlimited time.
- KGBX—KGBX, Inc., Springfield, Mo.—Suspended grant to change frequency from **1310 kc.** to **1230 kc.**, and increase in power from 100 watts to 500 watts, because of protest of WFBM, Indianapolis. Application for changes set for hearing.
- WORK—York Broadcasting Co., York, Pa.—Suspended grant made by Federal Radio Commission to make changes in equipment, change frequency from **1000 kc.** to **1320 kc.**, and increase time to unlimited, because of protest filed by Station WADC, Akron, Ohio. Application set for hearing.
- WICC—Bridgeport Broadcasting Co., Bridgeport, Conn.—Suspended grant to increase power from 250 watts night, 500 watts LS, to 1 KW LS, because of protest of WCAO, Baltimore, and application set for hearing.

ACTION ON EXAMINER'S REPORTS

- NEW—Ex. Rep. No. 561: E. L. Landsberg and K. V. Martin, Las Vegas, Nev.—Denied C. P. for new station to operate on **1420 kc.**, 100 watts, unlimited time, sustaining Examiner R. L. Walker.
- KGIX—J. M. Heaton, Las Vegas, Nev.—Granted renewal of license to operate on **1420 kc.**, 100 watts, specified hours. Examiner Walker sustained.
- NEW—Ex. Rep. No. 563: Frank Wilburn, Prescott, Ariz.—Denied C. P. for new station to operate on **1500 kc.**, 100 watts, unlimited time (facilities of KPJM), sustaining Examiner Walker.
- KPJM—M. B. Scott and Edward C. Sturm, d/b as Scott & Sturm, Prescott, Ariz.—Granted renewal of license; **1500 kc.**, 100 watts, unlimited time. Examiner Walker sustained.

APPLICATIONS RECEIVED

First Zone

- NEW—Adirondack Broadcasting Co., Inc. (Portable-Mobile)—Construction permit for new general experimental station, **31100, 34600, 37600, and 40600 kc.**, power of 5 watts.
- NEW—James D. Scannell, Lewiston, Maine—Construction permit for new broadcast station to be operated on **1210 kc.**, 100 watts, unlimited time.
- WBZA—Westinghouse Electric and Manufacturing Co., Boston, Mass.—Special experimental authorization to operate simultaneously with WBZ during daytime up to one hour before sunset.
- WJAR—The Outlet Company, Providence, R. I.—Modification of license to increase power from 250 watts night (S. A. additional 250 watts), 500 watts day, to 1 KW night and day.

Second Zone

- WKBZ—Karl L. Ashbacker, Ludington, Mich.—Modification of construction permit to move station to Muskegon, Mich., requesting extension of commencement date to 8-8-34 amended to request move of transmitter and studio to Occidental Hotel, Muskegon, Mich.

- WLW—The Crosley Radio Corp., Cincinnati, Ohio—Extension of special experimental authorization to use 500 KW power for period 8-1-34 to 2-1-35.
- WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Construction permit to move transmitter from Calumet, Mich., to Laurium, Mich., and make changes in equipment.

Third Zone

- WEED—Wm. Avera Wynne, Rocky Mount, N. C.—Modification of license to change hours of operation from daytime to unlimited, with power of 100 watts.
- WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of construction permit authorizing move, increase in power, and installation of new equipment, requesting an extension of completion date to 10-17-34.
- NEW—Clinton Broadcasting Corp., Clinton, S. C.—Construction permit to erect a new broadcast station to be operated on **1120 kc.**, 500 watts, daytime.

Fourth Zone

- KMBC—Midland Broadcasting Co., Kansas City, Mo.—License to cover construction permit granted 6-29-34 authorizing installation of new equipment and increase in daytime power from 1 KW to $2\frac{1}{2}$ KW.
- NEW—Purdue University (Portable)—Construction permit to erect a new special experimental station, **890 kc.** and 50 watts power.
- WDZ—James L. Bush, Tuscola, Ill.—Construction permit to make changes in equipment and increase power from 100 watts to 250 watts, daytime.
- WTAX—WTAX, Inc., Springfield, Ill.—License to cover construction permit authorizing local move of transmitter and studio.

Fifth Zone

- KGDM—E. F. Peffer, Stockton, Calif.—Construction permit to move transmitter and studio, install new equipment, increase power from 250 watts to 1 KW and hours of operation from daytime to unlimited.
- NEW—W. L. Gleason, Alameda, Calif.—Construction permit to erect a new broadcast station to be operated on **1500 kc.**, 100 watts, unlimited time.
- KFJI—KFJI Broadcasters, Inc., Klamath Falls, Ore.—Construction permit to make changes in equipment.
- KIEV—Cannon System, Ltd., Glendale, Calif.—Modification of construction permit authorizing changes in equipment and increase in power, requesting further changes in equipment and extension of commencement and completion dates.

APPLICATIONS RETURNED

- WBNS—WBNS, Inc., Columbus, Ohio—License to cover construction permit for move. (Executed prior to commencement of equipment tests.)
- WIBM—WIBM, Inc., Jackson, Mich.—Construction permit to make changes in equipment and increase daytime power from 100 watts to 250 watts. (Jurat incomplete.)
- WEED—Wm. Avera Wynne, Rocky Mount, N. C.—Construction permit to increase hours of operation from daytime to unlimited. (Wrong form.)
- WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—Construction permit to make changes in equipment and increase in power from 100 watts to 250 watts (contingent on WDZ changing frequency from **1070 kc.** to **1020 kc.**). (Incomplete, and transmitter site.)
- KWCR—Cedar Rapids Broadcast Co., Cedar Rapids, Iowa—License to cover construction permit for **1430 kc.**, 250 watts. (Request of applicant.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - - No. 37
AUGUST 1, 1934

BROADCAST HEARINGS OCTOBER 1

The Broadcast Division of the Federal Communications Commission on July 31 voted to commence a sweeping study of all proposals to set aside fixed percentages of broadcasting facilities to non-profit organizations on October 1.

This action is in line with Section 307 (c) of the Federal Communications Commission Act of 1934 which reads as follows:

"The Commission shall study the proposal that Congress by statute allocate fixed percentages of radio broadcasting facilities to particular types or kinds of non-profit radio programs or to persons identified with particular types or kinds of non-profit activities, and shall report to Congress, not later than February 1, 1935, its recommendations together with the reasons for same."

The order of the Commission provides:

"That any person or licensee (of a radio broadcast station) desiring to submit information to the Commission concerning any matter referred to in said section may do so by appearing in person or by attorney at a hearing to be held at the offices of the Federal Communications Commission beginning at 10 a. m. on October 1st, 1934, and continuing from day to day until completed. Written notice of intention to appear at said hearing should be furnished the Commission not later than September 20, 1934."

This action initiates the most important survey of the American system of broadcasting yet undertaken. It opens the door to every person and group of persons who have from time to time opposed commercial broadcasting and gives them an opportunity to make public record of their objections.

Upon the report made by the Commission, Congress in the next session undoubtedly will formulate a permanent policy with respect to the licensing of broadcast stations.

The National Association of Broadcasters will act as the coordinating agency through which the broadcasters will present their side of the case. But every station, large and small, network and non-network, must cooperate closely with the Association in assembling the vast amount of data which must be presented.

The National Association of Broadcasters as a body is opposed to the parceling out of channels to special groups and will present facts to substantiate this position.

This important hearing, which may last from four to eight weeks, calls for prompt action on the part of the Association and the Association must have the unstinted support of every station interested in the perpetuation of the American system of broadcasting. To collect the vast amount of data necessary, to coordinate the presentation of this data, and to meet the challenge which is thrown out to all broadcasters by this hearing, will require much time and effort. Most of all it will demand the closest cooperation from each and every broadcaster who is interested in a fair and adequate presentation of the broadcasters' case.

MAY DISCONTINUE SENDING SCRIPTS

The Federal Trade Commission on July 25 approved a letter to broadcast stations as follows:

"You may discontinue sending copies of commercial continuities upon receipt of this notice.

"We have sufficient to serve our present needs, but will ask you later, and from time to time thereafter, to send such continuities for short periods.

"We thank you for your splendid cooperation, and hope our efforts to purge radio advertising of false and misleading statements, claims, and representations will be a helpful service to you as well as protection for the buying public."

Nearly 100,000 continuities have been received by the Commission since the first request went out. E. J. Adams, chairman of the Special Board of Investigation, has expressed his appreciation for the splendid cooperation extended to the Commission in this work, and of the 112 stations which did not respond to the Commission's request only a handful were NAB members. The stations failing to respond are being listed and will receive an additional request for continuities or, perhaps, will be monitored.

In its effort to stop false and misleading advertising by radio the Federal Trade Commission is being given the staunch support of the Federal Communications Commission and there is a probability that delinquent stations will be reported to the Communications Commission by the Trade Commission.

In order that future requests can be complied with, it is suggested that stations keep extra carbon copies of all continuities. A system of staggering requests in the future is now being worked out.

The Special Board is carefully scrutinizing the continuities sent in and already a dozen advertisers have been summoned to informal hearings before the Board. No publicity is given to these cases unless there is a disagreement and a formal complaint issued. In that event the advertiser is given an opportunity to appear at a public hearing and present his facts and arguments.

The procedure followed is identical with that pursued with respect to newspaper and magazine advertising.

CONVENTION COMMITTEE APPOINTED

Appointment of a Convention Committee in connection with the twelfth annual meeting of the NAB to be held at the Netherland-Plaza Hotel, Cincinnati, Ohio, September 16, 17, 18 and 19 was announced this week by Ed. Spence, general chairman:

- E. A. Hanover, Radio Station WHAM, Rochester, New York.
- Edgar H. Twamley, Radio Station WBEN, Buffalo, New York.
- LeRoy Mark, Radio Station WOL, Washington, D. C.
- C. T. Lucy, Radio Station WRVA, Richmond, Virginia.
- Warren P. Williamson, Jr., Radio Station WKBN, Youngstown, Ohio.
- Roy F. Thompson, Radio Station WFBG, Altoona, Pennsylvania.

Make your plans now to attend the

TWELFTH ANNUAL NAB CONVENTION

NETHERLAND-PLAZA HOTEL

CINCINNATI, OHIO

SEPTEMBER 16, 17, 18 AND 19, 1934

E. K. Cargill, Radio Station WMAZ, Macon, Georgia.
Hugh A. L. Half, Radio Station WOAI, San Antonio, Texas.
George T. Bishop, Radio Station WAML, Laurel, Mississippi.
Glen Snyder, Radio Station WLS, Chicago, Illinois.
D. E. Kendrick, Radio Station WKBF, Indianapolis, Indiana.
Rev. James A. Wagner, Radio Station WHBY, Green Bay, Wisconsin.

Arthur F. Kales, Radio Station KECA, Los Angeles, California.
Philip G. Lasky, Radio Station KDYL, Salt Lake City, Utah.
Rogan Jones, Radio Station KVOS, Bellingham, Washington.

Plans for the convention are going forward and it is expected that a tentative program will be ready just as soon as speakers who have been invited respond to their invitations.

All indications are that there will be a record attendance at this year's meeting.

Railroads have granted the application of the NAB for reduced rates and a detailed announcement of this will go out shortly.

COMMISSIONERS NAME SECRETARIES

Col. Thad H. Brown, vice-chairman of the Broadcasting Division of the Federal Communications Commission, named Joseph H. Keller, of Dayton, Ohio, as his secretary, effective August 1, 1934. Mr. Keller has been a practicing attorney and newspaper man, and is a graduate of the University of Dayton.

Commissioner Hampson Gary, chairman of the Broadcasting Division, named T. L. Bartlett, of Washington, D. C., as his secretary, effective July 26, 1934. Mr. Bartlett has been engaged in the general practice of law in Washington during the past seven years.

MUSIC PUBLISHERS DEMAND CODE

Insistence of popular music publishers that the Code of Fair Competition for the Music Publishing Industry embrace music performing rights societies was interpreted in Washington to mean that music publishers are anticipating the dissolution or reorganization of the American Society of Composers, Authors and Publishers.

That all was not peace and harmony among music publishers became apparent also during the hearing before NRA Deputy Administrator John E. Williams when there was frequent disagreement between John G. Paine, chairman of the Board of Directors of the Music Publishers' Protective Association, and George Link, Jr., counsel for the Music Publishers' Association of the United States. Although the two groups, the first embracing the popular publishers, and the second the publishers of standard works, proposed the code jointly, differences between them developed throughout the discussion of the code provisions at the hearing.

Time and again Mr. Link, for the standard publishers, objected to his group being subject to the same code as the popular publishers. The standard publishers and the popular publishers disagreed on the labor provisions, the administrative provisions and the trade practice provisions.

Mr. Paine stated that if the NRA would approve the code as submitted, the Government could write its own wage and hour provisions. Later, in objecting to an amendment submitted by Oswald F. Schuette on behalf of the National Association and the Radio Program Foundation, which would curtail the monopolistic practices of the music publishers in the public performance field, Mr. Paine said that such amendment would take away from the publishers all of the privileges they would enjoy under the code.

There was conflicting testimony as to the number of music publishers in the United States. Mr. Link said there were about 60 standard publishers in the country of which 85 per cent, producing 85 per cent of standard published works, were affiliated with his organization. Mr. Paine said there were but 50 popular music publishers in the industry and that 25 of these did about 75 per cent of all of the popular music business in the United States. Later in the hearing, Emmanuel J. Rosenberg, who appeared for the Society of European Stage Authors and Composers, submitted the names and addresses of some 600 concerns who he said were engaged in the music publishing industry but not affiliated with the Paine organization.

Principal conflict revolved around the definition which would make all public performance rights organizations subject to the code; the proposed plan of administration which would place complete domination in the Music Publishers Protective Association; and the anti-monopoly provision.

Appearing for the NAB, Mr. Schuette offered an amendment to Article VI of the proposed code striking out the provision that the Code Authority shall be elected by the Board of Directors

of the Music Publishers Protective Association and substitute therefor the names of five members of the popular music publishing industry who shall be truly representative members of that industry, and not more than two of whom shall be members of the Music Publishers Protective Association.

Mr. Schuette pointed out "how the interlocking directors had been put together for the purpose of entrenching the monopoly of the publishers who organized on the one hand the Music Publishers Protective Association to exploit the mechanical reproduction rights, and on the other side the American Society of Composers, Authors and Publishers, which license the public performing rights.

"And we find," Mr. Schuette continued, "that the president of the Board of Directors of the Music Publishers Protective Association is Mr. Louis Bernstein. And Mr. Bernstein is a member of the Board of Directors of the American Society of Composers, Authors and Publishers.

Saul H. Bornstein of Irving Berlin, Inc., is vice-president and a director of the Music Publishers Protective Association and treasurer and a director of the American Society of Composers, Authors and Publishers.

Jerome Keit of Keit Music Company is secretary and a director of the Music Publishers Protective Association and a director of the American Society of Composers, Authors and Publishers.

Robert Crawford of DeSylva, Brown & Henderson, is treasurer and a director of the Music Publishers Protective Association and assistant secretary and director of the American Society of Composers, Authors and Publishers.

Gustave Schirmer of G. Schirmer, Inc., is assistant treasurer and a director of Music Publishers Protective Association and a director of the American Society of Composers, Authors and Publishers.

E. F. Bitner of Leo Feist, Inc., is a director of the Music Publishers Protective Association and a director of the American Society of Composers, Authors and Publishers.

Walter Douglas of Donaldson, Douglas & Gumble is a director of MPPA and a director of ASCAP.

Walter Fischer of Carl Fischer, Inc., is a director of MPPA and a director of ASCAP.

Jack Mills of Mills Music, Inc., is a director of Music Publishers Association and a director of American Society of Composers, Authors and Publishers.

Ben Bornstein of Ager, Yeller and Bornstein and—

Edwin Morris of M. Witmark & Sons are the only MPPA directors who are not directors of ASCAP, and—

Max Dreyfus of the Harms-Warner group of Witmark, Harms, Remick, DeSylva, Brown & Henderson, Victoria Publishing Company and the New World Publishing Company,

George Fischer of J. Fischer & Bro., and—

Will von Tilzer of the von Tilzer Music Co., are the only ASCAP directors who are not directors of MPPA.

Now, this interlocking directorate I have read here for the purpose of showing our objections to this particular clause of the formation of the Code Authority, and we want to refer to it later when we come to the fair practice clauses in which this directorate is involved, and finally in the monopoly sections, because we feel that this code is written to entrench the monopoly which this small group of publishers, the formation of these two organizations, foisted upon the public to the destruction of their individual competitors, so far as we as consumers of music are concerned they compel us to accept contracts under which we are not able freely to do business with the independent competitor, who, so far as this picture is concerned, seems to have vanished now.

"We feel that they should write into this code provisions to prevent this group of members from compelling us by the power they have to make a contract, the effect of which is to prevent our dealing freely with other composers and other publishers," Mr. Schuette said. "But not because they say popular music is deteriorating sadly. Why? Because we have to play that. And if the audiences were free to pick the music, better music would be played. Why not open up the doors? Why not let the ten or twenty thousand composers in the country write music that can get on the air that can be heard. All the effort here is to keep somebody from going on the air with a great volume of the finest music written in the United States.

"In order to put that in words I would like to suggest the amendment of section 4 of Article VIII because section 8 seems to come nearest this particular difficulty. The amendment follows: 'Nor shall any member of the industry grant a license directly or indirectly or authorize the grant of a license for the public performance of copyrighted works, under terms, conditions, or agreements, the effect of which is to deny to other copyright owners the equal opportunity to obtain the public performance of their works,

through the facilities of such talking machine company, radio broadcasting or television station, electrical transcription company, motion picture company, or place of public entertainment.’”

The amendment was objected to by both the standard and popular publishers.

Mr. Schuette objected to suspension of the anti-trust laws with respect to the music publishing business.

“I tried not to raise the legality of the set-ups under consideration but merely to discuss their unfairness,” he said. “The legality has been questioned and while Mr. Paine thinks they have been vindicated, we have brought the matter up to the Federal Trade Commission and the Department of Justice and we understand investigations are now in progress. In addition to that, we have taken this case under those anti-trust laws to the federal courts. We certainly do not want to see a Code Authority set up by the directors of an organization that we are attacking, with authority to take actions complying with this code that would nullify these anti-trust laws and we feel there could be no objection to adding to this anti-monopoly section, this provision:

“The immunity from the operation of the anti-trust laws, granted by Section 5 of the National Industrial Recovery Act, shall not be applicable to any practices of the Music Publishers Protective Association or the American Society of Composers, Authors and Publishers now under investigation by any governmental agency.’”

Objecting to inclusion of the amendment for the publishers, Mr. Paine said:

“You want to definitely set aside that provision of the NRA which is of benefit to us.”

The hearing was adjourned until August 10.

NBC UPHELD IN COPYRIGHT SUIT

Judge Robert P. Patterson of the United States District Court for the Southern District of New York on July 20 handed down a decision in the copyright suit brought by Alfred Kreymborg against Jimmie Durante and the National Broadcasting Company dismissing the suit on the grounds that a poem, which was the subject of the litigation, does not come within the phrase “lecture, sermon, address or similar production” as used in the copyright law. The decision follows a previous ruling by the same court and was rendered after reargument on a motion to dismiss the complaint.

The text of the decision follows:

“On the original argument of the motion to dismiss, the plaintiff’s contention was that his poems were dramatic compositions and that consequently he had the exclusive right, under subsection (d) of section 1 of the Copyright Act, ‘to perform or represent the copyrighted work publicly if it be a drama.’ I held that the poems were not dramas and that consequently the defendant Durante did not infringe the plaintiff’s copyright by publicly reciting them. On reargument of the matter the plaintiff contends the poems are a ‘similar production’ to lectures, sermons or addresses, within the meaning of subsection (c). Under subsection (c) the author has the exclusive right:

“‘to deliver or authorize the delivery of the copyrighted work in public for profit if it be a lecture, sermon, address, or similar production.’”

“The history of copyright in the United States shows that an ever-broadening protection against the unauthorized use of their works has been given to authors. The original act of May 31, 1790, gave to the author or proprietor nothing but the exclusive right to print, publish and vend. There was no prohibition against other uses by strangers until the Act of 1856, which added to the author’s monopoly the sole right to act, perform or represent the work in public in the case of copyrighted dramatic compositions. The next substantial extension came with the Act of March 3, 1891, which added the right to dramatize and the right to translate. By the Act of January 6, 1897, the protection against public performance of dramatic compositions was extended to cover musical compositions as well.

“Thus the matter stood until enactment of the present Copyright Act of 1909. By section 1, the author or proprietor has the right, exclusive in each case: (a) to print, publish and vend the work, which is the same right he has had since 1790; (b) to translate, dramatize or make other enumerated versions or arrangements of the work, a right which has been his since 1891; (c) to deliver the work in public for profit in the case of “a lecture, sermon, address, or similar production,” which is an exclusive right not previously recognized; (d) to perform or represent the work publicly in the case of a drama, a right in existence since 1856;

and (e) to perform the work publicly for profit in the case of a musical composition, a right first given in 1897. It will be seen that while the exclusive rights mentioned in the first two subsections apply to all copyrighted works, those in the last three subsections are confined to particular classes of works, to a ‘lecture, sermon, address, or similar production,’ a drama and a musical composition.

“I am of opinion that the plaintiff’s poems are not a ‘similar production,’ as those words are used in the phrase ‘lecture, sermon, address or similar production.’ A lecture, a sermon and an address have this feature in common, that they are intended primarily for oral delivery to an audience. In its mention of a production similar to or like a lecture, sermon or address, Congress plainly meant a production likewise intended in the first instance for oral communication. A speech, argument, debate, interview, perhaps even an informal talk, would be a ‘similar production.’ There may be cases where a poem would be a ‘lecture, sermon, address, or similar production.’ If a poem were first spoken or rendered at a gathering, as in the case of some of Lowell’s poems, it would be an address in poetry and if copyrighted would be secure against unauthorized delivery later on by others. But usually a poem nowadays is first made public in printed form, through book, magazine or newspaper, and is in form to be read in the first instance, though of course it may later be recited or rendered vocally. It is made evident by the bill in this case that the plaintiff’s poems were first published in book form. They do not therefore correspond to or resemble a lecture, sermon or address.

“The adoption of the plaintiff’s argument would broaden the scope of this subsection so as to comprehend almost every form of literary composition, instead of the narrower class of works specified by Congress. If changes in the Copyright Act are called for because of abuses which have sprung up since the enactment of the law of 1909, it is for Congress rather than the courts to make them.

“The motion for reargument is granted. On further consideration the court adheres to its view that the bill does not state a cause of action and should be dismissed. The plaintiff will have leave to serve an amended bill.”

CANADIAN REALLOCATION SEPTEMBER 1

A wholesale reallocation of Canadian stations will become effective on September 1 according to an announcement made by the Canadian Radio Commission and reported in *Broadcasting*.

The following frequency changes were announced:

| MARITIMES | |
|-------------------------|--------------|
| CFNB, Fredericton | 1030 to 550 |
| CHNS, Halifax | 1050 to 930 |
| CJCB, Sydney | 880 to 1240 |
| CHSJ, Saint John | 1210 to 1120 |
| CHGS, Summerside | 1120 to 1500 |
| QUEBEC | |
| CRCQ, Quebec | 930 to 1050 |
| CRCS, Chicoutimi | 1500 to 950 |
| ONTARIO | |
| CKLW, Windsor | 840 to 1030 |
| CKNC, Toronto | 1030 to 1420 |
| CRCT, Toronto | 960 to 840 |
| WESTERN PROVINCES | |
| CJOC, Lethbridge | 840 to 1230 |
| CFQC, Saskatoon | 1230 to 840 |
| CKY, Winnipeg | 780 to 960 |
| BRITISH COLUMBIA | |
| CJAT, Trail | 1200 to 910 |
| CKOV, Kelowna | 1210 to 630 |
| CFJC, Kamloops | 1310 to 880 |

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

- KBTM—W. J. Beard (Beard’s Temple of Music), Jonesboro, Ark.—Granted modification of C. P. to extend completion date to October 1, 1934.
- WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted authority to determine operating power by direct antenna measurement.

- WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Granted special temporary authority to operate with additional power of 750 watts at night for a period ending 3 a. m., September 1.
- WMBH—Joplin Broadcasting Co., Joplin, Mo.—Granted special temporary authority to operate from 9:30 p. m. to 12 midnight, CST, August 7.
- WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate from 10 p. m. to 12 midnight, CST, August 3.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses on a temporary basis, subject to such action as the Commission may take on their pending applications for renewal:

- WNYC, New York; WOWO, Fort Wayne, Ind.; WWL, New Orleans; and WWVA, Wheeling, W. Va.
- WAIU—Associated Radiocasting Corp., Columbus, Ohio—Present license extended for a period of 3 months subject to such action as may be taken on renewal application.
- WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Present license extended for period of 3 months subject to such action as may be taken on renewal application.
- WQDM—A. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Granted extension of license to September 1 on a temporary basis pending receipt and action on renewal application.
- KMMJ—The M. M. Johnson Co., Clay Center, Nebr.—Granted special temporary authority to operate station from 5 to 6 a. m., CST, for period August 1 and until this period is required by Station WSB, but not later than February 1, 1935.
- WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Granted special temporary authority to operate station for period of 10 days without approved frequency monitor.
- WWL—Loyola University, New Orleans, La.—Granted extension of special temporary experimental authority to change hours of operation from specified to unlimited for term beginning on notification from the Commission to the effect that station KWKH has ceased operation on 850 kc., and subsequent to August 1, 1934, and ending in no event later than 3 a. m., EST, February 1, 1935, subject to the condition that WWL agrees to and will revert to station's former assignment—850 kc., 10 KW power—at any time, without hearing, upon 10 days' notice to that effect by the Commission.
- WORK—York Broadcasting Co., York, Pa.—Granted extension of special temporary experimental authority to make changes in equipment, using directional antenna; change frequency from 1000 kc. to 1320 kc., and hours of operation from daytime to unlimited, for period August 1, 1934, to February 1, 1935. Protest of station WADC, Akron, Ohio, withdrawn.
- NEW—WJMS, Inc. (Portable)—Granted C. P. (temporary broadcast pickup); 2790 kc., 75 watts.
- NEW—Adirondack Broadcasting Co., Inc. (Portable-Mobile)—Granted C. P. (exp. gen. exp.), frequencies 31100, 34600, 37600, 40600 kc., 5 watts.

RATIFICATIONS

- KIGA—National Battery Broadcasting Co., St. Paul, Minn.—Granted temporary authority to operate broadcast pickup station from July 23 and ending at conclusion of strike, but not exceeding 15 days; 1602 and 2102 kc., 7½ watts.
- WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted temporary authority to remain silent for period of 24 hours pending repair of equipment.
- WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Granted special temporary authority to continue operation on 1370 kc., sharing time with WBTM for period ending not later than September 1, from July 29.
- WBTM—Piedmont Broadcasting Corp., Danville, Va.—Granted special temporary authority to continue operation on 1370 kc., sharing with WLVA for period ending September 1.
- WGST—Georgia School of Technology, Atlanta, Ga.—Granted special temporary authority to reduce power during daytime to 500 watts, for period not to exceed 10 days, in order to make field intensity survey of present transmitter.
- WJJD—WJJD, Inc., Chicago, Ill.—Granted special temporary authority to begin operation at 5 a. m., CST, for period beginning 3 a. m., August 1, and during that period of time

when Daylight Saving Time applies but not later than February 1, 1935.

- KPCB—Queen City Broadcasting Co., Seattle, Wash.—Granted extension of special temporary authority to operate station without approved frequency monitor for period August 1 to August 10.
- KGZE—City of San Antonio and State of Texas—Granted temporary authority covering temporary operation of KGZE on 2506 kc. for period of 30 days.
- WPTF—WPTF Radio Co., Raleigh, N. C.—Granted extension of special temporary authority to use RCA Crystal Control as standby oscillator for present licensed W. E. Type transmitter for period August 1 to October 1.
- WJAG—The Norfolk Daily News, Norfolk, Nebr.—Granted extension of special temporary authority to operate on 1060 kc., with 1 KW for period ending February 1, 1935.
- KWWJ—KWWJ Broadcast Co., Inc., Portland, Ore.—Granted special temporary authority to operate on 1040 kc., limited time, and resume operation from 9 p. m. to 2 a. m., PST, for period August 1 to February 1, 1935.
- WESG—Cornell University, Elmira, N. Y.—Granted special temporary authority to operate on 1090 kc. daily until sunset at Hot Springs, Ark., for period August 1 to February 1, 1935.
- WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted extension of special temporary authority to operate simultaneously with KRLD, unlimited time, on 1040 kc., for period August 1 to February 1, 1935.
- KRLD—KRLD Radio Corp., Dallas, Tex.—Granted extension of special temporary experimental authority to operate simultaneously with WTIC, unlimited time, for period August 1 to February 1, 1935.
- WBAL—WBAL Broadcasting Co., Baltimore, Md.—Granted extension of special temporary experimental authority to operate simultaneously with KTHS on 1060 kc. from 6 a. m. to sunset at Hot Springs, Ark.; to operate from sunset at Hot Springs, Ark., to 9 p. m., EST, on 1060 kc.; and to operate synchronously with WJZ on 760 kc., with power of 2½ KW, from 9 p. m., EST, for period August 1 to February 1, 1935.
- KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Granted extension of special temporary experimental authority to operate simultaneously with WBAL from 6 a. m. to LS, CST; remain silent from LS to 8 p. m., CST; and to operate from 8 p. m. to 12 midnight, CST, on 1060 kc., for period August 1 to February 1, 1935.
- NEW—School of Electrical Engineering, Cornell University, Ithaca, N. Y.—Granted temporary authority to construct and operate general experimental station on 40600 kc., power .5 watt.
- NEW—WDAY, Inc., Fargo, N. Dak.—Granted temporary authority to construct and operate broadcast pickup station, 2102 kc., 5 watts, to be used July 29 to August 2.
- NEW—Onondaga Radio Broadcasting Corp., Syracuse, N. Y.—Granted temporary authority to operate general experimental station for broadcast pickup; frequency 31100, 34600, 37600, 40600 kc., 5 watts.
- WJZ—National Broadcasting Co., Inc., New York City—Granted extension of special temporary experimental authority to operate with additional 20 KW power for term August 1, 1934, to February 1, 1935.
- WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted special temporary authority to reduce hours of operation to specified as follows: 8 a. m. to 9:30 a. m., 11 a. m. to 2 p. m., and 6 p. m. to 9:45 p. m., CST, for period of 30 days.
- WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate from 7 to 7:15 p. m., CST, during month of August.
- KPCB—Queen City Broadcasting Co., Seattle, Wash.—Granted extension of special experimental authority to operate on 710 kc., 100 watts, unlimited time, for period August 1 to February 1, 1935.
- WIEK-WIEL—Atlantic Broadcasting Corp., New York—Granted temporary authority to use broadcast pickup stations, 2190 and 1646 kc., 50 watts, July 30 to August 4.

MISCELLANEOUS

- WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Hearing set for August 2 cancelled and application for renewal of license granted. Alleged censoring of political speech adjusted to the satisfaction of complainant.

WSVA—Marion K. Gilliam, Staunton, Va.—Denied petition to strike from records the protest of KSD, St. Louis, against the grant of C. P. for new station to be located between Staunton and Harrisonburg, Va., to operate on 550 kc. with 500 watts power. Authority granted suspended, and application set for hearing because of protests by KSD and WEHC.

WBNX—Standard Cahill Co., Inc., New York—Denied petition to remove renewal application from docket and denied petition to grant regular renewal license.

KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Denied petition to strike its renewal application from the hearing docket and grant regular renewal license.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Denied petition of attorney requesting the Commission to amplify the hearing notices. Commission feels the issues are sufficiently clear as set forth in notices.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio—Application to change frequency from 570 kc. to 610 kc., with 500 watts night, 1 KW LS, unlimited time, and installation of new equipment, to be heard by the Commission en banc on September 24.

WAIU—Associated Broadcasting Corp., Columbus, Ohio—Application to change frequency from 640 kc. to 570 kc., with increase in power from 500 to 750 watts night, 1 KW LS, specified hours, to share with WOSU, Columbus, to be heard by the Commission en banc September 24.

WJAY—Cleveland Broadcasting Corp., Cleveland, Ohio—Application to shift from 610 kc. to 640 kc., with an increase in power from 500 watts to 1 KW, and specified hours, to be heard before the Commission en banc September 24.

NEW—Portland Broadcasting System, Inc., Portland, Me.—Application for new station to operate on 640 kc., 500 watts, to be heard before the Commission en banc September 24.

WXYZ—Kunsky Trendle Broadcasting Co., Detroit, Mich.—Application for new station to operate on 640 kc., 10 KW, unlimited time, to be heard before the Commission en banc September 24.

WDBO—Orlando Broadcasting Co., Orlando, Fla.—Denied application as amended for increase of night power to 1 KW, and application set for hearing.

NEW—Clarion Broadcasting Co., Inc., Clarion, Pa.—Denied petition to reconsider action in overruling application for C. P. for new station to operate on 850 kc., with 250 watts. Application retained on hearing docket.

APPLICATIONS RECEIVED

First Zone

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Extension of special experimental authorization to operate with an additional 250-watt power night for period 9-1-34 to 3-1-35.

WMAL—National Broadcasting Co., Inc., Washington, D. C.—License to cover construction permit authorizing installation of new auxiliary equipment.

NEW—Brown Radio Service and Laboratory (Gordon P. Brown, Owner), Rochester, N. Y.—Construction permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, unlimited time (part of facilities of WOCL).

WBAL—WBAL Broadcasting Co., Baltimore, Md.—Extension of special experimental authorization to operate on 1060 kc. from 6 a. m. to local sunset at Hot Springs, Ark., unlimited to 9 p. m., EST, and synchronize with WJZ on 760 kc., 2½ KW, from 9 p. m., EST, for period 8-1-34 to 2-1-35.

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Extension of special experimental authorization to operate unlimited time, simultaneously with KRLD, on 1040 kc., for the period 8-1-34 to 2-1-35.

WJZ—National Broadcasting Co., New York, N. Y.—Extension of special experimental authorization to use an additional 20 KW power for the period 8-1-34 to 2-1-35.

Second Zone

WEHC—Community Broadcasting Corp., Charlottesville, Va.—Construction permit to install new equipment, change frequency from 1350 kc. to 1420 kc., power from 500 watts to 100 watts night, 250 watts daytime, and hours of operation from daytime to unlimited.

WBCM—James E. Davidson, Bay City, Mich.—Modification of license to increase power from 500 watts to 500 watts night, 1 KW daytime.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—License to cover construction permit authorizing erection of auxiliary transmitter.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—License to cover construction permit authorizing erection of auxiliary transmitter.

WIBM—WIBM, Inc., Jackson, Mich.—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

WIBG—WIBG, Inc., Glenside, Pa.—Modification of license to increase hours of operation from daytime to daytime until sunset at Chicago, Ill.

NEW—The Evening News Assn. (on aircraft)—Construction permit to erect a new broadcast pickup station to operate on 2150 kc., 50 watts.

Third Zone

WQBC—Delta Broadcasting Co., Vicksburg, Miss.—Modification of license to change hours of operation from specified to daytime.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Modification of construction permit authorizing changes in equipment to extend date of completion from 7-27-34 to 9-1-34.

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

NEW—Guthrie Broadcasting Co., Guthrie, Okla.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, sharing time with WBBZ (part of facilities of WBBZ).

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Construction permit to install new equipment, change frequency from 1420 kc. to 1310 kc., and increase power from 100 watts to 100 watts night, 250 watts daytime.

WWL—Loyola University, New Orleans, La.—Extension of special experimental authorization to operate unlimited time for period 8-1-34 to 2-1-35.

WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Special experimental authorization to make changes in equipment and change frequency from 1310 kc. to 1050 kc., and increase power from 100 watts to 250 watts, amended to omit request for change in frequency and increase in night power.

WRDW—Musicove, Inc., Augusta, Ga.—Voluntary assignment of license to Augusta Broadcasting Co.

KRLD—KRLD Radio Corp., Dallas, Tex.—Extension of special experimental authorization to operate unlimited time, simultaneously with WTIC, for the period 8-1-34 to 2-1-35.

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Extension of special experimental authorization to operate on 1060 kc., simultaneously with WBAL, from 6 a. m. to local sunset, suspend operation from local sunset to 8 p. m., CST, and operate from 8 p. m., CST, to midnight for period 8-1-34 to 2-1-35.

Fourth Zone

WMT—Waterloo Broadcasting Co., Waterloo, Iowa—Extension of special experimental authorization to install new equipment and operate with power of 1 KW night and 2½ KW daytime for the period 9-1-34 to 3-1-35.

KFJM—University of North Dakota, Grand Forks, N. Dak.—Special experimental authorization to make changes in equipment and increase daytime power from 100 watts to 250 watts.

WCAL—St. Olaf College, Northfield, Minn.—License to cover construction permit authorizing changes in equipment and increase in daytime power.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Modification of construction permit authorizing changes in equipment and increase in daytime power requesting further changes in equipment.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—License to use the present main transmitter as an auxiliary as C. P. has been authorized to use present auxiliary transmitter as the main transmitter.

Fifth Zone

KSEI—Radio Service Corp., Pocatello, Idaho—Modification of construction permit issued pursuant to court of appeals for 890 kc., requesting authority to increase power from 250 watts night, 500 watts daytime, to 500 watts, using direc-

tional antenna and move transmitter and studio to near Pocatello, Idaho.

KGIX—J. M. Heaton, Las Vegas, Nev.—Modification of construction permit authorizing changes in equipment and removal of transmitter, requesting change in transmitter site and extension of commencement and completion dates, amended to omit request for change of transmitter site.

NEW—J. H. Speck, Santa Fe, N. Mex.—Construction permit to erect a new broadcast station to be operated on **1310 kc.**, 100 watts, unlimited time.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Modification of construction permit authorizing changes in equipment and increase in power, requesting changes in equipment and change hours of operation from limited to unlimited and extension of commencement and completion dates.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Modification of construction permit authorizing changes in equipment and increase in power, requesting extension of commencement and completion dates.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Extension of special experimental authorization to operate on **710 kc.**, unlimited time, for the period 8-1-34 to 2-1-35.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit authorizing change in equipment and increase in daytime power to $2\frac{1}{2}$ KW, requesting authority to install new equipment and increase daytime power to 5 KW, amended to request power of 5 KW day and night.

NEW—Albert T. Roche and Harold Smithson, Chico, Calif.—

Construction permit to erect a new broadcast station to be operated on **850 kc.**, 100 watts, daytime.

KMO—KMO, Inc., Tacoma, Wash.—Modification of license to increase power from 250 watts to 250 watts night, 500 watts daytime.

KGEK—Elmer G. Beehler, Yuma, Colo.—Construction permit to move station from Yuma to Sterling, Colo., and make changes in equipment.

KWYO—R. E. Carroll, trading as Big Horn Broadcasting Co., Sheridan, Wyo.—License to cover construction permit authorizing erection of new broadcast station to be operated on **1370 kc.**, 100 watts, unlimited time.

APPLICATIONS RETURNED

WLWL—Missionary Society of St. Paul the Apostle, New York, N. Y.—Modification of license to change frequency from **1100 kc.** to **810 kc.**, and hours of operation from specified to unlimited time. (Jurat not complete.)

NEW—Mid-Central Broadcasting Co., Kansas City, Mo.—Construction permit to erect a broadcast station to be operated on **1370 kc.**, 100 watts, unlimited time (facilities of KWKC). (Application not signed and questionable transmitter site.)

KIEV—Cannon System, Ltd., Glendale, Calif.—Modification of construction permit authorizing changes in equipment and increase in daytime power, requesting further changes in equipment and extension of commencement and completion dates. (Incomplete.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - - No. 38
AUGUST 8, 1934

CLEAR STATIONS ASK INVESTIGATION

Stations KFI, KNX, WBAP, WFAA, WGN, WHAM, WHAS, WJR, WLS, WLW, WOAI, WSB, WSM this week filed a petition with the Federal Communications Commission asking for an investigation of clear channels and a re-statement of regulations regarding them.

The petition asks that the Commission commence a technical study and investigation of clear channels to be continued for a period of one year under the supervision of a radio engineer of recognized ability and in cooperation with all broadcasters and radio laboratories willing to give such cooperation. The study would embrace the extent to which the people of the United States, and particularly those in rural areas, are dependent upon clear channel stations for reception and the extent to which such service should be protected from interference.

Upon conclusion of the study the petition urges that a report containing recommendations embracing proposed new regulations and clarifications and amendments to existing regulations regarding clear channels be made to the Commission.

Pending the promulgation of such new regulations the petition asks that no new or further duplicate nighttime operation be permitted on clear channels on which duplicate nighttime operation is not already authorized and that no new or further duplicate daytime operation be permitted except under and safely in accordance with the mileage frequency separation tables recommended by the Commission's Engineering Division.

FCC MEANS BUSINESS

In less than a month after assuming office, the Federal Communications Commission has issued temporary renewal licenses to three broadcasting stations, and has instituted investigations of approximately twenty more broadcasting stations as a result of complaints against programs.

Unlike the defunct Federal Radio Commission, the new Commission does not intend to temporize with stations which persist in careless programming or which accept advertising of products or services likely to be injurious to the public health. Furthermore, the Commission intends that all classes of stations from the largest to the smallest shall be subjected to the same disciplinary rules.

The Commission denies that it has embarked upon any special drive to compel stations to toe the mark but indicated strongly that all complaints against stations will be carefully scrutinized and if the complaints warrant, renewal applications will be designated for public hearing.

The Commission feels that it has the power to take drastic action in cases where the complaints involve advertising of products or services affecting public health because of the decisions of the courts in such cases as the Brinkley case and its own decision in the Baker case.

From the best information obtainable, the action of the Commission during its first month of existence is an example of what is to follow. The Commission plans to exercise its broad powers under the new law without fear or favor and with a view to taking drastic action against stations which fail to measure up to the standard of public interest, convenience and necessity which has now come to have a new and more exacting meaning.

WILL CHANGE BROADCAST REGULATIONS

Changes in the regulations of the Federal Communications Commission governing broadcasting will be made shortly, it was learned at the Commission. These changes are necessary to conform the old rules and regulations to the new law. Just when this will be done is problematical. It is not expected that the changes will be drastic in nature but rather will be such as to coordinate existing regulations wherein they may possibly conflict with the new law.

DELINQUENTS GET NOTICES

This year's NAB Convention will be limited to members of the Association in good standing. In order that the records of the Association may be cleared, the Managing Director, under the provisions of the new by-laws, sent notices to some 20 stations which have not paid dues for a period of three months or more. These notices demand that payment be made within 14 days from the date thereon or forfeit membership.

OPEN CODE MEETING SCHEDULED

The Code Authority for the Radio Broadcasting Industry announced, in its Bulletin No. 9, an open meeting to be held Thursday, September 20, 1934, at the Netherland-Plaza Hotel, Cincinnati, Ohio, at 10 a. m. The meeting immediately follows the NAB Convention, which closes Wednesday, September 19.

The meeting will be open to any member of the Radio Broadcasting Industry who is complying with all of the provisions contained in the Code of Fair Competition. This includes the payment of at least the first three quarterly installments of the assessments levied by the Code Authority to defray its expenses.

Each member participating will be allowed one vote, and no proxies will be allowed. A member in good standing may, in writing, designate a regular staff employee to represent him and his vote shall bind such member.

A member desiring to make a motion or to offer a resolution is required to submit a copy to the presiding officer in order to gain recognition.

John Shepard, 3d, Chairman of the Code Authority, will preside.

NBC ABOLISHES RECORDS

The National Broadcasting Company announced on August 7, 1934, the discontinuance of the use of records for program material at all NBC owned or operated stations. The order will be placed into effect gradually.

BUSINESS INDEX EXPANDED

The NAB Statistical Service has passed the first year of its existence and the program for the second year calls for a greatly expanded reporting of system. The sample used heretofore included 125 selected stations, selected for their classification, location, etc., and the revised sample will include a total of 250 stations. The service has proved very valuable to stations, advertisers, trade journals, agencies and research departments of all kinds.

HOUSING ASKS RADIO ASSISTANCE

The Federal Housing Administration recognizes that "radio advertising offers one of the most effective mediums for carrying on its nation-wide campaign" for home improvement and therefore is asking stations to compile a list of all commercially sponsored broadcast programs of 15 minutes or more in order that the Administration might correspond directly to the sponsors and urge them to aid in the modernization and improvement program.

JUDGE SYKES SPEAKS OVER CBS

Judge Eugene O. Sykes, Chairman of the Federal Communications Commission, delivered an address over the Columbia Broadcasting System August 3, describing the organizations and functions of the Commission.

ENTIRE COMMISSION TO MEET

The full membership of the Federal Communications Commission will meet at the call of Chairman Sykes, on Monday, August

13. While no official statement has been made it is generally understood that the purpose of the meeting is to discuss the appointment of new attorneys for the Legal Division and perhaps other added personnel.

THREE NEW APPEALS FILED

Three new appeals have been filed against the Federal Communications Commission in the Court of Appeals of the District of Columbia. One was filed by Station WHBY, Green Bay, Wis., from a decision of the old Federal Radio Commission of June 29, effective July 13, denying that station a construction permit for new equipment and also denying it the right to change from 1200 to 1360 kilocycles and increasing its power from 100 to 1000 watts. The station had asked for the facilities of WGES, Chicago, and WIND, Gary, Ind.

Two appeals were also filed in the Court against the Commission by T. G. Roberts, formerly connected with Station KWKH, Shreveport, Ind.

Mr. Roberts appealed against a grant to KWKH allowing it to change in frequency from 850 to 1100 kilocycles and the other against granting Station WWL, New Orleans, La., unlimited time on 850 kilocycles.

An interesting point in connection with the appeals is the fact that none of the records of the Commission show that Mr. Roberts has any pending applications before the Commission. The Commission has filed a motion to dismiss with the Court. Among other things the Commission states that Mr. Roberts has no appealable interest.

RECOMMENDATION FOR NEWPORT STATION

S. George Webb applied to the Federal Communications Commission for a construction permit for a new broadcasting station to be erected at Newport, R. I., using 1200 kilocycles, unlimited time, 100 watts night and 250 watts day. George H. Hill(e) in Report No. I-1 recommended this week that the application be granted on certain conditions.

The Examiner recommends that the application be granted if Station WPRO, Providence, R. I., is given the regular assignment to operate on 630 kilocycles and WORC is given the regular assignment to operate on 1280 kilocycles. Otherwise, the Examiner suggests that the application be denied.

He found that the Newport area "is now inadequately served by existing radio stations" and that no objectionable interference would result if the changes he mentioned are granted.

SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act.

- Domestic Finance Corporation, Chicago, Ill. (2-1010, Form D-2)
- Riverton Lime Co., Inc., Riverton, Va. (2-1011, Form D-2)
- Refinance Corporation, Chicago, Ill. (2-1012, Form D-1)
- Berendo-Wilshire Apartments First Mortgage Bondholders' Committee, Los Angeles, Calif. (2-1013, Form D-1)
- Medical Center Building First Mortgage Bondholders' Committee, Los Angeles, Calif. (2-1014, Form D-1)
- Majestic Gold Mines, Ltd., Toronto, Canada. (2-1015, Form A-1)
- Sococana Mining Corporation, Sault Ste. Marie, Mich. (2-1016, Form A-1)
- Stephen A. Ingersoll and Others, Chicago, Ill. (2-1017, Form D-1)
- American Trustee Share Corporation, Jersey City, N. J. (2-1018, Form C-1)
- Two-In-One Gold Mines, Ltd., Toronto, Canada. (2-1019, Form A-1)
- Mineral Machines, Inc., Boulder, Colo. (2-1020, Form A-1)
- O-Neh-Da Vineyard & Distillery, Inc., Conesus, Livingston County, N. Y. (2-1021, Form A-1)
- Bondholders' Committee for Gatzert Municipal Securities Trust Certificates Series CC, K, KK, MO6 and T, Chicago, Ill. (2-1022, Form D-1)
- Assessment Bond Service, Chicago, Ill. (2-1023, Form D-1)
- L. H. Witwer, Tulsa, Okla. (2-1024, Form G-1)
- L. H. Witwer, Tulsa, Okla. (2-1025, Form G-1)
- TVP Corporation, New York City. (2-1026, Form A-1)
- Foundation Properties, Inc., New York City. (2-1027, Form D-2)
- Bondholders' Protective Committee of Canadian Rail and Harbour Terminals, Ltd., for First Mortgage 6½ per cent Sinking Fund Gold Bonds, due March 1, 1951, New York City. (2-1028, Form D-1)

- Noteholders' Protective Committee, Philadelphia, Pa. (2-1029, Form D-1)
- United Air Lines Transport Corporation, Voting Trustees of United Air Lines Transport Corporation, United Aircraft Corporation, Boeing Airplane Co. (2-1030 to 1033, inclusive, Forms E-1 and F-1)
- Protective Committee for Noteholders of Barnhart Brothers & Spindler, 6 per cent Serial Gold Notes, New York City. (2-1034, Form D-1)
- International Silver & Gold Corporation, Pittsburgh, Pa. (2-1035, Form A-1)
- Administrative Corporation, New York City. (2-1036, Form C-1)
- Uptown Square Building Corporation, Chicago, Ill. (2-1037, Form D-2)
- Quarterly Income Shares, Inc., Jersey City, N. J. (2-1038, Form A-1)
- Callahan Zinc-Lead Company, Wallace, Ida. (2-1039, Form A-1)
- Independence Fund of North America, Inc., New York City. (2-1040, Form C-1)
- Debenture Holders Committee for Midland Utilities Company, Chicago, Ill. (2-1041, Form D-1)
- Cahuenga Court Apartments First Mortgage Bondholders' Committee, Los Angeles, Calif. (2-1042, Form D-1)
- Washington Land & Livestock Corporation, Seattle, Wash. (2-1043, Form A-1)
- Annapolis Yacht Basin, Inc., Annapolis, Md. (2-1044, Form A-1)
- Emporia Gold Mines, Inc., Wilmington, Del. (2-1045, Form A-1)
- 110 South Pennsylvania Ave. Corp., Atlantic City, N. J. (2-1046, Form E-1)
- Protective Committee for Holders of Lake Charles Office Building Co., New Orleans, La. (2-1047, Form E-1)
- National Distillers Products Corp., New York City. (2-1048, Form A-1)

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled for the forthcoming week.

ACTION ON EXAMINER'S REPORT

- WLEY—Ex. Rep. No. 574: Albert S. Moffat, Lowell, Mass.—Granted C. P. to move transmitter and studio from Lexington to Lowell, Mass.; 1370 kc., 100 watts night, 250 watts day; specified hours, sustaining Examiner R. L. Walker. (Order effective August 14, 1934.)

MISCELLANEOUS

- WBAA—Purdue University, W. Lafayette, Ind.—Suspended grant for modification of license to change frequency from 1400 kc. to 890 kc., and application set for hearing because of protest of WILL, Urbana, Ill.
- WDAF—Kansas City Star Co., Kansas City, Mo.—Denied petition to intervene in the proceedings with reference to the application of WHB Broadcasting Co., Kansas City, for special authority to operate on 1120 kc., 500 watts, from LS to midnight at Kansas City.
- WHB—WHB Broadcasting Co., Kansas City, Mo.—Denied petition for reconsideration of application for special experimental authority to change frequency from 860 kc., 500 watts, daytime, to 1120 kc., 500 watts, specified hours. This application was set for hearing on May 25, 1934.
- WBAP—Carter Publications, Fort Worth, Tex.—Granted petition for regular renewal of license.
- WBHS—Radio Station WBHS, Huntsville, Ala.—Granted regular renewal of license to continue operation at Huntsville, Ala., and consent to voluntary assignment of license to Virgil V. Evans. Application to move station to Greenwood, S. C., has been withdrawn.
- WOL—American Broadcasting Co., Washington, D. C.—Denied request for hearing on protest against grant made June 15, 1934, of an increase in day power from 500 watts to 1 KW to WRC, Washington, on the ground that the allegations in the protest are "vague, problematical and conjectural and are not such as to present substantial interest."
- WATR—Harold Thomas, Waterbury, Conn.—Denied special temporary authority to operate on 1200 kc., 100 watts, unlimited time, until station WORC is required to revert to its regularly licensed frequency of 1200 kc.
- WLTH—Voice of Brooklyn, Brooklyn, N. Y.—Modification of license to operate on 1400 kc., 500 watts, WLTH ¾ time,

WBBC ¼ time, heretofore set for hearing, was dismissed at request of applicants.

NEW—Joseph Pappalardo, Lawrence, Mass.—C. P. for new station to operate on 1120 kc., 100 watts; unlimited time, heretofore designated for hearing, was dismissed at applicant's request.

NEW—American Radio Productions Inst., Inc., Brooklyn, N. Y.—C. P., 1400 kc., 500 watts, unlimited time (facilities of WBBC, WLTH, WARD and WVFW), heretofore designated for hearing, was denied because applicants failed to enter appearance within time allowed.

EXPERIMENTAL APPLICATION GRANTED

NEW—Seymour Turner (Portable), Philadelphia, Pa.—Granted Visual Broadcasting C. P. to November 1, 1934, 65000 to 75000 kc., 5 watts.

RATIFICATIONS

WESC—Cornell University, Elmira, N. Y.—Granted renewal of license on a temporary basis subject to such action as the Commission may take on their pending application for renewal.

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Same.

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Same.

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—Granted special temporary authority to remain silent from 2 to 4 p. m. EST, Aug. 4, 11, 18, 25 and Sept. 1 and 8, 1934.

WKBZ—Karl L. Ashbacker, Ludington, Mich.—Granted special temporary authority to remain silent for period Aug. 1, 1934, and pending action on application for modification of C. P., but not later than Oct. 8.

Stromberg Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted special temporary authority to operate broadcast pickup transmitter, 1622 and 2150 kc., 100 watts, August 1 to 10, 1934.

WDFL—Ben S. McGlashan, "El Perrito."—Granted special experimental temporary authority to use station WDFL as broadcast pickup station on 2150 kc., August 4 to 12, inclusive.

APPLICATIONS GRANTED

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted C. P. to move transmitter from Calumet to outside of Larium, Mich., and make changes in equipment.

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Granted modification of C. P. to change location of station locally in Muskegon, and extend commencement date to Aug. 8. (Original C. P. authorized moving from Ludington to Muskegon.)

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted modification of C. P. to extend completion date from Aug. 17 to Oct. 17.

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Granted modification of C. P. to extend commencement date from May 28 to Aug. 27, and completion date to Oct. 26, 1934.

WCAL—St. Olaf College, Northfield, Minn.—Granted license, 1250 kc., 1 KW night, 2½ KW day, specified hours.

KWYO—R. E. Carroll, d/b as Big Horn Broadcasting Co., Sheridan, Wyo.—Granted license, 1370 kc., 100 watts, unlimited.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Granted renewal of license, 900 kc., 2½ KW; also authority to remain silent on legal holidays.

WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Granted voluntary assignment of license to Truth Radio Corp.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted license for authority to use old transmitter as auxiliary.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Granted modification of C. P. to change type of equipment authorized by C. P.

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Granted license covering new equipment and increase in power from 1 KW to 1 KW night, 2½ KW day; 1180 kc., limited time.

WMAL—National Broadcasting Co., Inc., Washington, D. C.—Granted license for auxiliary purposes; 630 kc., 250 watts night, 500 watts day.

SPECIAL AUTHORIZATIONS

WICC—Southern Connecticut Broadcasting Corp., Bridgeport, Conn.—To operate Monday to Friday inclusive, from 12:30 to 1 p. m.; Wednesday, 4:30 to 5 p. m.; EST, for period Aug. 11 to Sept. 1, provided WCAC remains silent.

KWKC—Wilson Duncan Broadcasting Co., Kansas City, Mo.—To operate without approved frequency monitor for a period not to exceed 15 days.

WKRC—WKRC, Inc., Cincinnati, Ohio—Special temporary authority extended for period Sept. 1, 1934, to March 1, 1935, to operate with an additional 500 watts power.

WTBO—Association Broadcasting Corp., Cumberland, Md.—Special temporary authority extended for period Aug. 3 to 16 inclusive, to operate without an approved frequency monitor.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Extension of special temporary authority to operate the following hours: Sunday, 9 a. m. to 5 p. m.; 11 p. m. to 12 midnight; Monday to Friday inclusive, 7 a. m. to 12 noon; 5 to 8 p. m., and 11 p. m. to 12 midnight; Saturday, 7 a. m. to 12 noon, and 5 to 8 p. m., CST, for period Aug. 12 to Sept. 10, 1934.

WHBC—Edward P. Graham, Canton, Ohio—To operate simultaneously with station WNBO from 9 to 11 p. m., EST, Aug. 13, and from 9 p. m. to 12 p. m., EST, Aug. 14; also granted special temporary authority to operate from 12 midnight to 6 a. m., EST, Aug. 15.

WSBT—The South Bend Tribune, South Bend, Ind.—Special temporary authority to operate the following specified hours: Sunday, 6 to 8 a. m., and 5 to 11 p. m.; Monday to Friday inclusive, 6 to 7 a. m., 12 noon to 5 p. m., and 8 to 11 p. m.; Saturday, 6 to 7 a. m., 12 noon to 5 p. m., and 6 p. m. to 12 midnight, extended from Aug. 12 to Sept. 10, 1934.

SET FOR HEARING

WJAR—The Outlet Co., Providence, R. I.—Modification of license to increase power from 250 watts night, 500 watts day, to 1 KW day and night.

KLS—S. W. Warner & E. N. Warner, d/b as Warner Brothers, Oakland, Calif.—Modification of license to increase hours of operation from daytime to unlimited.

WBZA—Westinghouse Electric & Manufacturing Co., Boston, Mass.—Special experimental authority to transmit dissimilar programs over WBZA daytime up to one hour before sunset, when synchronized with WBZ, for period of 30 days.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Modification of license to increase hours of operation from daytime to unlimited, using 500 watts night, 1 KW until sunset at Denver; to be heard before Commission en banc, with application of WNAC.

APPLICATIONS RECEIVED

First Zone

W1XBS—American-Republican, Inc., Waterbury, Conn.—Modification of construction permit authorizing erection of new experimental broadcast station (1530 kc., 1 KW, unlimited time), requesting approval of exact transmitter site.

W1XBS—American-Republican, Inc., Waterbury, Conn.—Modification of construction permit (as above) requesting extension of completion date.

WATR—Harold Thomas, Waterbury, Conn.—Modification of license to change frequency from 1190 kc. to 1200 kc., and hours of operation from daytime to unlimited—contingent upon WORC releasing 1200 kc.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Construction permit to move transmitter locally.

W2XAG—R. D. Lemert, Portable.—License to cover construction permit for experimental visual broadcast station to be operated on 42000-86000 kc., 100 watts.

WDRC—WDRC, Inc., Hartford, Conn.—Modification of construction permit authorizing installation of new equipment and increase in daytime power to request extension of completion date to Oct. 27, 1934.

Second Zone

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

WBTM—Piedmont Broadcasting Corp., Danville, Va.—Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

WBNS—WBNS, Inc., Columbus, Ohio—License to cover construction permit authorizing removal of transmitter.

WDAS—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—License to cover construction permit authorizing removal of station and installation of new equipment.

Third Zone

- WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—License to cover construction permit authorizing installation of temporary transmitter.
- WRDW—Musicove, Inc., Augusta, Ga.—Voluntary assignment of license to Augusta Broadcasting Co.
- WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Special experimental authorization to increase power from 250 watts to 500 watts night AMENDED to increase power to 1 KW night.
- NEW—Samuel Nathaniel Morris, Stamford, Tex.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.
- NEW—F. N. Pierce, Taylor, Tex.—Construction permit to erect a new broadcast station to be operated on 1310 kc., 100 watts, unlimited time.
- WDAE—Tampa Times Co., Tampa, Fla.—Extension of special experimental authorization to operate with an additional 1½ KW during daytime for the period Oct. 1, 1934, to April 1, 1935.
- KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Construction permit to move transmitter, change frequency from 1200 kc. to 630 kc., and increase power from 100 watts to 250 watts.
- KCRC—Enid Radiphone Co., Enid, Okla.—Modification of license to change frequency from 1370 kc. to 1360 kc., increase power from 100 watts night, 250 watts daytime, to 250 watts, and hours of operation from sharing with KGFG to unlimited time.
- WDAG—National Radio and Broadcasting Corp., Amarillo, Tex.—Modification of construction permit authorizing changes in equipment and increase in daytime power requesting installation of new equipment and extension of commencement and completion dates.
- WBIG—North Carolina Broadcasting Co., Inc., Greensboro, N. C.—Modification of license to increase power from 500 watts night 1 KW daytime to 1 KW day and night.
- WMAZ—Southeastern Broadcasting Co., Macon, Ga.—Modification of construction permit authorizing installation of new equipment, removal of transmitter and increase in power requesting approval of transmitter site, changes in equipment and extension of commencement and completion dates.
- WAMC—Raymond C. Hammett, Anniston, Ala.—Modification of construction permit authorizing removal of station requesting removal to Selma, Ala. AMENDED to request change in transmitter site at Selma.

Fourth Zone

- WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—License to cover construction permit authorizing the installation of new equipment and increase in daytime power.
- WJJD—WJJD, Inc., Chicago, Ill.—Modification of license to change hours of operation from limited to specified (6 a. m. to 8:30 p. m.) and power from 20 KW to 20 KW until sunset at Salt Lake and 5 KW thereafter.
- KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Modification of construction permit authorizing installation of new equipment and increase in daytime power requesting an extension of commencement and completion dates.
- W9XBY—First National Television, Inc., Kansas City, Mo.—Modification of construction permit authorizing erection of new experimental broadcast station to request extension of completion date.
- KSO—Iowa Broadcasting Co., Des Moines, Iowa—License to cover construction permit authorizing installation of new equipment and increase in daytime power.
- NEW—Seymour Turner, Portable.—Construction permit for a new experimental visual broadcast station to be operated on 65000-75000 kc., 5 watts.
- WSBT—The South Bend Tribune, South Bend, Ind.—Modification of license to change hours of operation from specified to sharing time with WGES.
- NEW—Herbert H. Fette, Meriden, Minn.—Construction permit to erect a new broadcast station to be operated on 1310 kc., 100 watts, daytime.
- NEW—Mid-Central Broadcasting Co., Kansas City, Mo.—Construction permit to erect a new broadcast station to be operated on 1370 kc., 100 watts, unlimited time.

- WCFL—Chicago Federation of Labor, Chicago, Ill.—Modification of construction permit authorizing installation of new equipment, removal of transmitter and increase in power requesting changes in equipment.
- NEW—Head of the Lakes Broadcasting Co., Hibbing, Minn., T-Mountain Iron, Minn.—Construction permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, unlimited time.

Fifth Zone

- KTM—Pickwick Broadcasting Corp., Ltd., Los Angeles, Calif.—Modification of license to increase power from 500 watts night, 1 KW daytime to 1 KW day and night.
- KIEV—Cannon System, Ltd., Glendale, Calif.—Modification of construction permit authorizing changes in equipment and increase in daytime power to 250 watts requesting changes in equipment and extension of commencement and completion dates.
- KOIN—KOIN, Inc., Portland, Ore.—Modification of construction permit authorizing installation of new equipment and increase in daytime power requesting changes in equipment and extension of commencement and completion dates.
- NEW—J. C. and E. W. Lee (Riverside Broadcasting Co.), Riverside, Calif.—Construction permit to erect a new broadcast station to be operated on 820 kc., 100 watts, daytime.
- KJBS—Julius Brunton and Sons Co., San Francisco, Calif.—Modification of construction permit authorizing changes in equipment and increase in daytime power to request further changes in equipment and extension of commencement and completion dates.
- KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Modification of construction permit authorizing installation of new equipment and increase in daytime power requesting changes in equipment and extension of commencement and completion dates.
- KSLM—Oregon Radio, Inc., Salem, Ore.—Modification of construction permit authorizing erection of new broadcast station to be operated on 1370 kc., 100 watts, daytime, requesting an increase in power to 100 watts night, 250 watts daytime, unlimited hours of operation, changes in equipment and extension of commencement and completion dates.
- NEW—Joseph H. Hallock, Baker, Ore.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, daytime.
- KEX—Oregonian Publishing Co., Portland, Ore.—License to cover construction permit authorizing changes in equipment and move of transmitter.
- NEW—David H. Cannon, Pasadena, Calif.—Construction permit to erect a new broadcast station to be operated on 1480 kc., 100 watts, daytime.
- KGAR—Tucson Motor Service Co., Tucson, Ariz.—License to cover construction permit authorizing changes in equipment.

APPLICATIONS RETURNED

- WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Modification of license to change hours of operation from specified to sharing with WSBT. (Jurat incomplete.)
- NEW—Frank Lyman, Jr., Concord, N. H.—Construction permit to erect a new broadcast station to be operated on 610 kc., 100 watts, daytime. (Rule 120, questionable equipment and not properly executed.)
- WQDM—E. J. Regan and A. J. St. Antone, St. Albans, Vt.—Voluntary assignment of construction permit to E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick. (Improperly executed.)
- WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—License to cover construction permit for temporary transmitter. (Jurat incomplete.)
- WRDW—Musicove, Inc., Augusta, Ga.—Voluntary assignment of license to Augusta Broadcasting Co. (Improperly signed.)
- KADA—C. M. Morris, Ada, Okla.—Modification of construction permit authorizing erection of new broadcast station requesting changes in equipment. (Incomplete.)
- NEW—Norman Baker, Muscatine, Iowa—Construction permit to erect a new broadcast station to be operated on 1170 kc., 5 KW, LT. (Request of applicant.)
- KFJI—KFJI Broadcasters, Inc., Klamath Falls, Ore.—Construction permit to make changes in equipment. (Unnecessary.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934. The National Association of Broadcasters



Vol. 2 - No. 39
AUGUST 14, 1934

BROADCAST ADVERTISING IN JUNE

Broadcast advertising in June experienced a marked decline as compared with the previous month. Seasonal and general business conditions combined to produce this result. Gross sales of time amounted to \$5,418,732, a decrease of 21.6% as compared with May. National spot volume lost most heavily, declining 34.1%, due mainly to a 45.8% decrease in electrical transcription business. Despite a 16.7% drop in revenues as compared with May, June national network volume was the best in the history of broadcasting.

In the non-network field, stations of over 5,000 watts in power lost most heavily, due to national spot trends. Losses were fairly evenly distributed throughout the various geographical districts, with the South and Far West experiencing slightly greater declines than other sections. Declines were heavy in all fields of industrial sponsorship. Local beverage, national spot soap and kitchen supply, local amusement, and automotive advertising were the only fields wherein gains were recorded over the preceding month.

Trend in General Radio Advertising

The trend in general radio advertising is found in Table I.

TABLE I

TOTAL BROADCAST ADVERTISING VOLUME

| Class of Business | 1934 Gross Receipts | | Cumulative Jan.-June |
|------------------------|------------------------|----------------|-------------------------|
| | May | June | |
| National networks... | \$3,728,481.00 | \$3,103,796.00 | \$21,998,866.00 |
| Regional networks... | 44,559.00 | 35,599.00 | 317,251.00 |
| Individual stations... | 3,149,090.00 | 2,279,337.00 | 15,905,363.00 |
| Total | \$6,922,395.00 | \$5,418,732.00 | \$38,221,480.00 |

National network volume declined 16.7% over the month, regional network advertising 20.5%, and non-network advertising 27.6%. Despite the decline as compared with May, national network volume was 51.0% over that of June of the preceding year. Non-network advertising was 8.9% greater than July, 1933, the nearest comparable figure available.

Comparison with Other Media

Declines in broadcast advertising were heavier than in most advertising media. National magazine volume decreased 1.5% as compared with May, farm paper advertising 17.0%, and newspaper volume 7.9%. Broadcasting still has the problem of convincing industry of the volume of summer advertising at least partially remaining before it.

All media have shown marked gains over the same period of the preceding year. Weekly national magazines were 60% ahead of June, 1933, monthly magazines 35%, farm papers 86%, and newspapers approximately 30%.

A comparison of the relative volume of broadcast advertising and that of other media is found in Table II.

TABLE II
ADVERTISING VOLUME BY MAJOR MEDIA

| Advertising Medium | 1934 Gross Receipts | | Cumulative Jan.-June |
|---------------------------------|------------------------|-----------------|-------------------------|
| | May | June | |
| Radio broadcasting. | \$6,922,395.00 | \$5,418,732.00 | \$38,221,480.00 |
| National magazines ¹ | 11,935,736.00 | 11,768,764.00 | 61,409,805.00 |
| National farm papers | 558,222.00 | 462,056.00 | 2,870,927.00 |
| Newspapers ² | 46,452,000.00 | 42,839,000.00 | 242,535,250.00 |
| Total | \$65,868,088.00 | \$60,488,522.00 | \$345,037,462.00 |

¹ National magazine totals are for 108 periodicals, prepared by Publishers' Information Bureau, Inc., from which source national farm papers and networks are also taken.

² Estimated.

Non-Network Advertising by Power of Station

Revenues of stations of over 5 kilowatts in power declined most heavily due principally to the marked downward trend in national spot business. Advertising volume over this class of station decreased 31.1% as compared with May. Stations in the 2,500-5,000-watt class experienced a 22.0% decline in volume, those of the 250-1,000-watt class a 25.0% decline, while the 100-watt stations suffered a 28.5% loss in advertising volume.

The volume of non-network advertising placed over various classes of stations is found in Table III.

TABLE III
NON-NETWORK BROADCAST ADVERTISING
BY POWER OF STATION

| Power of Station | 1934 Gross Receipts | | Cumulative Jan.-June |
|-----------------------|------------------------|----------------|-------------------------|
| | May | June | |
| Over 5,000 watts.... | \$1,299,640.00 | \$892,310.00 | \$6,267,053.00 |
| 2,500-5,000 watts.... | 202,410.00 | 158,500.00 | 1,137,595.00 |
| 250-1,000 watts.... | 1,234,240.00 | 934,357.00 | 6,426,929.00 |
| 100 watts and under. | 412,800.00 | 294,170.00 | 2,073,786.00 |
| Total | \$3,149,090.00 | \$2,279,337.00 | \$15,905,363.00 |

Advertising by Geographical Districts

The amount of non-network advertising placed over stations located in various sections of the country is found in Table IV.

TABLE IV
NON-NETWORK BROADCAST ADVERTISING
BY GEOGRAPHICAL DISTRICTS

| Geographical Districts | 1934 Gross Receipts | | Cumulative Jan.-June |
|--|------------------------|----------------|-------------------------|
| | May | June | |
| New England-Middle Atlantic Area.... | \$1,143,017.00 | \$841,786.00 | \$5,250,501.00 |
| South Atlantic-South Central Area..... | 398,243.00 | 263,550.00 | 2,195,123.00 |
| North Central Area.. | 1,174,721.00 | 882,303.00 | 6,051,911.00 |
| Pacific and Mountain Area | 433,109.00 | 291,698.00 | 2,407,828.00 |
| Total | \$3,149,090.00 | \$2,279,337.00 | \$15,905,363.00 |

June non-network advertising decreased 26.4% as compared with May in the Middle Atlantic-New England Area, 31.0% in the South, 24.9% in the Middle West, and 32.0% in the Mountain and Pacific district. With the exception of the last mentioned district, revenues from all areas were above those of July, 1933.

Spot and Local Advertising

The relative volume of spot and local non-network advertising is found in Table V.

TABLE V
COMPARISON OF NATIONAL SPOT AND LOCAL BROADCAST ADVERTISING

| Class of Business | 1934 Gross Receipts | | Cumulative Jan.-June |
|--------------------|------------------------|-----------------------|-------------------------|
| | May | June | |
| National spot..... | \$1,479,126.00 | \$975,377.00 | \$7,610,864.00 |
| Local | 1,669,964.00 | 1,303,960.00 | 8,294,499.00 |
| Total | \$3,149,090.00 | \$2,279,337.00 | \$15,905,363.00 |

National spot advertising declined 34.1% as compared with the previous month. Local advertising remained considerably steadier, decreasing only 21.9%. The national spot decline was due mainly to a 69.0% drop in national spot electrical transcription business.

Advertising by Type of Rendition

The trend with regard to electrical transcription, live talent record broadcasts and spot announcements during the month is found in Tables VI and VII.

TABLE VI
NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

| Type of Rendition | 1934 Gross Receipts | | Cumulative Jan.-June |
|------------------------|------------------------|-----------------------|-------------------------|
| | May | June | |
| Elec. transcriptions.. | \$729,892.00 | \$395,393.00 | \$3,768,119.00 |
| Live talent programs.. | 1,436,151.00 | 1,147,427.00 | 7,240,203.00 |
| Records | 46,661.00 | 40,197.00 | 261,467.00 |
| Spot announcements.. | 936,386.00 | 696,320.00 | 4,635,574.00 |
| Total | \$3,149,090.00 | \$2,279,337.00 | \$15,905,363.00 |

TABLE VII
COMPARISON OF LOCAL AND NATIONAL SPOT ADVERTISING BY TYPE OF RENDITION

(June, 1934)

| Type of Rendition | Gross Receipts for Month | | |
|---------------------------|--------------------------|-----------------------|-----------------------|
| | National Spot | Local | Total |
| Elec. transcriptions..... | \$266,538.00 | \$128,855.00 | \$395,393.00 |
| Live talent programs... | 460,737.00 | 686,690.00 | 1,147,427.00 |
| Records | 5,282.00 | 34,915.00 | 40,197.00 |
| Spot announcements.. | 242,820.00 | 453,500.00 | 696,320.00 |
| Total | \$975,377.00 | \$1,303,960.00 | \$2,279,337.00 |

Electrical transcription volume experienced the most marked drop in business of any of the various types of rendition. Total transcription volume decreased 45.8% as compared with June, while national spot volume dropped 69.0%. Local transcription volume remained comparatively steady, declining but 14.0%.

Live talent volume decreased 20.0%. National spot business of this type declined 23.3%, and local business 17.8%. Broadcast advertising programs employing records declined 14.1% in volume during the month.

Spot announcement business decreased 25.6% as compared with May. National business of this type decreased 18.0%. Local spot announcements declined 29.0%, indicating a rather large withdrawal of small retail advertisers from the air during the summer months.

Participations

The volume of participations during June continued to increase as in previous months. General volume of this type rose 5.2% as compared with May. The volume of participations is found in Table VIII.

TABLE VIII
PARTICIPATIONS OVER INDIVIDUAL STATIONS

| Type of Rendition | 1934 Gross Receipts | | |
|------------------------------|------------------------|---------------------|---------------------|
| | May | June | Jan.-June |
| Electrical transcriptions... | \$154.00 | \$409.00 | \$1,383.00 |
| Live talent programs..... | 166,148.00 | 172,012.00 | 776,980.00 |
| Records | 5,170.00 | 8,510.00 | 44,924.00 |
| Total | \$171,472.00 | \$180,931.00 | \$823,287.00 |

Radio Advertising Sponsors

Marked decreases occurred in practically all industrial fields as far as broadcast advertising was concerned in June. The heaviest decreases were as follows: Confectionery advertising 40.0%; household equipment and furnishing advertising 39.9%; tobacco advertising 37.7%; financial advertising 30.0%; drug and pharmaceutical advertising 26.5%; clothing advertising 26.0%. In the drug and confectionery fields decreasing national spot and local volume was responsible for the drop in revenues. The decline in tobacco advertising was due principally to national networks, while that in the clothing field was due to decreased local sponsorship.

The only increases to be noted during the month were 10.8% rise in local automotive advertising and a 33.0% gain in national spot soap and kitchen supply advertising, a 10.9% rise in local beverage advertising, and a slight increase in local amusement advertising. Broadcast advertising by different types of sponsors in June is found in Tables IX and X.

The following trends are to be noticed in the aforementioned tables:

1a. *Amusements.* A decrease of 5.4% as against May occurred in this field. National spot volume was responsible for the decline, local amusement advertising rising slightly.

1. *Automobiles.* Automotive advertising declined 21.2% during the month. Network volume dropped 17.4% and national spot volume 41.4%. Local automotive advertising increased 10.8%.

2. *Accessories, gasoline and oil.* Gasoline and accessory advertising decreased 21.3% as compared with June. Network and local volume dropped approximately 16.0%, while national spot volume declined 48.6%.

3. *Clothing.* Radio advertising volume in this field dropped 26.0% as compared with the previous month. The principal decline took place in the non-network field.

4. *Drugs and pharmaceuticals.* Pharmaceutical advertising in June was 26.5% less than in the previous month. Principal decreases took place in the national spot and local fields which were off by approximately one-half of their May volume. Network advertising declined 8.1%.

5. *Toilet goods.* Broadcast advertising in this field declined 20.0% during the month, national spot and local volume decreasing approximately 40.0% and network volume 18.7%.

6. *Foodstuffs.* Food advertising in June decreased 18.8% as compared with May. Network advertising dropped 13.8%, national spot volume 36.1%, while local food advertising decreased 18.3%. Regional network food advertising remained comparatively the same.

7. *Beverages.* Beverage advertising declined considerably less than most other fields, total volume dropping merely 6.8% as compared with May. National spot volume suffered the heaviest

decrease, experiencing a drop of 19.0%. Local beverage volume rose 10.9%.

8. *Confectionery.* Advertising in this field decreased 40.0% as compared with May. Declines were heavy in all fields.

9. *Household equipment and appliances.* Household and furniture advertising decreased 30.9% as compared with the previous month. Network advertising was only 20.0% of the May volume. National spot and local advertising declined approximately 30.0%.

10. *Soap and kitchen supplies.* Advertising in this field decreased 11.0% during the month. Network advertising declined 20.0%, while national spot volume rose 33.0%. Local volume remained comparatively steady.

11. *Insurance and financial.* Network advertising in this field declined 36.5%, while national spot volume dropped to half that

of the previous month. Local financial advertising was 15.4% less than in May.

12. *Radio.* Radio set advertising decreased 18.0% during the month. Declines were fairly well distributed throughout all parts of the broadcasting structure.

13. *Department store and general stores.* Department and general store advertising during the month decreased 27.3%. Total retail advertising decreased approximately 21.0%.

14. *Tobacco products.* Tobacco advertising volume over the year dropped 37.7% during the month due entirely to seasonal trends in the network field.

15. *Miscellaneous.* Advertising of the miscellaneous group decreased 24.0% as compared with May, the decline being well distributed throughout the broadcasting field.

TABLE IX
RADIO BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS

(June, 1934)

| Type of Sponsoring Business | Gross Receipts for Month | | | Total |
|--|--------------------------|--------------------|-----------------------|-----------------------|
| | National Networks | Regional Networks | Individual Stations | |
| 1a. Amusements | — | — | \$62,765.00 | \$62,765.00 |
| 1-2. Automobiles and Accessories: | | | | |
| (1) Automobiles | \$180,950.00 | — | 141,226.00 | 322,176.00 |
| (2) Accessories, gas and oils..... | 330,638.00 | \$13,999.00 | 179,760.00 | 524,397.00 |
| 3. Clothing and apparel..... | 21,704.00 | 600.00 | 151,218.00 | 173,522.00 |
| 4-5. Drugs and toilet goods: | | | | |
| (4) Drugs and pharmaceuticals..... | 314,152.00 | 1,839.00 | 252,375.00 | 568,366.00 |
| (5) Toilet goods..... | 736,840.00 | 450.00 | 82,882.00 | 820,172.00 |
| 6-8. Food products: | | | | |
| (6) Foodstuffs | 561,508.00 | 7,957.00 | 448,083.00 | 1,017,548.00 |
| (7) Beverages | 358,818.00 | 4,709.00 | 138,815.00 | 502,342.00 |
| (8) Confections | 24,400.00 | 250.00 | 13,050.00 | 37,700.00 |
| 9-10. Household goods: | | | | |
| (9) Household equipment and furnishings..... | 11,629.00 | — | 161,822.00 | 173,451.00 |
| (10) Soap and kitchen supplies..... | 179,403.00 | — | 70,755.00 | 250,158.00 |
| 11. Insurance and financial..... | 36,849.00 | 2,140.00 | 54,755.00 | 93,744.00 |
| 12. Radios | 32,634.00 | — | 9,080.00 | 41,714.00 |
| 13. Retail establishments..... | — | — | 109,568.00 | 109,568.00 |
| 14. Tobacco products..... | 187,180.00 | — | 7,912.00 | 195,092.00 |
| 15. Miscellaneous | 127,091.00 | 3,655.00 | 395,271.00 | 526,017.00 |
| Total | \$3,103,796.00 | \$35,599.00 | \$2,279,337.00 | \$5,418,732.00 |

TABLE X
NON-NETWORK ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS

(June, 1934)

| Type of Sponsoring Business | National Spot | Gross Receipts for Month | | Total |
|--|---------------------|--------------------------|--|-----------------------|
| | | Local | | |
| 1a. Amusements | \$702.00 | \$62,063.00 | | \$62,765.00 |
| 1-2. Automobiles and Accessories: | | | | |
| (1) Automobiles | 78,742.00 | 62,484.00 | | 141,226.00 |
| (2) Accessories, gas and oils..... | 87,471.00 | 92,289.00 | | 179,760.00 |
| 3. Clothing and apparel..... | 36,633.00 | 114,585.00 | | 151,218.00 |
| 4-5. Drugs and toilet goods: | | | | |
| (4) Drugs and pharmaceuticals..... | 196,547.00 | 55,828.00 | | 252,375.00 |
| (5) Toilet goods..... | 61,782.00 | 21,100.00 | | 82,882.00 |
| 6-8. Food products: | | | | |
| (6) Foodstuffs | 217,613.00 | 230,470.00 | | 448,083.00 |
| (7) Beverages | 47,325.00 | 91,490.00 | | 138,815.00 |
| (8) Confections | 9,650.00 | 3,400.00 | | 13,050.00 |
| 9-10. Household goods: | | | | |
| (9) Household equipment and furnishings..... | 45,245.00 | 116,577.00 | | 161,822.00 |
| (10) Soap and kitchen supplies..... | 60,585.00 | 10,170.00 | | 70,755.00 |
| 11. Insurance and financial..... | 10,285.00 | 44,470.00 | | 54,755.00 |
| 12. Radios | 4,047.00 | 5,033.00 | | 9,080.00 |
| 13. Retail establishments..... | 9,403.00 | 100,165.00 | | 109,568.00 |
| 14. Tobacco products..... | 5,612.00 | 2,300.00 | | 7,912.00 |
| 15. Miscellaneous | 103,735.00 | 291,536.00 | | 395,271.00 |
| Total | \$975,377.00 | \$1,303,960.00 | | \$2,279,337.00 |

Retail Advertising

Retail advertising of all types decreased 21.3% during the month. Principal declines occurred in the gasoline and accessory field, clothing, restaurants, household equipment dealers, furniture stores, and in the department store field. The only increases of importance were with regard to automobile agencies and used car dealers, and hardware stores.

The volume of retail advertising during June is found in Table XI.

Business Conditions

Recession has been experienced in a variety of fields during the month of July. The New York Times Index of general business activity dropped from 85.5% on June 23 to 80.0% on July 21. The automobile production index decreased from 106.1% at the end of June to 77.9% on July 28. Steel production continues at approximately half the volume which it enjoyed in June.

Retail sales have declined slightly. Department store sales, which for three months had maintained an average of 77.0% of the 1923-25 level, declined to 75.0%. Variety store sales declined approximately to the same degree, while rural sales decreased 8.0%.

Crop conditions and the labor situation in some centers are further disturbing features in the business situation as is the growing recognition of the costs of the present program. Business conditions may be expected to continue in their present disturbed state for at least some time to come.

TABLE XI
RETAIL ADVERTISING OVER INDIVIDUAL STATIONS
(June, 1934)

| <i>Type of Sponsoring Business</i> | <i>Gross Receipts for Month</i> |
|--|-------------------------------------|
| Automobiles and accessories: | |
| Automobile agencies and used car dealers..... | \$60,102.00 |
| Gasoline stations, garages, etc..... | 49,695.00 |
| Clothing and apparel shops..... | 112,750.00 |
| Drugs and toilet goods: | |
| Drug stores | 7,275.00 |
| Beauty parlors | 4,735.00 |
| Food products: | |
| Grocery stores, meat markets, etc..... | 53,438.00 |
| Restaurants and eating places ¹ | 17,430.00 |
| Beverage retailers | 850.00 |
| Confectionery stores, etc..... | 1,750.00 |
| Household goods: | |
| Household equipment retailers ² | 40,530.00 |
| Furniture stores | 43,686.00 |
| Hardware stores | 5,030.00 |
| Radio retailers | 14,110.00 |
| Department and general stores..... | 109,568.00 |
| Tobacco shops | 630.00 |
| Miscellaneous | 50,644.00 |
| Total | \$572,123.00 |

¹ Exclusive of hotels.

² Such as electric refrigerators, oil burners, sweepers, furnaces and the like.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 . . No. 40
AUGUST 14, 1934

A YEAR OF RADIO ADVERTISING

July, 1933-June, 1934

With the presentation of the June report the NAB Statistical Service completes the first year of collection of comprehensive trade statistics for radio broadcasting. Established in July of last year, the service has made available for the first time in the history of the industry figures regarding not only national network advertising but of broadcast advertising placed over regional networks and individual stations.

Though the following summary of data thus far compiled by the service is for a broadcasting season rather than a calendar year, it will be of interest to those concerned with radio advertising in that it presents in detail for the first time the various phases of this highly complex field.

Total Advertising Volume

Total advertising volume during the 1933-34 broadcasting season amounted to \$66,671,000. Though it is impossible to tell exactly how this figure compares with the peak of the industry, it is probable that the current season's revenues have been approximately 15.0% below that figure. Granted that the present decrease in business activity is only temporary and that local broadcast advertising begins to register gains in the fall, total radio volume in 1934 should be close to the 1931 peak.

National network volume, however, will play a more important part than in 1931, when it constituted 51.0% of total broadcast advertising. During 1933-34 this proportion rose to 55.8%. The volume of broadcast advertising from June, 1933, to July, 1934, is found in Table A.

TABLE A
BROADCAST ADVERTISING

(July, 1933-June, 1934)

| Class of Business | Gross Receipts | Per cent total |
|-------------------|------------------------|----------------|
| National networks | \$37,254,366.00 | 55.8% |
| Regional networks | 550,733.00 | .8% |
| National spot | 12,603,433.00 | 18.7% |
| Local | 16,258,575.00 | 24.3% |
| Total | \$66,671,107.00 | 100.0% |

Advertising by Station Power and Region

The proportion of total non-network advertising placed over various classes of stations and in different geographical districts during the period June, 1933, to July, 1934, is found in Tables B and C.

TABLE B

NON-NETWORK ADVERTISING BY POWER OF STATION

(July, 1933-June, 1934)

| Power of Station | Gross Receipts | Per cent total |
|---------------------|------------------------|----------------|
| Over 5,000 watts | \$11,234,121.00 | 39.0% |
| 2,500-5,000 watts | 2,699,594.00 | 9.4% |
| 250-1,000 watts | 11,269,101.00 | 39.2% |
| 100 watts and under | 3,659,759.00 | 12.4% |
| Total | \$28,862,575.00 | 100.0% |

TABLE C

NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS

(July, 1933-June, 1934)

| Geographical District | Gross Receipts | Per cent total |
|-----------------------------------|------------------------|----------------|
| New England-Middle Atlantic Area | \$8,407,580.00 | 29.2% |
| South Atlantic-South Central Area | 4,207,396.00 | 14.6% |
| North Central Area | 11,044,284.00 | 38.3% |
| Pacific and Mountain Area | 5,203,315.00 | 17.9% |
| Total | \$28,862,575.00 | 100.0% |

It will be found that 48.4% of total non-network advertising is placed over clear-channel and high-power regional stations, 39.2% over low-power regional stations, and 12.4% over stations in the 100-watt class. The position of this last class of stations must be materially improved if economic stability is to be achieved for them.

The New England-Middle Atlantic and North Central states receive the great bulk of non-network advertising. In so far as the basic systems of the national networks are located in this same area, they also secure the major proportion of network volume. This great area, containing 66.0% of the total population and 75.0% of all radio families in the country, accounted for 67.5% of total non-network advertising during the 1933-34 season. The South Central area, with 13.9% of total radio sets, secured 14.6% of total radio advertising, while the Pacific and Mountain area, with 11.2% of total radio sets, accounted for 17.9% of radio advertising.

Advertising by Type of Rendition

During the period July, 1933, to June, 1934, marked differences existed between national spot and local broadcast advertising with respect to type of rendition. These differences are found in Table D.

TABLE D
NON-NETWORK ADVERTISING BY TYPE OF RENDITION

(July, 1933-June, 1934)

| Type of Rendition | National Spot | | Gross Receipts Local | | Total | |
|---------------------------|------------------------|---------------|------------------------|---------------|------------------------|---------------|
| | Receipts | Per cent | Receipts | Per cent | Receipts | Per cent |
| Electrical transcriptions | \$4,859,849.00 | 38.1% | \$1,309,693.00 | 8.1% | \$6,169,542.00 | 21.3% |
| Live talent programs | 4,701,878.00 | 37.0% | 8,251,836.00 | 50.6% | 12,953,714.00 | 44.7% |
| Records | 72,733.00 | .6% | 549,075.00 | 3.4% | 621,808.00 | 2.1% |
| Spot announcements | 2,968,973.00 | 24.3% | 6,147,971.00 | 37.9% | 9,116,944.00 | 31.9% |
| Total | \$12,603,433.00 | 100.0% | \$16,258,575.00 | 100.0% | \$28,862,008.00 | 100.0% |

It will be noted that in the national spot field 38.1% of total volume represents electrical transcriptions, 37.0% live talent programs, and 24.3% spot announcements. The large volume of live talent national spot business is accounted for by the fact that these sponsors are largely advertisers operating in restricted areas, but still coming under the national or general classification rather than being accorded the same treatment and rates as local broadcast advertisers. The truly *national* spot advertiser is to be found principally, although not exclusively, in the electrical transcription and spot announcement fields. The composition of local broad-

cast advertising volume is what might be expected and therefore requires no comment,

Broadcasting Advertising Sponsors

The volume of broadcast advertising placed over stations and networks by various types of business during the period July, 1933, to July, 1934, and the proportion of that volume accounted for by each type of business is found in Tables E and F.

TABLE E
RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(July, 1933-June, 1934)

| Type of Sponsoring Business | National Networks | Regional Networks | Gross Receipts | | |
|---|------------------------|---------------------|------------------------|------------------------|------------------------|
| | | | National Spot | Local | Total |
| 1a. Amusements | — | — | \$41,254.00 | \$595,403.00 | \$636,657.00 |
| 1-2. Automobiles and Accessories: | | | | | |
| (1) Automobiles | \$2,032,006.00 | \$18,878.00 | 783,591.00 | 678,679.00 | 3,513,154.00 |
| (2) Accessories, gasoline and oil | 3,929,025.00 | 191,229.00 | 1,271,971.00 | 934,022.00 | 6,326,247.00 |
| 3. Clothing and apparel | 411,797.00 | 11,250.00 | 232,431.00 | 1,672,747.00 | 2,328,225.00 |
| 4-5. Drugs and toilet goods: | | | | | |
| (4) Drugs and pharmaceuticals | 3,524,810.00 | 19,736.00 | 2,643,215.00 | 1,185,448.00 | 7,373,209.00 |
| (5) Toilet goods | 7,342,907.00 | 6,450.00 | 1,132,621.00 | 301,600.00 | 8,783,578.00 |
| 6-8. Food products: | | | | | |
| (6) Foodstuffs | 7,041,375.00 | 151,559.00 | 2,491,504.00 | 2,554,456.00 | 12,238,894.00 |
| (7) Beverages | 3,510,712.00 | 40,520.00 | 402,201.00 | 725,394.00 | 4,678,827.00 |
| (8) Confections | 944,950.00 | 2,130.00 | 431,212.00 | 63,842.00 | 1,442,134.00 |
| 9-10. Household goods: | | | | | |
| (9) Household equipment and furnishings | 559,945.00 | 8,540.00 | 427,484.00 | 1,234,261.00 | 2,230,230.00 |
| (10) Soap and kitchen supplies | 1,550,984.00 | 6,030.00 | 392,464.00 | 152,753.00 | 2,102,231.00 |
| 11. Insurance and financial | 851,331.00 | 13,568.00 | 152,875.00 | 540,085.00 | 1,557,859.00 |
| 12. Radios | 500,694.00 | — | 33,664.00 | 99,590.00 | 633,948.00 |
| 13. Retail establishments | — | 3,921.00 | 74,151.00 | 1,402,323.00 | 1,480,395.00 |
| 14. Tobacco products | 3,815,115.00 | — | 32,734.00 | 36,087.00 | 3,883,936.00 |
| 15. Miscellaneous | 1,238,715.00 | 76,922.00 | 2,060,061.00 | 4,081,885.00 | 7,457,583.00 |
| Total | \$37,254,366.00 | \$550,733.00 | \$12,603,433.00 | \$16,258,575.00 | \$66,671,107.00 |

TABLE F
PROPORTION OF BROADCAST ADVERTISING VOLUME BY TYPE OF SPONSORING BUSINESS
(July, 1933-June, 1934)

| Type of Sponsoring Business | National Networks | Regional Networks | National Spot | Local | Total |
|---|-------------------|-------------------|---------------|---------------|---------------|
| 1a. Amusements | — | — | .3% | 3.7% | .9% |
| 1-2. Automobiles and Accessories: | | | | | |
| (1) Automobiles | 5.5% | 3.4% | 6.2% | 4.2% | 5.3% |
| (2) Accessories, gasoline and oil | 10.6% | 34.7% | 10.1% | 5.7% | 9.5% |
| 3. Clothing and apparel | 1.1% | 2.0% | 1.9% | 10.3% | 3.6% |
| 4-5. Drugs and toilet goods: | | | | | |
| (4) Drugs and pharmaceuticals | 9.5% | 3.6% | 20.9% | 7.3% | 11.2% |
| (5) Toilet goods | 19.7% | 1.2% | 8.8% | 1.9% | 13.2% |
| 6-8. Food products: | | | | | |
| (6) Foodstuffs | 18.9% | 27.5% | 19.7% | 15.7% | 18.2% |
| (7) Beverages | 9.4% | 7.4% | 3.2% | 4.4% | 7.1% |
| (8) Confections | 2.5% | .4% | 3.4% | .4% | 2.2% |
| 9-10. Household goods: | | | | | |
| (9) Household equipment and furnishings | 1.5% | 1.6% | 3.4% | 7.5% | 3.3% |
| (10) Soap and kitchen supplies | 4.2% | 1.1% | 3.1% | .9% | 3.1% |
| 11. Insurance and financial | 2.3% | 2.5% | 1.3% | 3.3% | 2.3% |
| 12. Radios | 1.3% | — | .3% | .7% | .8% |
| 13. Retail establishments | — | .7% | .5% | 8.5% | 2.2% |
| 14. Tobacco products | 10.2% | — | .3% | .3% | 5.8% |
| 15. Miscellaneous | 3.3% | 14.0% | 16.4% | 25.2% | 11.3% |
| Total | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% |

The extremely different composition of the market for national network, regional network, national spot and local advertising is especially to be noted. In the national network field food, beverage, and confectionery advertising accounted for 30.8% of total volume during the season; drug and toilet goods advertising 29.2%; and automotive, gasoline, and accessory advertising 16.1%. Only 23.9% of national network volume was found outside of these three categories.

In the regional network field food advertising comprised 35.3% of total volume, drug and toilet goods advertising 4.8%, and automotive, gasoline and accessory advertising 38.1%. These three groups comprised 78.2% of all regional network advertising. In

the national spot field 26.3% of total advertising was accounted for by the food and allied industries, 29.7% by drug and toilet goods companies, with emphasis on the former, and 16.3% by automotive, gasoline and accessory advertisers. In the local field food advertising comprised merely 20.5% of total advertising. Drug and toilet goods advertising and automotive advertising were materially less than in other types of broadcasting. The former comprised but 9.2% and the latter 9.9% of local volume. Clothing comprised 10.3% of local volume and department store advertising 8.5%. Between 35% and 40% of local volume, it is estimated, is of retail origin.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934. The National Association of Broadcasters



Vol. 2 - - No. 41
AUGUST 15, 1934

PREPARING FOR OCTOBER 1 HEARING

Plans are being made at NAB headquarters for the forthcoming hearing before the Federal Communications Commission on the allocation of radio broadcasting facilities to non-profit organizations. Numerous conferences have been held and within a very short time stations will be called upon to assist in the preparation of data in support of the present broadcasting system.

All stations will be asked to help in the presentation of the case and a general plan to be followed by the industry will be announced later.

OCTOBER HEARING CONVENTION TOPIC

The forthcoming hearing before the Federal Communications Commission will be one of the most important topics scheduled for discussion at the NAB Convention to be held in Cincinnati, Ohio, September 16, 17, 18 and 19. While the case will be nearing completion by that time, it will give every NAB member an opportunity to offer helpful suggestions. The interest of every commercial broadcaster is identical in this case and indications are that all will assist in the work of preparation.

SENATOR DILL TO SPEAK

Senator C. C. Dill, chairman of the Senate Committee on Interstate Commerce, has accepted an invitation to address the annual convention of the National Association of Broadcasters. Allowed to select his own subject, Senator Dill, who has long been a leader in radio legislation in the Congress, has decided to speak on news broadcasting.

COMMISSIONER DAVIS TO ADDRESS NAB

Judge Edwin L. Davis, member of the Federal Trade Commission and former chairman of the House Merchant Marine, Radio and Fisheries Committee, will be one of the principal speakers at the annual meeting of the National Association of Broadcasters. He will speak in the general topic of radio advertising and the relationship of the Federal Trade Commission to the radio industry.

WILLIAM HARD TO ADDRESS BROADCASTERS

William Hard, internationally known magazine writer and radio commentator, will address the annual meeting of the National Association of Broadcasters on the subject of radio and human liberties. Mr. Hard is the country's leading authority on the political aspects of radio and is the nation's foremost champion of a free radio. He is one of the few writers in this country who has actually made a first hand study of comparative broadcasting systems and is the best qualified person to evaluate the American system.

STUDYING 100 WATT STATION PROBLEM

A study is being made for the Federal Communications Commission by both the Engineering and Legal Divisions of the 100 watt station problem. Certain provisions are made in the new law relative to 100 watt stations and the Commission wants to have the whole picture before it prior to its laying down any general regulations in connection with these stations. It is expected, one of the members of the Commission states, that these reports will be placed before the Commission sometime in the near future.

ALABAMA NAB COMMITTEE ORGANIZES

With a 100 per cent turnout the Alabama State Committee of Broadcasters of the National Association of Broadcasters got off to an excellent start. The New York State Committee was organized more than a year ago. It is expected that similar organizations, committees with official standing under the NAB, will be created in other states for the purpose of considering state matters and making cooperation with the national body more complete. The Alabama group has embarked upon a campaign to increase the number of receiving sets in their state.

S. G. Persons, WSFA, Montgomery, was named head of the state group; B. H. Hopson, WAPI, vice president, and F. C. Moseley, WAFG, Dothan, secretary. Other officers are Steve Cisler, WSGN, Birmingham; Howard Pill, WSFA, Montgomery; and M. D. Smith, WBRC, Birmingham.

BEN FISHER RESIGNS FROM COMMISSION

Ben S. Fisher, assistant general counsel of the Federal Communications Commission since 1930, has resigned effective September 1. The Commission has accepted the resignation. He has had charge of the hearings and criminal litigation while with the Commission. During the past year Mr. Fisher has conducted a campaign of prosecuting unlicensed radio stations throughout the United States and has assisted United States attorneys in the prosecution of 35 criminal cases, in which 32 were convicted or plead guilty, and has conducted a campaign which resulted in the closing of 173 additional unlicensed radio stations throughout the country. Mr. Fisher will take up the practice of law in Washington and will be associated with the firm of Ellis, Ferguson & Houghton in the Southern Building.

COLONEL BROWN VACATIONING

Colonel Thad H. Brown, member of the Broadcasting Division of the Federal Communications Commission, left Washington on Tuesday to be gone until September 4. Colonel Brown is vacationing at Swampscott, Mass.

FREQUENCY ANNOUNCEMENTS NOT REQUIRED

The Federal Communications Commission, in an official statement, has answered a number of inquiries relative to the necessity for announcing at the beginning and end of each day's broadcasting

Make your plans now to attend the

TWELFTH ANNUAL NAB CONVENTION

NETHERLAND-PLAZA HOTEL

CINCINNATI, OHIO

SEPTEMBER 16, 17, 18 AND 19, 1934

that "this station is broadcasting on xx kilocycles by authority of the Federal Communications Commission" by advising that such an announcement is not necessary or required by the rules and regulations of the Commission.

CCIR MEETING AUGUST 17

Judge Eugene O. Sykes, Chairman of the Federal Communications Commission, has called a conference of the groups preparing for the third CCIR meeting (to be held in Lisbon in September, 1934) on Friday, August 17, 1934, in Room 8239, New Post Office Building, Washington, D. C.

ADVERTISING CODE HEARING POSTPONED

The National Recovery Administration announced that the public hearing on the proposed code of fair competition for the advertising agency trade, scheduled for Tuesday, August 7, will be postponed until Thursday, August 16, at 10 a. m. in the Rose Room of the Hotel Washington.

SOUTH AMERICAN ALLOCATION

According to advices from the United States Consul, transmitted via the Bureau of Foreign and Domestic Commerce, a conference is at the present time being held in Rio de Janeiro to bring about an allocation of frequencies to broadcasting stations in South America. A preliminary conference has been held in Buenos Aires in March of the current year, at which a proposal was formulated.

At the Buenos Aires conference, the South American Broadcasting Union, similar to the U. I. R. in Europe, was formed.

The allocation of clear channels to the various nations proposed at the Rio de Janeiro conference is as follows:

| <i>To Argentina:</i> | | <i>To Brazil:</i> | |
|----------------------|------|--------------------------------------|------|
| <i>Kilocycles</i> | | <i>Kilocycles</i> | |
| 630 | 910 | 740 | 1020 |
| 670 | 950 | 780 | 1060 |
| 710 | 990 | 820 | 1100 |
| 750 | 1070 | 860 | 1140 |
| 790 | 1110 | 900 | 1260 |
| 830 | 1190 | 940 | 1300 |
| 870 | 1230 | 960 | 1340 |
| | | | |
| <i>To Uruguay:</i> | | <i>To Chile and other countries:</i> | |
| 570 | 810 | | 600 |
| 650 | 930 | | 760 |
| 730 | 1010 | | 840 |
| 770 | 1050 | | 920 |
| | | | |
| <i>To Bolivia:</i> | | <i>To Paraguay:</i> | |
| | 1040 | | 880 |

The channels considered as semi-exclusive are listed below:

| <i>Kilocycles</i> | |
|-------------------|------|
| 720 | 1160 |
| 800 | 1170 |
| 850 | 1180 |
| 890 | 1200 |
| 960 | 1210 |
| 970 | 1220 |
| 1000 | 1240 |
| 1030 | 1250 |
| 1080 | 1270 |
| 1090 | 1280 |
| 1120 | 1310 |
| 1130 | 1320 |
| 1150 | 1330 |

One other channel remains to be included in the above, which probably will be 1290 kilocycles, which remains unclassified.

The common channels have been selected on the upper and lower ends of the band, and are to be assigned only to low powered stations, with no limitations other than of a purely local nature. The common channels are:

| <i>Kilocycles</i> | |
|-------------------|-----|
| 550 | 640 |
| 560 | 660 |
| 580 | 680 |
| 590 | 690 |
| 610 | 700 |
| 620 | |

and from 1350 to 1500 kilocycles, inclusive

While the division of the broadcasting channels is subject to the approval of the Conference to be held at Rio de Janeiro, it is not anticipated that there will be any change.

While the meeting to be held at Rio de Janeiro from August 7th to 14th, 1934, is termed a South American Radio Broadcasting Conference, it has no official government status, but was called by the Broadcasting Association in the countries interested. These associations, however, obligate themselves to endeavor to obtain their respective countries' approval of the agreement adopted, and eventual official recognition of the South American Broadcasting Union after it is formed.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Tuesday, August 21, 1934

WSMB—WSMB, Inc., New Orleans, La.—Modification of license, 1320 kc., 1 KW., unlimited time. Present assignment: 1320 kc., 500 watts, unlimited time.

Wednesday, August 22, 1934

NEW—Frank Lyman, Jr., Boston, Mass.—C. P., 680 kc., 250 watts, limited time.

Thursday, August 23, 1934

NEW—Gino Amatucci, Latrobe, Pa.—C. P., 1210 kc., 50 watts, S. H.

APPLICATIONS GRANTED

KIEM—Harold H. Hanseth, Eureka, Calif.—Granted consent to voluntary assignment of license to Redwood Broadcasting Co., Inc.

WNAX—The House of Gurney, Inc., Yankton, S. D.—Granted renewal of license; 570 kc., 1 KW night, 2½ KW LS, unlimited. Also granted renewal for auxiliary transmitter.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Granted renewal of license; 920 kc., 500 watts, daytime.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted modification of C. P. extending completion date to Sept. 1, 1934.

WDRC—WDRC, Inc., Hartford, Conn.—Granted modification of C. P. extending completion date from Aug. 27 to Sept. 27, 1934.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted modification of C. P. extending completion date from Sept. 1 to Dec. 1, 1934.

KGEK—Elmer C. Boehler, Yuma, Colo.—Granted C. P. to move transmitter and studio from Yuma to Sterling, Colo., and make minor changes in equipment.

KOIN—KOIN, Inc., Portland, Ore.—Granted modification of C. P. to make changes in equipment and extend commencement date from Sept. 15 to Dec. 15, 1934.

SPECIAL AUTHORIZATIONS

WCAC—Conn. State College, Storrs, Conn.—Granted extension of special temporary authority to remain silent from Sept. 1 to Oct. 1, 1934.

WCAE—Superior Broadcasting Service, Inc., Carthage, Ill.—Granted special temporary authority to operate from 3:30 to 4:30 p. m., CST, Aug. 15, 16, 17, 18, and 19.

KGBZ—KGBZ Broadcasting Co., York, Nebr.—Granted special temporary authority to operate with additional 500 watts power at night for a period ending at commencement of program tests as authorized by C. P., but not later than Oct. 1, 1934.

WDAE—Tampa Times Company, Tampa, Fla.—Granted special temporary authority to operate without antenna meter for period of 30 days.

WMBH—Joplin Broadcasting Co., Joplin, Mo.—Granted special temporary authority to operate without final stage high voltage meter, pending repair of this instrument, for period of not more than 15 days.

WACO—Central Texas Broadcasting Co., Inc., Waco, Tex.—Granted special temporary authority to operate from 10:30 p. m., to 12 midnight, CST, Aug. 24 and 25, 1934.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 6:30

to 9 p. m., CST, Sept. 10; from 6:30 p. m. to 12 midnight, CST, Sept. 11, and from 12 midnight to 2 a. m., CST, Sept. 12.

- WJAR**—The Outlet Company, Providence, R. I.—Granted extension of special temporary experimental authority to operate with additional 250 watts power during nighttime for period beginning 3 a. m., EST, Sept. 1, and ending not later than March 1, 1935, subject to withdrawal or termination by the Commission, without prior notice or hearing in event objectionable interference is caused.
- WREC**—WREC, Inc., Memphis, Tenn.—Granted extension of special experimental authority to operate with additional power of 500 watts night and 1½ KW daytime, for period beginning 3 a. m., EST, Sept. 1, and ending not later than March 1, 1935.
- WMC**—WMC, Inc., Memphis, Tenn.—Granted extension of special experimental authority to install new equipment and operate with additional power of 500 watts night, 1½ KW daytime, for period beginning 3 a. m., EST, Sept. 1 and ending 3 a. m., EST, March 1, 1935.
- WEAN**—Shepard Broadcasting Service, Inc., Providence, R. I.—Granted extension of special experimental authority to operate with additional 250 watts power during nighttime for period Sept. 1 to March 1, 1935.
- WMT**—Waterloo Broadcasting Co., Waterloo, Iowa—Granted extension of special temporary authority to install new equipment and operate with additional power of 500 watts night and 1½ KW day, for term Sept. 1, 1934, to March 1, 1935.

SET FOR HEARING

- WEHC**—Community Broadcasting Corp., Charlottesville, Va.—C. P. to make changes in equipment; change frequency power and hours from 1330 kc., 500 watts, daytime to 1420 kc., 100 watts night, 250 watts LS, unlimited time.
- NEW**—Harold Rieth, Goshen, Ind.—C. P. (General Experimental) 1614, 3492.5, 4797.5, 6425 kc., 30 watts. (For visual broadcasting.)

MISCELLANEOUS

- NEW**—The Evening News Assn., Detroit, Mich.—Granted C. P. (Temporary broadcast pickup), 2150 kc., 50 watts.
- W1XBS**—American-Republican, Inc., Waterbury, Conn.—Granted modification of C. P. extending completion date from Sept. 11 to Nov. 11, 1934.
- KSD**—The Pulitzer Publishing Co., St. Louis, Mo.—Granted modification of C. P. extending commencement date to Aug. 30, 1934, and completion date to Nov. 29, 1934. Also dismissed without prejudice, special experimental authority to increase night power from 500 watts to 1 KW.
- WCSH**—Congress Square Hotel, Portland, Maine—Granted petition to intervene in application of Portland Broadcasting System, for new station at Portland, Maine.
- NEW**—H. E. Studebaker, Walla Walla, Wash.—Application for C. P. to erect new station to operate on 1420 kc., 100 watts, reinstated on hearing docket.
- KMPC**—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—Granted renewal of license.
- WBBZ**—C. L. Carroll, Ponca City, Okla.—Granted special temporary authorization to Howard Johnson as representative of estate of C. L. Carrell, deceased, to operate WBBZ until Jan. 1, 1935.
- KMBC**—Midland Broadcasting Co., Kansas City, Mo.—Denied petition to intervene in proceedings with reference to the application of WHB Broadcasting Company for special experimental authority to operate on 1120 kc., 500 watts from local sunset to midnight (except time when WTAW is operating).
- WNBO**—John Brownlee Spriggs, Silver Haven, Pa.—Hearing on application for renewal of license and for assignment of license to the Voice of Southwestern Pennsylvania, Inc., to be held at Washington, Pa. An attorney and Examiner authorized to conduct hearing at date to be determined.
- KFPL**—C. C. Baxter, Dublin, Tex.—Granted regular renewal of license as application of Sam Morris for new station has been amended to omit request for facilities of KFPL.
- KECA**—Earle C. Anthony, Inc., Los Angeles, Calif.—Application for modification of license, which was amended with respect to power and apparatus, redesignated for hearing to be heard upon issues shown in the bill of particulars dated Aug. 3.

RATIFICATIONS

- WJER**—The Journal Company, Milwaukee, Wis.—Granted temporary authority to operate broadcast pickup station August 14 to 19, on 1606, 2102 kc., 7½ watts; and on August 24 and 28.
- KTSA**—Southwest Broadcasting Co., San Antonio, Tex.—Extended special temporary experimental authority to operate on 550 kc., with 1 KW night, 2½ KW day, for period August 8 to 15, inclusive.
- WOW**—Woodmen of the World Life Insurance Asso., Omaha, Neb.—Granted special temporary authority to operate a 100 watt portable transmitter between 12 midnight and 6 a. m., CST, for period beginning Aug. 7 and ending Aug. 28, to determine site for new transmitter of WOW.
- WINS**—American Radio News Corp., New York, N. Y.—Granted special temporary authority to use portable 50-watt transmitter on frequency 1180 kc., between 1 and 6 a. m., EST, for period not to exceed 30 days.
- KNAZ**—Henry T. Hollwedel, Aboard Yacht "ADORE"—Granted special temporary authority to operate station as a broadcast pickup station on frequency 2190 kc., for period August 8 to 18.
- WJER**—The Journal Co., Milwaukee, Wis.—Granted authority to operate broadcast pickup station on 1602 or 2102 kc., 7½ watts, at Wisconsin State Fair, August 25 to 31, 1934.
- WJEP**—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted authority to operate broadcast pickup station on 1622 or 2150 kc., 100 watts, August 10 to 20.
- WMBH**—Joplin Broadcasting Co., Joplin, Mo.—Modified special temporary authority to operate from 2:30 p. m. to 7:30 p. m., CST, Aug. 5, 12, and from 9:30 to 10:30 p. m. or later, CST, Aug. 3, 4, 5, 9, 10, 11, 12, 14, 21, 22, 23, 30 and 31, and from 2 to 6 p. m., CST, Aug. 13.
- KPCB**—Queen City Broadcasting Co., Seattle, Wash.—Extended special temporary authority to operate without approved frequency monitor for period Aug. 11 to Aug. 25.
- WFBC**—Greenville News-Piedmont Co., Greenville, S. C.—Special temporary authority to remain silent pending rebuilding of station as authorized by C. P., but not longer than Oct. 5, 1934.
- W1XBS**—American Republican, Inc., Waterbury, Conn.—Granted modification of C. P. approving transmission site at Prospect Township, New Haven County, Conn.

APPLICATIONS RECEIVED

First Zone

- WHDL**—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Construction permit to move station to Olean, N. Y., and make changes in equipment.
- WLBZ**—Maine Broadcasting Co., Inc., Bangor, Maine—Construction permit to make changes in equipment and increase power from 500 watts to 500 watts night, 1 KW daytime.
- WFEA**—New Hampshire Broadcasting Co., Manchester, N. H.—License to cover construction permit, as modified, authorizing erection of broadcast station to be operated on 1340 kc., 500 watts, unlimited time.
- WNEL**—Juan Piza, San Juan, Porto Rico—Modification of construction permit authorizing erection of new station requesting change of transmitter site and extension of commencement and completion dates.
- WWRL**—Long Island Broadcasting Corp, Woodside, N. Y.—License to cover construction permit authorizing changes in equipment and increase in daytime power.

Second Zone

- NEW**—Ohio Valley Broadcasting Corp., Parkersburg, West Va.—Construction permit to erect a new broadcast station to be operated on 1120 kc., 100 watts, unlimited time.
- WPEN** and **WRAX**—Wm. Penn Broadcasting Co., and WRAX Broadcasting Co., Philadelphia, Penna.—License to cover construction permit authorizing erection of a new transmitter at Philadelphia for operation on 920 kc., 250 watts night, 500 watts daytime, sharing time.
- WTEL**—Foulkrod Radio Engineering Co., Philadelphia, Penna.—Construction permit to install new equipment; directional antenna, change frequency from 1310 to 1230 kc., increase power from 100 watts to 250 watts night, 500 watts daytime, and increase hours of operation from sharing with WHAT to unlimited.

WMBG—Havens and Martin, Inc., Richmond, Va.—Construction permit to install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

Third Zone

WBBZ—Estate of C. L. Carrell, deceased, Ponca City, Okla.—Construction permit to move station locally.

NEW—Carolina Radio, Inc., Anderson, S. Car.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time, amended to request 250 watts daytime.

KADA—C. C. Morris, Ada, Okla.—Modification of construction permit authorizing erection of new station requesting approval of transmitter site, move of studio, equipment change and extension of commencement and completion dates.

WALA—Pape Broadcasting Corp., Inc., Mobile, Ala.—License to cover construction permit to move transmitter to Mobile, Ala., and equipment changes.

WALA—Pape Broadcasting Corp., Inc., Mobile, Ala.—Modification of license to increase power from 500 watts to 500 watts night, 1 KW daytime.

WMC—WMC, Inc., Memphis, Tenn.—Extension of special experimental authorization to operate with additional power of 500 watts night, 1½ KW daytime—directional antenna for the period Sept. 1, 1934, to March 1, 1935.

KGKL—KGKL, Inc., San Angelo, Tex.—Construction permit to install new equipment, change frequency from 1370 to 940 kc., increase power from 100 watts night, 250 watts daytime to 500 watts night, 1 KW daytime.

Fourth Zone

NEW—WHBY, Inc., Portable.—Construction permit to erect a new broadcast pickup station to be operated on 1622, 2060, 2150, 2790, 31600 and 36600 kc., 7.5 watts.

NEW—Norman, Baker, Muscatine, Iowa.—Construction permit to erect a new broadcast station to be operated on 1170 kc., 5 KW, limited time (5:30 a. m. to local sunset and midnight to 3 a. m.).

WCRW—Clinton R. White, Chicago, Ill.—Construction permit to install new equipment.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Construction permit to move the transmitter locally, install new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

KWCR—Cedar Rapids Broadcast Co., Cedar Rapids, Iowa.—Modification of construction permit authorizing consolidation of WIAS and KWCR, installation of new equipment, change of frequency to 1430 kc. and increase in power requesting changes in equipment and extension of commencement and completion dates.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Modification of construction permit authorizing installation of new equipment, move of transmitter and increase in power to 50 kilowatts requesting an extension of commencement and completion dates.

W9XK—State University of Iowa, Iowa City, Iowa.—Modification of license of visual broadcast station for additional 5 to 10 meter band, 100 watts, 2000-2100 kc.

WSUI—State University of Iowa, Iowa City, Iowa.—Modification of broadcast license to increase power from 500 watts to 500 watts night, 1 KW daytime and hours of operation from specified to unlimited.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Authority to determine operating power by direct measurement of antenna power.

KOIL—Mona Motor Oil Company, Council Bluffs, Iowa.—Modification of construction permit authorizing move of transmitter, installation of new equipment and increase in power requesting approval of transmitter site, changes in equipment and extension of commencement and completion dates.

NEW—Paul Q. Callister, Salt Lake City, Utah.—Construction permit to erect a new broadcast station to be operated on 1370 kc., 100 watts, unlimited time.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Modification of license to change hours of operation from sharing with KFUE to unlimited time. (Facilities of KFUE.)

KFUE—Evangelical Lutheran Synod of Missouri, Ohio and other states, Rev. R. Kretschmar, Chairman, Board of Control of Concordia Seminary, Clayton, Mo.—Modification of license to change frequency from 550 kc. to 640 kc., increase power from 500 watts night, 1 KW daytime to 1 KW until sunset at Los Angeles and hours of operation from sharing with KSD to specified (hours during daytime not used by WOI and to operate from local sunset to sunset at Los Angeles, Calif.). (Part of the facilities of WOI.)

WKBV—William O. Knox, trading as Knox Battery and Electric Co., Richmond, Ind.—Voluntary assignment of license to Knox Radio Corporation.

WREN—Jenny Wren Company, Lawrence, Kans.—Voluntary assignment of license to The WREN Broadcasting Company.

WISN—American Radio News Corp., Milwaukee, Wis.—Construction permit to move transmitter to Wauwatosa, Wis., and change to vertical radiator.

Fifth Zone

KLZ—The Reynolds Radio Co., Inc., Denver, Colo.—Modification of construction permit authorizing removal of transmitter, installation of new equipment and increase in daytime power requesting approval of present licensed location for transmitter site and extension of commencement and completion dates.

KGDM—E. F. Pepper, Stockton, Calif.—Construction permit to move transmitter and studio, install new equipment, increase power from 250 watts to 1 KW and hours of operation from daytime to unlimited time, amended to change proposed transmitter site.

NEW—Radio Service, Inc., Riverside, Calif.—Construction permit to erect a new broadcast station to be operated on 820 kc., 100 watts, daytime.

KSM—Oregon Radio, Inc., Salem, Oregon.—Modification of construction permit for new station to be operated on 1370 kc., 100 watts, daytime, requesting change of transmitter site and change of equipment and extend commencement and completion dates.

KXL—KXL Broadcasters, Portland, Ore.—License to cover construction permit for change of equipment and increase in daytime power.

NEW—Louis H. Callister, Provo, Utah.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

KPPC—Pasadena Presbyterian Church, Pasadena, Calif.—Modification of license to increase power from 50 watts to 100 watts.

NEW—A. H. Sconberg, Salinas, Calif.—Construction permit to erect a new broadcast station to be operated on 1500 kc., 100 watts, unlimited time.

APPLICATIONS RETURNED

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Special experimental authorization to operate on 640 kc., 5 KW, directional antenna. (Filed on obsolete form)

KMED—Mrs. W. J. Virgin, Medford, Ore.—License to cover construction permit for changes in equipment and increase in power. (Filed on obsolete form.)

WGAL—WGAL, Inc., Lancaster, Pa.—License to cover construction permit to change equipment and increase daytime power. (Incomplete and Section 1.)

WJW—WJW, Inc., Akron, Ohio.—Construction permit to make changes in equipment and increase daytime power from 100 watts to 250 watts. (Rule 6 and Notary's seal omitted.)

WLBZ—Maine Broadcasting Co., Inc., Portland, Maine.—Construction permit to make changes in equipment and increase daytime power from 500 watts to 1 KW. (Questionable equipment and alternate transmitter sites specified.)

NEW—Ohio Valley Broadcasting Corp., Parkersburg, W. Va.—Construction permit to erect a new broadcast station to be operated on 1120 kc., 100 watts, unlimited time. (Rule 120 and questionable transmitter site.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934. The National Association of Broadcasters



Vol. 2 - - No. 42
AUGUST 22, 1934

PREPARING FOR OCTOBER 1 HEARINGS

Enclosed with this issue of NAB REPORTS is a statement outlining generally the type of testimony which all NAB stations should prepare for the forthcoming October 1 hearings before the Federal Communications Commission. Each station should begin at once to assemble the information called for in the statement in order that the preparation of the case for the industry may go forward with the greatest possible haste.

The hearing is of the greatest importance and while the NAB will do its part it cannot successfully present the vast amount of data which are required unless each and every member does its part. Get your staff busy at once digging up the facts outlined in the statement.

BELLOWS TO ASSIST IN HEARING

Henry A. Bellows, member of the Board of Directors of the NAB and chairman of the Legislative Committee, has resigned as vice president of the Columbia Broadcasting System and has volunteered his services in connection with the October 1 hearings before the Federal Communications Commission. He will remain in Washington and has agreed to devote his time chiefly to the preparation of the case on behalf of the broadcasting industry before the Federal Communications Commission. The availability of Mr. Bellows' services to the Association during the present emergency period is welcomed by the industry, and as chairman of the NAB Legislative Committee he has been active in all legislative matters affecting broadcasting for the last seven or eight years.

CONVENTION PLANS NEARING COMPLETION

Plans for the Twelfth Annual Convention of the NAB to be held at Netherland-Plaza, Cincinnati, Ohio, September 16, 17, 18 and 19 are nearing completion.

The convention will open with the annual NAB Golf Championship Tournament to be held at the Twin Oaks Country Club, Latonia, Ky., at 11 a. m., Sunday, September 16

Railroads have granted reduced fares to all delegates and their families attending the meeting.

At the close of the Monday afternoon session a stag party is being planned by the local Convention Committee headed by Powel Crosley. The Committee is also making elaborate plans for entertainment at the annual banquet to be held at the Netherland-Plaza on Tuesday night.

Just as the program is completed advance copies will be sent to all members.

CONVENTION LIMITED TO NAB MEMBERS

Departing from the custom followed in previous years the September Convention of the NAB will be limited to members in good

standing. In order that enrolment and voting may be expedited the Managing Director this week sent to every NAB member a letter setting forth the provision of the By-Laws relating to representation at meetings and requesting that all members designate delegates and alternates upon a post card prepared for that purpose. Give this your immediate attention so that official voting lists can be made up by the Credentials Committee in advance of the elections.

ELECTIONS TO BE HELD TUESDAY

Annual election of officers and directors of the NAB will be held on Tuesday, September 18. A special memorandum was sent to all NAB members by the Managing Director this week setting forth the provision of the By-Laws governing elections.

The terms of President McCosker, First Vice President Fitzpatrick, Second Vice President Shepard and Treasurer Levy expire at the time of the convention. Also the terms of Directors Bellows, Craney, Damm, Ryan, Gedge and Myers expire. The latter was chosen by the Board to fill the vacancy created by the resignation of Leo B. Tyson last year and until the next annual membership meeting. Therefore, five directors are to be chosen for the three-year term and one for a one-year term.

The term of the Managing Director also expires with the September meeting.

FRED WILLIS TO ADDRESS NAB

Fred Willis, Executive Office, Columbia Broadcasting System, New York, will address the NAB Convention at Cincinnati, Ohio, Wednesday, September 19. Mr. Willis' subject will be entitled "Widening Horizons—A Conception of the Opportunities, Responsibilities and Problems of Education by Radio."

DIVISION ADMINISTRATOR ROSENBLATT ACCEPTS

Sol A. Rosenblatt, division administrator of the National Recovery Administration, will address the Cincinnati meeting of the NAB on Tuesday afternoon, September 18. Administrator Rosenblatt is in charge of all amusement codes for the NRA and his address will deal with coordination among amusement industries.

PLANS FOR CODE MEETING COMPLETE

Plans for the first meeting of the participants in the code of fair competition for the radio broadcasting industry are virtually complete, according to James W. Baldwin, executive officer of the Code Authority.

The meeting, which will be held immediately following the NAB Convention at the Netherland-Plaza on Thursday, September 20, offers the greatest opportunity for a discussion of trade practices ever afforded the industry.

Make your plans now to attend the

TWELFTH ANNUAL NAB CONVENTION

NETHERLAND-PLAZA HOTEL

CINCINNATI, OHIO

SEPTEMBER 16, 17, 18 AND 19, 1934

Mr. Baldwin stated this week that 388 stations are eligible to attend the code meeting and participate in the proceedings. Eligibility is based upon compliance with the code which includes the payment of at least the first three quarterly assessments to defray cost of administration.

DR. JOLLIFFE APPOINTED CHIEF ENGINEER

Dr. C. B. Jolliffe was named Chief Engineer and E. J. Jett, A. D. Ring and W. G. H. Finch, Assistant Chief Engineers.

Dr. Jolliffe served as Chief Engineer of the Federal Radio Commission from March 1, 1930, until it was abolished by the creation of the Federal Communications Commission July 11, 1934. Since then he has been Chief Engineer of the Communications Commission serving on a temporary basis.

For several years Mr. Ring was Senior Engineer in the Broadcast Section of the Federal Radio Commission and Mr. Jett was an Assistant Chief Engineer.

Mr. Finch has been Chief Engineer of the American Radio News Corporation and has been a Consulting Engineer in New York. He holds several patents on tele-typewriting.

V. Ford Greaves, who has been an Assistant Chief Engineer, was transferred to San Francisco to serve in the Field Force.

All the other engineers who were employed by the Federal Radio Commission were re-employed on a permanent basis and several of them were given promotions.

Paul Lion of Charleston, S. C., James P. Buchanan of Texas, and B. J. Shimeall, of the Bureau of Aeronautics, were added to the Engineering Staff. Col. Davis Arnold was transferred from the Veterans Bureau to the Commission's Law Department at the same grade and salary.

All the other employees of the Commission who have been serving on a temporary basis were placed on a permanent basis.

M McNARY TO ATTEND LISBON MEETING

Although the United States delegation has not as yet been officially designated, final preparations are under way for U. S. representation at the 1934 conference of the Comité Consultatif International Radiocommunications (CCIR), to be held in Lisbon in September. It is reliably reported that Dr. J. H. Dellinger, Chief of the Bureau of Standards Radio Section, will be the chairman of the United States delegation. Dr. Dellinger will be assisted by Capt. S. C. Hooper (U. S. Navy), Major Roger B. Colton (U. S. Army), Gerald C. Gross (Federal Communications Commission), and William V. Whittington (State Department).

There will be no official technical advisors to the delegation, although several operating companies will be represented. The interests of the National Association of Broadcasters and its members will be promoted by J. C. McNary, NAB Technical Director. It is understood that among others to be present are Lloyd Briggs, of the RCA London office; Lloyd Espenschied, A. T. & T. Co.; R. A. Heising, Bell Telephone Laboratories; K. B. Warner and James J. Lamb, American Radio Relay League; and Paul Goldsborough, Aeronautical Radio, Inc.

The delegation will sail from New York on September 12. The conference begins September 22 and is scheduled to continue through October 10.

The CCIR meets at approximately five-year intervals for the purposes of considering the progress of the radio art and for recommending to the international radio conferences, the next of which will be held in Cairo in 1937, technical bases for changes, revisions, and additions to the international radio law.

Among the subjects for discussion at the Lisbon conference will be the allocations of frequencies to services (including broadcasting), single side band transmission, synchronous operation and directional antennas as means of reducing international interference or of increasing capabilities of channels, standards of field intensity measurement, and a number of other subjects affecting radio communications internationally.

The opinions of the CCIR are recommendatory to the various nations and to the international conferences. Due, however, to the large amount of professional attention afforded CCIR proposals, considerable weight is given to all CCIR opinions.

MAY REPORT DELINQUENT STATIONS

While expressing satisfaction at the response of stations and networks to the request for commercial continuities, Judge Ewin Davis, member of the Federal Trade Commission, pointed out that a few stations failed to cooperate with the Commission. Judge Davis said the Trade Commission would keep an eye on these de-

linquent stations and will keep the Federal Communications Commission fully posted of the situation.

INJUNCTION SOUGHT AGAINST COMMISSION

Denial by the Federal Communications Commission of the petition of Station WREN, Lawrence, Kansas, to intervene in the application of Station WHB, Kansas City, Mo., for experimental operation with unlimited time on 1120 kilocycles with 500 watts power, resulted in the filing of an equity suit in the Supreme Court for the District of Columbia last week. The suit asks that the Commissioners be enjoined from holding a hearing on the application of Station WHB in which Station WREN is not permitted to be present and participate.

The bill of complaint raises two points of unusual interest to broadcasters. In the first place the bill bases the right of Station WREN to intervene on economic grounds, alleging that if WHB were permitted to increase its facilities it would effect the audience, talent and revenue of the complaining station. The bill also states that experimental authority is in fact regular authority and asks that the court consider it as such authority.

SYKES ON VACATION

Judge Sykes, chairman of the Federal Communications Commission, will leave on a short vacation on August 24. He will go to his home at Jackson, Miss., returning about September 1st.

STATIONS MUST FURNISH OWNERSHIP DATA

Pursuant to the provisions of Section 310 (b) of the Communications Act of 1934 (approved June 19, 1934), It Is Ordered, that the licensees of all radio broadcast stations (including all special or general experimental, visual broadcast, relay broadcast or broadcast stations) shall, on or before September 1, 1934, file with the Commission verified statements showing the following information, as of July 15, 1934:

1. If the licensee is a corporation—
 - a. A list of the stockholders of record, together with the address and the amount of stock held by each;
 - b. Whether the stock is voted by a person other than the record holder, and if so, copy of the agreement or other instrument authorizing same;
 - c. A list of the officers and directors of said corporation, together with their addresses and the amount of stock held by each;
 - d. Any other arrangement or agreement with any person or corporation which may affect the conduct or control of the business of the licensee corporation.
2. If the licensee is a partnership, association, organization, or company (other than a corporation)—
 - a. A list of the persons or corporations owning any interest therein, the amount of interest held by each person or company, and their addresses;
 - b. A list of the officers and directors, and their addresses.

It Is Further Ordered, that the licensee shall inform the Commission of any changes subsequent to July 15, 1934, in the ownership of stock in the licensee corporations (or of the issuance of additional shares of stock and to whom issued), or any changes in the ownership of licensee-partnerships, associations, organizations or companies.

The Secretary is hereby instructed to furnish appropriate forms for the furnishing of the information above ordered.

RECEPTION FOR COMMISSION

A reception and dinner was tendered on Tuesday night by the American Section of the International Committee on Radio for the members of the Federal Radio Communications Commission at the University Club, Washington. The purpose of the affair was the meeting of the new members of the Commission by the members of the radio organization. Part of the program was broadcast by NBC.

FCC FREQUENCY MEASUREMENTS

During the month of July broadcast measurements were made of 545 stations, with 38 stations not being measured according to the Engineering Division of the Federal Communications Commission.

Of this number 365 stations had a maximum deviation within 0-10 cycles; 142 stations within 11-25 cycles; 33 stations within 26-50 cycles and 5 stations over 50 cycles.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

- WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted 1210 C. P. to move transmitter locally in Hagerstown.
- KGIX—J. M. Heaton, Las Vegas, Nev.—Granted modification of 1420 C. P. to make changes in equipment, extend commencement date to Oct. 2, and completion date to Dec. 2, 1934.
- KQW—Pacific Agricultural Foundation, Ltd., San Jose, Cal.—1010 Granted modification of C. P. to change equipment and extend commencement date to Nov. 1, 1934, and completion date to Jan. 1, 1935.
- KJBS—Julius Brunton & Sons Co., San Francisco, Cal.—Granted 1070 modification of C. P. to change equipment and extend commencement date to Nov. 1, 1934, and completion date to Jan. 1, 1935.
- KWCR—Cedar Rapids Broadcast Co., Cedar Rapids, Ia.—Granted 1430 modification of C. P. to change equipment and extend commencement date to Nov. 1, 1934, and completion date to Dec. 1, 1934.
- WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Granted 670 modification of C. P. extending commencement date to Oct. 4 and completion date to Dec. 4, 1934.
- WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted 1260 license covering installation of temporary transmitter to be employed while construction of new permanent transmitter. 1260 kc., 100 watts, unlimited.
- KEX—Oregonian Publishing Co., Portland, Ore.—Granted license 1180 covering local move of transmitter and changes in equipment; 1180 kc., 5 KW simultaneously D, S-KOB night.
- WDAS—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—1370 Granted license covering move of transmitter and studio locally and installation of new equipment (which was formerly equipment of WPEN). 1370 kc., 100 watts, 250 watts, LS, unlimited time.
- KSO—Iowa Broadcasting Co., Des Moines, Ia.—Granted license 1320 covering new equipment and changing frequency and power; 1320 kc., 250 watts, 500 watts, LS, unlimited.
- WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted 1360 modification of license to change hours of operation from specified to daytime. Station operates on 1360 kc., 500 watts night, 1 KW, LS.
- W1XG—General Television Corp., Boston, Mass.—Granted license (experimental visual broadcasting), 42000-56000, 60000-86000 kc., 500 watts.
- W8XO—The Crosley Radio Corp., Mason, Ohio—Granted renewal of license (experimental special exp.), 700 kc., 500000 watts; 1 to 6 a. m., EST.

RENEWAL OF LICENSES

- WQDM—Regan and Bostwick, St. Albans, Vt.—Granted renewal 1370 of license for period ending Jan. 1, 1935.
- WMMN—A. M. Rowe, Inc., Fairmont, W. Va.—Granted renewal 890 of license on temporary basis subject to such action as the Commission may take on pending application for renewal.
- KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Granted extension of special temporary experimental authority to operate with 300 watts night in addition to regular license, pending final decision on application for modification of license, but not later than March 1, 1935.
- KTM—Pickwick Broadcasting Corp., Los Angeles, Cal.—Special temporary authority to operate on 780 kc., 500 watts night, 1 KW-LS; share with KELW; KTM $\frac{2}{3}$ time, KELW $\frac{1}{3}$ time, was extended pending decision by the Court of Appeals of the District of Columbia, but not later than March 1, 1935.
- KELW—Magnolia Park, Ltd., Burbank, Cal.—Special temporary authority to operate on 780 kc., 500 watts; shares with KTM; KTM $\frac{2}{3}$ time, KELW $\frac{1}{3}$ time, was extended pending decision by the Court of Appeals of the District of Columbia, but not later than March 1, 1935.

SET FOR HEARING

- WIBG—North Carolina Broadcasting Co., Inc., Greensboro, N. C. 1440 —Modification of license to increase night power from 500 watts to 1 KW.

- WIBG—WIBG, Inc., Glenside, Pa.—Modification of license to 970 change hours from daytime to daytime until LS at Chicago, giving one night hour.
- W9XBY—First National Television Inc., Kansas City, Mo.—Modification of C. P. extending completion date from Sept. 11 to Dec. 11, 1934. (1530 kc., 1 KW, unlimited.)

MISCELLANEOUS

- KSD—Pulitzer Publishing Co., St. Louis, Mo.—Granted permission to withdraw protest to the granting of application for a new station at Staunton, Va.
- NEW—Tri-State Radio Inc., Washington, Pa.—Application for new station, heretofore set for hearing, was dismissed without prejudice.
- KGVO—Mosby's Inc., Missoula, Mont.—Special experimental authority, 950 kc., 500 watts, unlimited, application heretofore set for hearing, was dismissed at request of applicant.
- KSTP—National Battery Broadcasting Corp., St. Paul, Minn.—Hearing on application for modification of license continued at request of applicant for period of 30 days from Sept. 7, 1934. The date to be fixed by Docket Section.
- NEW—Samuel Nathaniel Morris, Stamford, Tex.—Application for new station to operate on 1200 kc., 100 watts, unlimited time, again designated for hearing upon issues shown in the bill of particulars in the case dated today.
- NEW—Tallahassee Broadcasting Co., Tallahassee, Fla.—Application for new station to operate on 1310 kc., 100 watts day and night, unlimited time, heretofore designated for hearing, was postponed for 30 days from Aug. 30.
- WLBF—WLBF Broadcasting Co., Kansas City, Mo.—Denied petition to intervene in hearing upon application of WHB for special experimental authority.
- WDAF—Kansas City Star Co., Kansas City, Mo.—Denied petition to reconsider action taken on Aug. 7, 1934, refusing licensee of WDAF permission to intervene in the proceedings to be held in re application of WHB for special authorization.
- WSPA—Virgil V. Evans, Spartansburg, S. C.—The Commission accepted the amendment to the application of Virgil V. Evans (Docket 2269), removed application from hearing docket and granted the application as amended.
- KTSA—Southwest Broadcasting Co., San Antonio, Tex.—Authorization to operate on 550 kc., 1 KW night and $2\frac{1}{2}$ KW day, extended to Oct. 1. Hearing on application cancelled and removed from hearing Docket.

APPLICATIONS RECEIVED

First Zone

- WNBX—WNBX Broadcasting Corp., Springfield, Vermont—Construction permit to install new equipment, increase power from 500 watts to 1 KW and hours of operation from daytime to daytime to sunset at Erie, Penna.
- NEW—Eastland Co., Portland, Maine.—Construction permit to 640 erect a new broadcast station to be operated on 640 kc., 100 watts, daytime to sunset at Cleveland, but if application for WJAY for 640 kc., denied daytime to sunset at Los Angeles, Calif. (Facilities WRDO)
- WORC—Alfred Frank Kleindienst, Worcester, Mass.—Extension 1280 of special experimental authorization to operate on 1280 kc., 500 watts, unlimited time for period of 90 days.
- WORC—Alfred Frank Kleindienst, Worcester, Mass.—Modification of license to change frequency from 1200 kc. to 640 kc., and increase power from 100 watts to 500 watts.
- WAAB—Bay State Broadcasting Corp., Boston, Mass.—Construction permit to move transmitter, install new equipment, change frequency from 1410 kc. to 640 kc., and increase power from 500 watts to 5 KW.

Second Zone

- WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Extension 580 of special experimental authorization to operate with additional power of 750 watts during daytime for period 9-1-34 to 3-1-35.
- WGLC—Adirondack Broadcasting Co., Inc., Albany, N. Y.—Construction permit to move station from Hudson Falls to Albany, New York, amended to request a different site in Albany.
- WGAL—WGAL, Inc., Lancaster, Penna.—License to cover construction permit authorizing changes in equipment and increase in daytime power.

- WGBI—Scranton Broadcasters, Inc., Scranton, Penna.—Extension
880 of special experimental authorization to operate with an
additional power of 250 watts for the period 9-1-34 to
3-1-35.
- NEW—Ohio Valley Broadcasting Corp., Parkersburg, W. Va.—
1420 Construction permit to erect a new broadcast station to be
operated on 1420 kc., 100 watts, unlimited time.
- WRAK—WRAK, Inc., Williamsport, Penna.—Modification of con-
1370 struction permit authorizing removal of transmitter, request-
ing installation of new equipment, increase in power from
100 watts to 100 watts night, 250 watts day, and extension
of commencement and completion dates.

Third Zone

- KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Texas—
570 Extension of special experimental authorization to operate
with an additional 250 watts power night, for the period
9-1-34 to 3-1-35.
- KGKL—KGKL, Inc., San Angelo, Texas—License to cover con-
1370 struction permit to change equipment and increase daytime
power.
- WQAM—Miami Broadcasting Co., Miami, Fla.—Construction per-
560 mit to move transmitter from 600 Biscayne Boulevard to
foot of 14th Street, $\frac{2}{3}$ mile from present site, Miami, Florida,
and make changes in the antenna system.
- KFYO—T. E. Kirksey, trading as Kirksey Brothers, Lubbock,
940 Texas—Construction permit to install new equipment, change
frequency from 1310 kc. to 940 kc., and increase power from
100 watts night, 250 watts day to 500 watts.
- KWKH—International Broadcasting Corp., Shreveport, La.—
1100 Modification of special experimental authorization authoriz-
ing operation on 1100 kc., unlimited time requesting ap-
proval of transmitter site near Shreveport, La.
- WFBC—Greenville News-Piedmont Co., Greenville, S. Car.—
1300 License to cover construction permit authorizing installation
of new equipment, change in frequency from 1200 to 1300
kc., and increase in power.
- NEW—A. P. Herbert and Alvin, Jr., Mueller, d/b as Mueller
1500 Amusement Co., Seguin, Texas—Construction permit to
erect a new broadcast station to be operated on 1500 kc.,
100 watts, specified hours.
- NEW—Calcasieu Broadcasting Co. (T. B. Lanford, R. M. Dean,
1500 and L. M. Sepaugh).—Construction permit to erect a new
broadcast station to be operated on 1500 kc., 100 watts,
unlimited time.
- WOPI—Radiophone Broadcasting Station, WOPI, Inc., Bristol,
620 Tenn.—Construction permit to install new equipment, change
frequency from 1500 kc. to 620 kc. and increase power from
100 watts to 250 watts.

Fourth Zone

- KSO—Iowa Broadcasting Co., Des Moines, Iowa—Special experi-
1320 mental authorization to operate with an additional power
of 250 watts at night.
- WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kansas—Con-
580 struction permit to install new equipment and increase
power from 1 KW to 1 KW night, $2\frac{1}{2}$ KW daytime.
- W9XDT—Purdue University, Portable—License to cover construc-
890 tion permit for special experimental broadcast station for
890 kc., 50 watts.
- WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—
1400 License to cover construction permit for installation of new
equipment and increase in daytime power.

Fifth Zone

- KRKO—Lee E. Mudgett, Everett, Wash.—Construction permit to
move transmitter and studio locally, install new equipment
and increase power from 50 watts to 100 watts.

- NEW—Norman F. Storm, Centralia, Wash.—Construction permit to
1500 erect a new broadcast station to be operated on 1500 kc.,
100 watts, unlimited time.
- KMED—Mrs. W. J. Virgin, Medford, Oregon—License to cover
1310 construction permit for changes in equipment and increase
in daytime power.
- NEW—S. H. Patterson, Portable—Construction permit to erect a
new broadcast pickup station to be operated on 2090, 2190
and 2830 kc., 40 watts.
- W6XAI—Pioneer Mercantile Co., Bakersfield, Calif.—Modification
1550 of construction permit for experimental broadcast station
for 1550 kc., 1000 watts, unlimited time, requesting an ex-
tension of completion date.
- KOL—Seattle Broadcasting Co., Seattle, Wash.—Modification of
1270 construction permit authorizing move, equipment, change
and increase in daytime power requesting an extension of
completion date.
- NEW—Helena Broadcasting Co., Helena, Mont.—Construction
1420 permit to erect a new broadcast station to be operated on
1420 kc., 100 watts, unlimited time.
- NEW—Munn Q. Cannon, Logan, Utah—Construction permit to
1210 erect a new broadcast station to be operated on 1210 kc.,
100 watts, unlimited time.
- KGHL—Northwestern Auto Supply Co., Inc., Billings, Mont.—
780 Extension of special experimental authorization to operate
on 780 kc., for the period 10-1-34 to 1-1-35.
- KGHL—Northwestern Auto Supply Co., Inc., Billings, Mont.—
950 Modification of license to change frequency from 950 kc. to
780 kc.

APPLICATIONS RETURNED

- WSUI—State University of Iowa, Iowa City, Iowa—Modification
of license to increase power from 500 watts to 500 watts
night 1 kilowatt daytime and hours of operation from speci-
fied to unlimited. (Request of applicant.)
- WRAK—WRAK, Inc., Williamsport, Penna.—Modification of con-
struction permit authorizing changes in equipment and trans-
mitter move requesting increase in power from 100 watts
to 250 watts and extension of commencement and comple-
tion dates. (Rules 6, 121 and questionable equipment.)
- NEW—James Clyde Skinner, Houston, Texas—Construction permit
to erect a new broadcast station to be operated on 1210 kc.,
100 watts, daytime. (Incomplete, questionable equipment
and transmitter site.)
- NEW—Lakeland Broadcasting Co., Lakeland, Fla.—Construction
permit to erect a new broadcast station to be operated on
1310 kc., 100 watts, specified hours. (Improperly executed,
questionable equipment and transmitter site.)
- WORC—Alfred F. Kleindienst, Worcester, Mass.—Construction
permit to change frequency to 600 kc. (Wrong form, Rules
49 and 116.)
- WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Extension
of special experimental authorization to operate with 1 KW
daytime. (Not signed.)
- WNAD—University of Oklahoma, Norman, Okla.—Modification
of license to increase power from 500 watts to 1 kilowatt.
(Incomplete and not signed.)
- WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Li-
cense to cover construction permit for change of equip-
ment, increase power and unlimited time. (Unlimited time
has been suspended.)
- WSBT—The South Bend Tribune, South Bend, Ind.—Modifica-
tion of license to change hours of operation from specified
to sharing with WGES, WSBT 4/7 and WGES 3/7. (Time
sharing agreement not in accordance with division of time.)
- WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
Same as above.
- NEW—Dan Steinhoff, Jr., Vancouver, Wash.—Construction permit
to erect a new broadcast station to be operated on 860 kc.,
500 watts, unlimited time. (Rules 6, 116, improperly executed
and questionable transmitter site and equipment.)

URGENT

To Every Member of the National Association of Broadcasters:

In about six weeks, before the Federal Communication Commission, will begin the hearings to determine what recommendations the Commission will make to Congress for new legislation concerning broadcasting.

The issue is set forth in the recently enacted law, as follows:

"SEC. 307 (c). The Commission shall study the proposal that Congress by statute allocate fixed percentages of radio broadcasting facilities to particular types or kinds of non-profit radio programs or to persons identified with particular types or kinds of non-profit activities, and shall report to Congress, not later than February 1, 1935, its recommendations together with the reasons for the same."

Every broadcasting station in America will be on trial at these hearings. The National Association of Broadcasters is now preparing and will conduct their defense.

To do this adequately, is must present *facts*. Every station should be actively represented at the hearings, either in person or by sworn written statement.

The first thing for you to do, whether or not you can be personally present to testify at the hearings, is to prepare a full and clear statement of the actual facts regarding your station. This should be done so that the statement can be forwarded to the Association in Washington not later than September 15.

We are not sending out a formal questionnaire, because it is better to have these statements in your own form, with such advice as you may feel like getting from your attorneys. But here is, in substance, what the Commission will want to know:

1. The call letters, location, power, frequency, time assignment, ownership and licensee of your station.
2. Length of time it has been in continuous operation under government license.
3. Approximate total capital investment.
4. Approximate total gross operating cost for the six months from January 1 to June 30, 1934.
5. Average number of full-time employees during the six months from January 1 to June 30, 1934.
6. Total number of part-time employees (such as musicians, actors, and any other persons employed on a part-time basis) actually paid by the station, or by others on account of broadcasts over the station, during the six months from January 1 to June 30, 1934.
7. During the six months from January 1 to June 30, 1934, what arrangements, if any, were actually in force covering broadcasts, whether of local or outside origin, *on behalf of* educational institutions or groups, civic or charitable organizations, churches and other religious bodies, political organizations, public health services, labor organizations, farm organizations, etc.? Make your answer to this question as complete as possible, indicating in each case whether or not the service was rendered by the station free of charge, and, if not, whether the charge made was the regular commercial rate or merely an operating charge to cover actual cost.
8. During the period above specified, what was the approximate total number of hours devoted by you to broadcasts of the type indicated in Question 7? How many of the hours thus devoted to broadcasts of this type came between six and eleven p. m.?
9. What is your general policy with respect to broadcasts of the type described in Question 7? Explain fully.
10. Do you exercise any control or censorship over programs of the type indicated in Question 7? Please cover this point fully.
11. What has been your experience with regard to listener interest in programs of the type specified in Question 7? Does your audience demand more lectures, talks and similar features, and, if so, of what types and at what hours? Have you found that such groups as those indicated in Question 7 are able, unaided by you, to put on programs which maintain a high degree of listener interest? What has been

the effect on your audience of broadcasting such programs at frequent intervals? Please discuss in detail.

12. In addition to programs of the type covered in Question 7, that is to say programs broadcast in direct behalf of specific organizations, what features did you broadcast between January 1 and June 30, 1934, that had a definite educational or informative value, as distinct from entertainment or advertising. Explain in detail.
13. During the period above specified, what was the approximate total number of hours devoted by you to broadcasts of the type indicated in Question 12? How many of the hours thus devoted to broadcasts of this type came between six and eleven p. m.?

In giving this information, it will be advisable for you, wherever convenient, to support your statements by affidavits or letters from responsible officers of the institutions with which you have cooperated, such as the governors of states, mayors of cities, presidents of universities and colleges, superintendents of schools, directors of civic or charitable organizations, heads of labor organizations, pastors of churches, directors of farm bureaus, etc.

Your statement should be written on 8½ x 11 white paper, and executed under oath, so that it may be filed with the Commission by the Association.

A later bulletin will discuss the actual appearance of representative broadcasters as witnesses at the hearings. The immediate and urgent need is to have every station prepare its statement, in line with the foregoing general outline, *at once*.

PHILIP G. LOUCKS, *Managing Director*,

HENRY A. BELLOWS, *Chairman NAB,*

Legislative Committee.

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - - No. 43
AUGUST 31, 1934

U. S. FILES ANTI-TRUST SUIT AGAINST ASCAP

The United States Government, August 30, stepped into the midst of the raging music copyright controversy by filing an anti-trust suit against the officers and members of the American Society of Composers, Authors and Publishers, the Music Publishers Protective Association and the Music Dealers Service, Inc.

The Government suit, one of the most important to be filed by the Department of Justice in many years, was brought in the Federal Court for the Southern District of New York. The Government is proceeding not only against the three main organizations, their officers and directors, but also against their members individually. The list of defendants covers eleven pages of the bill.

The Government asks:

1. That all contracts between publisher and composer members of the Society and the Society be declared illegal and void.
2. That all contracts between the members of the Publishers Association and the Association and John G. Paine, agent and trustee, be declared illegal and void.
3. That all contracts between the Society and the broadcasting stations be declared illegal and void.
4. That all contracts between John G. Paine, agent and trustee, and the electrical transcription companies be declared illegal and void.
5. That the defendants be restrained from entering into similar contracts.
6. That the defendants be restrained from joining any similar firm, association, corporation or society for the purpose of issuing blanket licenses for the public performance of music for profit unless the facilities of such firm, association, corporation or society is open to every copyright owner on equal terms and unless fees to be collected pursuant to such blanket licenses are determined by individual copyright owners for each musical composition owned by them.
7. That the defendants be restrained from instituting infringement suits against any licensee upon the giving of bond by such licensee to insure the payment of a reasonable charge as the court may determine or as may be arrived at between the licensees and the individual copyright owners.

The names of Homer S. Cummings, attorney general; Harold M. Stephens, assistant attorney general; Andrew

W. Bennett and George P. Alt, special assistants to the attorney general; and Martin Conboy, United States attorney; appear on the suit.

Licensing arrangements with broadcasters, motion picture producers, motion picture exhibitors, hotels, dance halls, night clubs, electrical transcription companies and other users of public performing rights are affected by the suit. The suit strikes at the heart of the copyright controversy and is the culmination of investigations conducted by the Department of Justice and the Federal Trade Commission.

Much of the credit for whipping the suit into final shape goes to Mr. Bennett, who was appointed as a special assistant to the attorney general just a few months ago. Mr. Bennett, brilliant young attorney, has had wide experience in anti-trust work and in the drafting and filing of the suit he has had the benefit of the extensive preliminary investigations made by Mr. Joseph Klein, one of the Federal Trade Commission's most able investigators.

While the Government brought the suit on the eve of the date when percentage payments by the broadcasters jump from four to five per cent. Until a decision is reached in the suit, existing contracts between broadcasters and the Society remain in full force and effect.

Far reaching in its effects, the suit involves millions of dollars in license fees and more than a million of copyrighted musical compositions. It calls for a showdown in a long and bitter fight which has had its ramifications in the Congress, the courts and in various Government departments over a period of many years. Not only would it end for all time the arbitrary licensing practices of the Society but it would materially change conditions under which music is used by every user of performing rights.

The theory of the suit is similar to that followed in the NAB suit filed in the same court by Baker, Hostetler, Sidlo and Patterson on behalf of station WIP against the Society. As does the NAB suit, the Government suit seeks to establish a system of copyright fees based upon actual use made of public performance right and to substitute competition among copyright proprietors for the present alleged monopoly. The Board of Directors of the NAB at its meeting in February, 1933, and again last May adopted resolutions urging as a solution to the copyright problem a theory similar to that adopted in the two suits now pending against the Society.

PHILIP G. LOUCKS, *Managing Director*,

TEXT OF U. S. SUIT AGAINST ASCAP

The complete text of the suit brought by the U. S. Government against the American Society of Composers, Authors and Publishers et al. (without exhibits) is as follows:

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

In Equity No. _____

UNITED STATES OF AMERICA, *Petitioner,*

v.

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS,
MUSIC PUBLISHERS PROTECTIVE ASSOCIATION,
MUSIC DEALERS SERVICE, INC., ET AL., *Defendants.*

PETITION

To the Honorable, the Judges of the United States District Court for the Southern District of New York, Sitting in Equity:

The United States of America, by Martin Conboy, its attorney for the Southern District of New York, Harold M. Stephens, Assistant Attorney General, and Andrew W. Bennett and George P. Alt, Special Assistants to the Attorney General, acting under the direction of the Attorney General, brings this proceeding in equity against:

I.

Description of Defendants

1. American Society of Composers, Authors and Publishers, hereinafter referred to as "Society," an unincorporated membership association of music composers, authors and publishers, which has its principal office at 1501 Broadway, Borough of Manhattan, New York City.

2. Music Publishers Protective Association, hereinafter referred to as "Association," an unincorporated membership association of music publishers, which has its principal office at 1501 Broadway, Borough of Manhattan, New York City.

3. Music Dealers Service, Inc., hereinafter referred to as "Service corporation," a corporation organized under the laws of the State of New York, and which has its principal office at 619 West 54th Street, Borough of Manhattan, New York City.

4. The following corporations, duly organized and existing under the laws of the respective states as indicated in the following table, and the copartnership and individuals, citizens of states of the United States and resident therein as indicated below, all engaged in the music publishing business, members of Society, Association, or Service corporation, or of all of them, as indicated in the following table, hereinafter referred to as "defendant publishers":

Name, Member of, Location of Principal Office, and State of Incorporation

A B C Standard Music Publications, Inc. Society. 799 Seventh Avenue, New York. New York.
Maurice Abrahams, Inc. Society. Care of Hotel Oliver Cromwell, 12 West 72nd Street, New York, New York. New York.
Ager, Yellen & Bornstein, Inc. Society Association Service Corporation. 745 Seventh Ave., New York, New York. New York.
Alfred Music Company, Inc. Society. 145 West 45th Street, New York, New York. New York.
Thornton W. Allen, trading as Thornton W. Allen Company, a citizen and resident of New York, New York. Society. 115 West 57th Street, New York. New York.
Emil Ascher, Inc. Society Association. 315 Fourth Ave., New York, New York. New York.
Gene Austin, Inc. Society. 745 Seventh Avenue, New York, New York. New York.

Name, Member of, Location of Principal Office, and State of Incorporation

Belwin, Inc. Society Association. 43 West 23rd Street, New York, New York. New York.
Irving Berlin, Inc. Society Association Service Corporation. 799 Seventh Avenue, New York, New York. New York.
Bibo-Lang, Inc. Society. 745 Seventh Avenue, New York, New York. New York.
C. C. Birchard & Company. Society. 221 Columbus Avenue, Boston, Massachusetts. Massachusetts.
Harry Bloom, Inc. Society Service Corporation. 1587 Broadway, New York, New York. New York.
Boston Music Company. Society Association. 116 Boylston Street, Boston, Massachusetts. West Virginia.
Broadway Music Corporation. Society. 1600 Broadway, New York, New York. New York.
Ted Browne Music Company. Society. Woods Theatre Building, 54 West Randolph Street, Chicago, Illinois. Illinois.
Century Music Publishing Company. Society. 235 West 45th Street, New York, New York. New York.
Chappell-Harns, Inc. Society. 62 West 45th Street, New York, New York. New York.
The John Church Company. Society, Association. 113 West 57th Street, New York, New York. Ohio.
Composers' Music Corporation. Society. Room 2907, 120 Broadway, New York, New York. New York.
Con Conrad, Inc. Society, Service Corporation. 1595 Broadway, New York, New York. New York.
Joe Davis, Inc. Society, Service Corporation. 1658 Broadway, New York, New York. New York.
Denton & Haskins, Music Publishing Company, Inc. Society. 1595 Broadway, New York, New York. New York.
De Sylva, Brown & Henderson, Inc. Society, Association, Service Corporation. 745 Seventh Avenue, New York, New York. New York.
Oliver Ditson Company, Inc. Society. 113 West 57th Street, New York, New York. New York.
Donaldson, Douglas & Gumble, Inc. Society, Association, Service Corporation. 1595 Broadway, New York, New York. New York.
Famous Music Corporation. Society, Service Corporation. 719 Seventh Avenue, New York, New York. New York.
Iso Feist, Inc. Society, Association, Service Corporation. 56 Cooper Square, New York, New York. New York.
Fillmore Bros. Company, trading as Fillmore Music House. Society. 526 Elm Street, Cincinnati, Ohio. Ohio.
Carl Fischer, Inc. Society, Association. 56 Cooper Square, New York, New York. New York.
J. Fischer & Bro. Society, Association. 119 West 40th Street, New York, New York. New York.
Harold Flammer, Inc. Society. 3 East 43rd Street, New York, New York. New York.
Forster Music Publisher, Inc. Society, Association. 216 South Wabash Avenue, Chicago, Illinois. Illinois.
L. B. Curtis, a citizen and resident of New York, New York. Society. 1595 Broadway, New York, New York.
Sam Fox and Harry Fox, citizens and residents of Ohio, a copartnership, trading as Sam Fox Publishing Company. Society, Association. The Arcade, No. 202, Cleveland, Ohio.
Galaxy Music Corporation. Society. 2 East 46th Street, New York, New York. New York.
Gemble Hinged Music Company. Society, Association. 228 South Wabash Avenue, Chicago, Illinois. Illinois.
Goodman Music Company, Inc. Society, Service Corporation. 745 Seventh Avenue, New York, New York. New York.
Hamilton S. Gordon, Inc. Society, Association. 33 East 21st Street, New York, New York. New York.
H. W. Gray Company. Society. 159 East 48th Street, New York, New York. New York.
Green & White, Inc. Society, Service Corporation. 1587 Broadway, New York, New York. New York.
Handy Bros. Music Company, Inc. Society, Association. 1545 Broadway, New York, New York. New York.
Harms, Inc. Society, Association, Service Corporation. 62 West 45th Street, New York, New York. New York.
T. B. Harms Company. Society. 1619 Broadway, New York, New York. New York.
F. B. Haviland Publishing Company. Society. 114 West 44th Street, New York, New York. New York.

Name, Member of, Location of Principal Office, and State of Incorporation (Continued)

R. L. Huntsinger, Inc. Society. 137 West 4th Street, Cincinnati, Ohio. New York.
 Walter Jacobs, Inc. Society, Association. 120 Boylston Street, Boston, Massachusetts. Massachusetts.
 J. W. Jenkins Sons' Music Company. Society. 1013 Walnut Street, Kansas City, Missouri. Missouri.
 Ross Jungnickel, Inc. Society, Association. 165 East 35th Street, New York, New York. New York.
 E. F. Kalmus, Inc. Society. 259 West 57th Street, New York, New York. New York.
 Kay & Kay Music Publishing Corporation. Society. 1658 Broadway, New York, New York. New York.
 Keit-Eugel, Inc. Society, Service Corporation. 719 Seventh Avenue, New York, New York. New York.
 Kendis Music Corporation. Society. 1567 Broadway, New York, New York. New York.
 Korabeiser-Schustir, Inc. Society. 1619 Broadway, New York, New York. New York.
 Edgar Leslie, Inc. Society. 1591 Broadway, New York, New York. New York.
 Lewis Music Publishing Company. Society. 102 West 42nd Street, New York, New York. New York.
 E. S. Lorenz and Earl K. Lorenz, citizens and residents of Ohio, a copartnership trading as Lorenz Publishing Company. Society. 501 East 3rd Street, Dayton, Ohio.
 Edw. B. Marks Music Corporation. Society, Association. 223 West 46th Street, New York, New York. New York.
 Marlo Music Corporation. Society, Service Corporation. Care of George M. Marlo, Victoria Hotel, Seventh Avenue and 51st Street, New York, New York. New York.
 McKinley Music Company. Society, Association. 1307 East 55th Street, Chicago, Illinois. Illinois.
 Melrose Bros. Music Company, Inc. Society, Association. 81 West Randolph Street, Chicago, Illinois. Illinois.
 Miller Music, Inc. Society. 62 West 45th Street, New York, New York. New York.
 Mills Music, Inc. Society, Association, Service Corporation. 149 West 46th Street, New York, New York. New York.
 Joe Morris Music Company. Society. 1619 Broadway, New York, New York. New York.
 New World Music Corporation. Society. 521 West 44th Street, New York, New York. New York.
 Olman Music Corporation. Society, Service Corporation. 745 Seventh Avenue, New York, New York. New York.
 Paull-Pioneer Music Company. Society, Association. 119 Fifth Avenue, New York, New York. New York.
 Photo Play Music Company, Inc. Society, Association. 1520 Broadway, New York, New York. New York.
 Theodore Presser Company. Society. 113 West 57th Street, New York, New York. Pennsylvania.
 Remick Music Corporation. Society, Association Service Corporation. 219 West 46th Street, New York, New York. New York.
 G. Ricordi & Company, Inc. of New York. Society. 12 West 45th Street, New York, New York. New York.
 Robbins Music Corporation. Society, Service Corporation. 799 Seventh Avenue, New York, New York. New York.
 Will Rossiter, a citizen and resident of Illinois. Society. 173 West Madison Street, Chicago, Illinois.
 Rubank, Inc. Society. Campbell Avenue and Lexington Street, Chicago, Illinois. Illinois.
 Santly Bros., Inc. Society. Association, Service Corporation. 755 Seventh Avenue, New York, New York. New York.
 G. Schirmer, Inc. Society, Association. 3 East 43rd Street, New York, New York. West Virginia.
 Schroeder & Gunther, Inc. Society. 6 East 45th Street, New York, New York. New York.
 Shapiro, Bernstein & Company, Inc. Society, Association, Service Corporation. 1639 Broadway, New York, New York. New York.
 Sherman, Clay & Company. Society, Association. Kearney and Sutter Street, San Francisco, California. California.
 Shubert Music Publishing Corporation. Society. 321 West 44th Street, New York, New York. New York.
 Skidmore Music Company, Inc. Society, Association. 218 West 47th Street, New York, New York. New York.
 Sonnemann Music Company, Inc. Society. 607 Eighth Avenue, New York, New York. New York.
 Southern Music Publishing Company, Inc. Society. 1619 Broadway, New York, New York. New York.

Name, Member of, Location of Principal Office, and State of Incorporation (Continued)

Villa Moret, Inc. Society, Association. Pantages Theatre Building, San Francisco, California. California.
 Harry Von Tilzer Music Publishing Company. Society. 1597 Broadway, New York, New York. New York.
 Milton Weil Music Company, Inc. Society. 54 West Randolph Street, Chicago, Illinois. Illinois.
 White-Smith Publishing Company. Society. 40-44 Winchester Street, Boston, Massachusetts. Massachusetts.
 Clarence Williams Music Publishing Company. Society. 145 West 45th Street, New York, New York. New York.
 Willis Music Company. Society, Association. 137 West 4th Street, Cincinnati, Ohio. Ohio.
 M. Witmark & Sons. Society, Association, Service Corporation. 1650 Broadway, New York, New York. New York.
 B. F. Wood Music Company. Society. 88th St. Stephens Street, Boston, Massachusetts. Massachusetts.
 Boosey & Company, Ltd. Association. 113 West 57th Street, New York, New York. New York.
 Davis, Coots & Engel. Association. 719 Seventh Avenue, New York, New York. Delaware.
 Hatch Music Company. Association. 116 Boylston Street, Boston, Massachusetts. Pennsylvania.
 Manus Music Company. Association. 145 West 45th Street, New York, New York. New York.
 George F. Briegel, Inc. Association. 1674 Broadway, New York, New York. New York.

5. The following persons who, during the times hereinafter mentioned, have been or are now active in the management of Society, Association or Service corporation, or in the management of one or more of them, and in the direction of their activities hereinafter described, who are citizens of the states of the United States, resident therein as indicated below, and who have been or are now officers, directors or members of Society, Association or Service corporation, respectively, as indicated opposite their names:

Name, Officer or Member of, and Residence

Eugene Howard Buck. President, Director and member of Society. Great Neck, Long Island, New York.
 Louis Bernstein. Vice President and Director of Society; President and Director of Association; Director and Treasurer Service Corporation; Director and President Shapiro Bernstein & Company. New York, New York.
 Jerome Kern. Vice President, Director and member of Society. New York, New York.
 Joseph Young. Secretary, Director and member of Society. Great Neck, Long Island, New York.
 Robert Crawford. Assistant Secretary and Director of Society; Treasurer and Director of Association; Director and Secretary Service Corporation; Director and President of DeSylva, Brown & Henderson, Inc. New York, New York.
 Saul H. Bernstein. Treasurer and Director of Society; Vice President and Director of Association; Director and Assistant Treasurer Service Corporation; Director, Secretary and Treasurer of Irving Berlin, Inc. New York, New York.
 Sigmund Romberg. Assistant Treasurer, Director and member of Society. New York, New York.
 E. Claude Mills. General Manager and Chairman of Administrative Committee of Society. New York, New York.
 E. F. Bitner. Director of Society; Director of Association; Director and President Service Corporation; Director, President and Treasurer, Leo Feist, Inc. New York, New York.
 Irving Caesar. Director and member of Society. New York, New York.
 Walter Donaldson. Director and member of Society; Director and President Donaldson, Douglas & Gumble, Inc. Hollywood, Calif.
 Walter G. Douglas. Director of Society; Director of Association; Director of Service Corporation; Director, Vice President and Treasurer of Donaldson, Douglas & Gumble, Inc. New York, New York.
 Max Dreyfus. Director of Society; Director of Association. New York, New York.
 George Fischer. Director of Society. New York, New York.
 Walter Fischer. Director of Society; Director of Association. New York, New York.

Name, Officer or Member of, and Residence (Continued)

Otto A. Harbach. Director and member of Society. Mamaroneck, New York.

Raymond Hubbell. Director and member of Society. Garden City, Long Island, New York.

Edgar Leslie. Director and member of Society. New York, New York.

George W. Meyer. Director and member of Society. New York, New York.

Jack Mills. Director of Society; Director of Association; Director of Service Corporation; Director, President and Treasurer of Mills Music, Inc. New York, New York.

E. H. Morris. Director of Society; Director and Vice President of Service Corporation; Director and Vice President of M. Witmark and Sons; Director and Vice President of Harms, Inc.; Director and Vice President of Remick Music Corp.; Director and President of Famous Music Corp. New York, New York.

Gustave Schirmer. Director of Society; Director and Assistant Treasurer of Association; Director and Officer of Boston Music Co. New York, New York.

Cloy Speaks. Director and member of Society. New York, New York.

Joseph Deems Taylor. Director and member of Society. Stamford, Connecticut.

Will Von Tilzer. Director of Society; Director and Officer of Harry Von Tilzer Music Publishing Co. New York, New York.

Harry Warren. Director and member of Society. Beverly Hills, California.

Ben Bornstein. Director of Association; Director of Service Corporation; Director and President of Ager, Yellen & Bornstein, Inc. New York, New York.

Jerome Keit. Director of Society; Director and Secretary of Association; Director and Officer of Keit-Engel, Inc. New York, New York.

Max Winkler. Director of Association; Director and Officer of Belwin, Inc. New York, New York.

John G. Paine. Chairman of the Board of Association; Agent and Trustee for members of Association and others. New York, New York.

Lester Santly. Member of Society; Director of Service Corporation; Director, Secretary and Treasurer of Santly Bros., Inc. New York, New York.

Larry Spier. Member of Society; Director of Service Corporation. New York, New York.

Henry Spitzer. Director of Service Corporation; Vice President of Harms, Inc. New York, New York.

Maurice Richmond. General Manager of Service Corporation. New York, New York.

6. The members of the Society, the Association and the Service Corporation other than those members thereof specifically named herein constitute a group so numerous that it would be impracticable to bring them all before the Court by name; therefore, the aforesaid defendants named herein and described as Officers and Directors of the Society, the Association, or the Service Corporation are sued as representing all members of their respective organizations.

II.

Jurisdiction

7. This proceeding is brought against defendants under the Act of Congress approved July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," commonly known as the Sherman Antitrust Act, for violations of said Act in the manner and by the means hereinafter alleged, and to prevent and restrain defendants from further violating said Act.

8. Defendant Society, defendant Association and defendant Service Corporation each has its principal office in and directs most of its business from the Southern District of New York.

III.

The Society, the Association, and the Service Corporation

The Society

9. Defendant Society, an unincorporated association, was organized in or about the year 1914 by the leading publishers, composers and authors of musical compositions in the United States, for 99 years from the date of its organization. The purposes for which it was organized were, among other things, to grant licenses and collect royalties for the public performance of the works of its members, to allot and distribute the royalties collected, and to accumulate and maintain a reserve fund to be used in carrying out

any of the objects of the Society. Its membership at the time of the filing of this petition consists of approximately ninety-seven (97) publishers and nine hundred sixty-nine (969) composers and authors and includes the owners of the copyrights of practically all the musical compositions demanded by the public of the United States for entertainment purposes at the time of the filing of this petition and for a number of years prior thereto. The management of defendant Society is vested exclusively in a self-perpetuating board of directors, consisting of 24 persons, 12 of whom represent publisher members, 6 represent composer members and 6 represent author members. Each director is elected to serve for a period of three years, and is eligible for reelection upon the expiration of his term. The terms of office of eight members of said board expire each year, and their successors are elected annually by the remaining members of the board. The directors have exclusive and absolute control of the management and of all activities of the Society and appoint all its committees, officers and employees. Admission to membership in the Society is by election thereto by the board. Each member upon admission must execute an agreement in the form required by the board of directors, assigning to the Society the exclusive right to license the non-dramatic public performance of all of the members' works for the period of any then existing agreement between the Society and its members. The present agreement between the Society and its members, a copy of which is hereto attached marked Exhibit "A" and expressly made a part hereof, expires December 31, 1935. By reason of the vast number of copyrights of compositions controlled by the members of the Society, by reason of the great public demand therefor, and by reason of the vesting of the absolute management and control of all activities of the Society in the self-perpetuating board of directors, the twenty-four persons constituting such board have the power to and do dominate the music industry.

10. Licenses to perform publicly for profit the musical compositions copyrighted by its members are issued by the Society to all applicants therefor. Agents of the Society solicit applications for such licenses by threat of prosecution for infringement of the copyright laws of the United States, from all unlicensed persons, firms or corporations in the United States who use music in connection with their business. Defendant Society refuses to grant licenses to perform single musical compositions or groups of compositions selected by the licensee; it grants only blanket licenses to perform any and all musical compositions of all its members upon the payment of such royalty as is demanded by the board of directors of the Society. Four forms of license are in use, copies of which are hereto attached and marked Exhibits "B", "C", "D", "E", respectively, and are expressly made a part hereof. Exhibit "B" is the form of license which radio broadcasting stations not owned at least 51 per cent by newspapers are required to accept. Exhibit "C" is the form of license which radio broadcasting stations owned at least 51 per cent by newspapers are required to accept. Exhibit "D" is the form of license which theatres are required to accept. Exhibit "E" is the form of general license which all other users of musical compositions are required to accept.

11. Prior to the advent of radio broadcasting, licensing activities of the Society were limited to the granting of licenses to perform publicly for profit copyrighted musical compositions of its members by individual entertainers and groups of entertainers. With the development of radio broadcasting, its most important and most profitable licensing activity has been the granting of licenses to radio broadcasting stations.

12. Defendant Society maintains agents and representatives throughout the United States, whose duty it is to enforce the demands of the Society in the sale of licenses and in collecting royalties therefor.

The Association

13. In or about 1918, defendant Association was organized by certain publisher members of defendant Society. Its present membership includes approximately forty (40) of the leading publishers of copyrighted musical compositions in the United States, who control approximately seventy-five (75) per cent of the copyrighted popular musical compositions published in the United States. The term "popular musical compositions" is used to describe that music which appeals to the great mass of the population of the United States, as distinguished from standard, church, educational, classical, or either music. Defendant Association has been used primarily by its members, through defendant John G. Paine, chairmen of its board of governors, acting as agent and trustee for individual members, to license the use of copyrighted musical compositions, owned and controlled by such members, in the manufacture of parts of instruments used to reproduce me-

chanically such compositions, and to enforce payment of the royalties demanded by its members therefor. A copy of the license which manufacturers of records by electrical transcription for use by radio broadcasting stations are required to enter into is attached hereto, marked Exhibit "F," and expressly made a part hereof.

14. The term "electrical transcription" is used to designate specially made mechanical devices or records by means of which particular programs are broadcast from a radio broadcasting station. Under the license agreements they are required to enter into with defendant, John G. Paine, acting as "agent and trustee" for the owner of the copyright, electrical transcription manufacturers are required to pay to said defendant Paine for each such electrical transcription made by them a royalty of 25 cents for each copyrighted musical composition used, provided the playing time does not exceed 3 minutes, 37½ cents if the playing time exceeds 3 minutes but does not exceed 4½ minutes, and 50 cents if the playing time exceeds 4½ minutes but does not exceed 6 minutes. Such licensed agreements also provide that a separate transcription shall be made for each broadcasting station which broadcasts the program recorded thereon and that when once used for broadcasting, the transcription must be destroyed, or, if broadcast more than once, the full royalty is charged for each time the transcription is used. The license granted to such manufacturers does not include the right to broadcast a copyrighted composition when the owner of the copyright thereon is a member of defendant Society. The royalties hereinbefore set forth are demanded and payment thereof is enforced in the manner hereinafter described.

15. The management of defendant Association is vested in its board of governors, consisting of 10 members and a chairman of the board. All officers of defendant Association are elected by the board of governors. A majority of the members of the board of governors of defendant Association are also directors of defendant Society. The president of defendant Association is also a director and vice president of defendant Society; the vice president of defendant Association is also a director and treasurer of defendant Society; the treasurer of defendant Association is also a director and assistant secretary of defendant Society; and the assistant treasurer of defendant Association is also a director of defendant Society. Close cooperation exists between defendant Society and defendant Association to enforce the royalty demands of the members of the Association, acting through John G. Paine, as aforesaid.

The Service Corporation

16. Defendant Service corporation is a corporation organized under the laws of New York in 1932 by Irving Berlin, Inc., Leo Feist, Inc., Ager, Yellen & Bernstein, Inc., DeSylva, Brown & Henderson, Inc., M. Witmark & Sons, Harms, Inc., Remick Music Corporation, Mills Music, Inc., Donaldson, Douglas & Gumble, Inc., Famous Music Corporation, Shapiro, Bernstein & Co., Inc., and Santly Bros., Inc., twelve of the defendants herein, leading publishers of sheet music in the United States, who control considerably in excess of fifty (50%) per cent of the popular sheet music sold in the United States. All the defendants who organized defendant Service corporation were and are members of defendant Society, and all but one of them were and are also members of defendant Association. The majority of the board of directors of defendant Service corporation are or have been members of the board of directors of defendant Society and also members of the board of governors of defendant Association.

17. Defendant Service corporation was organized by said defendants for the purpose of acting as their exclusive sales agent in the distribution to the trade of the sheet music published by them, as well as for any other publishers who could be persuaded to use its facilities. After defendant Service corporation had been functioning a short time, the number of music publishers who had appointed it their exclusive agent for the sale of sheet music had increased to approximately 27.

18. Prior to the organization of defendant Service corporation, the publisher defendants customarily sold their sheet music to retail dealers by and through jobbers, who received a jobber's discount on quantity purchases. All sheet music sold through defendant Service corporation is sold by it at one price, irrespective of whether the purchasers are jobbers or retail dealers. The purpose for which defendants organized defendant Service corporation was to eliminate from the industry the jobber in the sale of sheet music, and jobbers' discounts have never been granted by it.

IV

The Radio Broadcasting Industry

19. The term "radio broadcasting station" is used herein to designate those radio stations operated for the entertainment of

the residents of the United States and residents of adjacent and more distant foreign countries. There are approximately 593 such radio broadcasting stations interspersed throughout the states of the United States and operated under authority of the Federal Communications Commission, pursuant to the Act of Congress known as the Communications Act of 1934, approved June 19, 1934, and prior Acts of Congress. Each station is required to broadcast a minimum regular operating schedule of two-thirds of the hours it is authorized to broadcast under the license granted it by the Communications Commission. The continued existence, success and prosperity of a radio broadcasting station depends entirely upon the entertainment offered by it to the radio listening public within the range of the station's power. Music is the principal form of entertainment demanded by the radio listening public and must be offered by a station in order to retain the continuing interest and patronage of the listening public. Approximately 70 per cent of the entertainment offered by a station consists of music broadcast in varying forms and such music must represent the rendition of compositions most desired by the listening public. The only income available to a station is derived from the sale of its facilities to persons desiring to communicate intelligence to the public within listening range of the station's transmission power. Such sale of facilities consists primarily of sales to business concerns for the purpose of advertising the products of the particular concern and of creating good will on the part of the public for the services or products of the advertiser. The desirability of a particular station for advertising purposes is directly dependent upon the number of persons listening to the programs broadcast by that station and such persons can only be induced to listen to the station's broadcasts by furnishing the musical entertainment demanded by the radio audience. A substantial portion of the entertainment furnished by the station must be furnished at the expense of the station, for which it receives no compensation or income.

20. During all the time herein mentioned it has been and is essential to the continued operation of each of the stations in the United States broadcasting radio entertainment, in order to avoid liability for infringement of copyright, to obtain the permission or license of the owners of the copyrighted musical compositions the public performance of which is demanded by the radio audience. The success or failure of each such station absolutely depends upon its ability to procure such permission or license.

V

The Interstate Commerce

A. In radio broadcasting.

21. Radio broadcasting stations in the United States are engaged in interstate or foreign commerce. Each station is an instrumentality through which energy, ideas and entertainment are transmitted across state or national boundaries to the radio listening population of the United States or foreign countries. As the success or failure of each station depends upon its ability to obtain permission from the copyright owners of musical compositions to broadcast such compositions, any interference with or restraint upon the obtaining of such permission from the copyright owners upon a competitive basis restrains the interstate and foreign transmission of intelligence by radio broadcasting stations. By means of the combination and conspiracy among defendants herein described competition between copyright owners in the sale of licenses to radio broadcasting stations to publicly perform copyrighted musical compositions has been eliminated and there has been created a pool or consolidation of individual copyright monopolies in the Society, by virtue of which the Society has the power to dictate the manner in which radio broadcasting stations may be operated.

B. In sheet music.

22. Each defendant who is a publisher member of defendant Society prints, or causes to be printed, the music and lyrics, and special arrangements thereof, of musical compositions. Such printed sheets of music are sold by such defendants to customers located in all states of the United States and are transported across state boundaries in interstate commerce. The greater part of the musical compositions broadcast by radio stations is performed by entertainers located in the studio of particular broadcasting stations, or in close proximity thereto, from musical scores transported across state boundaries.

C. In the use of radio as a means to develop sales for sheet music.

23. The essential element in effecting the sale and distribution of sheet music throughout the United States is the transmitting of musical compositions to the ear of the public, in order to create a desire on the part of individual members of the public to purchase the printed score representing particular compositions. The devel-

opment of the radio has caused radio broadcasting to become the principal medium through which individual musical compositions are transmitted to the ear of the purchasing public and a demand for the printed score created. By means of the combination and conspiracy herein described, defendant Society has acquired for the benefit of its members and to the exclusion of musical compositions of non-members, control of all radio broadcasting as a means of apprising the listening public of the existence of and of developing a popular demand for particular musical compositions—thereby depriving those owners of copyrighted musical compositions who are not members of defendant Society of the opportunity of transmitting their musical compositions to the ear of the purchasing public, with the result that the sale of non-member scores to purchasers in states of the United States other than the state where manufactured and the transportation thereof across state and national boundaries is restrained. But for the combination and conspiracy herein described, the members of defendant Society would be in competition with each other and in competition with non-members of defendant Society in effecting the sale to broadcasting stations of licenses to perform publicly their particular copyrighted musical compositions, and but for said combination and conspiracy the facilities of radio broadcasting stations would be available to non-members of the Society under equal competitive conditions with members of the Society, as a medium for transmitting to the ear of the purchasing public musical compositions copyrighted by them and non-members would be in competition with all members of the Society in the sale and transportation in interstate and foreign commerce of sheet music.

VI

The Conspiracy

24. Commencing several years prior to September 1, 1932, and continuously since that time, defendants have been engaged in a combination and conspiracy to restrain, by the means and methods hereinafter set forth, the aforesaid interstate and foreign commerce, in violation of the Act of July 2, 1890 (26 Stat. 909).

A.

25. Every member of defendant Society has created, maintained and utilized defendant Society as an instrumentality for promoting and maintaining the illegal combination and conspiracy herein described. They have created defendant Society as such instrumentality with a self-perpetuating board of directors, have vested in the twenty-four persons constituting such board the exclusive control and operation of the activities of defendant Society and have restricted membership in defendant Society to such composers, authors and publishers as may be approved by the board of directors. All members of defendant Society have transferred to and pooled in defendant Society for the period ending December 31, 1935, the sole and exclusive right to perform publicly all musical compositions of which they are the copyright proprietors, or which any member, either alone or jointly or in collaboration with others, wrote, composed, published, acquired or owned, or in which any member has any right, title, interest or control whatsoever, in whole or in part, or which any member, during the term of the agreement, may write, compose, acquire, own, publish or copyright, either alone, jointly, or in collaboration with others, or in which any member may at any time, during the term of the agreement, Exhibit A, have any right, title, interest or control, either in whole or in part. All members of defendant Society have vested in defendant Society absolutely until and including December 31, 1935, the sole and exclusive right to license others to perform publicly for profit all their musical compositions. Defendants intend to continue such pool of public performance rights by an extension of the existing agreements or by new agreements.

26. Defendant Society since September 1, 1932, and for many years prior thereto, has had and now has a complete monopoly of the right to license for public performance for profit all the musical compositions of all its members, aggregating an unknown number of musical compositions; defendant Society has at all times herein mentioned refused and now refuses to furnish to its licensees lists of such musical compositions. All competition among members of defendant Society in the sale of rights to perform publicly their respective musical compositions, which, but for the illegal combination and conspiracy herein described, would have existed, has been eliminated by said illegal combination and conspiracy; radio broadcasting stations, advertisers desiring to utilize the service of such stations to promote the sale of their merchandise, orchestras, theatres, and others desiring the right to perform publicly the copyrighted musical compositions of members of defendant Society, have been unable to negotiate for the purchase

of the rights to use such copyrighted musical compositions with members of defendant Society, separately and individually, but have been and are obliged and compelled to acquire from defendant Society, upon terms and conditions arbitrarily fixed by it, a general license to perform publicly the copyrighted musical compositions of all members of defendant Society.

B.

27. The members of defendant Society have agreed to establish and maintain, and pursuant to such agreement have established and maintained, by means of the pooling of their individual copyright monopolies, enhanced and non-competitive prices or royalties for licenses to perform publicly copyrighted musical compositions owned and controlled by individual defendants. Competition between members of defendant Society in the sale of licenses to perform publicly their individual musical compositions has been eliminated, and because of the combined power obtained by them through the unlawful pooling of their individual copyright monopolies, the members of defendant Society have concertedly refused and still refuse, through defendant Society, to license the public performance by radio broadcasting stations or otherwise of any copyrighted musical composition owned and controlled by a member of defendant Society, except on the basis of a general license covering any and all musical compositions of all members and except upon the basis of an arbitrary royalty for such general license, fixed and determined by the aforesaid self-perpetuating board of directors of defendant Society. By reason of the facts herein alleged defendant Society has acquired control over the public performance of so great a number of copyrighted musical compositions that it is impossible for a radio broadcasting station to operate without using at some time some musical composition so controlled by members of defendant Society. Broadcasting stations must either accept a license from defendant Society upon any terms and conditions imposed by defendant Society, or subject themselves to numerous infringement suits in which they may be compelled to pay not less than the minimum damages of \$250 for each infringement, provided for in the copyright laws of the United States.

28. Each year for a number of years prior to September 1, 1932, members of defendant Society, through it, have concertedly demanded and have received from radio broadcasting stations increased amounts as royalties for licenses to perform publicly copyrighted musical compositions owned and controlled by members of defendant Society. On or about April 11, 1932, members of defendant Society, through defendant Society, notified all radio broadcasting stations throughout the United States that, on and after June 1, 1932, defendant Society would issue to broadcasting stations only a general license covering all musical compositions of all members of defendant Society, which license would require the payment annually as royalty of a sum approximately equal to the annual royalty theretofore paid by them, and in addition thereto, 5 per cent of the gross income of the broadcasting station from whatever source derived. This represented an increase of approximately 400 per cent in so-called "royalty" payments over the aggregate royalty demanded for the previous year. Protests were made by the broadcasting stations to defendant Society and the then existing licenses were temporarily extended to September, 1932. Thereupon efforts were made by the broadcasting stations, acting through a committee appointed for the purpose, to obtain licenses providing for royalty payments by each station based on the number of performances by such station of copyrighted musical compositions owned and controlled by defendant members of defendant Society. The members of defendant Society, through defendant Society, refused to agree to royalty payments based upon the actual use made of their musical compositions. Other proposals submitted by the broadcasting stations were also rejected by defendants. Each broadcasting station, in order to use the copyrighted musical compositions controlled by defendant Society and to avoid a multiplicity of infringement suits, was compelled to accede to the demands of defendant Society and to accept from defendant Society a three-year blanket license agreement, commencing in or about September, 1932, covering all musical compositions of all members of defendant Society, upon the basis of a royalty payment approximately equal to the fixed annual royalty paid for the preceding year, plus three per cent of the station's net receipts during the first year of the agreement, four per cent of such receipts during the second year, and five per cent of such receipts during the third year. As defined in said agreement, "net receipts" constitute the full amount paid to the station for the use of its broadcasting facilities, after deducting commissions not exceeding fifteen per cent, if any, paid to an independent adver-

tising agent or agency. The members of defendant Society threaten further increases in the royalty amounts to be demanded from broadcasting stations after August 31, 1935. The percentage of income demanded by members of defendant Society from radio broadcasting stations represents a percentage of the entire income received by such broadcasting stations for the sale to advertisers of their operating time on the radio. Such demand for the payment of these percentages constitutes a charge upon income received by radio broadcasting stations from their time devoted to the broadcasting of lectures, dramatizations, sporting events, and other programs, which employ none of the copyrighted musical compositions of the members of defendant Society.

29. Defendant Society has created a distinction and discrimination between the license agreements exacted of radio broadcasting stations owned at least 51 per cent by newspapers, and license agreements exacted from radio broadcasting stations not so owned. The license agreement exacted by defendant Society from broadcasting stations owned 51 per cent by newspapers does not require payment to defendant Society of a percentage of the station's income derived from all advertisers, but only requires the payment of 3 per cent of the income of the station received from advertisers whose programs include musical compositions owned or controlled by members of defendant Society. Such 3 per cent is payable until the total amount paid by the station equals an amount agreed upon between the station and defendant Society in the agreement. Thereafter the station is required to pay 5 per cent of all additional income received by it from programs in which musical compositions owned or controlled by members of defendant Society are used. The terms of all the license agreements permit the copyright owner, through defendant Society, to withdraw at will from the operation of the license any musical composition and thereby prevent its broadcast by the broadcasting station. By this means members of defendant Society are enabled to and do frequently so withdraw any musical composition in great demand by the general public. Special and additional compensation is required for the granting of permission to broadcast musical compositions so withdrawn. Withdrawal of the right under the licenses to broadcast particular compositions is often used by members of defendant Society particularly to compel radio broadcasting stations to broadcast other and less popular musical compositions for which publicity is desired. Radio broadcasting stations are obliged to accept all terms and conditions imposed by members of defendant Society for the right to broadcast popular musical compositions which have been withdrawn from their general licenses because a station's continued existence depends upon the popularity of the programs it broadcasts.

C.

30. By reason of the combination and conspiracy and the concerted action of members of defendant Society, as a result of which radio broadcasting stations are obliged to accept a blanket license as heretofore stated upon terms and conditions imposed by defendant Society, the members of defendant Society have secured the exclusive use of radio broadcasting as a means of conveying musical compositions to the ear of the public-at-large. By the means described the members of defendant Society have destroyed the incentive of broadcasting stations to use the musical compositions of composers, authors and publishers who are not members of defendant Society and have prevented non-members of defendant Society from receiving the compensation for the rights of public performance of their musical compositions, which they would otherwise receive, and have limited and restricted the popular demand of the listening public to musical compositions controlled by defendant Society.

31. The members of defendant Society, through defendant Society, have been and are enabled to enforce, and have been and are now enforcing, acceptance of their arbitrary and non-competitive demands for royalties upon all classes of entertainers using music. Such entertainers must perform those musical compositions demanded by their audiences. The limitation and restriction of popular demand to the musical compositions controlled by defendant Society has forced such entertainers to obtain from defendant Society a license to perform music controlled by defendant Society so demanded by the public. The members of defendant Society, through defendant Society, have concertedly refused to grant such entertainers permission to perform individual musical compositions selected by the entertainers, but have insisted and still insist that general licenses be accepted which cover all the musical compositions of all the members of defendant Society, upon payment of a fixed amount therefor, irrespective of whether one or more of such musical compositions are actually performed. By

this method of licensing, the members of defendant Society have further restricted the popular demand to those musical compositions owned or controlled by the members of defendant Society, and have prevented the use of musical compositions owned by non-members of defendant Society.

32. By reason of the concerted action of the members of defendant Society in refusing to issue licenses for the public performance of musical compositions owned or controlled by them, except upon the terms and conditions above set forth, the members of defendant Society have prevented and are preventing the sale and transportation in interstate commerce of musical scores owned by composers, authors and publishers who are not members of defendant Society.

D.

33. Defendant Society has adopted and maintained a comprehensive system for the acquiring of detailed and complete information relative to the musical compositions used by broadcasting stations, by means of which information the members of defendant Society have been and are enabled to conduct their operations through defendant Society so as to prevent the development of competition between members of defendant Society and owners of copyrighted musical compositions who are not members of defendant Society, and have been and are enabled to maintain their combined power to compel radio broadcasting stations and all others requiring music in the conduct of their business to obtain licenses from defendant Society for the public performance of musical compositions owned or controlled by the members of defendant Society upon such terms and conditions as may be demanded by defendant Society.

E.

34. The members of defendant Society have agreed to restrict and withdraw at the will of the copyright owner, from radio broadcasting stations licensed by defendant Society the right to perform by broadcasting any individual musical composition and have so restricted and withdrawn musical compositions from broadcasting in order to enforce their demands for royalties from others. By this means members of defendant Association, through defendant John G. Paine, chairman of the board of governors of defendant Association, acting as agent and trustee for such members and others, have required and still require manufacturers of electrical transcription records to pay the uniform and non-competitive royalties hereinbefore in paragraph 14 described. Such royalties are exacted solely for the privilege of inscribing the copyrighted musical compositions upon the part or record used to reproduce mechanically the program and, in the case of musical compositions controlled by defendant Society, do not include the right to broadcast those compositions by radio.

F.

35. Every member of defendant Service corporation has maintained and utilized defendant Service corporation as an instrumentality by which to eliminate from the music industry the jobber in the sale of sheet music. Prior to the organization of defendant Service corporation, the members of defendant Service corporation customarily sold sheet music to retail dealers by and through jobbers who received a jobbers' discount on quantity purchases. Such members of defendant Service corporation have eliminated jobbers' discounts and have maintained uniform and non-competitive prices.

Purpose and Effect

36. All member of defendant Society, defendant Association and defendant Service corporation, have adopted the means and engaged in the activities aforesaid, with the intent, purpose, and effect of unreasonably and unlawfully maintaining enhanced, uniform, and oppressive prices in the interstate commerce hereinbefore described, and have otherwise restrained said trade and commerce.

37. All members of defendant Society, defendant Association and defendant Service corporation, through the mutual and identical agreements hereinbefore described, have actively and effectively restricted their own activities, have eliminated competition among themselves, and have created, maintained and utilized defendant Society, defendant Association and defendant Service corporation as instrumentalities to dominate and restrict, directly and indirectly, the activities of others in said commerce, as heretofore described.

38. The members of defendant Society, through the combination and illegal pooling of their respective individual copyright monop-

olicies hereinbefore described, have created in defendant Society an instrumentality which has the power to and does dictate to and dominate the radio broadcasting industry.

39. Defendants purpose to carry on said combinations and conspiracies in the manner heretofore described.

VIII

Prayer

Wherefore, petitioner prays:

That writs of subpoena issue, directed to each defendant, commanding said defendant to appear herein and answer under oath the allegations contained in this petition and to abide by and perform such acts and decrees as the Court may make in the premises;

That the combinations, conspiracies, agreements and activities of defendants described in this petition be declared to constitute a conspiracy in restraint of interstate and foreign trade and commerce, and to be illegal and in violation of the Act of Congress approved July 2, 1890, known as the Sherman Antitrust Act;

That the following agreements be declared illegal and void:

- (1) All agreements between defendant Society and its members;
- (2) All agreements between defendant Association and its members and all agreements between defendant John G. Paine, as agent and trustee, and members of defendant Association and others;
- (3) All agreements between defendant Service corporation and the music publishers represented by it;
- (4) All agreements between defendant Society and radio broadcasting stations;
- (5) All agreements between defendant Association and/or defendant John G. Paine, as agent and trustee, and the manufacturers of parts by electrical transcription used for the mechanical reproduction of musical compositions;

That defendants and each of them, and each and all of their respective members, officers, managers, agents, employees, and all persons acting or claiming to act for or on behalf of them, or any of them, be perpetually enjoined individually and collectively,

- (1) From further engaging in, agreeing to perform, or performing, said conspiracy or any part thereof, or any other conspiracy of like character or effect, or any of the acts, agreements, understandings or concert of action described in this petition;
- (2) From entering into any agreements or licenses for the public performance of musical compositions owned and controlled by them, or any of them, providing for the payment of royalty determined upon any basis except such as is predicated upon free and open competition between copyright owners with the royalty on individual musical compositions fixed and determined by the copyright owner thereof acting independently in his or its own discretion;
- (3) From joining, becoming a part of, or in any manner becoming associated with, any association, firm or corporation for the issuing of general or blanket agreements or licenses to perform publicly musical compositions, unless the facilities of such association, firm or corporation are open to all owners of copyrighted musical compositions upon an identical and equal basis and unless the general or blanket agreements or licenses issued or to be issued by such association, firm or corporation shall provide for the payment by the licensee of such royalty as is fixed and determined by the copyright owner of each musical composition publicly performed by such licensee;
- (4) From commencing or prosecuting any suits or actions for alleged infringement of copyright against any licensee whose agreements or license may be declared illegal and void herein, upon the giving of a bond by such licensee to secure the payment of such royalty as the Court may adjudge reasonable or as may be mutually agreed upon by the licensee and the copyright owner.

That the petitioner have such other, further and general relief as the nature of the case may require and the Court may deem proper in the premises;

That the petitioner recover from the defendants its costs.

MARTIN CONBOY,
United States Attorney
for the Southern District
of New York.

HOMER S. CUMMINGS,
Attorney General.
HAROLD M. STEPHENS,
Assistant Attorney General.
ANDREW W. BENNETT,
GEORGE P. ALT,
Special Assistants to the
Attorney General.

DISTRICT OF COLUMBIA, SS:

Andrew W. Bennett, being duly sworn, says: I am a Special Assistant to the Attorney General and have been actively engaged in the conduct of the investigation and other work on behalf of the petitioner in connection with this proceeding. I have read the petition herein and know the contents thereof and am informed and verily believe the allegations therein to be true. The sources of my information and the grounds of my belief are the statements and correspondence of various officials of radio broadcasting stations, various authors, composers and publishers, both members and non-members of the Society, the Association and the Service corporation described in the within petition, of various theatres, hotels, restaurants, etc., licensees of the Society, of various manufacturers of electrical transcription records; the statements and official reports of Government investigators and correspondence, memoranda, agreements and minutes of meetings of the defendants and others, the originals or copies of which are in my possession.

ANDREW W. BENNETT.

Subscribed and sworn to before me this 28th day of August, 1934.

[Seal] URSULA B. LEES,
Notary Public, District of Columbia.

TENTATIVE NAB CONVENTION PROGRAM

The tentative program for the Twelfth Annual Convention of the NAB to be held at Netherland Plaza, Cincinnati, Ohio, September 16, 17, 18 and 19 is as follows:

GENERAL CONVENTION INFORMATION

Registration Desk will be located on the Fourth Floor and will be open from 10 a. m. until 1 p. m. Sunday, and from 8:30 a. m. until 5 p. m. on Monday, Tuesday and Wednesday.

Registration fee of \$10.00 per person includes the annual banquet on Tuesday at 6:45 p. m. Additional banquet tickets may be purchased at Registration Desk at \$6.00 each.

Fourth Annual NAB Championship Golf Tournament will be held Sunday at Twin Oaks Country Club, Latonia, Kentucky. Bus will leave hotel at 10 a. m. and first foursome will tee off at 10:30 a. m.

All general sessions and banquet will be held in the Pavillion Caprice located on the Fourth Floor.

Wear your badge at all times. It is your ticket to all meetings. Without it you will be denied admittance.

All motions and resolutions offered by delegates must be in writing and handed to the Presiding Officer after presentation.

Headquarters will be located in Parlor "O" on the Fourth Floor.

Committee meetings will be held in Parlors "H", "I", "J" and "L", all located on the Fourth Floor.

Monday, September 17, 1934

10:00 A. M.

Call to Order

Address of Welcome

Hon. Russell E. Wilson, Mayor of Cincinnati, Ohio

Address of the President

Mr. Alfred J. McCosker, Bamberger Broadcasting Service, Inc., Newark, New Jersey

News by Radio

Hon. C. C. Dill, United States Senator from Washington
Federal Communications Commission
Mr. Hampson Gary, Chairman, Broadcast Division, Federal
Communications Commission, Washington, D. C.
Radio and Human Liberty
Mr. William Hard, Magazine writer and Radio Commentator,
Washington, D. C.
Appointment of Committees
Announcements
Adjournment

Monday, September 17, 1934

2:00 P. M.

Call to Order
Report of the Managing Director
Mr. Philip G. Loucks, National Association of Broadcasters,
Washington, D. C.
Report of Legislative Committee
Mr. Henry A. Bellows, Chairman, NAB Legislative Committee
Report of Engineering Committee
Mr. Joseph A. Chambers, Chairman, Crosley Radio Corporation,
Cincinnati, Ohio

Tuesday, September 18, 1934

10:00 A. M.

Call to Order
The Advertiser Builds a Program
Mr. H. J. Quilliam, Fisher's Blend Station, Inc., Seattle, Wash-
ington
Report of Commercial Committee
Mr. Arthur B. Church, Chairman, Midland Broadcasting Com-
pany, Kansas City, Missouri
Report of Committee on Cost Accounting
Mr. H. K. Carpenter, Chairman, Radio Air Service Corporation,
Cleveland, Ohio
Report of Tax Committee
Mr. E. M. Elkin, Chairman, Westinghouse Electric and Manu-
facturing Company, Pittsburgh, Pennsylvania

Tuesday, September 18, 1934

2:00 P. M.

Call to Order
A Resume of Code Administration
Mr. Joseph Shepard, 3rd, Chairman, Code Authority for the
Radio Broadcasting Industry
Radio Advertising and the Federal Trade Commission
Hon. Ewin L. Davis, member Federal Trade Commission, Wash-
ington, D. C.
Coordinating America's Amusement Industries
Mr. Sol A. Rosenblatt, Division Administrator of the National
Recovery Administration, Washington, D. C.
Report of Nominating Committee
Election of Officers
Adjournment

Wednesday, September 19, 1934

10:00 A. M.

Call to Order
Widening Horizons—A Conception of the Opportunities, Responsi-
bilities and Problems of Education by Radio
Mr. Fred Willis, Executive Office, Columbia Broadcasting System,
New York, N. Y.
Report of Program Committee
Mr. Edgar L. Bill, Chairman, Peoria Broadcasting Company,
Peoria, Illinois
Copyright Division:
Report of Oswald F. Schuette
Copyright advisor of the NAB
Report of J. C. Hostetler
Of Baker, Hostetler, Sidlo and Patterson, Cleveland, Ohio, copy-
right counsel
Report of J. D. Levy
Treasurer of NAB, Philadelphia, Pa.

Wednesday, September 19, 1934

2:00 P. M.

Call to Order
Report of Resolutions Committee
Installation of Officers
Adjournment

BUTCHER HEADS CBS WASHINGTON OFFICE

Harry C. Butcher has been placed in charge of the Washington Office of the Columbia Broadcasting System, it was announced at New York headquarters of the company last week. Mr. Butcher's promotion followed the resignation of Henry A. Bellows as vice president of the Columbia Company and in his new post he will assume the duties relinquished by Mr. Bellows. Mr. Butcher is well known in Washington officialdom and enjoys wide popularity among the broadcasters.

FCC AMENDS BROADCAST ORDER

The Broadcasting Division of the Federal Communications Commission on August 28 amended its order No. 2, requiring sub-
mission of certain information regarding stock ownership, to clarify the wording which outlined the classes of station affected. The amended order reads as follows:

*Broadcasting Division
Order No. 2, As Amended

"Pursuant to the provisions of Section 310 (b) of the Com-
munications Act of 1934, IT IS ORDERED, That the licensees of
all broadcast stations, broadcast-pickup stations, experimental
broadcast stations, experimental visual broadcast stations, experi-
mental relay broadcast stations, or general or special experimental
stations carrying on the experimental transmission of any kind
of broadcast programs, or general or special experimental stations
engaged exclusively in research concerning the development of
apparatus for any of the aforementioned classes of stations, shall,
on or before September 15, 1934, file with the Commission verified
statements showing the following information, as of July 15, 1934:

1. If the licensee is a corporation—
 - a. A list of the stockholders of record, together with the
address and the amount of stock held by each;
 - b. Whether the stock is voted by a person other than the
record holder, and if so, copy of the agreement or other
instrument authorizing same;
 - c. A list of the officers and directors of said corporation,
together with their addresses and the amount of stock held
by each;
 - d. Any other arrangement or agreement with any person or
corporation which may affect the conduct or control of the
business of the licensee corporation.
2. If the licensee is a partnership, association, organization, or
company (other than a corporation)—
 - a. A list of the persons or corporations owning any interest
therein, the amount of interest held by each person or com-
pany, and their addresses;
 - b. A list of the officers and directors, and their addresses.

"IT IS FURTHER ORDERED, that the licensee shall inform the
Commission of any changes subsequent to July 15, 1934, in the
ownership of stock in the licensee corporations (or of the issuance
of additional shares of stock and to whom issued), or any changes
in the ownership of licensee-partnerships, associations, organiza-
tions or companies.

"The Secretary is hereby instructed to furnish appropriate forms
for the furnishing of the information above ordered."

* * *

Case Temporarily on Broadcast Division

At the suggestion of Hampson Gary, Acting Chairman of the
Federal Communications Commission, the following minute was
adopted:

"IT IS ORDERED that Commissioner Norman S. Case be, and
he is hereby, assigned temporarily as a member of the Broadcast
Division of the Commission, to serve in the absence of Commis-
sioner Thad H. Brown of said division until the return of Com-
missioner Brown, under the authority of Section 5 (a) of the
Communications Act of 1934."

GARY TO ADDRESS NAB MEETING

Hampson Gary, chairman of the Broadcast Division of the Federal Communications Commission, will address the Twelfth Annual Convention of the NAB to be held at Netherland Plaza, Cincinnati, Ohio, September 16, 17, 18 and 19. Commissioner Gary will speak at the Monday morning session.

MUSIC PUBLISHERS' CODE STAY REQUESTED

Oswald F. Schuette, copyright advisor of the NAB, asked General Hugh S. Johnson, National Recovery Administrator, to order a suspension of further consideration by the NRA of the Music Publishers Code. This code was presented by the Music Publishers Protective Association and provides that the directors of this association—all of whom are named as defendants in the Government's anti-trust suit filed in New York this week—be empowered to name the code authority for the industry.

The text of Mr. Schuette's protest to General Johnson follows:

"The Attorney General of the United States filed a suit yesterday in the Federal District Court for the Southern District of New York against the American Society of Composers, Authors and Publishers, the Music Publishers Protective Association, and Music Dealers Service, Inc., charging them with violating the Sherman anti-trust law.

"This is the same Music Publishers Protective Association which has presented to the National Recovery Administration a so-called Code of Fair Competition for the Music Publishing Industry under which it asks that its Board of Directors—all of whom are named individually as defendants in the Government's prosecution—be given the exclusive power to name the Code Authority for that industry!

"At the public hearing held on this code on July 26, I testified as copyright advisor of the National Association of Broadcasters, in whose behalf I had filed a complaint with the Department of Justice, and called attention to the danger that the proposed code might interfere with the Government's investigation.

"To safeguard the Government's case, I offered an amendment to the proposed code providing that 'the immunity from the operation of the anti-trust laws granted by Section 5 of the National Industrial Recovery Act shall not be applicable to any practices of the Music Publishers Protective Association or the American Society of Composers, Authors and Publishers now under investigation by any governmental agency.'

"At that time the Government's suit had not been filed. Now that actual proceedings have been started and that there may be no danger of granting any such immunity, I respectfully request that further action upon the Music Publishers Code be suspended until proper safeguards shall have been provided to prevent any possibility of interference with the orderly prosecution of the Government's case."

CONGRESSMAN AYRES NAMED F. T. C. MEMBER

Hon. William A. Ayres, member of Congress from Kansas for nearly 20 years, this week took the oath of office as a member of the Federal Trade Commission, to which he was appointed a few weeks ago by President Roosevelt. Mr. Ayres resigned, Wednesday, as a member of the House of Representatives. Commissioner Ayres succeeds to the vacancy created by the resignation of Commissioner James M. Landis, who is now a member of the Securities and Exchange Commission. The term for which he is appointed will expire in September, 1940.

NEW CALL BOOK PUBLISHED

The Bureau of Foreign and Domestic Commerce of the Department of Commerce has compiled and published a new list of short-wave broadcasting stations of the world. The call book is obtainable from the Bureau's Washington office, or from the district offices, for 25 cents.

The list has been compiled from information obtained from the Berne Bureau, the British Broadcasting Corporation, the Federal Communications Commission, 32 commercial and 400 consular offices of the American Government abroad, and other organizations which co-operate with the Electrical Equipment Division.

COST ACCOUNTING QUESTIONNAIRE

If you have not returned the filled-in questionnaire on Uniform Cost Accounting, please do so at once, since the Cost Accounting Committee will shortly begin preparation of its report for the meeting.

ENGINEERING COMMITTEE MEETING

J. A. Chambers, Chairman of the NAB Engineering Committee, has called a meeting of the committee to be held at the Netherlands-Plaza Hotel, Cincinnati, Ohio, Saturday, September 15, 1934, at 1 p. m.

SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act.

Bondholders' Protective Committee of the Capitol Properties 6½ per cent First Mortgage Bonds, San Francisco, Calif. (2-1049, Form D-1)

Walter H. Lippincott, and Others, Atlantic City, N. J. (2-1050, Form F-1)

W. W. Turner, Manager, Oklahoma Gas Utilities Co., Chickasha, Okla. (2-1051, Form D-1)

Share And Units Corporation, New York City. (2-1052, Form C-1)

Michigan Food Purveying Corporation, Ann Arbor, Mich. (2-1053, Form A-1)

Bondholders Protective Committee Walthall Hotel Company, Jackson, Miss. (2-1054, Form D-1)

Kirch-Trumbull Corporation, Alden, N. Y. (2-1055, Form A-1)

Public Health Plan, Inc., New York City. (2-1056, Form A-1)

Hamilton Depositors Corporation, Denver, Colo. (2-1057, Form C-1)

Sonotone Corporation, New York City. (2-1058, Form A-1)

Beauty Utilities, Inc., Newark, N. J. (2-1059, Form A-1)

Gilgrease Oil Company, Tulsa, Okla. (2-1060, Form A-1)

William Taylor Hotel First Mortgage Bondholders Committee, San Francisco, Cal. (2-1061, Form D-1)

North American Bond & Share Corp., Joplin, Mo. (2-1062, Form C-1)

Lackawanna Beer & Ale Corp., Scranton, Pa. (2-1063, Form A-1)

Certified Oil Properties Company, Tulsa, Okla. (2-1064, Form A-1)

Certified Royalties, Inc., Tulsa, Okla. (2-1065, Form G-1)

Chester Imes, Oklahoma City, Okla. (2-1066, Form G-1)

Anton Busch Company, Inc., New York City (2-1067, Form A-1)

Alberta Carbon Coal Co., Ltd., Edmonton, Alberta, Canada. (2-1068, Form A-1)

Motors Securities Company, Shreveport, La. (2-1069, Form A-1)

San Jose Water Works, San Jose, Cal. (2-1070, Form A-1)

Canadian Gold & Metals Mining Co., Ltd., Toronto, Canada. (2-1071, Form A-1)

National Non-Skid Tire Chain Corp., Wilmington, Del. (2-1072, Form A-1)

Protective Committee for Holders of J. P. Allen & Company, First Mortgage Gold Bonds, New Orleans, La. (2-1073, Form D-1)

Peninsular Refining Corporation, Tampa, Fla. (2-1074, Form A-1)

Tastyeast, Inc., Trenton, N. J. (2-1075, Form E-1)

Reorganization Committee, New York City. (2-1076, Form D-1)

Reorganization Committee for Southern United Gas Company, Philadelphia, Pa. (2-1077, Form D-1)

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Friday, September 7, 1934

WKZO—WKZO, Inc., Kalamazoo, Mich.—C. P., 590 kc., 250 590 watts, 1 KW LS, unlimited time. Present assignment: 590 kc., 1 KW, daytime.

APPLICATIONS GRANTED

KLZ—The Reynolds Radio Co., Inc., Denver, Colo.—Granted 560 modification of C. P. approving transmitter location and extending commencement and completion dates to October 1, 1934, and January 30, 1935, respectively.

WCRW—Clinton R. White, Chicago, Ill.—Granted C. P. to install 1210 new equipment.

KIEV—Cannon System, Ltd., Glendale, Calif.—Granted modification of C. P. to change equipment and change commencement date to September 1 and completion date to November 30, 1934.

WNEL—Juan Piza, San Juan, P. R.—Granted modification of C. P. to change proposed transmitter site locally; extend commencement date to 5 days from date and completion date to 60 days thereafter.

WWRL—Long Island Broadcasting Corp., Woodside, N. Y.—Granted license, 1500 kc., 100 watts, 250 watts LS, specified hours.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted license covering C. P., 1340 kc., 500 watts, unlimited.

WKBV—William O. Knox, d/b as Knox Battery & Electric Co., Richmond, Ind.—Granted voluntary assignment of license to Knox Radio Corp.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Granted authority to determine operating power by direct antenna measurement.

KXL—KXL Broadcasters, Portland, Ore.—Granted license covering C. P., 1420 kc., 100 watts LS, shares KBPS.

WALA—Pape Broadcasting Corp., Inc., Mobile, Ala.—Granted license covering C. P., 1380 kc., 500 watts, unlimited.

KOIL—Mona Motor Oil Co., Council Bluffs, Iowa.—Granted modification of C. P. approving transmitter site, and extending commencement to November 1 and completion date to January 30, 1935.

NEW—S. H. Patterson, Portable—Granted C. P. for temporary broadcast pickup service; 2000, 2190, 2830 kc., 40 watts.

WIXAV—Shepard Broadcasting Service, Quincy, Mass.—Granted renewal of special experimental license, 61500 kc., 100 watts.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Granted license covering move of station locally; 900 kc., 500 watts, specified hours.

SPECIAL AUTHORIZATIONS

WSMK—Stanley M. Krohn, Jr., Dayton, Ohio.—Granted extension of special experimental authority to operate simultaneously with KQV from 6:45 p. m. to 12 midnight, EST, for period September 1 to 30, 1934.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted extension of special experimental authority to operate simultaneously with WSMK from 6:45 to 12 midnight, EST, for period September 1 to 30, 1934.

WOBI—Scranton Broadcasters, Inc., Scranton, Pa.—Granted extension of special temporary authority to operate with additional 250-watt power for period September 1, 1934, to March 1, 1935.

KWKH—International Broadcasting Corp., Shreveport, La.—Granted special temporary authority to reduce power to 5 KW and modify present equipment accordingly, until commencement of operation of KWKH on 1100 kc., but not later than December 8, 1934.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—Granted special temporary authority to operate simultaneously with Station KVOO from 7 to 7:30 p. m., CST, with 1 KW power, on September 4.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—To operate simultaneously with Station WAPI from 7 to 7:30 p. m., CST, with power of 1 KW, on September 4.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted extension of special experimental authority to operate on frequency of 1280 kc., with 500 watts, unlimited time, using directional antenna, for period August 30 to November 27, 1934.

RENEWAL OF LICENSES

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted extension of special authorization to increase power to 1 KW experimentally during daytime hours, for term September 1 to December 1, 1934.

WFI—WFI Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary experimental authority to operate with 500 watts additional power during daytime hours only, for term beginning September 1, 1934, to March 1, 1935.

WLIT—Lit Bros. Broadcasting System, Inc., Philadelphia, Pa.—Granted extension of special temporary experimental authority to operate with 500 watts additional power during daytime hours only, for term beginning September 1, 1934, to March 1, 1935.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Present license extended on a temporary basis for a period of 3 months from September 1, subject to such action as may be taken on pending application for renewal.

WIBG—WIBG, Inc., Glenside, Pa.—Present license extended on a temporary basis for a period of 3 months from September 1, subject to such action as may be taken on pending application for renewal.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted temporary extension of license for period September 1 to October 1, 1934, pending receipt and action on application for renewal.

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Special temporary authority to operate with 1 KW power at night with directional antenna and 2½ KW daytime, granted for period September 1, 1934, to March 1, 1935.

SET FOR HEARING

WJJD—WJJD, Inc., Chicago, Ill.—Modification of license to change power and hours of operation from 20 KW, limited time, to 20 KW limited time from 6 a. m. to 8:30 p. m., sunset at Salt Lake, and 5 KW after sunset at Salt Lake, to 8:30 p. m., CST, specified hours.

KPPC—Pasadena Presbyterian Church, Pasadena, Calif.—Modification of license to increase power from 50 to 100 watts.

KCRC—Enid Radiophone Company, Enid, Okla.—Modification of license to change frequency, power and hours of operation from 1370 kc., 100 watts, 250 watts LS, share KGFG, to 1360 kc., 250 watts, unlimited time.

WATR—Harold Thomas, Waterbury, Conn.—Modification of license to change frequency and hours of operation from 1190 kc., daytime, to 1200 kc., unlimited.

MISCELLANEOUS

WLLH—Albert S. Moffat, Lowell, Mass.—Granted modification of C. P. to move transmitter locally in Lowell, Mass.

WBNX—Standard Cahill Co., New York City.—Granted permission to withdraw application in Docket No. 2467 without prejudice, and granted continuance of 30 days of hearing scheduled for September 5.

KGHI—Lloyd Judd Co., Little Rock, Ark.—Hearing scheduled for August 29 continued for 60 days.

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—Granted 30-day continuance of hearing set for August 30.

Unity School of Christianity, Kansas City, Mo.—Denied petition requesting reconsideration and grant of application for new experimental broadcast station; also denied right to protest grant of application of First National Television, Inc.

NEW—Harold E. Smith, Rensselaer, N. Y.—C. P. for new station; 1370 kc., 100 watts, unlimited time (facilities WGLC).

WBZA—Westinghouse Electric and Manufacturing Co., Boston, Mass.—Special experimental authority, 990 kc., 1 KW, unlimited time, when synchronized with WBZ, with option of transmitting dissimilar programs over WBZA daytime up to 1 hour before sunset.

WKEU—Radio Station WKEU, La Grange, Ga.—C. P. to move station to Chattanooga, Tenn., change frequency to 1370 kc., and hours of operation to daytime.

APPLICATIONS RECEIVED

First Zone

NEW—Onondaga Radio Broadcasting Corp., Portable-Mobile.—Construction permit to erect a new general experimental broadcast station to be operated on 31100, 34600, 37600, and 40600 kc., 5 watts.

NEW—Onondaga Radio Broadcasting Corp., Portable-Mobile.—Construction permit to erect a new general experimental broadcast station to be operated on 31100, 34600, 37600, and 40600 kc., 5 watts.

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Construction permit to install new equipment and increase power from 500 watts to 500 watts night, 1 KW daytime.

NEW—William J. Sanders, New Britain, Conn.—Construction permit to erect a new broadcast station to be operated on 1380 kc., 250 watts, daytime.

WLLH—Albert S. Moffat, Lexington, Mass.—Modification of construction permit authorizing removal of station from Lexington to Lowell, Mass., requesting local change in location.

W8XAI—Stromberg Carlson Tel. Mfg. Co., Rochester, N. Y.—Modification of construction permit requesting extension of required date of completion.

Second Zone

NEW—Associated Radiocasting Corp., Portable.—Construction permit to erect a new general experimental broadcast station to be operated on 31100, 34600, 37600, 40600 kc., 15 watts.
WJW—WJW, Inc., Akron, Ohio.—Construction permit to install 1210 new equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.
WHJB—Pittsburgh Radio Supply House, Greensburgh, Pa.—Modification of construction permit authorizing erection of a new 620 broadcast station requesting approval of exact transmitter and studio location.

Third Zone

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Special experimental authorization to install new equipment with directional antenna, operate on the frequency 640 kc., with 5 KW power.
WBBZ—Estate of C. L. Carrell, deceased, Ponca City, Okla.—Construction permit to move transmitter and studio locally amended re filed in name of Estate of C. L. Carrell, deceased, by Howard Johnson, Representative.
NEW—Lake Region Broadcasting Co., Lakeland, Fla.—Construction permit to erect a new broadcast station to be operated on 1310 kc., 100 watts, unlimited time.
WGCM—Grace Jones Stewart, under the trade name of Great Southern Land Co. (not inc.), Gulfport, Miss.—Special experimental authorization to operate with an additional 150 1210 watts night and make changes in specified hours.
WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit to install new equipment, move studio, 940 change frequency from 1300 kc. to 940 kc., increase power from 1 KW to 1 KW night, 2½ KW daytime.
WHEF—Attala Broadcasting Corp., Kosciusko, Miss.—License to 1500 cover construction permit for the erection of new station to be operated on 1500 kc., 100 watts night, 250 watts daytime, unlimited time.

Fourth Zone

WGL—F. C. Zieg (Allen Wayne Co.), Fort Wayne, Ind.—Construction permit to make changes in equipment, change frequency from 1370 kc. to 1300 kc., and increase power from 100 watts to 250 watts night, 500 watts daytime.
WGL—F. C. Zieg (Allen Wayne Co.), Fort Wayne, Ind.—Authority 1370 to determine operating power by direct measurement.
WOWO—Main Auto Supply Co., Fort Wayne, Ind.—Authority to 1160 determine operating power by direct measurement.
NEW—Robert J. Woolsey, Chicago, Ill.—Construction permit to erect a new general experimental broadcast station to be operated on 31300 kc., 25 watts.
NEW—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—License for a general experimental broadcast station for 1614, 2398, 3492.5, 4797.5, 6425, 8655 kc., and 1 KW.
WHBY—WHBY, Inc., Green Bay, Wis.—Construction permit to 1200 install new equipment and increase power from 100 watts to 100 watts night and 250 watts daytime.
WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to change 1310 hours of operation from specified to unlimited.
KSO—Iowa Broadcasting Company, Des Moines, Iowa.—Special 1320 experimental authorization requesting additional power of 250 watts night amended to request also an additional power of 1 KW daytime.
KSD—Pulitzer Publishing Co., St. Louis, Mo.—Modification of 550 license to change hours of operation from sharing with KFUE to unlimited, facilities of KFUE, amended to omit request for facilities of KFUE.

Fifth Zone

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—1230 Construction permit to make changes in antenna system and move station locally.

NEW—Bailey Brothers (Burton G., Theodore G., David G., and 1420 Clinton J.), San Diego, Calif.—Construction permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, unlimited time.

KGBU—Alaska Radio and Service Co., Inc., Ketchikan, Alaska.—900 License to cover construction permit authorizing move of transmitter and studio.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—1230 Construction permit to move transmitter and studio locally and make changes in equipment.

KGW—Oregonian Publishing Co., Portland, Ore.—Modification of 620 construction permit authorizing removal of station, installation of new equipment, and increase in daytime power, requesting further changes in equipment and extension of commencement and completion dates.

NEW—Metro Broadcasting Co., A. Tornek and R. Lillie, Los Angeles, Calif.—Construction permit to erect a new broadcast 820 station to be operated on 820 kc., 100 watts night, 250 watts daytime, limited time, amended to request 100 watts day and night.

KALE—KALE, Inc., Portland, Ore.—Authority to install automatic 1300 frequency control amended re changes in equipment.

NEW—J. B. Kiefer, Los Angeles, Calif.—Construction permit to 1480 erect a new broadcast station to be operated on 1480 kc., 100 watts, daytime.

KOOS—H. H. Hanseth, Inc., Marshfield, Ore.—Modification of 1370 license to change hours of operation from daytime to up to 7 p. m., PST, during months sunset occurs prior to 7 p. m., with power of 100 watts.

KGB—Don Lee Broadcasting System, San Diego, Calif.—Modification 1330 of construction permit authorizing changes in equipment and increase in daytime power, requesting further changes in equipment and extension of commencement and completion dates.

KHJ—Don Lee Broadcasting System, Los Angeles, Calif.—Modification 900 of construction permit authorizing changes in equipment and increase in daytime power, requesting further changes in equipment and extension of commencement and completion dates.

KFRC—Don Lee Broadcasting System, San Francisco, Calif.—610 Modification of construction permit authorizing changes in equipment and increase in daytime power, requesting further changes in equipment and extension of commencement and completion dates.

APPLICATIONS RETURNED

NEW—Herbert A. Roberge, Pittsfield, Mass.—Construction permit 1320 to erect a new broadcast station to be operated on 1320 kc., 250 watts, daytime. (Incomplete, jurat improper, and questionable transmitter site.)

NEW—The Ardmore Broadcasting Co., Ardmore, Okla.—Construction 1210 permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, specified hours. (Improperly executed and questionable equipment and transmitter site.)

NEW—Smith Broadcasting Co., Chattanooga, Tenn.—Construction 1420 permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, unlimited time. (Improperly executed and questionable transmitter site.)

NEW—William M. Mace, Glens Falls, New York.—Construction 1370 permit to erect a new broadcast station to be operated on 1370 kc., 100 watts, unlimited time. (Request of applicant.)

WAMC—Raymond C. Hammett, Selma, Ala.—Modification of construction 1420 permit to move station from Anniston to Selma, Ala., and change in frequency. (Request of applicant.)

NEW—E. B. Gish (Gish Radio Service), Abilene, Tex.—Construction 1420 permit to erect a new broadcast station to be operated on 1420 kc. or any other, 100 watts, unlimited time. (Rule 5, questionable equipment and transmitter site.)

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—1250 Modification of construction permit to install new equipment and increase daytime power. (Jurat not executed and incomplete.)

KWKH—International Broadcasting Corp., Shreveport, La.—1100 Modification of special experimental authorization for approval of transmitter site. (Request of applicant.)

KPCB—Queen City Broadcasting Co., Seattle, Wash.—Modification 710 of construction permit requesting change in equipment, unlimited time, and extension of commencement and completion dates. (Request of applicant.)

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - - No. 44
SEPT. 7, 1934

GET IN YOUR STATEMENTS

Many broadcasters apparently do not fully realize the importance of the October 1 hearing before the Federal Communications Commission.

They do not realize apparently that from this general hearing, Congress may be expected to formulate future policy with respect to the American broadcasting system. They do not realize that the Commission is required, by law, to report to Congress its recommendations for new legislation. These recommendations will be based on the actual facts presented at the general hearing.

Replies to the request for facts sent out two weeks ago are coming in slowly. Every broadcaster must realize his responsibility, and get his statement of facts prepared and filed with the Association at once. Don't forget to have the statement sworn to.

Any broadcaster who is willing and able to come to Washington and testify in person at the hearing should so indicate when he signs in his statement to the Association.

You have been notified by the Commission of the hearing and you are afforded an opportunity to testify either in person or file a statement through the NAB. We have tried to indicate to you the type of information which in our judgment the Commission will want to have to formulate its report.

When the Federal Radio Commission made its study in 1931 all stations cooperated. The October 1 hearing is even more important and you are urged, in your interest, to spare no time or effort to assemble and transmit to the NAB information about your station. Every station is expected to have its statement in our hands by September 15. From these statements the case will be built. We are helpless unless every NAB member gives active cooperation.

COPYRIGHT SUIT WAITS ASCAP MOVE

The next move in the copyright suit filed by the Government against ASCAP, et al., is up to the ASCAP. The defendants have twenty days in which to file an answer to the bill filed by the Government.

ALL ROADS LEAD TO CINCINNATI

Arrangements are complete for the Twelfth Annual Convention of the NAB to be held at Netherland-Plaza, Cincinnati, Ohio, September 16, 17, 18 and 19. Hotel reservations are coming in rapidly and indications are that a record-breaking crowd will be in attendance.

Have you made your hotel reservations?

Have you given notice of the appointment of your delegate and alternate?

Have you received your railroad certificate?

Make your arrangements to be in Cincinnati in time to take part in the Golf Tournament.

SPEARMAN NAMES NINE AIDS

Paul D. P. Spearman, general counsel of the Federal Communications Commission, this week announced five appointments to the Commission's Law Department. They are:

Col. Davis G. Arnold, of Washington. Member of the Rhode Island Bar. Acted as counsel to the Senate Committee that investigated the Veterans' Bureau, later becoming Assistant Director, National Guardianship Officer and Assistant Solicitor in the Veterans' Administration. In this work he served as Special Assistant to the Attorney General, and as Special Assistant to the United States Attorneys in many jurisdictions in the prosecution as well as defense of provisions of the World War Veterans' Act.

Melvin H. Dahlberg of New York. Practicing attorney in New York City for the past thirty years. Former Assistant Tax Commissioner of the city. In 1906-07 Mr. Dahlberg was a member of the commission appointed by the New York State Superintendent of Insurance to supervise the election of trustees of the Mutual Life Insurance Company.

John P. Bramhall of Washington. Former counsel for the Kansas City Street Railway Company. In 1918 Mr. Bramhall became Chief Counsel for the Federal Government in the prosecution of cases arising out of the military and naval operations in the World War. In this work he served as Special Assistant to the Attorney General, and as a result of the litigation carried on under his direction the United States recovered more than \$1,500,000.

Albert E. Stephan, of Washington. Examiner for the Interstate Commerce Commission for five years. Later attorney for the Commission in its national investigation of motor transportation. Mr. Stephan served as attorney for the Federal Co-ordinator of Transportation for one year, and was special assistant to the Senate Committee on Interstate Commerce during the drafting of the Communications Act of 1934, Emergency Railroad Act of 1933, Railway Labor Act, and other legislation.

A. V. Dalrymple of Texas. Former member of the U. S. Government in the Philippines. Served in the World War as a major. Prepared the ethnographic maps defining the new boundaries of Poland and the Slavonian countries. Later served as Chief Attorney of the Board of Contract Adjustment.

Annie Perry Neal, of North Carolina. Miss Neal graduated from Wake Forest Law School in 1932, enjoying the distinction of being the first student to be awarded the highest scholastic honors conferred by the school. She is a member of the Committee on Legislation and Law Reform of the North Carolina Bar Association. She has also served on the staff of the Raleigh *News and Observer* and the *Durham Sun*.

Elizabeth C. Smith, of Oklahoma. A graduate of the Okmulgee Law School in 1929, and a former member of the office of the Hon. Paul A. Walker, Chairman of the Corporation Commission of Oklahoma.

F. U. Fletcher, of North Carolina. A graduate of the Duke

THE LAST ROUNDUP!

NAB CONVENTION OPENS IN CINCINNATI, OHIO

SUNDAY, SEPTEMBER 16!

ATTEND THE BIGGEST BROADCASTERS' MEETING IN TWELVE YEARS!

SEE YOU IN CINCINNATI!

University Law School and a member of the North Carolina Bar Association.

Marshall S. Orr, of Oregon. A former member of the U. S. Air Mail Service. He has been with the Bureau of Inquiry of the Interstate Commerce Commission since 1931.

KILLEEN NAMED BROADCAST DIRECTOR

The Federal Communications Commission, of which E. O. Sykes is Chairman, sitting en banc, Friday named the Directors of the three Divisions established July 17, 1934, when the set-up of the new organization was announced.

John Killeen, of New York, was named Director of the Broadcasting Division; Robert T. Bartley, of Texas, was named Director of the Telegraph Division, and A. G. Patterson, of Alabama, Director of the Telephone Division.

Brief sketches of these new additions to the staff of the Commission follow:

John Killeen, Broadcast Director

John Killeen, whose present residence is in New York City, was born in Troy, N. Y., in 1876.

His first position was that of a clerk in the Traffic Department of the New York Central Railroad. He remained with that company for nine years and was promoted for meritorious service to be Chief Clerk of the Traffic Department.

He resigned that position to serve as a member of the Assembly of New York, where he was very active and sponsored and supported important and constructive legislation.

For fifteen years Mr. Killeen was connected with the General Electric Company serving as a contact man between the parent company and holding companies. During that period he served on various committees of the National Electric Association and was active in formulation of policies.

At the time of his resignation from the General Electric Company he was representing that company in broad administrative matters and on policy questions.

Mr. Killeen established and published a weekly newspaper from 1924 to 1933 which was devoted to the discussion of state and national subjects.

From 1930 to 1932 Mr. Killeen devoted much time and study to radio as a means for the dissemination of news and other information.

Robert T. Bartley, Telegraph Director

Mr. Bartley received his education in the School of Commerce at Southern Methodist University and Metropolitan Business College at Dallas, Texas, and later was connected with concerns at Dallas as an accountant and manager. He began work in Washington as statistician in the investigations (under the direction of Dr. W. M. W. Splawn, then Special Counsel for the House Committee on Interstate and Foreign Commerce and now an Interstate Commerce Commissioner) into holding companies in the utilities field. Mr. Bartley was promoted to be executive secretary of the investigating staff and served as such throughout the investigation of holding companies in the communication field. The result of that investigation are embodied in House Report No. 1273 which gives special mention to Mr. Bartley's work.

Among the companies studied in House Report No. 1273 are the Western Union Telegraph Company, the International Telephone and Telegraph Corporation, the American Telephone and Telegraph Company and the Radio Corporation of America, as well as others over which the Federal Communications Commission now has jurisdiction. Among other things the report recommended that the Congress enact legislation to create a Communications Commission with power and funds for a thorough and detailed investigation of the large communications companies.

A. G. Patterson, Telephone Director

A. G. Patterson is a native of Decatur, Alabama, and is 50 years of age. He attended the public schools of Alabama and obtained his A. B. Degree at Terrill College, Decherd, Tennessee.

From 1920 to 1928 he served as President of the Alabama Public Utilities Commission which became one of the outstanding regulatory bodies in the United States.

That Commission under his guidance conducted many proceedings and investigations involving rates, fares, charges, practices and valuations of telephone and telegraph companies as well as other public utilities under jurisdiction of the Commission.

While President of the Utilities Commission, Mr. Patterson was

elected head of the National Association of Railroad and Utility Commissioners. He resigned as a Commissioner on the Utility Board to accept appointment by the Governor of Alabama as a Probate Judge of Morgan County, serving four years.

From April 1, 1933 to June 15, 1934, Mr. Patterson was engaged by the special Senate Committee appointed to investigate ocean mail and air mail contracts, as Chief Investigator.

For 20 years Mr. Patterson has been a member of the Board of Directors of the Tennessee Valley Bank, Decatur, Alabama, one of the leading financial institutions in the South. In 1926 he was a candidate for Governor of Alabama.

FIELD FORCE TO BE REORGANIZED

The Commission placed its field force on a temporary basis for a period not to exceed 60 days, pending a reorganization now in process under the direction of Chief Engineer C. B. Jolliffe.

COMMISSIONER WALKER NAMES SECRETARY

John J. Hassler took the oath of office Friday as Secretary to Commissioner Paul A. Walker, Chairman of the Telephone Division. He was born at Phillipsburg, Kansas, July 12, 1906. He was acting Secretary of Corporation Commission of Oklahoma from February to June, 1933. He attended the Oklahoma City School of Law three terms, September 1 to July 1, for each of the years 1931-32, 1932-33 and 1933-34.

McNARY SAILS FOR LISBON SEPT. 12

J. C. McNary, technical director of the NAB, will sail from New York on the *Manhattan* for Lisbon, Portugal, on September 12. He will represent the NAB at the meeting of the International Consulting Committee on Radiocommunication which opens in Lisbon on September 20. The meeting will continue in session until October 10.

The CCIR conference will consider such aspects of radio communication as have an international import, and formulate opinions based on technical considerations for later use at the International Radio Convention to be held in Cairo, Egypt, in 1937. The CCIR has an official standing under the Madrid convention.

Mr. McNary has represented the NAB during the weeks of conferences preparatory to the Lisbon conference and he will be the only representative from the broadcasting industry to attend the meeting. It is the first time that NAB will have been represented at a meeting of the CCIR and Mr. McNary will attend the September meeting as an active participant in the deliberations.

ADVERTISING CONTRACTS INVESTIGATED

The Code Authority for the Radio Broadcasting Industry this week instituted its first nation-wide investigation of advertising contracts by requesting radio stations and networks to furnish the Code Authority with sworn statements showing the following:

"1. Whether you have any contract either written or oral to broadcast programs advertising 'Crazy Crystals.'

"2. All the terms and conditions of such contract (A copy of the contract duly certified as to correctness is preferred)."

The request for information was contained in Code Authority official bulletin No. 11 which has been mailed to all stations.

According to James W. Baldwin, executive officer of the Code Authority, contracts which are not in conformity with the provisions of the broadcasters code must be adjusted and in the event offending stations refuse to make such adjustment they will be certified to the Compliance Division of the NRA with a request that they be prosecuted under the National Industrial Recovery Act.

DON LEE

News has reached Washington of the death of Don Lee, president of the Don Lee Broadcasting System. Mr. Lee was a pioneer in broadcasting and founder of the Pacific Coast network which bears his name. For years he was a member of the Board of Directors of the NAB and took an active part in the work of the organization. The broadcasting industry has lost an able leader and the NAB has lost an ardent supporter in the passing of Mr. Lee.

SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act:

- Mutual System, Inc., Bridgeport, Conn. (2-1078, Form A-1)
- James Hanley Company, Providence, R. I. (2-1079, Form A-1)
- Payore Gold Mines, Ltd., Toronto, Canada. (2-1080, Form A-1)
- Mellgren Mines Corporation, Tombstone, Ariz. (2-1081, Form A-1)
- Durango Placer Gold Mining Company, Wilmington, Del. (2-1082, Form A-1)
- Maryland Court Bondholders Committee, Chicago, Ill. (2-1083, Form D-1)
- Properties Realization Corporation, New York City. (2-1084, Form E-1)
- Darragh A. Park, William B. Neergaard, and D. C. W. Birmingham, voting trustees, New York City. (2-1085, Form F-1)
- Futures Requirements Plan, Inc., New York City. (2-1086, Form C-1)
- Medico-Dental Building Co., San Diego, Cal. (2-1087, Form E-1)
- Crown Drug Company, Inc., Kansas City, Mo. (2-1088, Form E-1)
- Economic Analysis, Inc., New York City. (2-1089, Form C-1)

EDUCATION BY RADIO DISCUSSED

Use of the radio as a means of presenting public school matters to the attention of the public is considered very effective according to the National Survey of Secondary Education findings reported in its monograph, "Interpreting the Secondary School to the Public," now available from the Government Printing Office, Washington, D. C. The report is termed Monograph No. 16 and costs 15 cents per copy.

"The director of public school publicity," it is explained, "when on the radio, is more in control of what will go before the public than he would be if his remarks were left to an editor for publication in a newspaper or magazine. In speaking over the radio he can select the facts he wishes to make public and can utilize psychological requisites 'to put across' his objective."

"SCHOOL LIFE" LISTS RADIO PROGRAMS

The monthly journal of the Federal Office of Education will list educational radio programs in future issues, according to an announcement made this week by William D. Boutwell, editor-in-chief of the publication.

The journal also lists a number of other important features including a month to month account of the Federal Emergency Education Program; aids for debaters; school reports; CCC Education; and summaries of the policies and program of the Federal Office of Education.

The publication may be secured through the Superintendent of Documents, Government Printing Office, Washington, D. C., at a cost of 10 cents per copy or \$1.00 per year for ten issues.

KWKH PETITIONS TO INTERVENE

Broadcasting Station KWKH has filed a petition in the Court of Appeals of the District of Columbia to intervene in the appeals of T. G. Roberts, formerly connected with that station.

In his petition filed with the Court, Roberts appealed against a grant to KWKH by the Commission allowing it to change its frequency from 850 to 1100 kilocycles. He also appealed against a grant by the Commission to Station WWL of unlimited time on 850 kilocycles. He has no application pending with the Commission in connection with either frequency.

RECOMMENDS WIS GRANT

Station WIS, Columbia, S. C., applied to the Communications Commission to change its frequency from 1010 to 560 kilocycles, and to increase its power from 500 watts and 1,000 watts L.S. to 1,000 watts and 2,500 watts L.S. On June 15 the Radio Commission granted the application, following which protests were filed. In Examiner's Report No. I-3 Ralph L. Walker (e) recommends that the Commission affirm the grant of the Radio Commission.

The Examiner states that when the case was called for hearing counsel for Stations WFI and WLIT withdrew their protests of the grant and WQAM did not appear. In conclusion the Examiner says "the Commission having heretofore granted the application of Station WIS, Inc., for construction permit, protest having been filed, the protestants afforded an opportunity to present evidence,

and no evidence having been offered, it is recommended that the Commission affirm and make effective the grant heretofore made on June 15, 1934."

NO RECOMMENDATION ON KTAR

Station KTAR, Phoenix, Ariz., applied to the Communications Commission to have its nighttime power increased from 500 to 1,000 watts. It operates on 620 kilocycles. George H. Hill (e) in Examiner's Report No. I-2 makes no recommendation but does reach some conclusions.

This case has been heard before by an Examiner of the Radio Commission and that Commission on June 30 granted special temporary experimental authority for this power increase to make a test. The Examiner in his conclusion says:

"In the light of the experimental operation of KTAR with the additional power of 500 watts, some interference would result at or near the one millivolt contour of Station KGW at Portland, Oregon. However, from a practical listeners' standpoint, the interference would not be destructive, and at most Station KGW would not be limited in service to a lesser area than that bound by the 2 millivolt contour, while Station KTAR is now limited to approximately its 4 millivolt contour."

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

MONDAY, SEPTEMBER 10, 1934

Oral Argument Before Commission En Banc (Broadcast Division)

Examiner's Report No. 549

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license; 1440 kc., 500 watts, unlimited time. (Requests facilities WTAD.) Present assignment: 1440 kc., 500 watts, 1 KW-LS; shares with WTAD.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license; 1440 kc., 500 watts; shares with WMBD.

Examiner's Report No. 562

KICK—Red Oak Radio Corp., Carter Lake, Iowa.—Consent to voluntary assignment; 1420 kc., 100 watts; unlimited time.

KICK—The Palmer School of Chiropractic, Carter Lake, Iowa—C. P.; 1370 kc., 100 watts. (Requests facilities KICK.)

WEDNESDAY, SEPTEMBER 12, 1934

WICC—Southern Connecticut Broadcasting Corp., Bridgeport, Conn.—C. P.; 600 kc., 500 watts, 1 KW-LS; specified hours. Present assignment: 600 kc., 500 watts; specified hours.

APPLICATIONS GRANTED

KADA—C. C. Morris, Ada, Oklahoma.—Granted modification of 1200 C. P. approving transmitter location and move of studio to Highway No. 48, 1 mile north of Ada, Okla., installation of new equipment, extension of commencement and completion dates from 8-6-34 and 11-6-34 to 30 days after grant and 90 days after grant, respectively.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted modification of 1270 C. P. Extension of completion date from 9-25-34 to 10-25-34.

WTAX—WTAX, Inc., Springeld, Ill.—Granted license to cover 1210 C. P.; 1210 kc., 100 watts; shares with WCBS.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted 1300 license to cover C. P.; 1300 kc., 250 watts night, 1 KW-LS, unlimited.

KGKL—KGKL, Inc., San Angelo, Texas—Granted license to cover 1370 C. P.; 1370 kc., 100 watts night, 250 watts, LS, unlimited.

W6XAI—Pioneer Mercantile Co., Bakersfield, Calif.—Granted modification of C. P. (Exp.-Exp. Broadcast). Extension of completion date from 9-11-34 to 12-11-34.

W2XAG—R. D. Lemert, Portable (New York)—Granted license to cover C. P. (Exp.-Exp. Visual Broadcasting). 42000-56000, 60000-86000 kc., 100 watts, A3, A4.

W9XDT—Purdue University, Portable (Lafayette, Inc.)—Granted license to cover C. P.; 890 kc., 50 watts, A1, A2, A3.

WPFB—Otis P. Eure, Hattiesburg, Miss.—Granted special temporary authority to operate from 9:30 a. m. to 11:00 a. m. and 1:00 p. m. to 4:30 p. m., CST, Sept. 6 and 7, 1934, in order to broadcast meeting of Mississippi State Bar Association.

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—Granted special temporary authority to remain on the air after local sunset on the nights of Sept. 11, 1934 and Nov. 6, 1934 for the purpose of broadcasting election returns.

WBHS—Virgil V. Evans, Huntsville, Ala.—Granted special temporary authority to remain silent for a period not to exceed 90 days but in no event for a period longer than 3 a. m., EST, Dec. 1, 1934, in order to obtain a location for the station.

WRGA—Rome Broadcasting Corp., Rome, Georgia—Granted special temporary authority to operate from 9:00 p. m. to 12:00 midnight, CST, Sept. 12, 1934, in order to broadcast election returns.

SET FOR HEARING

KFUO—Evangelical Lutheran Synod of Missouri, Ohio and other states, Rev. R. Kretzschmar, Chairman, Board of Control of Concordia Seminary, Clayton, Mo.—Modification of license: Change frequency, increase power and change hours of operation from 550 kc., 500 watts night, 1 KW-LS; shares KSD to 640 kc., 1 KW day, 1 KW to sunset, Los Angeles, specified hours (hours not used by WOI during daytime and to operate from LS to sunset at Los Angeles. Part facilities of WOI).

KGDM—E. F. Peffer, Stockton, Calif.—Construction permit: Move transmitter from 42 S. California Street to location to be determined, Stockton, Calif., change transmitter and increase power from 250 watts to 1 KW, change hours from daytime to unlimited.

MISCELLANEOUS

WSMK and KQV—Dayton, Ohio, Pittsburgh, Pa.—Hearing scheduled for Sept. 25th continued to October 19th. (Application for special experimental authority to operate simultaneously, unlimited time.)

Julio M. Conesa, Ponce, Puerto Rico—Granted authority to take depositions in reapplication for C. P. for new broadcast station. Case was heard before an Examiner and Commission has remanded it to the Examiner for the taking of further testimony. Now scheduled for hearing Sept. 24, 1934. The Commission today ratified previous action by Chairman Gary of the Broadcasting Division.

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Granted authority to take depositions in reapplication for C. P. to make changes in equipment and increase power from 1 KW to 1 KW night, 2½ KW-LS, change time from limited to unlimited. Case to be heard before Commission en banc Sept. 24, 1934.

WGLC—The Adirondack Broadcasting Co., Inc., Hudson Falls, N. Y.—Set for hearing application for C. P. as amended, to move station to Albany, N. Y., and operate on its present frequency, 1370 kc., with 100 watts, unlimited time.

Marion K. Gillian, Staunton, Va.—Reaffirmed grant of C. P. for new radio station at Staunton, Va., to operate on 550 kc., with 500 watts power, daytime. KSD, St. Louis, Mo., has withdrawn its protest and Commission dismissed protest of WEHC, Charlottesville, Va.

APPLICATIONS RECEIVED

NEW—National Broadcasting Co., Inc., Portable-Mobile—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000 to 400000 kc., 1 watt.

NEW—National Broadcasting Co., Inc., Portable, Mobile—License to cover above.

NEW—National Broadcasting Co., Inc., Portable, Mobile—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000 to 400000 kc., 1 watt.

NEW—National Broadcasting Co., Inc., Portable-Mobile—License to cover above.

NEW—Frank Lyman, Jr., Boston, Mass.—Construction permit to erect a new broadcast station to be operated on 680 kc., 250 watts and limited time amended to request limited time until sunset at Raleigh, N. Car.

WATR—Harold Thomas, Waterbury, Conn.—Voluntary assignment of license to the WATR Company, Inc.

NEW—Joseph M. Kirby, Boston, Mass.—Construction permit to erect a new broadcast station to be operated on 970 kc., 250 watts night, 500 watts daytime, unlimited time.

NEW—Williard G. Demuth, Uhrichsville, Ohio—Construction permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, daytime.

WSEN—Columbus Broadcasting Corp., Columbus, Ohio—Voluntary assignment of license to WCOL, Incorporated.

KIKI—Liner's Broadcasting Station, Inc., Portable in and around Monroe, La.—License to cover construction permit for broadcast pickup station for 2150 kc., 75 watts.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—License to cover construction permit authorizing changes in equipment and increase in power.

WDSU—Joseph H. Uhalt, New Orleans, La.—Voluntary assignment of license to WDSU, Incorporated.

WMBH—Joplin Broadcasting Co., Joplin, Missouri—Modification of license to change hours of operation from specified to unlimited.

KMO—KMO, Inc., Tacoma, Washington—Modification of license to increase power from 250 watts to 250 watts night, 500 watts daytime, amended to request 500 watts day and night.

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - No. 45
 SEPT. 11, 1934

BROADCAST ADVERTISING IN JULY

Developments of the Month

BBROADCAST advertising in July totaled \$4,375,463, a decrease of 19.2% as compared with June. National spot volume decreased 31.4% as compared with June, national network business 22.9%, regional network volume 9.0%, and local advertising 17.1%. Time sales in July were 37.6% below the March peak. It is probable that this decline is slightly greater than the usual seasonal one. National spot advertising showed the most pronounced seasonal decline, dropping to approximately one-half its March volume.

Comparison with 1933

Total broadcast advertising volume during July was 11.6% greater than during the same month of 1933. National network advertising was 37.8% above last year. Regional network volume experienced a similar increase, while national spot volume rose by 4.4%. Local advertising declined 20.4% as compared with July, 1933. Lagging retail trade and the slow revival of many small businesses undoubtedly have been to blame.

Comparison with Other Media

The July seasonal decline in broadcast advertising was somewhat less than that experienced by other media. Magazine volume dropped approximately 30.0%, farm paper volume 27.0%, and newspaper advertising 22.0%. Magazine advertising volume in July was 25.1% greater than in 1933. National farm papers registered a 44.0%

increase over the previous year and newspapers an increase of 6.2%.

Other Trends of the Month

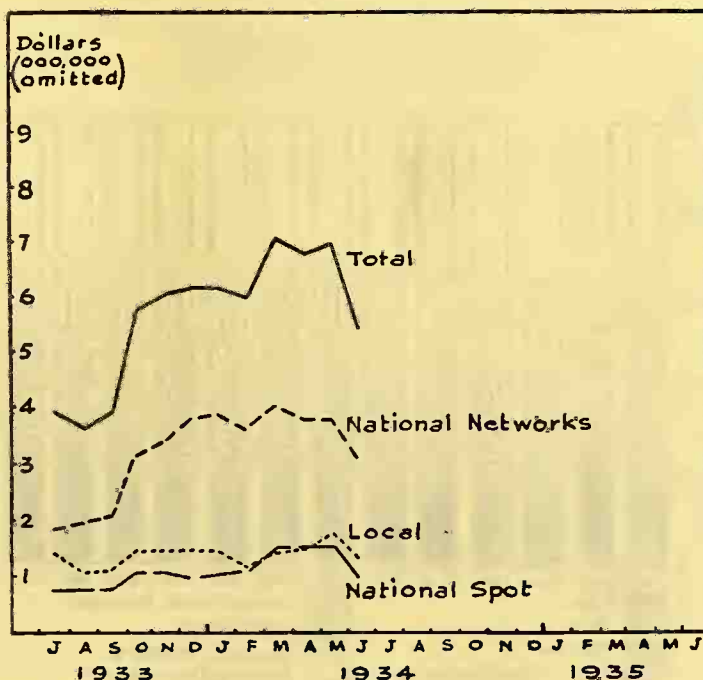
Heaviest declines in non-network advertising during the month occurred in the over 5,000-watt station class. July revenues of these stations were 36.0% less than in June. Revenues of stations of the 250-1,000-watt class were 14.1% lower than in the preceding month, and those of 100-watt stations 9.0% less. Low-power regional stations and local stations were in a slightly better position than in July, 1933, while other classes of stations were somewhat below the level of the previous year.

The Mountain-Pacific Coast area alone recorded gains during the month, time sales in this section increasing 4.4% over June. Far Western revenues were 41.1% above last July, while those of the South Atlantic-South Central area showed an increase of 22.0%. Advertising in the New England-Middle Atlantic district was 11.6% above last year, and that of the North Central area 5.6%.

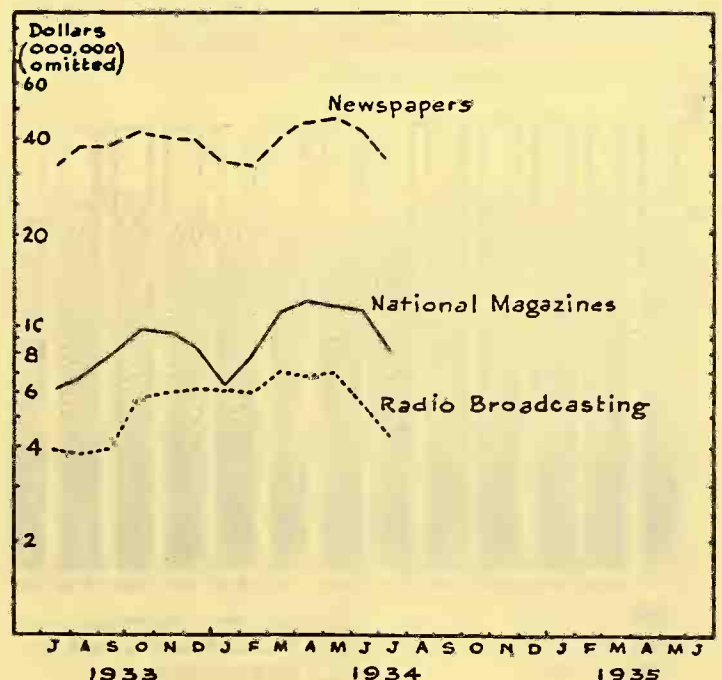
Electrical transcription volume declined 18.9% during the month, due principally to a dropping off of local business. Live talent volume declined 16.5%, record volume 50.0%, and spot announcement volume 8.4%. National spot business in the announcement field dropped 41.3% as compared with June. Electrical transcription volume in July was approximately the same as last year. Live talent volume was 2.6% greater than in July, 1933, due to a 70.7% rise in national spot live talent business. This seems to be a highly significant trend. Spot announcements were 28.8% under last July, with national spot business declining most heavily.

Trends as to sponsorship are discussed elsewhere in the report.

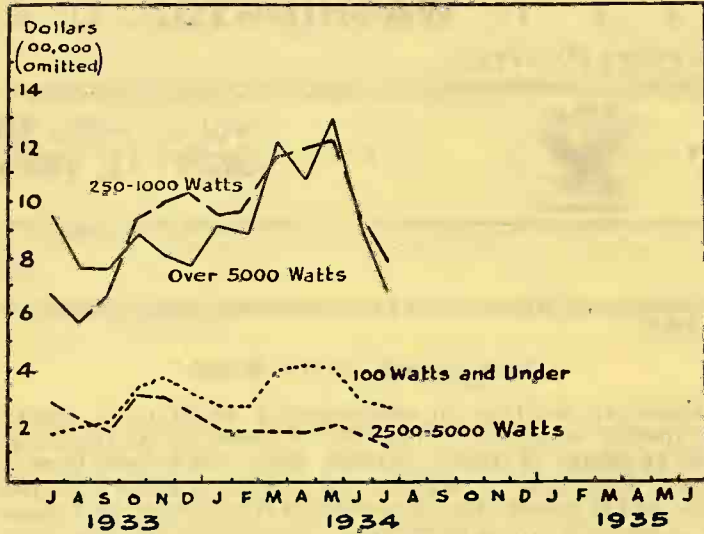
RADIO BROADCAST ADVERTISING VOLUME
 July, 1933, to June, 1935



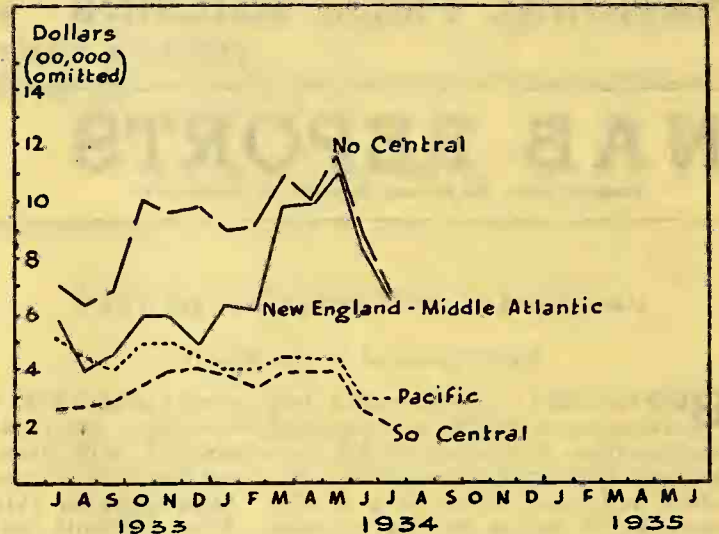
ADVERTISING VOLUME MAJOR MEDIA
 July, 1933, to June, 1935



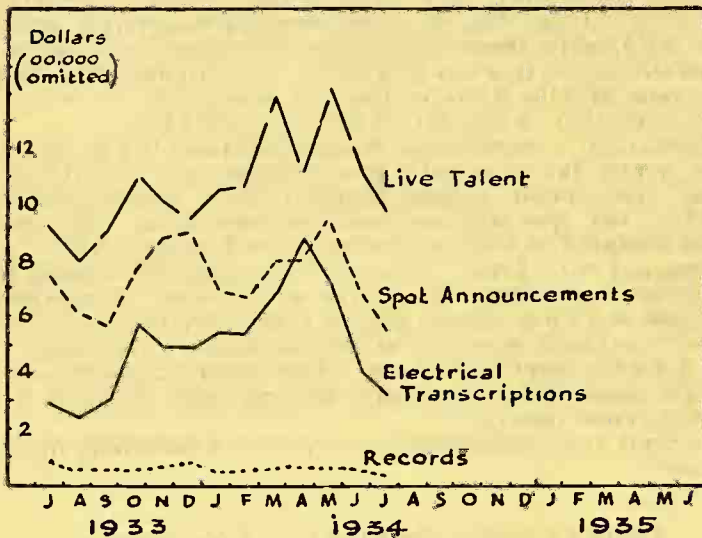
NON-NETWORK ADVERTISING BY STATION POWER
July, 1933, to June, 1935



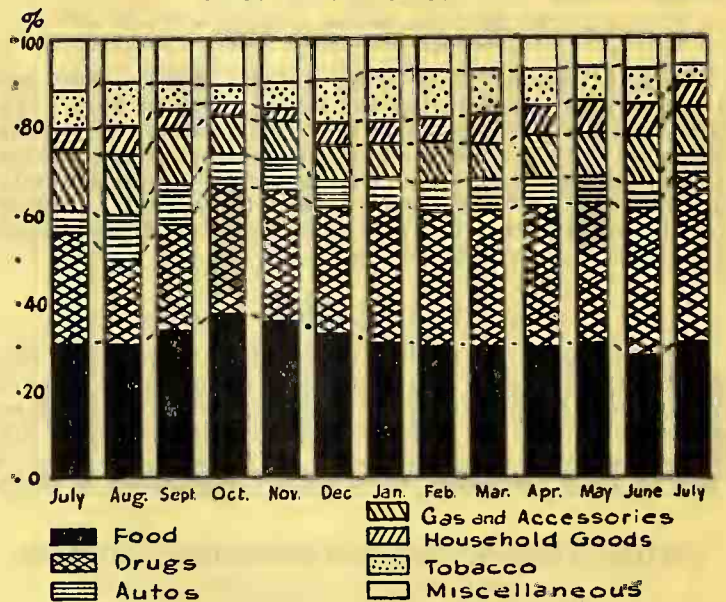
NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS
July, 1933, to June, 1935



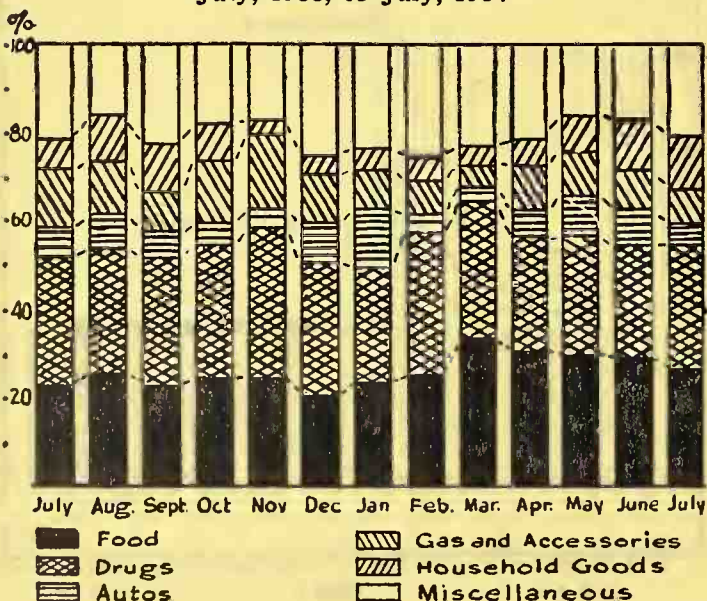
NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION
July, 1933, to June, 1935



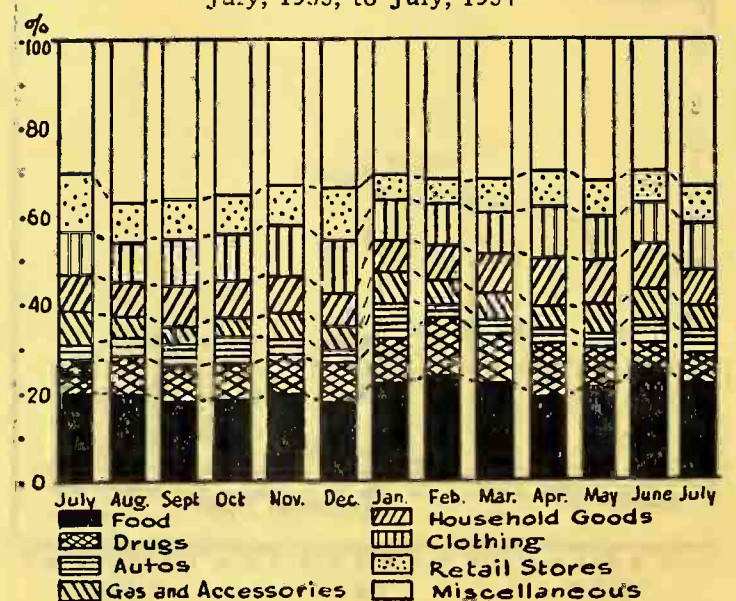
NATIONAL NETWORK ADVERTISING BY TYPE OF SPONSORING BUSINESS
July, 1933, to July, 1934



NATIONAL SPOT ADVERTISING BY TYPE OF SPONSORING BUSINESS
July, 1933, to July, 1934



LOCAL ADVERTISING BY TYPE OF SPONSORING BUSINESS
July, 1933, to July, 1934



Explanation of Charts

The principal information appearing in these reports will be presented in chart form from now on. Several features should be noted regarding individual charts. A scale showing *percentage of relative change* rather than absolute change has been used in the media chart. This chart, technically known as a semi-logarithmic chart, is necessitated by reason of limited space. The sponsorship charts (bar charts) show the percentage of business represented by various industries during the different months. The industrial groupings are condensations of those used in the sponsor tables.

Sponsor Trends in July

A general decline occurred in practically all fields, as compared with June, the decrease in revenues being particularly heavy in the automotive, beverage, household equipment, and tobacco fields. Only clothing advertising increased, registering a gain of 10.6%. A number of fields showed marked increases in volume over July, 1933. They included the following: Soap and kitchen supplies more than doubled; pharmaceuticals, a rise of 40.0%; cosmetics, 70.0%, and foodstuffs, 26.0%. Tobacco advertising was 46.0% less than in

works down 23.2%, national spot 28.0%. Total decline slight. Food volume 26.0% above July last year. Network increase was 50.0%, national spot 23.0%. Local food advertising down 14.0% as compared with July, 1933.

7. *Beverages*. July volume 28.0% below previous month. Main loss a 50.0% decline in local revenue. Beverage advertising 20.0% above July, 1933, due mainly to doubling of national spot volume.

8. *Confectionery*. Slight decline, due mainly to 50.0% drop in national spot volume during month. Confectionery volume 15.0% above July, 1933.

9. *Household equipment and appliances*. Decline 30.0% during month. Slightly greater decrease in national spot volume. Current July 10.0% below preceding year, due mainly to 50.0% national network decrease.

10. *Soap and kitchen supplies*. Down 14.0% as compared with June, mostly network in origin. Soap and kitchen supply volume practically double July, 1933. National network and spot doubled, local up 50.0%.

11. *Insurance and financial*. Down 10.0%, mostly local in origin. Financial advertising 41.0% less than in July, 1933. Network decline 53.0%.

12. *Radio*. Revenues 19.0% less than in June. An 80.0% decrease in national spot volume. July volume slightly above last year.

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS (July, 1934)

| Type of Sponsoring Business | National Networks | Regional Networks | Gross Receipts | | |
|---|--------------------|-------------------|------------------|--------------------|--------------------|
| | | | National Spot | Local | Total |
| 1a. Amusements | — | — | \$8,200 | \$56,212 | \$64,412 |
| 1-2. Automobiles and Accessories: | | | | | |
| (1) Automobiles | \$100,185 | — | 39,150 | 58,736 | 198,071 |
| (2) Accessories, gas and oils | 275,977 | \$13,999 | 65,232 | 69,830 | 425,038 |
| 3. Clothing and apparel | 27,025 | 825 | 25,054 | 115,000 | 167,904 |
| 4-5. Drugs and toilet goods: | | | | | |
| (4) Drugs and pharmaceuticals | 257,212 | 393 | 164,500 | 69,800 | 491,905 |
| (5) Toilet goods | 698,573 | 954 | 47,550 | 11,114 | 758,191 |
| 6-8. Food products: | | | | | |
| (6) Foodstuffs | 491,513 | 7,829 | 156,670 | 183,800 | 839,812 |
| (7) Beverages | 257,112 | 5,229 | 42,800 | 54,867 | 360,008 |
| (8) Confections | 21,519 | 250 | 5,220 | 1,775 | 28,764 |
| 9-10. Household goods: | | | | | |
| (9) Household equipment and furnishings | 11,835 | — | 24,920 | 80,850 | 117,605 |
| (10) Soap and kitchen supplies | 141,061 | — | 65,064 | 9,550 | 215,675 |
| 11. Insurance and financial | 36,121 | 2,140 | 9,610 | 35,280 | 83,151 |
| 12. Radios | 34,188 | — | 1,420 | 8,830 | 44,438 |
| 13. Retail establishments | — | — | 2,530 | 83,920 | 86,450 |
| 14. Tobacco products | 93,494 | — | 19,430 | 2,720 | 115,644 |
| 15. Miscellaneous | 48,895 | 1,320 | 90,400 | 237,780 | 378,395 |
| Total | \$2,494,710 | \$32,939 | \$767,750 | \$1,080,064 | \$4,375,463 |

July, 1933, financial advertising 41.0%, and household equipment 10.0%. A summary of trends in the various fields is as follows:

1a. *Amusements*. Little or no change during the month. Volume increased slightly.

1. *Automobiles*. Down approximately one-third. Network advertising down about 50.0%, and national spot the same. Local volume fairly steady. Network volume 4.0% above July, 1933. Local volume 25.0% greater. Spot volume 17.0% lower than year ago.

2. *Accessories, gasoline and oil*. Down 18.0% as against June. Approximately 25.0% decline in national spot and local fields. July volume 8.0% ahead of last year, due mainly to 12.2% increase in network volume.

3. *Clothing*. Increase of 10.6% as against June. Mostly local gain. Clothing advertising 8.9% greater than same month of 1933. Network advertising more than tripled. National spot volume up 8.0%. Local volume 6.5% less than same month last year.

4. *Drugs and pharmaceuticals*. Down 13.3% compared to previous month. National networks down 20.0%, national spot 16.0%. Local gained slightly. July volume 40.0% above same month 1933. Networks up 66.7% and national spot 36.1%. Total down 20.0%.

5. *Toilet goods*. Down 10.0% during month, due mainly to national spot and local fields. Cosmetic advertising 70.4% above July last year. National network volume more than doubled. National spot down more than 50.0%. Local also below previous year.

6. *Foodstuffs*. Decline of 17.5% as compared with June. Net-

13. *Department store and general store*. Decrease in department and general store volume 21.0% during month. Slight decline as compared with 1933.

14. *Tobacco products*. Decline 41.0% as compared with June. July advertising 46.0% below 1933.

15. *Miscellaneous*. Down 28.0% as against June. Decrease mostly local.

General Retail Advertising. Total retail advertising down 23.3% as against previous month. Sharp drop in retail automotive, accessory, food store, household equipment, furniture store, radio and department store advertising. Slight increases in clothing, hardware, and restaurant advertising.

Business Conditions

The behavior of the major business indices seems to indicate that little improvement can be expected of business in September. July and August have been periods of gradual business recession. The cotton textile strike threatens to aggravate the situation during the current month. The New York Times Index of business activity declined approximately 6.0% during July, and registered a further decrease of nearly 2.0% during the first half of August. The index of steel production dropped from 27.0% of the 1923-25 average to 21.0% during the month. Cram's Reports estimate August automotive production to be 15.0% less than in the preceding month. Freight car loadings have not shown the customary seasonal in-

CENSORSHIP "POPPYCOCK" SAYS STEWART

In an interview over the National Broadcasting Company's network this week, Dr. Irvin Stewart, chairman of the Telegraph Division of the Federal Communications Commission, says talk of radio censorship is "poppycock".

"In the newspapers and over the radio, much ado has been made lately about charges that the Commission would be instrumental in censoring news. Would you care to comment on these charges?" Martin Codel, publisher of *Broadcasting*, asked Commissioner Stewart in the radio interview. The Commissioner replied:

"I most certainly would like to comment upon them. They are absolutely untrue, without even the saving grace of plausibility. They show complete ignorance of the Communications Act and of the actions of the Communications Commission under that law. If there had been the slightest grain of truth in the charges, the press associations would have been the first to register protests. But those associations know that the Commission has neither the power nor the desire to play the censor. The fact that such fanciful and unfounded charges can be made and circulated by radio and in the press is the best possible evidence that there is no censorship. To anyone who knows the Commission as well as you do, I am tempted to dismiss the charges, however honestly they may have been advanced, with the only expression which I believe they deserve—'poppycock.' The dictionary defines 'poppycock' as 'empty talk, foolish nonsense, bosh.' With that definition, the word fits the situation perfectly. As some persons may have been misled by the charges, however, I want to emphasize that the Commission does not have the power, the desire or the intention to engage in censorship in the slightest degree; and I want to add that no one, in the administration or out, has ever suggested to us that censorship in any degree was desirable. And when I make these statements, I make them as one in a position to know and who does know what he is talking about."

N. A. C. R. E. MEETS OCTOBER 8 AND 9

October 8 and 9 are announced as the dates for the forthcoming annual assembly of the National Advisory Council on Radio in Education which will be held in Chicago. Five sessions will be at the Drake Hotel and one in the Hall of Science at the Century of Progress Exposition.

"The Importance of Radio Broadcasting in a Changing Social Order" is to be the general subject of the conference. Among the speakers will be Secretary of the Interior Harold L. Ickes; Dr. John H. Finley, associate editor of *The New York Times*; Walter Damrosch; John Erskine; President Robert M. Hutchins, University of Chicago; President Walter Dill Scott, Northwestern University; Dr. Frederick P. Keppel, President of the Carnegie Corporation of New York; President Robert M. Sproul, University of California; President Lotus D. Coffman, University of Minnesota; Colonel Frank Knox, publisher of the *Chicago Daily News*; Dr. Harry Woodburn Chase, Chancellor of New York University, and others.

Carl H. Milam, secretary of the American Library Association, is chairman of the committee on program which includes Levering Tyson, director of the N. A. C. R. E., President Hutchins and President Scott. Private versus government control of radio will be one of the live topics of discussion. Robert A. McMillan, President of the Council, will open the conference with greetings transmitted by short wave from London.

AMENDMENT TO ORDER NO. 2

The Broadcast Division, composed of Hampson Gary, Chairman, and Commissioners Brown and Sykes, today took the following action:

"It is ordered that Order No. 2, as amended, promulgated by the Commission August 28, 1934, be amended by inserting after the word 'each' of paragraph 1.a, of said order as amended, the following: 'Provided, however, that if said licensee Corporation has of record on said date one thousand stockholders or more, such Corporation shall be required to file with the Commission a list only of such stockholders owning one percentum or more of stock in said Corporation,' so as to make said sec. 1.a, read as follows:

"1.a A list of the stockholders of record, together with the address and the amount of stock held by each; provided, however, that if said licensee Corporation has of record on said date one thousand stockholders or more, such Corporation shall be required to file with the Commission a list only of such stockholders owning one percentum or more of stock in said Corporation."

"It is further ordered:

That the next to the last paragraph of said Order No. 2 as amended, be amended by inserting following the parenthesis and before the word 'or' in line four as appears on the minutes of the Commission the words 'as required by Section 1.a, hereof as amended.'"

SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Securities and Exchange Commission under the Securities Act:

- The Reed Company, Inc., New York City. (2-1090, Form A-1)
- Sococana Mining Company, Ltd., Ontario, Canada. (2-1091, Form A-1)
- Leigh J. Sessions Corporation, New York City. (2-1092, Form G-1)
- W. J. Dobbs, Dallas, Texas. (2-1093, Form A-1-G-2)
- Southland Investment Company, Inc., Shreveport, La. (2-1094, Form A-1)
- American Irrigation Company, Wilmington, Del. (2-1095, Form A-1)
- The Theatre Corporation of South Bend Bondholders' Protective Committee, Cleveland, Ohio. (2-1096, Form D-1)
- Sabine Royalty Corporation, Tyler, Texas. (2-1097, Form A-1)
- Monarch Fire Insurance Company, Cleveland, Ohio. (2-1098, Form A-1)
- Great Dik Gold Mines, Inc., San Francisco, Cal. (2-1099, Form A-1)
- Buckeye Jack Manufacturing, Inc., Alliance, Ohio. (2-1100, Form A-1)

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Friday, September 21, 1934

WHB—WHB Broadcasting Co., Kansas City, Mo.—Special experimental authority, 1120 kc., 500 watts, LS to midnight. Present assignment: 860 kc., 500 watts, daytime.

APPLICATIONS GRANTED

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted 1210 special temporary authority to operate from local sunset to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays, and Sundays, with power of 50 watts, for period ending October 12, 1934.

KSLM—Oregon Radio, Inc., Salem, Ore.—Granted modification of 1370 C. P. to make changes in equipment.

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Granted 580 C. P. to make changes in equipment and increase day power from 1 KW to 2½ KW. (Normally licensed 580 kc., 1 KW, share with KSAC.)

WSEN—The Columbus Broadcasting Corp., Columbus, Ohio.—1210 Granted consent to voluntary assignment of license to WCOL, Inc.

WBBZ—Estate of C. L. Carrell (deceased), Ponca City, Okla. 1200 (Howard Johnson, Representative).—Granted C. P. to move transmitter locally in Ponca City, Okla.

SPECIAL AUTHORIZATIONS

WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—1310 Granted special temporary authority to operate from 12:01 a. m. to 1:30 a. m., CST, September 12, in order to broadcast election returns.

WSUI—State University of Iowa, Iowa City, Iowa.—Granted special temporary authority to operate from 12 noon to 12:30 p. m., CST, September 15; 10 p. m. to 12 midnight, CST, September 22; 7:45 a. m. to 8:15 a. m., CST, September 24, in order to broadcast special activities of the University.

WSBT—The South Bend Tribune, South Bend, Ind.—Granted extension of special temporary authority to operate the following specified hours: Sundays, 6 to 8 a. m. and 5 to 11 p. m.; Mondays to Fridays, inclusive, 6 to 7 a. m., 12 noon to 5 p. m., and 8 to 11 p. m.; and Saturdays, 6 to 7 a. m., 12 noon to 5

p. m., and 8 p. m. to 12 midnight, CST, for the period beginning September 11, 1934, and ending in no event later than 30 days thereafter.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
1360 Granted extension of special experimental authority to operate the following specified hours: Sundays, 8 a. m. to 5 p. m., 11 p. m. to 12 midnight; Mondays to Fridays, inclusive, 7 a. m. to 12 noon, 5 to 8 p. m., and 11 p. m. to 12 midnight; Saturdays, 7 a. m. to 12 noon, and 5 to 8 p. m., CST, for the period beginning September 11 and ending in no event later than 30 days thereafter.

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—
1400 Granted extension of special temporary authority to operate from 7 to 8 p. m., CST, on Mondays and Fridays for period ending in no event later than 3 a. m., EST, November 1, 1934, provided WBAA operates on frequency of 890 kc.

SET FOR HEARING

KMLB—Liners Broadcasting Station, Inc., Monroe, La.—C. P. to
630 make changes in equipment, move station locally to location to be determined subject to Commission approval, change frequency from 1200 kc. to 630 kc., and increase power from 100 to 250 watts, employing directional antenna system.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KDYL, Salt Lake City; KPIO, Spokane; KFOX, Long Beach, Calif.; KFSG, Los Angeles; KGCA, Decorah, Iowa; KGH, Billings, Mont.; KOIL, Council Bluffs, Iowa; KRKD, Los Angeles; KTSA, San Antonio; KRSC, Seattle; KUOA, Fayetteville, Ark.; KVOA, Tucson, Ariz.; KVOR, Colorado Springs; KWLC, Decorah, Iowa; KWSC, Pullman, Wash; KYA, San Francisco; WAVE, Louisville, Ky.; WCAL, Northfield, Minn.; WCAM, Camden, N. J.; WDBJ, Roanoke, Va.; WDOD, Chattanooga, Tenn.; WFBR, Baltimore, Md.; WHA, Madison, Wis.; WIBA, Madison, Wis.; WJAS, Pittsburgh, Pa.; WLB, Minneapolis; WNBX, Springfield, Vt.; WNBZ, Saranac Lake, N. Y.; WRC (auxiliary), Washington, D. C.; WREN, Lawrence, Kans.; WRC, Washington, D. C.

W2XEK—Knickerbocker Broadcasting Co., Inc., Portable-Mobile.—
Granted renewal of general experimental station license and modification of license (frequencies 31100, 34600, 37600, 40600 kc.), effective September 1, 1934, to June 1, 1935.

RATIFICATIONS

WJR—WJR, The Goodwill Station, Detroit, Mich.—Granted license
750 covering C. P., 750 kc., 1 KW, unlimited time.

WMBH—Joplin Broadcasting Co., Joplin, Mo.—Granted special
1420 temporary authority to operate from 2 to 3 p. m., CST, on September 8, 15, 22, and 29, in order to broadcast Kiddies Review Programs.

WLIT—Lit Bros. Broadcasting System, Inc., Philadelphia, Pa.—
560 Granted special temporary authority to operate a 50-watt portable transmitter with A1 emission for period of 10 days, to conduct field survey in vicinity of Philadelphia in order to determine new location for transmitter of station WLIT.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—
1230 Granted C. P. to move station locally in Albuquerque.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—
1250 Granted special temporary authority to conduct field intensity survey tests in vicinity of Minneapolis, using a 500-watt transmitter, between 12 midnight and 6 a. m., CST, for period beginning September 1 and ending no later than September 15, provided power does not exceed 100 watts and no operation occurs from 4:30 to 5:30 a. m., EST, Wednesday morning, September 5.

WBAA—Purdue University, W. Lafayette, Ind.—Granted extension
890 of special temporary authority to operate on 890 kc., 500 watts night, 1 KW day, specified hours, as follows: Daily except Sundays: 11 a. m. to 4 p. m.; daily except Saturdays and Sundays, 4 to 5 p. m.; Sundays, 2 to 4 p. m.; also daily 6 p. m. to LS (when sundown occurs after 6 p. m.), for period September 1 and pending withdrawal of protest field by WILL and/or until decision of Commission upon application for modification of license, but no later than November 1, 1934.

KMED—Mrs. W. J. Virgin, Medford, Ore.—Granted 30-day ex-
1310 tension of program test period, pending action on license application.

KIKI—Liners Broadcasting Station, Inc., Monroe, La.—Granted
authority to operate broadcast pickup station KIKI, 2150 kc., 75 watts, September 4 to 14, inclusive, at Ruston, La., in connection with programs from Louisiana Tech.

MISCELLANEOUS

KGW—Oregonian Publishing Co., Portland, Ore.—Granted until
620 October 18 within which to file exceptions to Examiner's Report No. 1-2, involving application of KTAR, Phoenix, Ariz., to increase night-time power from 500 to 1,000 watts.

WCAO—The Monumental Radio Co., Baltimore, Md.—Granted
600 continuance of hearing set for September 12, 1934, to hear protest against granting of application of WICC, Bridgeport, Conn., to increase power from 500 to 1,000 watts, to provide time for engineer to make investigation and measurements.

APPLICATIONS RECEIVED

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Modification
550 of construction permit authorizing changes in equipment and increase in daytime power requesting extension of commencement and completion dates.

WHA—University of Wisconsin, Madison, Wis.—License to cover
940 construction permit for installation of new equipment and increase in daytime power.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—License to cover
1350 construction permit for installation of new equipment and increase in daytime power.

NEW—Twin Cities Broadcasters, A. R. Ebrite, E. R. Ristine, and
1200 J. D. Kolesar, Centralia, Wash.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

NEW—W. L. Gleeson, Alameda, Calif.—Construction permit to
1500 erect a new broadcast station to be operated on 1500 kc., 100 watts, unlimited time, amended to request change in transmitter site.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—
780 Modification of license to increase power to 500 watts night, 1 KW daytime, amended to request 1 KW day and night.

WLLH—Albert S. Moffat, Lexington, Mass.—Modification of license
1370 to increase hours of operation from specified to unlimited.

WJR—WJR, The Goodwill Station, Detroit, Mich.—License to
750 cover construction permit for the erection of a temporary transmitter.

WHEC—Community Broadcasting Corp., Charlottesville, Va.—
1420 Construction permit requesting installation new equipment, change frequency from 1350 kc. to 1420 kc., power from 500 watts daytime to 100 watts night, 250 watts daytime, and hours of operation from daytime to unlimited, amended to request unlimited daytime and share time at night with WEED.

WBNS—WBNS, Inc., Columbus, Ohio.—Authority to determine
1430 operating power by direct measurement of antenna power.

WEED—Wm. Avera Wynne, Rocky Mount, N. C.—Modification
1420 of license to change hours of operation from daytime to unlimited, amended to request unlimited daytime and share time at night with WHEC.

WNAD—University of Oklahoma, Norman, Okla.—Modification of
1010 license to increase power from 500 watts to 1 KW.

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Special
580 experimental authorization to operate with an additional power of 250 watts night, 750 watts day, amended to request modification of license to increase power from 250 watts to 1 KW.

WFBC—The Greenville News-Piedmont Co., Greenville, S. C.—
1300 Modification of license to increase power from 250 watts night, 1 KW daytime, to 1 KW day and night.

KXYZ—Harris County Broadcast Co., Houston, Tex.—License to
1440 cover special experimental authorization authorizing changes in equipment and operation with an additional power of 250 watts.

NEW—Neth L. Leachman, Dallas, Tex.—Construction permit to
1200 erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

WGCM—Grace Jones Stewart, under trade name of Great Southern
1210 Land Co. (not inc.), Gulfport, Miss.—Voluntary assignment of license to WGCM, Incorporated.

NEW—Abilene Broadcasting Co. (Partnership, James N. Walker
1210 and J. S. Groves), Abilene, Tex.—Construction permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, daytime.

CENSORSHIP "POPPYCOCK" SAYS STEWART

In an interview over the National Broadcasting Company's network this week, Dr. Irvin Stewart, chairman of the Telegraph Division of the Federal Communications Commission, says talk of radio censorship is "poppycock".

"In the newspapers and over the radio, much ado has been made lately about charges that the Commission would be instrumental in censoring news. Would you care to comment on these charges?" Martin Codel, publisher of *Broadcasting*, asked Commissioner Stewart in the radio interview. The Commissioner replied:

"I most certainly would like to comment upon them. They are absolutely untrue, without even the saving grace of plausibility. They show complete ignorance of the Communications Act and of the actions of the Communications Commission under that law. If there had been the slightest grain of truth in the charges, the press associations would have been the first to register protests. But those associations know that the Commission has neither the power nor the desire to play the censor. The fact that such fanciful and unfounded charges can be made and circulated by radio and in the press is the best possible evidence that there is no censorship. To anyone who knows the Commission as well as you do, I am tempted to dismiss the charges, however honestly they may have been advanced, with the only expression which I believe they deserve—'poppycock.' The dictionary defines 'poppycock' as 'empty talk, foolish nonsense, hosh.' With that definition, the word fits the situation perfectly. As some persons may have been misled by the charges, however, I want to emphasize that the Commission does not have the power, the desire or the intention to engage in censorship in the slightest degree; and I want to add that no one, in the administration or out, has ever suggested to us that censorship in any degree was desirable. And when I make these statements, I make them as one in a position to know and who does know what he is talking about."

N. A. C. R. E. MEETS OCTOBER 8 AND 9

October 8 and 9 are announced as the dates for the forthcoming annual assembly of the National Advisory Council on Radio in Education which will be held in Chicago. Five sessions will be at the Drake Hotel and one in the Hall of Science at the Century of Progress Exposition.

"The Importance of Radio Broadcasting in a Changing Social Order" is to be the general subject of the conference. Among the speakers will be Secretary of the Interior Harold L. Ickes; Dr. John H. Finley, associate editor of *The New York Times*; Walter Damrosch; John Erskine; President Robert M. Hutchins, University of Chicago; President Walter Dill Scott, Northwestern University; Dr. Frederick P. Keppel, President of the Carnegie Corporation of New York; President Robert M. Sproul, University of California; President Lotus D. Coffman, University of Minnesota; Colonel Frank Knox, publisher of the Chicago Daily News; Dr. Harry Woodhurn Chase, Chancellor of New York University, and others.

Carl H. Milam, secretary of the American Library Association, is chairman of the committee on program which includes Levering Tyson, director of the N. A. C. R. E., President Hutchins and President Scott. Private versus government control of radio will be one of the live topics of discussion. Robert A. McMillan, President of the Council, will open the conference with greetings transmitted by short wave from London.

AMENDMENT TO ORDER NO. 2

The Broadcast Division, composed of Hampson Gary, Chairman, and Commissioners Brown and Sykes, today took the following action:

"It is ordered that Order No. 2, as amended, promulgated by the Commission August 28, 1934, be amended by inserting after the word 'each' of paragraph 1.a, of said order as amended, the following: 'Provided, however, that if said licensee Corporation has of record on said date one thousand stockholders or more, such Corporation shall be required to file with the Commission a list only of such stockholders owning one percentum or more of stock in said Corporation,' so as to make said sec. 1.a, read as follows:

"1.a A list of the stockholders of record, together with the address and the amount of stock held by each; provided, however, that if said licensee Corporation has of record on said date one thousand stockholders or more, such Corporation shall be required to file with the Commission a list only of such stockholders owning one percentum or more of stock in said Corporation.

"It is further ordered:

That the next to the last paragraph of said Order No. 2 as amended, be amended by inserting following the parenthesis and before the word 'or' in line four as appears on the minutes of the Commission the words 'as required by Section 1.a, hereof as amended.'

SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Securities and Exchange Commission under the Securities Act:

- The Reed Company, Inc., New York City. (2-1090, Form A-1)
- Soocana Mining Company, Ltd., Ontario, Canada. (2-1091, Form A-1)
- Leigh J. Sessions Corporation, New York City. (2-1092, Form G-1)
- W. J. Dohbs, Dallas, Texas. (2-1093, Form A-1-G-2)
- Southland Investment Company, Inc., Shreveport, La. (2-1094, Form A-1)
- American Irrigation Company, Wilmington, Del. (2-1095, Form A-1)
- The Theatre Corporation of South Bend Bondholders' Protective Committee, Cleveland, Ohio. (2-1096, Form D-1)
- Sabine Royalty Corporation, Tyler, Texas. (2-1097, Form A-1)
- Monarch Fire Insurance Company, Cleveland, Ohio. (2-1098, Form A-1)
- Great Dik Gold Mines, Inc., San Francisco, Cal. (2-1099, Form A-1)
- Buckeye Jack Manufacturing, Inc., Alliance, Ohio. (2-1100, Form A-1)

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

Friday, September 21, 1934

WHB—WHB Broadcasting Co., Kansas City, Mo.—Special experimental authority, 1120 kc., 500 watts, LS to midnight. Present assignment: 860 kc., 500 watts, daytime.

APPLICATIONS GRANTED

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted 1210 special temporary authority to operate from local sunset to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays, and Sundays, with power of 50 watts, for period ending October 12, 1934.

KSLM—Oregon Radio, Inc., Salem, Ore.—Granted modification of 1370 C. P. to make changes in equipment.

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Granted 580 C. P. to make changes in equipment and increase day power from 1 KW to 2½ KW. (Normally licensed 580 kc., 1 KW, share with KSAC.)

WSEN—The Columbus Broadcasting Corp., Columbus, Ohio.—1210 Granted consent to voluntary assignment of license to WCOL, Inc.

WBBZ—Estate of C. L. Carrell (deceased), Ponca City, Okla. 1200 (Howard Johnson, Representative).—Granted C. P. to move transmitter locally in Ponca City, Okla.

SPECIAL AUTHORIZATIONS

WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—1310 Granted special temporary authority to operate from 12:01 a. m. to 1:30 a. m., CST, September 12, in order to broadcast election returns.

WSUI—State University of Iowa, Iowa City, Iowa.—Granted special temporary authority to operate from 12 noon to 12:30 p. m., CST, September 15; 10 p. m. to 12 midnight, CST, September 22; 7:45 a. m. to 8:15 a. m., CST, September 24, in order to broadcast special activities of the University.

WSBT—The South Bend Tribune, South Bend, Ind.—Granted extension of special temporary authority to operate the following specified hours: Sundays, 6 to 8 a. m. and 5 to 11 p. m.; Mondays to Fridays, inclusive, 6 to 7 a. m., 12 noon to 5 p. m., and 8 to 11 p. m.; and Saturdays, 6 to 7 a. m., 12 noon to 5

p. m., and 8 p. m. to 12 midnight, CST, for the period beginning September 11, 1934, and ending in no event later than 30 days thereafter.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
1360 Granted extension of special experimental authority to operate the following specified hours: Sundays, 8 a. m. to 5 p. m., 11 p. m. to 12 midnight; Mondays to Fridays, inclusive, 7 a. m. to 12 noon, 5 to 8 p. m., and 11 p. m. to 12 midnight; Saturdays, 7 a. m. to 12 noon, and 5 to 8 p. m., CST, for the period beginning September 11 and ending in no event later than 30 days thereafter.

WKBF—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—
1400 Granted extension of special temporary authority to operate from 7 to 8 p. m., CST, on Mondays and Fridays for period ending in no event later than 3 a. m., EST, November 1, 1934, provided WBAA operates on frequency of 890 kc.

SET FOR HEARING

KMLB—Liners Broadcasting Station, Inc., Monroe, La.—C. P. to
630 make changes in equipment, move station locally to location to be determined subject to Commission approval, change frequency from 1200 kc. to 630 kc., and increase power from 100 to 250 watts, employing directional antenna system.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KDYL, Salt Lake City; KFIO, Spokane; KFOX, Long Beach, Calif.; KFSG, Los Angeles; KGCA, Decorah, Iowa; KGHL, Billings, Mont.; KOIL, Council Bluffs, Iowa; KRKD, Los Angeles; KTSA, San Antonio; KRSC, Seattle; KUOA, Fayetteville, Ark.; KVOA, Tucson, Ariz.; KVOR, Colorado Springs; KWLC, Decorah, Iowa; KWSC, Pullman, Wash.; KYA, San Francisco; WAVE, Louisville, Ky.; WCAL, Northfield, Minn.; WCAM, Camden, N. J.; WDBJ, Roanoke, Va.; WDOB, Chattanooga, Tenn.; WFBR, Baltimore, Md.; WHA, Madison, Wis.; WIBA, Madison, Wis.; WJAS, Pittsburgh, Pa.; WLB, Minneapolis; WNBX, Springfield, Vt.; WNBZ, Saranac Lake, N. Y.; WRC (auxiliary), Washington, D. C.; WREN, Lawrence, Kans.; WRC, Washington, D. C.

W2XEK—Knickerbocker Broadcasting Co., Inc., Portable-Mobile.—
Granted renewal of general experimental station license and modification of license (frequencies 31100, 34600, 37600, 40600 kc.), effective September 1, 1934, to June 1, 1935.

RATIFICATIONS

WJR—WJR, The Goodwill Station, Detroit, Mich.—Granted license
750 covering C. P., 750 kc., 1 KW, unlimited time.

WMBH—Joplin Broadcasting Co., Joplin, Mo.—Granted special
1420 temporary authority to operate from 2 to 3 p. m., CST, on September 8, 15, 22, and 29, in order to broadcast Kiddies Review Programs.

WLIT—Lit Bros. Broadcasting System, Inc., Philadelphia, Pa.—
560 Granted special temporary authority to operate a 50-watt portable transmitter with A1 emission for period of 10 days, to conduct field survey in vicinity of Philadelphia in order to determine new location for transmitter of station WLIT.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—
1230 Granted C. P. to move station locally in Albuquerque.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—
1250 Granted special temporary authority to conduct field intensity survey tests in vicinity of Minneapolis, using a 500-watt transmitter, between 12 midnight and 6 a. m., CST, for period beginning September 1 and ending no later than September 15, provided power does not exceed 100 watts and no operation occurs from 4:30 to 5:30 a. m., EST, Wednesday morning, September 5.

WBAA—Purdue University, W. Lafayette, Ind.—Granted extension
890 of special temporary authority to operate on 890 kc., 500 watts night, 1 KW day, specified hours, as follows: Daily except Sundays: 11 a. m. to 4 p. m.; daily except Saturdays and Sundays, 4 to 5 p. m.; Sundays, 2 to 4 p. m.; also daily 6 p. m. to LS (when sundown occurs after 6 p. m.), for period September 1 and pending withdrawal of protest filed by WILL and/or until decision of Commission upon application for modification of license, but no later than November 1, 1934.

KMED—Mrs. W. J. Virgin, Medford, Ore.—Granted 30-day ex-
1310 tension of program test period, pending action on license application.

KIKI—Liners Broadcasting Station, Inc., Monroe, La.—Granted
authority to operate broadcast pickup station KIKI, 2150 kc., 75 watts, September 4 to 14, inclusive, at Ruston, La., in connection with programs from Louisiana Tech.

MISCELLANEOUS

KGW—Oregonian Publishing Co., Portland, Ore.—Granted until
620 October 18 within which to file exceptions to Examiner's Report No. 1-2, involving application of KTAR, Phoenix, Ariz., to increase night-time power from 500 to 1,000 watts.

WCAO—The Monumental Radio Co., Baltimore, Md.—Granted
600 continuance of hearing set for September 12, 1934, to hear protest against granting of application of WICC, Bridgeport, Conn., to increase power from 500 to 1,000 watts, to provide time for engineer to make investigation and measurements.

APPLICATIONS RECEIVED

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Modification
550 of construction permit authorizing changes in equipment and increase in daytime power requesting extension of commencement and completion dates.

WHA—University of Wisconsin, Madison, Wis.—License to cover
940 construction permit for installation of new equipment and increase in daytime power.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—License to cover
1350 construction permit for installation of new equipment and increase in daytime power.

NEW—Twin Cities Broadcasters, A. R. Ebrite, E. R. Ristine, and
1200 J. D. Kolesar, Centralia, Wash.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

NEW—W. L. Gleeson, Alameda, Calif.—Construction permit to
1500 erect a new broadcast station to be operated on 1500 kc., 100 watts, unlimited time, amended to request change in transmitter site.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—
780 Modification of license to increase power to 500 watts night, 1 KW daytime, amended to request 1 KW day and night.

WLLH—Albert S. Moffat, Lexington, Mass.—Modification of license
1370 to increase hours of operation from specified to unlimited.

WJR—WJR, The Goodwill Station, Detroit, Mich.—License to
750 cover construction permit for the erection of a temporary transmitter.

WHEC—Community Broadcasting Corp., Charlottesville, Va.—
1420 Construction permit requesting installation new equipment, change frequency from 1350 kc. to 1420 kc., power from 500 watts daytime to 100 watts night, 250 watts daytime, and hours of operation from daytime to unlimited, amended to request unlimited daytime and share time at night with WEED.

WBNS—WBNS, Inc., Columbus, Ohio.—Authority to determine
1430 operating power by direct measurement of antenna power.

WEED—Wm. Avera Wynne, Rocky Mount, N. C.—Modification
1420 of license to change hours of operation from daytime to unlimited, amended to request unlimited daytime and share time at night with WHEC.

WNAD—University of Oklahoma, Norman, Okla.—Modification of
1010 license to increase power from 500 watts to 1 KW.

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Special
580 experimental authorization to operate with an additional power of 250 watts night, 750 watts day, amended to request modification of license to increase power from 250 watts to 1 KW.

WFBC—The Greenville News-Piedmont Co., Greenville, S. C.—
1300 Modification of license to increase power from 250 watts night, 1 KW daytime, to 1 KW day and night.

KXYZ—Harris County Broadcast Co., Houston, Tex.—License to
1440 cover special experimental authorization authorizing changes in equipment and operation with an additional power of 250 watts.

NEW—Neth L. Leachman, Dallas, Tex.—Construction permit to
1200 erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

WGCM—Grace Jones Stewart, under trade name of Great Southern
1210 Land Co. (not inc.), Gulfport, Miss.—Voluntary assignment of license to WGCM, Incorporated.

NEW—Abilene Broadcasting Co. (Partnership, James N. Walker
1210 and J. S. Groves), Abilene, Tex.—Construction permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, daytime.

W9XBZ—WCBD, Inc., Portable-Mobile.—License to cover construction permit for general experimental broadcast station for 31100, 34600, 37600, 40600 kc., 35 watts.

WIBA—The Badger Broadcasting Co., Inc., Madison, Wis.—Extension of special experimental authorization to operate with additional power of 500 watts at night for the period 10-1-34 to 12-1-34.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Extension of special experimental authorization to operate with additional power of 15 KW for the period 11-1-34 to 5-1-35.

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Construction permit to make changes in equipment, move transmitter, change frequency from 1310 kc. to 630 kc., and increase power from 100 watts night, 250 watts daytime, to 500 watts, amended to omit request for transmitter move, request 800 kc., 1 KW, and limited time until 1 hour after local sunset.

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Modification of license to change hours of operation from unlimited to nighttime, from 1 hour after local sunset, 100 watts power.

WJAY—Cleveland Radio Broadcasting Corp., Cleveland, Ohio.—Modification of license to change frequency from 610 kc. to 640 kc., power from 500 watts to 1 KW, and hours of operation from daytime to specified, amended to request 500 watts, limited time.

WHP—WHP, Inc., Harrisburg, Pa.—Modification of license to increase power from 500 watts night, 1 KW daytime, to 1 KW day and night.

NEW—F. L. Whitesell, Forty Fort, Pa.—Construction permit to erect a new broadcast station to be operated on 930 kc., 500 watts, daytime, amended to change transmitter site.

WKJC—Lancaster Broadcasting Service, Inc., Lancaster, Pa.—License to cover construction permit authorizing changes in equipment and increase in daytime power.

WDBJ—Times-World Corp., Roanoke, Va.—License to cover construction permit authorizing changes in equipment and increase in power.

KWEA—International Broadcasting Corp., Shreveport, La.—Construction permit to move station to a site to be determined in Baton Rouge, La., make changes in antenna, and change frequency from 1210 kc. to 1500 kc.

NEW—M. D. Smith, Jr., d/b as Smith Broadcasting Co., Chattanooga, Tenn.—Construction permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, unlimited time.

NEW—Dr. Wm. J. Reynolds and Wm. J. Reynolds, Jr., Selma, Ala.—Construction permit to erect a new broadcast station to be operated on 1500 kc., 100 watts, daytime.

NEW—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Construction permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, unlimited time.

WCBD—WCBD, Inc., Zion, Ill.—Modification of license to move main studio from Zion to Waukegan, Ill.

WTRC—Truth Radio Corp., Elkhart, Ind.—Construction permit to make changes in equipment.

NEW—Hauser Radio Co., C. R. Hauser and John McGinniss, Ventura, Calif.—Construction permit to erect a new broadcast station to be operated on 1160 kc., 100 watts, daytime.

KRKD—Radio Broadcasters, Inc., Los Angeles, Calif.—Construction permit to install new equipment and increase power from 500 watts to 1 KW night, 2½ KW daytime.

KSLM—Oregon Radio, Inc., Salem, Ore.—Modification of construction permit authorizing erection of a new station requesting installation of new equipment, increase in power from 100 watts to 100 watts night, 250 watts daytime, and hours of operation from daytime to unlimited and extension of commencement and completion dates, amended to omit request for increase in power and changes in equipment.

WMAL—National Broadcasting Co., Inc., Washington, D. C.—Modification of license to use present licensed main transmitter as auxiliary and present licensed auxiliary as the main transmitter.

NEW—A. L. Chilton, Kilgore, Tex.—Construction permit to erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

WAMC—Raymond C. Hammett, Anniston, Ala.—Modification of construction permit authorizing rebuilding of station requesting approval of transmitter site, installation of new equipment, and extension of commencement and completion dates.

NEW—Leo J. Blanchard, Fredericksburg, Tex.—Construction permit to erect a new broadcast station to be operated on 1120 kc., 250 watts, sharing time with WTAW.

NEW—Clinton Broadcasting Corp., Clinton, S. C.—Construction permit to erect a new broadcast station to be operated on 1120 kc., 500 watts, daytime, amended to request 620 kc., transmitter site to be determined.

NEW—Maynard Dowell, San Diego, Calif.—Construction permit to erect a new broadcast station to be operated on 1150 kc., 100 watts, unlimited time.

APPLICATIONS RETURNED

The following applications have been received and returned to the applicants:

NEW—Patrick J. Goode, New Haven, Conn.—Construction permit to erect a new broadcast station to be operated on 970 kc., 250 watts, limited time. (Incomplete.)

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Authority to determine operating power by direct measurement. (Obsolete form.)

NEW—Willard G. Demuth, Uhrichsville, Ohio.—Construction permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, daytime. (Incomplete.)

KPAC—Port Arthur College, Port Arthur, Tex.—License to cover construction permit for move of station. (Not properly signed and equipment questionable.)

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Modification of construction permit authorizing changes in equipment requesting extension of commencement and completion dates. (Jurat incomplete.)

KOOS—H. H. Hanseth, Inc., Marshfield, Ore.—Modification of license to change hours of operation from daytime to operation to 7 p. m., PST, with power of 100 watts, during months of September, October, November, December, January, February, and March. (Not signed.)

NEW—Cache Valley Broadcasting Service Co., Logan, Utah.—Construction permit to erect a new broadcast station to be operated on 1420 kc. or 1370 kc., 100 watts, unlimited time. (Improperly executed, Rule 5, and questionable equipment and transmitter site.)

RENEWAL APPLICATIONS RECEIVED

The following applications for renewal of licenses have been received:

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—780 kc., 250 watts, S. H.

KLPM—John B. Cooley, Minot, N. Dak.—1240 kc., 250 watts, 1240 S. H.

RENEWAL APPLICATIONS RETURNED

The following applications for renewal of licenses have been returned to the applicants:

KFWB—Warner Bros. Broadcasting Corp., Hollywood, Calif. 950

WDAE—Tampa Times Company, Tampa, Fla. 1220

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 2 - No. 47
SEPT. 26, 1934

OCTOBER 1 HEARING STATEMENTS

The October 1 hearing before the Broadcast Division of the Federal Communications Commission is admittedly the most important event in the history of American broadcasting. It has received wide publicity. Its outcome will determine whether or not 25 per cent of all facilities will be taken away from licensed stations and given to educational, religious, and similar organizations.

And yet many NAB members have not sent in their sworn statements in response to the NAB's urgent call for information.

Although the questions to be answered were sent to every member of the NAB along with NAB REPORTS, many members are now wiring that they never received them. This means simply that the questionnaire was disregarded upon its receipt.

The case for the broadcasters will be as strong or as weak as individual members make it. The NAB cannot make the case. It can only present in the best possible manner such facts as stations submit. The NAB has been busy night and day preparing for the hearings. Your cooperation is not only essential, it is absolutely imperative. It is an appalling fact that despite the notices sent out by the Commission, the statements sent out through NAB REPORTS, and the comment at the Convention, so many stations have shown a discouraging disregard of the most important hearing ever to be faced by the broadcasting industry. It is not yet too late. Send in your statements immediately.

NAB HEADQUARTERS A BEEHIVE

With the vast amount of work left over from the Cincinnati meeting stacked high and heaps of correspondence awaiting attention, NAB headquarters is a beehive of activity with the preparation for the October 1 hearing before the Federal Communications Commission. With the hearing date only several days off, all routines are being sidetracked at headquarters in order that every minute of time may be devoted to the enormous task of preparing for the hearing.

Your executive staff, barely recovered from the strenuous days of the Convention, has plunged headlong into the October case. So if you haven't received a reply to your letter it is simply because the days are much too short and your staff much too limited to handle every detail during a period when a Convention, a copyright suit, and the most important hearing in the history of the industry fall at the same time. Please be patient!

375 ATTEND CINCINNATI MEETING

Registrations at the Cincinnati meeting totaled 375, according to the official tabulation.

Proceedings of the Convention will be printed and one copy sent to each NAB member. Additional copies may be purchased at a price to be determined. Every effort will be made to have the record printed at the earliest possible date.

J. T. WARD NAMED NAB PRESIDENT

Following is a list of officers and directors of the NAB elected during the Cincinnati, Ohio, meeting:

PRESIDENT—J. T. Ward, WLAC, Nashville, Tennessee.
FIRST VICE PRESIDENT—Lambdin Kay, WSB, Atlanta, Georgia.
SECOND VICE PRESIDENT—Carl Meyers, KOIN, Portland, Oregon.
TREASURER—Isaac D. Levy, WCAU, Philadelphia, Pennsylvania.
MANAGING DIRECTOR—Philip G. Loucks, Washington, D. C.

DIRECTORS

For the Three-Year Term:

*Alfred J. McCosker, WOR, Newark, New Jersey.
*Leo Fitzpatrick, WJR, Detroit, Michigan.

*Harry C. Butcher, WJSV, Washington, D. C.
*John Gillin, WOW, Omaha, Nebraska.
*Gordon Persons, WSFA, Montgomery, Alabama.

For the Two-Year Term:

William S. Hedges, National Broadcasting Company, New York, N. Y.

H. K. Carpenter, WHK, Cleveland, Ohio.
I. R. Lounsbury, WGR-WKBW, Buffalo, New York.
Frank M. Russell, WRC, Washington, D. C.
Arthur B. Church, KMBC, Kansas City, Missouri.

For the One-Year Term:

J. Thomas Lyons, WCAO, Baltimore, Maryland.
I. Z. Buckwalter, WGAL, Lancaster, Pennsylvania.
*Stanley Hubbard, KSTP, St. Paul, Minnesota.
*Harold Wheelahan, WSMB, New Orleans, Louisiana.
*Powel Crosley, WLW, Cincinnati, Ohio.

* Denotes directors elected at Cincinnati meeting.

RESOLUTIONS ADOPTED AT NAB SESSION

Following are the resolutions adopted at the Cincinnati meeting:

Resolution No. 1

RESOLVED: That the National Association of Broadcasters hereby extends its hearty thanks to the management of the Netherland Plaza Hotel, to the members of its Convention Committee, under the chairmanship of Edwin M. Spence, and to the members of the Cincinnati Convention Committee, under the chairmanship of Powel Crosley, Jr., for their admirable services in making the Twelfth Annual Convention of the National Association of Broadcasters an outstanding success.

Resolution No. 2

RESOLVED: That the National Association of Broadcasters hereby expresses its sincere thanks to the Honorable Clarence C. Dill, the Honorable Hampson Gary, the Honorable Thad H. Brown, the Honorable Edwin L. Davis, the Honorable Sol A. Rosenblatt, and the Honorable Russell Wilson, for their notable contribution to the interest and value of the Twelfth Annual Convention of this Association.

Resolution No. 3

RESOLVED: That the National Association of Broadcasters hereby extends its sincere thanks to the Billboard for its fine cooperation in the work of the Twelfth Annual Convention.

Resolution No. 4

RESOLVED: That the National Association of Broadcasters hereby expresses its cordial appreciation of the efficient, conscientious and able service rendered during the past year by its Managing Director, Mr. Philip G. Loucks, and its full approval of the manner in which he has conducted the affairs of the Association's office.

Resolution No. 5

RESOLVED: That the National Association of Broadcasters hereby pledges its full cooperation to the Federal Trade Commission in its efforts to safeguard the people of the United States against all forms of fraudulent, untruthful or willfully misleading advertising, and urges upon every broadcaster the necessity for maintaining a standard of advertising truthfulness which will justify and strengthen the faith of the public in the dependability of radio advertising.

Resolution No. 6

RESOLVED: That the National Association of Broadcasters having heard at its Twelfth Annual Convention the reports of its officers and committee chairmen covering their activities during the past year, hereby accepts and approves such reports.

Resolution No. 7

RESOLVED: That the National Association of Broadcasters hereby recommends that the Cost Accounting Committee appointed for the past year by President McCosker be continued with the same personnel until the completion of the standard accounting system which it now has in hand, and that this system be completed, if possible, not later than November 1, 1934.

That on the completion of this standard accounting system, the Managing Director is hereby directed to have copies thereof prepared and sent to all member stations, if possible not later than December 1, 1934.

That all member stations are advised to make the necessary adjustments in their accounting methods, so far as such adjustments may be found practicable, to bring their methods into conformity with the proposed standard systems.

Resolution No. 8

RESOLVED: That the National Association of Broadcasters hereby approves and adopts an amendment to the By-Laws of said Association which was duly submitted to its members in advance of the meeting at which this resolution was adopted, as provided by said By-Laws, said Amendment being as follows:

To repeal By-Law No. 1, and substitute therefor the following:

Effective October 1, 1934, quarterly dues shall be payable each January 1, April 1, July 1, and October 1, on the following basis:

(a) Each member operating a station authorized to operate 40 hours or less per week shall pay a sum equal to one-third of the highest rate published by such member for one quarter hour of broadcasting time.

(b) Each member operating a station authorized to operate 41 to 60 hours per week shall pay a sum equal to one-half of the highest rate published by such member for one quarter hour of broadcast time.

(c) Each member operating a station authorized to operate 61 to 80 hours per week shall pay a sum equal to two-thirds of the highest rate published by such member for one quarter hour of broadcast time.

(d) Each member operating a station authorized to operate 81 hours or more per week shall pay a sum equal to the highest rate published by such member for one quarter hour of broadcast time.

Resolution No. 9

RESOLVED: That the National Association of Broadcasters hereby directs the chairman of its Commercial Section to appoint a committee of five to study what is pertinent information for the advertising agencies and the advertisers who are buyers of radio advertising, and to invite discussions with representatives of the American Association of Advertising Agencies and the Association of National Advertisers, with a view to setting up a bureau for the broadcasting industry, such committee to report with recommendations to the Board of Directors for action as quickly as possible.

Resolution No. 10

WHEREAS, there is a need in the broadcasting industry for further standardization of units of sale and rate card practices, be it, therefore,

RESOLVED: That the National Association of Broadcasters hereby authorizes the Commercial Committee to publish as the recommendations of said committee, the following:

1. That units of sale be standardized as follows: one hour, one-half hour, quarter hour, five minutes, one minute transcriptions, one hundred words, half minute transcriptions, fifty words or less.

2. That all quantity discounts be given within a period of one year, with discounts retroactive to the first broadcast within that year, discounts to apply within the same time classifications.

3. That operating companies or holding companies operating more than one subsidiary be permitted to buy under a group plan allowing discounts for each of the separate companies under a blanket order to apply even if more than one agency is involved in placing time.

4. That all stations put on their rate cards, in addition to the regular standard units of time, under a separate heading called—

“special service features,” such features as time signals, weather reports, sports events, participation programs and any other service features, with an adequate description of what the individual station allows.

5. That no station quote quantity discounts on consecutive times other than 13, 26, 52, 100, 150 and 300.

Resolution No. 12

RESOLVED: That the National Association of Broadcasters establish and maintain an agency recognition bureau at the Washington office of the Association; and that such machinery as may be necessary be set up by the Managing Director with such funds as may be deemed necessary and approved by the Board of Directors as a part of the regular annual budget; that, in general, agency recognition be extended to only those agencies which can satisfy the bureau as to credit responsibility, character or operation and radio service facilities; that said bureau be given full power to study applications of agencies for such recognition and to determine whether or not such recognition should be extended, subject to approval of the Board of Directors; and that the bureau furnish a list of those agencies which are extended recognition, together with all supplements thereof, with the strong recommendation of the Association that its members pay agency commission only to those advertising agencies extended recognition by the said bureau.

Resolution No. 13

WHEREAS, the Code Authority regulations permit the granting of special rates with the sole proviso that these rates be filed with the Code Authority, and

WHEREAS, it is the belief of the Commercial Committee that such special rates may be used as a means of making concessions contrary to the intent of stabilized rates provisions of the Code, be it, therefore,

RESOLVED: That the National Association of Broadcasters petition the Code Authority to take steps to amend and clarify or to repeal its regulations permitting this practice.

Resolution No. 14 (A)

RESOLVED: That the National Association of Broadcasters hereby reaffirms the resolution adopted at its 1933 convention referring to the elimination of announcements for electrical transcriptions produced especially for broadcasters, and directs the convention resolutions committee to draft an appropriate resolution for this purpose to be transmitted to the Federal Communications Commission.

Resolution No. 14 (B)

RESOLVED: That the National Association of Broadcasters hereby reaffirms the following resolution adopted at its 1933 annual meeting:

“WHEREAS, The use of the electrical transcription method of broadcasting programs is generally accepted by both stations and by listeners and has become an important economic factor in the operation of broadcasting stations; and

“WHEREAS, There is definite evidence of serious loss in income to stations because of existing requirements that electrical transcription programs must be announced; and

“WHEREAS, There has been sufficient progress in the manufacture of electrical transcription programs that the reproduction of the majority of such programs are now generally considered as excellent; and

“WHEREAS, The broadcasting industry would be greatly benefited by the removal of existing restrictions, therefore, be it

“RESOLVED: That the National Association of Broadcasters hereby respectfully urges the Federal Radio Commission to alter the existing regulations requiring that electrically transcribed programs made especially for broadcasting be so announced.”

RESOLVED, FURTHER: That the National Association of Broadcasters hereby directs its officers to bring this resolution, without delay, to the attention of the Broadcasting Division of the Federal Communications Commission, and to take whatever steps may be necessary and practicable to secure prompt revision of the regulations in accordance with this resolution.

Resolution No. 15

WHEREAS, The National Association of Broadcasters recognizes that merchandizing of radio programs and assistance in merchandizing of the products of advertisers stimulate the use of broadcasting as an advertising medium and enhance the value of the medium, be it, therefore,

RESOLVED: That the National Association of Broadcasters hereby urges the fullest possible cooperation in merchandizing that is consistent with good business practices; but since the merchandizing requirements of advertisers are wholly lacking in uniformity the Association recommends, in fairness to all advertisers, that the cooperation of the stations be limited to such activities as do not entail direct expense, and that where any direct expense is involved such costs be borne by the advertiser.

Resolution No. 16

WHEREAS, the custom of the National Association of Broadcasters to hold its annual convention during the fall months works a hardship on its members who find it difficult to leave their duties during one of the busiest seasons of the year, and

WHEREAS, the conveniences and interests of the great majority of members would be best served by holding the annual convention during the early summer months,

THEREFORE, BE IT RESOLVED: That this Convention direct its Board of Directors to schedule the 1935 convention during June or July on such dates considered best by the directors.

Resolution No. 17

RESOLVED: That the officers and directors of the National Association of Broadcasters be instructed to support the suit of the United States Government against the American Society of Composers, Authors and Publishers, the Music Publishers Protective Association and their affiliated defendants, to the end that royalties for the public performance of music may be determined by free and open competition among copyright owners.

Resolution No. 18

RESOLVED: That the National Association of Broadcasters hereby petitions Congress to amend the existing copyright law by omitting the language which fixes the minimum innocent infringement penalty for the public performance of musical compositions at \$250 and attorney's fees, leaving the Court free, in each instance, to fix such penalty as in its discretion the Court shall deem proper.

Resolution No. 19

RESOLVED: That the Board of Directors of the National Association of Broadcasters be and it is hereby directed to organize a music pool, either by a reorganization of the Radio Program Foundation or otherwise for the purpose of obtaining for radio broadcasting stations the air rights to such music as may not otherwise be available or which may be made more readily available by such a pool, and to enlist the cooperation of all radio stations and their program department in promoting the widest possible use of such music.

FLOUR PROGRAM PROPOSAL STUDIED

James W. Baldwin, executive officer of the Code Authority, this week initiated an investigation into a proposal by General Mills to purchase "run-of-the-station" time on a "plus revenue" basis for a schedule of 26 five minute daytime transcription programs. The investigation is being made under the provisions of Article VII of the broadcasters' code.

CODE AUTHORITY BULLETIN 12

The Code Authority this week sent to stations Bulletin No. 12, which reads as follows:

World Series Baseball Games

"We are informed that the Officials of the Major Baseball Leagues have elected to commercialize the broadcasting of the 1934 World Series games; and that they have sold the exclusive rights to broadcast the 1934 World Series games to the Ford Motor Company. In consequence of this, the broadcasting of any of the 1934 World Series games including either the name of the Sponsor (Ford Motor Company) or any description of the sponsor's products must be on a commercial basis consistent with the provisions contained in Article VII, Section 1, paragraphs (a) and (b) of the Code of Fair Competition for the Radio Broadcasting Industry.

Short Rate—Contracts Must Be in Agreement With Rate Card

"The Code Authority has received inquiries from stations concerning the inclusion of the following clause in certain of their contracts:

"The advertiser reserves the right to cancel this program without short rate if governmental regulations or legislation require such a cancellation."

"The question arises whether such a condition is consistent with the provisions contained in Article VII, Section 1, paragraph (a) of the Code.

"That Section provides in part as follows:

"Each broadcaster and network shall forthwith publish and file with the Code Authority a schedule of all its rates regularly and currently charged to advertisers for the use of broadcasting time, together with all discounts, rebates, refunds, and commissions which shall be allowed to the users of such time or to their recognized agents, such schedule to be known as the Rate Card. * * *"

"Regular procedure for the modification of a rate card is also provided for in Article VII, Section 1, paragraph (a) of the Code, which provides in part as follows:

"No Rate Card or rate charged thereunder shall be modified until fifteen days after the filing with the Code Authority of the Rate Card with the proposed modifications."

"The inclusion of any such condition in a contract, therefore, cannot be accepted as a modification of a Rate Card.

"The Code Authority, therefore, rules that the inclusion of any such condition in a contract, if it is inconsistent with the stations' or networks' Rate Cards, is in violation of the code.

"JAMES W. BALDWIN,
"Executive Officer."

MILLIKAN TO OPEN NACRE SESSION

Dr. Robert A. Millikan, internationally famed scientist and Nobel prize winner now on his way to England, will open the fourth annual assembly of the National Advisory Council on Radio in Education talking by short wave from London, where he will be in attendance at an international physicists' meeting.

The radio conference is to be held in Chicago, October 8 and 9. Dr. Millikan is president of the Council which was organized to further the art of broadcasting in American education and which is described in a recently issued statement as "an organization independent of faction, non-partisan in its procedure, disinterested as to personnel and non-commercial in operation."

Nation-wide interest in the future of radio is expected to draw to Chicago from all parts of the country scientists; economists; government officials; librarians; broadcasters; heads of schools, colleges and learned societies; clergymen; labor representatives; music-lovers; parent-teacher officers and others interested in education over the air.

MANAGING DIRECTOR ASKS INVESTIGATION

More than 150 letters seeking to purchase time on radio stations on terms in violation of Article VII of the broadcasters' code were turned over to the Code Authority by the Managing Director with a request that the Code Authority make an investigation to ascertain whether or not stations have accepted any of the proposals. The letters were sent to NAB headquarters by members from time to time and in the aggregate they offer every type of "chiseling" proposal imaginable.

James W. Baldwin, executive officer of the Code Authority, said he would investigate each of the proposals and take whatever action is warranted upon the conclusion of his investigations.

RECOMMENDS AGAINST TWO NEW STATIONS

Gino Amatucci applied to the Federal Communications Commission for a construction permit to erect a new broadcasting station at Latrobe, Pa., to use 1210 kilocycles with 50 watts power. Ralph L. Walker(e) in Report No. I-7 recommends that the application be denied.

The Examiner found that the applicant had failed to establish that he is financially able and technically qualified to construct and operate a broadcast station; and that there is a substantial need for additional radio service in that community.

Lawrence B. Amelung also applied to the Commission for a construction permit for a new broadcasting station to be erected at Washington, Mo., to use 1420 kilocycles, 50 watts power and unlimited time. Examiner Walker in his Report No. I-6 also recommended that this application be denied for substantially the same reasons.

ASKS COMMISSION TO REAFFIRM DECISION

Broadcasting Station KGFK, Moorhead, Minn., applied to the Federal Radio Commission to grant it permission to move to Duluth, Minn. On January 30 the Commission granted this permission but protest was made. George H. Hill(e) in Report No. I-4 recommends that the Communications Commission affirm the action of the Radio Commission.

The Examiner found that the Duluth-Superior area is far more capable of supporting high quality service from a regional and local station than is the Fargo-Moorhead area.

He also found that no particular damage will be done to Station WEBC, Superior, Wis., by reason of the operation of KGFK in Duluth and that "no service will be taken away from Moorhead which cannot be adequately rendered by Station WDAY."

RECOMMENDS DENIAL WWSW APPLICATION

Broadcasting Station WWSW, Pittsburgh, Pa., applied to the Federal Communications Commission for permission to change its frequency of 1500 kilocycles to 890 kilocycles now used by WMMN, Fairmont, W. Va. WWSW also asked to increase its power from 100 to 250 watts and from 250 watts LS to 500 watts LS. Ralph L. Walker(e) in his Report No. I-5, recommends that the application of WWSW be denied and that the application of WMMN for renewal license be granted.

The Examiner found that the need for additional coverage by Station WWSW is not such as would "warrant the granting of its application at the expense of Station WMMN."

STEIN JOINS LEGAL STAFF

A. L. Stein of Chicago has joined the legal staff of the Federal Communications Commission. He was born at Eveleth, Minn. He received his preliminary education in the high school and junior college of that city and then entered the University of Wisconsin where he majored in public utilities and finance, receiving his academic degree in 1927. Thereafter he attended the Harvard Law School, graduating in 1930. For two years he was associated with David E. Lilienthal as an editor of the "Public Utilities and Carriers Service." He has recently been engaged in the active practice and teaching of utility and corporation law in Chicago.

QUOTA SYSTEM UP TO DATE

The Federal Communications Commission on September 7, announced the following summary of broadcasting facilities assigned to zones and states:

Zone 1

| State | Quota Units | | Quota Units under or over | Percent under or over |
|------------|-------------|----------|------------------------------|--------------------------|
| | Due | Assigned | | |
| Conn. | 4.74 | 3.95 | - 0.79 | - 17 |
| Del. | 0.70 | 0.53 | - 0.17 | - 24 |
| D. C. | 1.43 | 1.60 | + 0.17 | + 12 |
| Maine | 2.35 | 2.21 | - 0.14 | - 6 |
| Md. | 4.81 | 5.55 | + 0.74 | + 15 |
| Mass. | 12.52 | 11.46 | - 1.06 | - 8 |
| N. H. | 1.37 | 0.93 | - 0.44 | - 32 |
| N. J. | 11.90 | 9.36 | - 2.54 | - 21 |
| N. Y. | 37.10 | 39.24 | + 2.14 | + 6 |
| R. I. | 2.02 | 1.40 | - 0.62 | - 31 |
| Vt. | 1.06 | 0.72 | - 0.34 | - 32 |
| Total .. | 80.00 | 76.95 | - 3.05 | - 4 |

Zone 2

| State | Quota Units | | Quota Units under or over | Percent under or over |
|-------------|-------------|----------|------------------------------|--------------------------|
| | Due | Assigned | | |
| Ky. | 7.50 | 8.50 | + 1.00 | + 13 |
| Mich. | 13.89 | 11.02 | - 2.87 | - 20 |
| Ohio | 19.07 | 20.94 | + 1.87 | + 10 |
| Pa. | 27.63 | 27.41 | - 0.22 | - 0 |
| Va. | 6.95 | 10.55 | + 3.60 | + 53 |
| W. Va. | 4.96 | 5.83 | + 0.87 | + 18 |
| Total .. | 80.00 | 84.25 | + 4.25 | + 5 |

Zone 3

| State | Quota Units | | Quota Units under or over | Percent under or over |
|--------------|-------------|----------|------------------------------|--------------------------|
| | Due | Assigned | | |
| Ala. | 7.37 | 7.02 | - 0.35 | - 5 |
| Ark. | 5.16 | 7.42 | + 2.26 | + 44 |
| Fla. | 4.09 | 9.00 | + 4.91 | + 120 |
| Ga. | 8.10 | 9.11 | + 1.01 | + 12 |
| La. | 5.85 | 10.50 | + 4.65 | + 79 |
| Miss. | 5.60 | 3.60 | - 2.00 | - 36 |
| N. Car. | 8.82 | 10.35 | + 1.53 | + 17 |
| Okla. | 6.67 | 8.54 | + 1.87 | + 28 |
| S. Car. | 4.83 | 2.80 | - 2.03 | - 42 |
| Tenn. | 7.29 | 13.70 | + 6.41 | + 88 |
| Texas | 16.22 | 24.29 | + 8.07 | + 50 |
| Total | 80.00 | 106.33 | + 26.33 | + 33 |

Zone 4

| State | Quota Units | | Quota Units under or over | Percent under or over |
|--------------|-------------|----------|------------------------------|--------------------------|
| | Due | Assigned | | |
| Ill. | 22.52 | 27.98 | + 5.46 | + 24 |
| Ind. | 9.56 | 8.75 | - 0.81 | - 8 |
| Iowa | 7.30 | 12.93 | + 5.63 | + 77 |
| Kans. | 5.55 | 6.54 | + 0.99 | + 18 |
| Minn. | 7.57 | 9.35 | + 1.78 | + 24 |
| Mo. | 10.71 | 13.21 | + 2.50 | + 23 |
| Nebr. | 4.06 | 7.83 | + 3.77 | + 93 |
| N. Dak. | 2.01 | 3.30 | + 1.29 | + 64 |
| S. Dak. | 2.05 | 2.89 | + 0.84 | + 40 |
| Wisc. | 8.67 | 8.61 | - 0.06 | - 1 |
| Total | 80.00 | 101.39 | + 21.39 | + 27 |

Zone 5

| State | Quota Units | | Quota Units under or over | Percent under or over |
|--------------|-------------|----------|------------------------------|--------------------------|
| | Due | Assigned | | |
| Ariz. | 2.93 | 2.68 | - 0.25 | - 9 |
| Calif. | 38.18 | 41.12 | + 2.94 | + 8 |
| Colo. | 6.96 | 9.59 | + 2.63 | + 38 |
| Idaho | 2.99 | 3.45 | + 0.46 | + 15 |
| Mont. | 3.62 | 4.05 | + 0.43 | + 12 |
| Nev. | 0.61 | 0.70 | + 0.09 | + 18 |
| N. Mex. | 2.85 | 4.03 | + 1.18 | + 41 |
| Ore. | 6.41 | 9.91 | + 3.50 | + 55 |
| Utah | 3.42 | 6.60 | + 3.18 | + 93 |
| Wash. | 10.51 | 15.76 | + 5.25 | + 50 |
| Wyo. | 1.52 | 0.80 | - 0.72 | - 47 |
| Total .. | 80.00 | 98.69 | + 18.69 | + 23 |

SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

- The Alliance Brick Company, Alliance, Ohio. (2-1101, Form A-1)
- The O'Sullivan Rubber Company, Inc., Winchester, Va. (2-1102, Form A-1)
- Warner Electric Brake Manufacturing Co., South Beloit, Ill. (2-1103, Form A-1)
- Administered Fund Second, Inc., Wilmington, Del. (2-1104, Form A-1)
- Quaker Producing & Refining Corporation, Tulsa, Okla. (2-1105, Form C-1)
- Palmilla District Mines Consolidation, Los Angeles, Calif. (2-1106, Form A-1)
- Young's Chemical Laboratories, Inc., Baltimore, Md. (2-1107, Form A-1)
- Lake Fortune Gold Mines, Ltd., Montreal, Quebec. (2-1108, Form A-1)
- Idaho Gold Corporation, Boise, Idaho. (2-1109, Form A-1)
- Glenn L. Martin Co., Baltimore, Md. (2-1110, Form D-1)
- Glenn L. Martin Company, Baltimore, Md. (2-1111, Form E-1)
- General Potash Company, Denver, Colo. (2-1112, Form A-1)
- General Industries Corp., Ltd., Los Angeles, Calif. (2-1113, Form G-1)
- Hamilton Realty Co., New York City. (2-1114, Form E-1)
- Petroleum Producers, Inc., Detroit, Mich. (2-1115, Form A-1)
- Keystone-Westmoreland Corp., Greensburg, Pa. (2-1116, Form A-1)

Sigua Manganese Corp., New York City. (2-1117, Form A-1)
 Chester Imes, Oklahoma City, Okla. (2-1118, Form G-1)
 Annuities, Inc., Washington, D. C. (2-1119, Form A-1)
 Group Securities, Inc., Jersey City, N. J. (2-1120, Form A-1)
 Amador Mother Lode Mining Co., Reno, Nev. (2-1121, Form A-1)
 Manufacturer's Finance Company, Baltimore, Md. (2-1122, Form E-1)
 Paradise Gold Mines Company, Denver, Colo. (2-107, Form A-1)

APPLICATIONS GRANTED

WDAG—National Radio & Broadcasting Corp., Amarillo, Tex.—
 1140 Granted modification of C. P. to make changes in equipment and extend commencement date to 30 days after this date and completion date to 90 days after this date.
 KGAR—Tucson Motor Service Co., Tucson, Ariz.—Granted license 1370 to cover C. P.; 1370 kc., 100 watts, 250 watts, unlimited.
 WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted 1180 modification of C. P. approving transmitter site at Log Cabin Ave., Macon; change in proposed equipment, and extending commencement date to 30 days after this date and completion date to 6 months after this date.
 WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted 1280 license to cover special experimental authorization. Station licensed on 1200 kc., 100 watts, unlimited time; station has special experimental authority to operate on 1280 kc., 500 watts, unlimited time, and changed equipment.
 KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted 950 license to cover C. P.; 950 kc., 1 KW night, 2½ KW day, unlimited.
 KWKH—International Broadcasting Corp., Shreveport, La.—
 850 Granted modification of special temporary experimental authority for approval of proposed directional antenna system.
 WTAR—WTAR Radio Corp., Norfolk, Va.—Granted C. P. to 780 make changes in equipment.
 WJMS—WJMS, Inc., Portable (Ironwood, Mich.)—Granted 1420 modification of C. P. to reduce power from 75 to 55 watts; change commencement date to August 10 and completion date to October 10. All other terms of existing C. P. to remain unchanged.
 KIKI—Liner's Broadcasting Station, Inc., Portable (near Monroe, 2150 La.)—Granted license to cover C. P., 2150 kc., 75 watts.
 NEW—Onondaga Radio Broadcasting Corp., Portable-Mobile (Syracuse), (2 applications)—Granted C. P. (exp. gen. exp.), 31100, 34600, 37600, 40600 kc., 5 watts.
 W8XCF—Adirondack Broadcasting Co., Inc., Portable-Mobile (Hudson Falls)—Granted license to cover C. P., 31100, 34600, 37600, 40600 kc., 5 watts.
 W3XAD—RCA Victor Company, Inc., Camden, N. J.—Granted modification of C. P. to increase power from 500 watts and 2 KW to 30 KW, and extend completion date to March 15, 1935.

SPECIAL AUTHORIZATIONS

KWKH—International Broadcasting Corp., Shreveport, La.—
 850 Modification of special temporary experimental authority to modify conditional clause No. 2 so as to permit a field intensity survey to be made during daytime hours. Also for approval of transmitter site authorized at Mooringsport Road, near Shreveport; and to operate station without an approved frequency monitor for a period not to exceed 18 days.
 WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—
 1210 Modification of special temporary experimental authority to modify conditional clause so as to permit field intensity survey tests to be made during daytime hours for period not to exceed 30 days.
 WSAJ—Grove City College, Grove City, Pa.—Special temporary 1310 authority to operate from 2 to 5 p. m., EST, October 13 and November 10, 1934, in order to broadcast football games.
 WDAE—Tampa Times Co., Tampa, Fla.—Extended special temporary 1220 experimental authority to operate with additional 1½ KW until local sunset for period beginning 3 a. m., EST, October 1, 1934, and ending April 1, 1935.
 KGGF—Powell & Platz, Coffeyville, Kans.—Special temporary 1010 authority to operate from 8:15 to 9:15 p. m., CST, November 28; from 7:15 to 9:15 p. m., CST, November 29; from 7:15

to 9:15 p. m., CST, December 25; from 8:15 to 9:15 p. m., December 26; from 7:15 to 9:15 p. m., CST, December 27, 1934, provided WNAD remains silent.

WNAD—University of Oklahoma, Norman, Okla.—Special temporary 1010 authority to operate from 2 to 4 p. m., CST, October 2, 3, 4, 9, 10, 11, 16, 17, 18, 23, 24, 25, 30, and 31, 1934, provided KGGF remains silent.
 WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Special 1360 temporary authority to operate with reduced power of 500 watts for period ending October 1, 1934, in order that certain condensers in transmitter output circuit may be repaired.
 WKBV—Knox Battery & Electric Co., Richmond, Ind.—Special 1500 temporary authority to operate from 1:45 to 4:45 p. m., CST, September 29, October 13 and 27, and November 10, 1934, in order to broadcast football games.
 WSUI—State University of Iowa, Iowa City, Iowa.—Special temporary 880 authority to operate from 10 to 11 a. m., CST, on October 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 29, 30, and 31, 1934, in order to broadcast program to be known as "Woman's Hour." Also to operate from 9 p. m. to 12 midnight, CST, October 26, 1934, in order to broadcast Homecoming Dance at University.
 KGHL—Northwestern Auto Supply Co., Inc., Billings, Mont.—
 950 Extension of special experimental authority to operate on frequency of 780 kc. for period beginning 3 a. m., EST, October 1 and ending not later than January 1, 1935.
 WIBA—The Badger Broadcasting Co., Inc., Madison, Wis.—
 1280 Extension of special temporary authority to operate with additional 500 watts power during nighttime for period beginning 3 a. m., EST, October 1, and pending action on application for special experimental authority, heretofore set for hearing, but not later than December 1, 1934.
 WSAJ—Grove City College, Grove City, Pa.—Special temporary 1310 authority to operate from 2 to 5 p. m., EST, October 6 and 20, 1934, and November 3, 1934, in order to broadcast local football and basketball games.
 WNEL—Juan Piza, San Juan, P. R.—Special temporary authority 1290 to erect a temporary antenna on Tanca Street, just west of Sol Street, pending decision of temporary injunction but not later than November 1, 1934.
 WGPC—American Broadcast Corp., Albany, Ga.—Special temporary 1420 authority to operate from local sunset (September, 5:45; October, 5 p. m.) to 7 p. m., CST, for period not exceeding 30 days.
 WHBI—May Radio Broadcast Corp., Newark, N. J.—Special temporary 1250 authority to operate station without approved frequency monitor for period not to exceed 10 days.
 KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Special 1260 temporary authority to operate from 9 p. m. to 3 a. m., MST, November 6, 1934, in order to broadcast election returns.
 KTSA—Southwest Broadcasting Co., San Antonio, Tex.—
 550 Extension of special experimental authority to operate on frequency of 550 kc., with 1 KW power night, 2½ KW day, for period October 1, 1934, to April 1, 1935.
 WACO—Central Texas Broadcasting Co., Inc., Waco, Tex.—
 1420 Special temporary authority to operate daily from 2 to 4 p. m., CST, for period October 2 to October 9, 1934, in order to broadcast World Series.
 WSMK—Stanley M. Krohn, Jr., Dayton, Ohio.—
 1380 Extension of special temporary experimental authority to operate simultaneously with KQV from 6 p. m. to 12 midnight, EST, for period October 1 to November 1, 1934.
 KQV—KQV Broadcasting Co., Pittsburgh, Pa.—
 1380 Extension of special temporary experimental authority to operate simultaneously with WSMK from 6 p. m. to 12 midnight, EST, for period October 1 to November 1, 1934.
 WSUI—State University of Iowa, Iowa City, Iowa.—
 880 Special temporary authority to operate from 1 to 2 p. m., CST, October 4, in order to broadcast University Inaugural.
 WNBH—Joplin Broadcasting Co., Joplin, Mo.—
 1310 Special temporary authority to operate from 2 to 3 p. m., CST, October 6, 13, 20, and 27, 1934; from 10 to 10:50 a. m., CST, October 7, 14, 21, and 28, 1934; from 2:30 to 3:30 p. m., CST, October 7, 14, 21, and 28, in order to broadcast programs of unusual merit. Also to operate from 2 to 6 p. m., CST, September 28 and October 5, 12, 19, and 26, 1934, in order to broadcast High School football games.
 WKAR—Michigan State College, E. Lansing, Mich.—
 1040 Special temporary authority to operate from 2:45 to 5:45 p. m., CST, October 6, 13, and 20, and November 3, 1934, in order to broadcast football games played by Michigan State College.

SET FOR HEARING

- 640** WORC—Alfred Frank Kleindienst, Worcester, Mass.—Modification of license to change frequency from **1200 kc. to 640 kc.**; increase power from 100 to 500 watts. (Station has special experimental authority to operate on **1280 kc.**, 500 watts, unlimited.) To be heard before Commission en banc on October 22, 1934.
- 640** WAAB—Bay State Broadcasting Corp., Boston, Mass.—C. P. to move transmitter to site to be determined (Auburndale or Newton Lower Falls); install new equipment; change frequency from **1410 kc. to 640 kc.**, and power from 500 watts to 5 KW. To be heard before Commission en banc on October 22, 1934.
- 640** WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, St. Petersburg and Clearwater, Fla.—Special experimental authority to install new equipment; change frequency from **620 kc. to 640 kc.**; increase power from 250 watts night, 500 watts LS, to 5 KW. (Station has special authority to use 1 KW night, 2½ KW LS.) To be heard before Commission en banc October 22, 1934.
- 1320** KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Special experimental authority to increase power experimentally from 250 watts night, 500 watts LS, to 500 watts night, 1 KW LS, for period ending November 1, 1934.
- 640** NEW—Eastland Company, Portland, Me.—C. P., **640 kc.**, 100 watts, daytime to sunset at Cleveland, but if application of WJAY for **640 kc.** is denied, daytime to sunset at Los Angeles (facilities of WRDO.) To be heard by Commission en banc October 22, 1934.
- 640** NEW—Irving D. Sisson, Pittsfield, Mass.—C. P., **640 kc.**, 1 KW, 640 daytime. To be heard before Commission en banc October 22, 1934.
- Renewal of license applications for Station WBBR, Brooklyn, and WNBR, Memphis, Tenn., designated for hearing.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

- KFSG (auxiliary), Los Angeles; KFVB, Hollywood, Calif.; KGGF, Coffeyville, Kans.; KMBC, Kansas City, Mo.; KQW, San Jose, Calif.; KROW, Oakland, Calif.; WDAE, Tampa, Fla.; WDAY, Fargo, N. Dak.; WDSU, New Orleans, La.; WEBC and auxiliary, Superior, Wis.; WFBM (auxiliary), Indianapolis, Ind.; WNAC, Boston; WBR, Dallas, Tex.; KFBB, Great Falls, Mont.; KFKU, Lawrence, Kans.; KGBZ, York, Neb.; KGCU, Mandan, N. Dak.; KLCN, Blytheville, Ark.; KLPM, Minot, N. Dak.; KMA, Shenandoah, Iowa; KOLN, Portland, Ore.; KOL, Seattle, Wash.; KRKD (auxiliary), Los Angeles; WASH, Grand Rapids, Mich.; WBRC, Birmingham, Ala.; WCAD, Canton, N. Y.; WCAE and auxiliary, Pittsburgh, Pa.; WCSH, Portland, Me.; WFBM, Indianapolis; WHN, New York; WIS, Columbia, S. C.; WISN, Milwaukee; WJDX, Jackson, Miss.; WKAQ, San Juan, P. R.; WLBW, Erie, Pa.; WNAD, Norman, Okla.; WOOD, Grand Rapids, Mich.; WTCN, Minneapolis; WTOC, Savannah, Ga.; WXYZ, Detroit; KTW, Seattle; KTAT, Fort Worth, Tex.; KFQD, Anchorage, Alaska.
- 940** WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Granted renewal of license on a temporary basis subject to such action as the Commission may take on pending application and on application for renewal pending before it.
- 1260** KRGV—KRGV, Inc., Weslaco, Tex.—Granted renewal of license on a temporary basis subject to such decision as the Court of Appeals for D. C. may render in the case of Magnolia Petroleum Co. and Sabine Broadcasting Co., Inc., now pending before it.
- 1280** WTNJ—WOAX, Inc., Trenton, N. J.—Extended present license for 3 months from October 1, 1934, subject to such action as may be taken upon application for renewal pending before it.
- 1120** WDEL—WDEL, Inc., Wilmington, Del.—Extended present license for 3 months from October 1, 1934, subject to such action as may be taken upon application for renewal pending before it.
- 1250** WNEW—WODAAM Corp., Newark, N. J.—Extended present license for 3 months from October 1, 1934, subject to such action as may be taken upon application for renewal pending before it.

APPLICATION DENIED

- 1310** NEW—A. L. Boykin, d/b as Tallahassee Broadcasting Co., Tallahassee, Fla.—C. P. to erect new station, **1310 kc.**, 100 watts, unlimited time, heretofore designated for hearing, was denied because applicant failed to enter appearance within time allowed.

AUTHORIZATION CANCELLED AND RETURNED TO CLOSED FILES

- 590** WOW—Woodmen of the World Life Ins. Assn., Omaha, Nebr.—Extension of special temporary authority to operate a 100-watt portable transmitter between 12 midnight and 6 a. m., CST, for period August 29 to September 7, granted on August 29, was reconsidered and cancelled at applicant's request, and application retired to closed files.

APPLICATIONS DISMISSED

- 970** WIBG—WIBG, Inc., Glenside, Pa.—Modification of license, **970 kc.**, 100 watts night, 100 watts LS, until LS at Chicago, giving 1 night hour. Application heretofore designated for hearing was dismissed at request of applicants.
- 1200** WATR—Harold Thomas, Waterbury, Conn.—Modification of license, **1200 kc.**, 100 watts, unlimited. Application, heretofore set for hearing, was dismissed at request of applicant.

ACTION ON EXAMINERS' REPORTS

- 1440** WMBD—Ex. Rep. No. 549: Peoria Broadcasting Co., Peoria, Ill.—Denied modification of license to change hours of operation from sharing with WTAD to unlimited time; decreased day power from 500 watts, 1 KW LS, to 500 watts day and night; **1440 kc.** (facilities of WTAD). Commissioner Brown voted to grant WMBD full time on **1440 kc.**, and to grant license to WTAD for full time operation on **1310 kc.**
- 1310** WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Granted renewal of license, **1440 kc.**, 500 watts, share with WMBD. Examiner R. L. Walker reversed in WMBD case, also WTAD case.
- 1370** KICK—Ex. Rep. No. 562: Red Oak Radio Corp., Carter Lake, Iowa.—Granted consent to voluntary assignment of license from Red Oak Radio Corp. to the Palmer School of Chiropractics; **1420 kc.**, 100 watts, unlimited time. Examiner Geo. H. Hill sustained.
- 1370** KICK—The Palmer School of Chiropractics, Carter Lake, Iowa.—Granted C. P. to move station from Carter Lake to Davenport; change equipment; change frequency from **1420 kc.** to **1370 kc.**; 100 watts, unlimited. Also to change call to WOC. Examiner Hill sustained.

MISCELLANEOUS

- W4XH**—Virgil V. Evans, d/b as The Voice of South Carolina, Portable-Mobile.—Granted renewal of general experimental license, frequencies **86000-400000 kc.**; also granted authority to communicate as broadcast pickup station in the temporary service on experimental basis only under provisions of Rule 320.
- 680** KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Granted petition to take depositions in re application for renewal of license.
- Markham Thompson, Rotary Club, San Benito, Tex.—Denied petition to send program from San Benito to radio station XEAW, Reynosa, Mexico.
- NEW**—Samuel Nathaniel Morris, Stamford, Tex.—Ratified grant of authority to take depositions in re application for new 100-watt station at Stamford, Tex.
- 1180** WINS—American Radio News Corp., New York; WDGY—Geo. W. Young, Minneapolis, Minn.—Ratified action in extending indefinitely hearing scheduled for September 24. This action was taken at request of applicants who sought to operate simultaneously on clear channel **1180 kc.**
- 1230** KGGM—New Mexico Broadcasting Co., Albuquerque.—Reconsidered grant made September 7, 1934, authorizing local move, and case designated for hearing.
- 1120** WDEL—WDEL, Inc., Wilmington, Del.—Ratified grant of request for continuance of 60 days of application of WOV for C. P. which was fixed for September 27, because of illness of an interested party. WOV joined in the request.
- 1210** WALR—WALR Broadcasting Corp., Zanesville, Ohio.—Reconsidered and granted application to move station from Zanesville to Toledo, Ohio.

WOAI—Southland Industries, Inc., San Antonio, Tex.—Granted 1200 petition to continue hearing scheduled for September 26 on application of Samuel Nathaniel Morris for C. P. for new station at Stamford, Tex., to operate on 1200 kc., 100 watts, so that the applications of Seth L. Leachman and A. L. Chilton, now pending before the Commission, can be considered and designated for hearing. Leachman desires to erect a station at Dallas, Tex., to operate unlimited time on 1200 kc., with 100 watts power, and Chilton's application is for station at Kilgore, Tex., using same power and frequency.

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Ratified grant 620 of request to continue until October 18, 1934, the time within which exceptions may be filed to Examiner's report involving the application of KTAR, Phoenix, for modification of license to increase night power from 500 watts to 1 KW. A similar extension was recently granted to KGW.

WJAY—Cleveland Radio Broadcasting Corp., Cleveland, Ohio.— 640 Application to operate on 640 kc. to sunset at KFI, with 500 watts, redesignated for hearing.

APPLICATIONS RECEIVED

The following applications have been received:

NEW—National Broadcasting Co., Inc., Portable, Mobile.—Construction permit to erect a new general experimental station to be operated on 17310, 25700, 26000, 27100, 31100, 34300, 37300, 40600, 85000-400000 kc., 1 watt power.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—License to cover above C. P. (B1-P-E-11).

NEW—National Broadcasting Co., Inc., Portable-Mobile.—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34300, 37600, 40600, 86000-400000 kc., 1 watt power.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—License to cover above C. P. (B1-P-E-12).

NEW—National Broadcasting Co., Inc., Portable-Mobile.—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000-400000 kc, 1 watt power.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—License to cover above C. P. (B1-P-E-13).

NEW—National Broadcasting Co., Inc., Portable-Mobile.—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000-400000 kc., 1 watt power.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—License to cover above C. P. (B1-P-E-14).

NEW—National Broadcasting Co., Inc., Portable-Mobile.—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000-400000 kc., 1 watt power.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—License to cover C. P. above (B1-P-E-15).

W3XAD—RCA Victor Co., Inc., Camden, N. J.—Modification of construction permit (authorizing move) requesting increase in power to 30 KW and extension of completion date.

W3XAI—RCA Victor Co., Inc., Camden, N. J.—Modification of construction permit (authorizing move) requesting extension of completion date.

WKFA—WJMS, Inc., Portable.—Modification of construction permit (authorizing broadcast pickup station, 2790 kc., 75 watts) requesting reduction in power to 55 watts and extension of commencement and completion dates.

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—License to cover 1500 construction permit authorizing move of station from Ludington to Muskegon, Mich.

WGCM—Grace Jones Stewart, under the trade name of Great 1210 Southern Land Co. (not inc.), Gulfport, Miss.—Modification of license to move main studio from Gulfport to Mississippi City, Miss.

NEW—Robert J. Woolsey, Chicago, Ill.—Construction permit to erect a new general experimental broadcast station to be operated on 31300 kc., 25 watts, amended to request 31600, 35600, 38600, 41000 kc. instead of 31300 kc.

NEW—Eastern Broadcasting Co., Portland, Me.—Construction 1210 permit to erect a new broadcast station to be operated on 1210 kc., 100 watts, unlimited time.

NEW—Patrick J. Goode, New Haven, Conn.—Construction permit 970 to erect a new broadcast station to be operated on 970 kc., 250 watts, limited time.

NEW—O. K. Broadcasting Company, Cleveland, Ohio.—Construction 1500 permit to erect a new broadcasting station to be operated on 1500 kc., 100 watts, unlimited time.

NEW—O. K. Broadcasting Co., Louisville, Ky.—Construction permit 1200 to erect a new broadcast station to be operated on 1200 kc., 100 watts, unlimited time.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Authority 1450 to measure operating power by direct measurement.

NEW—Willard G. Demuth, Uhrichsville, Ohio.—Construction permit 1420 to erect a new broadcast station to be operated on 1420 kc., 100 watts, daytime.

WQDX—Stevens Luke, Thomasville, Ga.—Voluntary assignment 1210 of license to H. Wimpy.

KWTN—Greater Kampeska Corp., Watertown, S. Dak.—Modification 1210 of construction permit authorizing move of transmitter requesting extension of completion date.

NEW—J. C. Lee and E. W. Lee (Riverside Broadcasting Co.), 820 Riverside, Calif.—Construction permit to erect a new broadcast station to be operated on 820 kc., 100 watts, daytime, amended to request limited time and change of transmitter site.

NEW—Herbert A. Folsom, Augusta, Me.—Construction permit for 1370 new station to be operated on 1370 kc., 100 watts, unlimited time. Facilities of WRDO.

WXYZ—Kunsky-Trendle Broadcasting Corp., Detroit, Mich.— 1240 Authority to transmit sustaining program from station WXYZ over the stations of the Canadian Radio Commission.

NEW—Homer York, Lufkin, Tex.—Construction permit to erect 1340 new broadcasting station to be operated on 1340 kc., 250 watts, unlimited.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Modification 1200 of construction permit to make change in equipment requesting extension of completion date.

NEW—E. W. Patrick, Brookfield, Mo.—Construction permit to 1310 erect new broadcasting station to be operated on 1310 kc., 100 watts, unlimited.

WCRW—Clinton R. White, Chicago, Ill.—License to cover C. P. 1210 (B4-P-36) for installation of new equipment.

WCLO—WCLO Radio Corp., Janesville, Wis.—Voluntary assignment 1200 of license to Gazette Printing Co., Inc.

WBBM—WBBM Broadcasting Corp., Chicago, Ill.—Modification 770 of special experimental authorization, synchronous operation station KFAB from local sunset to midnight, for period not to exceed 2-1-35.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Modification of 770 special experimental authorization, synchronous operation station WBBM from local sunset to midnight, for period not to exceed 2-1-35.

KGIR—KGIR, Inc., Butte, Mont.—Construction permit to install 1360 new equipment and increase day power to 2½ KW.

KSEI—Radio Service Corp., Pocatello, Idaho.—Modification of 890 construction permit to move studio and transmitter, increase power, amended to omit request for increase in power.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 23100, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000-400000, 401000 kc. and above; 15 watts power.

NEW—National Broadcasting Co., Inc., Portable-Mobile.—License to cover construction permit above (B1-P-E-16).

NEW—General Television Corp., Boston, Mass.—Construction permit 1570 to erect a new experimental broadcast station to be operated on 1570 kc., 1 KW, and hours of operation variable.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Modification 800 of license to change hours of operation from daytime to from 6 a. m. to local sunset at Dallas, Tex.

WJIM—Harold F. Gross, M. B. Keeler, and L. A. Versluis, d/b as 1310 Capitol City Broadcasting Co., Lansing, Mich.—License to cover construction permit authorizing erection of new broadcast station for operation on 1310 kc., 100 watts night, 250 watts daytime, unlimited time.

WEEU—Berks Broadcasting Co., Reading, Pa.—Modification of 830 license to change hours of operation from daytime to unlimited, using power of 500 watts night, 1 KW daytime.

NEW—Ohio Valley Broadcasting Corp., Parkersburg, W. Va.—Construction 1420 permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, unlimited time, amended re transmitter site.

KTSA—Southwest Broadcasting Co., San Antonio, Tex.—Extension 550 of special experimental authorization to operate on 550 kc.,

- 1 KW night, 2½ KW daytime, for the period 10-1-34 to 4-1-35.
- KGKL—KGKL, Inc., San Angelo, Tex.—Construction permit to 1370 install new transmitter, change frequency from 1370 kc. to 940 kc., and increase power to 500 watts night, 1 KW daytime, amended to request to move transmitter locally.
- W10XDD—Evansville on the Air, Inc., Portable-Mobile.—License to cover construction permit for general experimental broadcast station for 31100, 34600, 37600, and 40600 kc., 2.4 watts.
- W9XAL—The First National Television Corp., Kansas City, Mo.—Construction permit for an additional transmitter for 42000-53000, 60000-86000 kc., 150 watts.
- WWAE—Hammond-Calumet Broadcasting Corp., Hammond, Ind. 1010 —Construction permit to make changes in equipment, change frequency from 1200 kc. to 1010 kc., increase power from 100 watts to 500 watts, and hours of operation from sharing with WFAM to unlimited.
- WCFL—Chicago Federation of Labor, Chicago, Ill.—Extension 970 of special experimental authorization to operate unlimited time for period 11-1-34 to 5-1-35.
- KSLM—Oregon Radio, Inc., Salem, Ore.—Modification of con- 1370 struction permit authorizing erection of new broadcast station requesting extension of completion dates.
- WATR—Harold Thomas, Waterbury, Conn.—Modification of 1190 license to change hours of operation from daytime to unlimited time, 100 watts power.
- WTAR—WTAR Radio Corp., Norfolk, Va.—Construction permit 780 for the installation of new equipment.
- WGPC—Americus Broadcast Corp., Albany, Ga.—Modification of 1420 tion permit to erect a new broadcast station to be operated limited time, 100 watts power day and night.
- NEW—E. B. Gish (Gish Radio Service), Abilene, Tex.—Construc- 1420 tion permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, unlimited time.
- KNOW—KUT Broadcasting Co., Austin, Tex.—Special experi- 1290 mental authorization to install new transmitter, change frequency from 1500 kc. to 1290 kc., and increase power from 100 watts to 250 watts.
- KPAC—Port Arthur College, Port Arthur, Tex.—License to cover 1250 construction permit for removal of transmitter and studio from Brownsville to Port Arthur, Texas.
- Mrs. Nellie H. Morris and W. C. Morris, a partnership working as "Hotel Eagle," Eagle Pass, Tex.—Authority to transmit programs from Hotel Eagle, Eagle Pass, Tex., over XEPN, Piedras Negras, Mexico.
- WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.— 1250 Modification of construction permit, as modified, for removal of transmitter from Fridley to Richfield, Minn., requesting changes in antenna system.
- KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Extension 1240 of special experimental authorization to operate with an additional power of 500 watts at night for the period 10-1-34 to 4-1-35.
- KOOS—H. H. Hanseth, Inc., Marshfield, Ore.—Modification of 1370 license to change hours of operation from daytime to daytime with additional night hours up to 7:00 p. m., PST, during months sunset occurs before 7:00 p. m. PST.
- NEW—National Broadcasting Co., Inc., New York, N. Y.—Con- struction permit to erect a new general experimental broadcast station to be operated on 25700, 26000, 27100, 31100, 31600, 34500, 35600, 37600, 38600, 40600, 41000, 86000 to 400000 kc., 150 watts.
- WSYR-WSYU—Central New York Broadcasting Corp., Syracuse, 570 N. Y.—Construction permit to move the transmitter locally, install new equipment and increase power from 250 watts to 500 watts.
- WTBO—Associated Broadcasting Corp., Cumberland, Md.—License 800 to cover construction permit authorizing installation of new equipment.
- WMEX—The Northern Corporation, Chelsea, Mass.—License to 1500 cover construction permit authorizing the erection of a new broadcast station for operation on 1500 kc., 100 watts night 250 watts day, unlimited time.
- WSGN—R. B. Broyles, trading as R. B. Broyles Furniture Co., 1310 Birmingham, Ala.—Modification of construction permit authorizing installation of new equipment and increase in daytime power requesting an extension of completion date.
- NEW—Amzi G. Berber, Montgomery, Ala.—Construction permit 1210 to erect a new broadcast station to be operated on 1210 kc., 100 watts, unlimited time.
- KONO—Mission Broadcasting Co., San Antonio, Tex.—Modifica- 1370 tion of license to change hours of operation from specified to unlimited.
- WDAG—National Radio and Broadcasting Corp., Amarillo, Tex.— 1120 Modification of license to change frequency from 1410 kc. to 1120 kc. and hours of operation from specified to unlimited.

APPLICATIONS RETURNED

The following applications have been returned:

- WJIM—Harold F. Gross, M. B. Keeler and L. A. Versluis, d/b as 1210 Capital City Broadcasting Co., Lansing, Mich.—License to cover construction permit, for the erection of a new station. (Improperly executed and equipment questionable.)
- WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.— 1250 Modification of construction permit to install equipment and increase power. Amended to request 2½ KW—LS Experimentally. (Not in proper form. Rule 5.)
- NEW—Bamberger Broadcasting Service, Inc.—Construction permit to erect a new general experimental broadcast station to be operated on 41000, 44000 kc., 1 KW.
- WISN—American Radio News Corp., Milwaukee, Wis.—Con- 1120 struction permit to move the transmitter to Wauwatosa, Wis. (request of applicant).
- KFH—Radio Station KFH Co., Wichita, Kan. 1300
- KGA—Louis Wasmer, Spokane, Wash. 1470
- WSOC—WSOC Inc., Charlotte, N. C.—Special experimental au- 880 thorization to change frequency from 1210 kc. to 880 kc., and increase night power from 100 watts to 250 watts. (Wrong form and Rule 6.)
- KRE—First Congregational Church of Berkeley, Berkeley, Calif.— 1370 Construction permit to install new equipment and increase daytime power from 100 watts to 250 watts. (Incomplete and questionable equipment.)

APPLICATIONS RESUBMITTED

The following applications have been resubmitted:

- WDAE—Tampa Times Company, Tampa, Fla.—1220 kc., 1 KW, 1220 unlimited.
- WBIG—North Carolina Broadcasting Co., Inc., Greensboro, N. C. 1440 —1440 kc., 500 watts, 1 KW—LS, unlimited.