

Tax Hearing

(Continued from page 25)

is concerned over the \$50 fee on salesmen.

Mr. Gentry explained that the \$250 tax does not apply to the transmission of the broadcast itself to various points, both intrastate and interstate. He told BROADCASTING a flat rate tax could be justified by that portion of the broadcasts of a purely local interest, such as local election campaign speeches but not a sliding tax on gross revenues which obviously would include some interstate emissions.

"Transmissions heard locally are intrastate, even though inseparable in origin from the same broadcasts heard outside the state," he asserted. Stations for years have been exempt from such city taxes on the theory the taxes would impose an undue burden on interstate commerce. Those stations receive the benefits of municipal services

FCC Roundup

(Continued from page 79)

New Applications . . .

AM APPLICATION

Grand Island, Neb.—Howard A. Shuman, 920 kc, 5 kw directional, share time with KUSD Vermillion, S. D.; estimated cost \$38,945. Applicant from 1924-33 was owner KFGR Lincoln, presently is 15.6% owner KLMS Lincoln, Neb., and 4% owner WXLW Indianapolis. Filed Dec. 8.

TRANSFER REQUESTS

WKLA Ludington, Mich.—Assignment of license from Karl L. Ashbacher and Grant F. Ashbacher d/b as Ludington Bestg. Co. for \$50,000 to Raymond A. Plank, assistant general manager and chief engineer WFYC Alma, Mich. WKLA assigned 250 w on 1450 kc. Filed Dec. 7.

WIKB Iron River, Mich.—Assignment of license from Upper Michigan-Wisconsin Bestg. Co. to WIKB Inc., new firm wholly owned by Upper Michigan-Wisconsin. Minority interest later to be sold to same people, WIKB assigned 250 w on 1230 kc. Filed Dec. 7.

KWIE Kennewick, Wash.—Assignment of license from Harold A. Clark, Donald E. Seeley, Marvin E. Johnston and Clarence J. McCredie d/b as Mid-Columbia Bestrs. to new corporation composed of same people, KWIE Inc. KWIE is assigned 1230 kc, 250 w unlimited. Filed Dec. 6.

KWKW Pasadena, Calif.—Assignment of license from Southern California Bestg. Co. to John H. Poole for \$57,500. Sellers, Marshall S. Neal, Paul Buhlig, E. T. Foley and Edwin Earl, have received FCC consent to purchase KAGH and KARS (FM) Pasadena from Andrew G. Haley, Washington radio attorney, for \$90,000 contingent on disposal of KWKW [BROADCASTING, Nov. 21]. Mr. Poole is owner KSMA and KSMB (FM) Santa Maria. KWKW assigned 1 kw day on 1430 kc. Filed Dec. 2.

such as fire and police protection yet do not pay the taxes to support them, Mr. Gentry pointed out.

"This tax seeks to get around the previous prohibitions against levying on radio stations. I am confident that similar devices could be found to extend taxation to other groups heretofore exempt because of their interstate nature."

In addressing the municipal law officers at Kansas City, Mr. Gentry recommended the tax device to city attorneys representing hundreds of major cities. He outlined the litigation which ensued after the ordinance was put into effect by Little Rock in April 1947.

"There is no question but that it will spread," he said. "I have had sackfuls of mail inquiring about the tax from other cities, both within Arkansas and outside. I would have to put on an extra staff to handle these so I am referring them to Charles S. Rhyne, general counsel for the national institute, who is going to distribute mimeographed copies of the ordinance."

Mr. Gentry said he expects the city of North Little Rock to enact a similar ordinance within a few days. This raises the possibility that KARK Little Rock may have to pay the \$250 tax twice because its transmitter is located in North Little Rock, a separate municipality.

The two Little Rock stations have borne the brunt of the litigation. NAB formally entered the rehearing proceedings last month by asking the right to intervene as *amicus curiae* [BROADCASTING, Nov. 28]. NAB agreed to pay the cost of briefs and transcript and supplied background material to the station counsel.

NAB President Justin Miller last Monday warned broadcasters that efforts to impose state and municipal taxes on broadcast stations can be expected in a score of states. He added that "with one out of four stations reportedly operating in the red, stations should take every possible step to apprise legislators of the financial facts of life within the industry and to prepare for court battles if new tax measures are put through." Judge Miller's comments were made at the NAB District 14 meeting at Salt Lake City (see story page 29).



BUSINESS goes on as usual at WFTC Kinston, N. C., despite alterations at the station's building—including an ear-shattering pneumatic hammer outside studio and control room doors. Staff members find work slightly more difficult but WFTC remains on the air. L to r are: James Riggs, construction worker; David E. Hardison, chief engineer, and Carl B. Caudill Jr., chief announcer. Kinston Broadcasting Co. purchased the 12-year-old station June 1 when its former outlet, WKNS, went off the air permanently. The renovation project when completed will give the station an entirely new studio on the old WFTC site, according to General Manager William S. Page.

AFRA N. Y. LOCAL

Elects 22 Board Members

AFRA's New York local last week announced the election of the following board members:

Actors—Alan Bunce, Clayton Collyer, Staats Cotsworth, Vinton Hayworth, Leon Janney, Virginia Payne, Anne Seymour, Karl Swenson, Bicki Zola. Announcers—Kenneth Banghart, Frank Gallop, Ed Herlihy, Ken Roberts, Tom Shirley. Singers—Kay Armen, Julie Conway, Chick Goldstein, Travis Johnson, Alex McKee, Lanny Ross, Conrad Thibault. Staff announcer from independent station—Gene Reyburn.

TRUST CASES

Bergson Clarifies Position

IF THE size of corporations increases economic problems, the solution must lie with Congress—"bigness is not an anti-trust crime"—Herbert A. Bergson, U. S. Assistant Attorney General, told the Public Relations Society of America in New York last Tuesday.

Industries in which monopoly power may be found today, Mr. Bergson declared, are those "controlled by a few companies following policies and practices which avoid any real competition among themselves and which at the same time enable them to maintain their dominant positions." He noted that most of the government's 68 pending anti-trust cases are directed to "exclusive dealing arrangements and other illegal restraints on trade.

Meanwhile, government anti-monopoly activities have been coordinated under an inter-agency committee comprising various government departments and agencies. Group is headed by Commerce Secretary Charles Sawyer.

Included will be representatives of the Justice Dept., FTC and other establishments, with members yet to be chosen. A study of industrial concentration has been sent to Rep. Emanuel Celler, chairman of a House Judiciary monopoly subcommittee, now holding hearings. Purpose of the inter-agency body is to clarify anti-trust laws as they pertain to various industries. President Truman will receive any proposals made by the representative group.

Wolf Sells Rights

GEORGE WOLF, Foote, Cone & Belding executive, has sold his rights to "Nothing Short of Murder" to Laurel Films Inc., New York. The motion picture will be released through Eagle-Lion. It was written by Mr. Wolf and Laurence Bearson.

TERMINAL PROGRAM LIKES

Grand Central Survey Shows 85.4% Favorable Response

MORE THAN 85.4% of patrons of Grand Central Station, New York, like the programs of Terminal Broadcasting Inc. over a station public address system and 44% like commercials, according to Sherman Gregory, general manager. The survey was made last month by Fact Finders Assoc., New York.

The research organization interviewed 318 men and 320 women—a total of 638 persons. Of that number, 545 or 85.4% liked the program; 72 or 11.3% disliked them, and 21 or 3.3% voiced no opinion.

Advertising messages were liked by 281 (44%) and disliked by 257 (40.3%). Hundred patrons, or 15.7%, expressed no opinion. Per-

centage-wise, organ music was liked by 81.4%; other music, 79.8%; time signals, 73.7%; weather reports, 71%; news bulletins, 69.3%; advertising messages, 44%.

Sponsor identification of the commercials was rated high. Number and percentage of patrons interviewed who heard some of products advertised were:

World Telegram commercial, 250 or 39.2%; Hamilton Watches, 246 or 38.6%; Old Gold, 226 or 35.4%; Schaefer Beer, 182 or 28.5%; American Express Travelers Cheques, 156 or 24.4%; Beechnut Gum, 131 or 20.5%; Studebaker, 117 or 18.3%; Daily Mirror, 100 or 15.7%; Grand Central Restaurant, 90 or 14.1%; Victor Records, 88 or 13.8%; Shoe Repair, 79 or 12.5%; RCA Exhibition Hall, 73 or 11.4%; Prestone, 62 or 9.7%; NBC, 60 or 9.4%; Rockefeller Center, 56 or 8.8%; Ludens, 47 or 7.3%; Peachtree Restaurant, 34 or 5.3%.

When It's BMI It's Yours

Another BMI "Pin Up" Hit—Published by Porgie

YOU'RE ALL I WANT FOR CHRISTMAS

On Records: Frankie Laine—Mer. 5177; Frank Gallagher—Dana 2026; Seger Ellis-Owen Bradley—Bullet 1011; Bing Crosby—Dec. 24659; Joe Graydon & Skylarks—Coral 60115; Johnny Desmond—MGM 10524; Janette Davis—Harmony 1084; Hugo Winterhalter—Col. 38635.

On Transcriptions: Ray Anthony—Langworth; Anita Ellis—Standard.

BROADCAST MUSIC INC. 530 FIFTH AVENUE
NEW YORK • CHICAGO • HOLLYWOOD NEW YORK 19, N. Y.