

# at deadline

## Opposing Counsel Clash In Lamb Renewal Hearing

CONFLICT between counsel in FCC renewal hearing on Edward Lamb's WICU (TV) Erie, Pa., heightened Friday afternoon as counsel for Mr. Lamb began cross examination of Broadcast Bureau's initial witness, William G. Cummings, said to be ex-FBI plant in Toledo Communist Party. Case opened Wednesday before Examiner Herbert Sharfman (early story page 27).

Earlier in day, Broadcast Bureau attorney Walter R. Powell protested to examiner that Mr. Lamb, in audible aside during verbal fight among counsel, "called me a little rat."

Incident occurred during extensive argument over Mr. Powell's technique of making offers of proof as to what witness would have testified if he had been allowed to continue when stopped by examiner upon objection on grounds of hearsay or relevance. Examiner cautioned about further emotional outbursts.

J. Howard McGrath, attorney for Mr. Lamb, defended aside as natural indignation in view of counsel's technique of making offers of proof, charging play for press. He particularly attacked invitation on record by Mr. Powell for former party member, mentioned by witness and said to be in Canada, to return to U. S. and give testimony.

Mr. Cummings, who earlier testified he saw Mr. Lamb's name on "lists" used by party in solicitation of funds in mid-1940s, under cross examination could not recall name he personally used then while FBI plant. Lamb counsel began lengthy testing of memory in other areas.

In final hour of session, witness said "several other agencies" of government had approached him during past year and he admitted "subjects" they covered were similar in nature to those inquired by FCC. Asked if he was "professional witness," Mr. Cummings replied, "I wouldn't define it that way." He refused on security grounds to answer if he now is engaged by agency other than FCC "as consultant on subversive matters."

## No Love in Bloom for Benny And Internal Revenue Dept.

IF U. S. government makes case stick, Jack Benny owes another \$1 million in taxes on famed "capital gains" deal in which CBS got him from NBC in 1948. Issue is whether \$2,260,000 CBS paid Mr. Benny for stock in Amusement Enterprises Inc. is subject to income taxes, as government now claims, or much lower capital gain taxes.

At opening of tax hearing in Los Angeles federal court last week, Taft Schreiber, MCA agent, testified Mr. Benny was not only asset of Amusement Enterprises. Other assets included Mary Livingston, Phil Harris, Eddie (Rochester) Anderson and Dennis Day, he said. Mr. Benny owned 60% of Amusement Enterprises.

## WGMS Favored for Ch. 20

FCC ACTIONS FRIDAY:

Hearing examiner issued initial decision recommending grant of Washington's ch. 20 to WGMS that city. Action followed withdrawal of WEAM Arlington, Va. (Washington).

FCC issued final decision granting Fort

## WEIGHTY LINEUP

ABC-TV Friday claimed "greatest tv station lineup ever amassed for any sport event"—150 stations cleared as of pre-game time—in advance of its first telecast (Oklahoma vs. California) last Saturday of this season's NCAA slate. ABC-TV's researchers also estimated that telecast would be available to "upwards of 100 million persons in more than 30 million tv homes in the country."

Worth's ch. 11 to Texas State Network (KFJZ Fort Worth), with Comr. Frieda B. Hennock dissenting. GE equipment and 1,000-ft. antenna will be used. H-R Television Inc. is representative.

Petition by ch. 35 WTRI (TV) Schenectady, N. Y., to move to Albany, N. Y., held up by protest of ch. 41 WROW-TV Albany, granted following withdrawal of WROW-TV protest. Comr. Hennock dissented.

## Autry, Rogers Film Suit Goes Before Supreme Court

SUPREME COURT has been asked by Gene Autry and Roy Rogers to halt use on television of 138 old films that cowboy movie actors made for Republic Pictures Corp.

U. S. Circuit Court in San Francisco turned down injunction that Messrs. Autry and Rogers had filed against Republic, Republic Productions Inc. and Hollywood Television Service in which it was contended that contracts they made with movie studio prohibited telecasting films for commercial advertising purposes.

Mr. Autry's contract with Republic does not allow editing, so use of his films on tv is impractical.

## 23 Kw Uhf Transmitter Put on Market by GE

GE announced Friday inclusion of 23 kw transmitter in uhf line, with delivery promised in 150 days. Equipment, comprising three operating klystron tubes (two visual, one aural), is priced at \$175,000, but is \$130,000 if added to existing 1 kw uhf, or \$85,000 if added to GE 12 kw transmitter. GE now has entire range of uhf transmitters—from 500 w driver, through 1 kw, 12 kw, 23 kw and 45 kw. Latter is due for delivery by end of year.

Coincidentally, GE has included in uhf antenna line new 50-gain helical radiator. Fourteen-bay, 110-ft.-long antenna is priced at \$75,000, with delivery promised within six months. Other uhf GE helical antenna is 25 gain.

## UPCOMING

Sept. 21: CBC Board of Governors, Chateau Laurier, Ottawa.

Sept. 21-23: RETMA fall industry conference, Roosevelt Hotel, New York.

Sept. 24: Mid-Atlantic Workshop, Public Relations Society of America, Hotel Statler, Washington.

For other Upcomings see page 121.

## PEOPLE

HAROLD BODKIN, on loan from AT&T, succeeds WILLIAM A. PORTER as assistant director for telecommunications, Office of Defense Mobilization.

R. C. CONNELL, sales director for Norge Div. of Borg-Warner Corp., elected vice president in charge of sales.

JOHN NEWMAN, formerly with promotion-publicity staff of MCA-TV, N. Y., to Official Films, N. Y., in similar capacity.

## WKY Interests Buy WSFA, Plus Tv Permit, for \$562,000

ACQUISITION of 100% of stock of Montgomery Broadcasting Co., licensee of WSFA Montgomery, Ala., and holder of cp for ch. 12, by WKY Radiophone Co., Oklahoma City (WKY-AM-TV), for \$562,000, plus cost of contracted tv equipment, announced Friday. Sale, negotiated by Blackburn-Hamilton Co., is subject to FCC approval.

WSFA, 5 kw day, 1 kw night, 1440 kc, was founded in 1930, is NBC affiliate. Tv station, now under construction, is scheduled to go on air about Dec. 1. Company ownership: David E. Dunn, president (11%), R. F. Hudson Sr., vice president (25%), H. S. Durden, secretary-treasurer (38%), R. F. Hudson (16%), Sebie B. Smith (8%). Last year, before tv grant was issued, Howard E. Pill sold his 25% interest in WSFA for \$100,000.

WKY has operated radio station since 1920, tv since 1949, is owned by Oklahoma Publishing Co. (Oklahoma City Oklahoman and Times, Farmer-Stockman). E. K. Gaylor is president. P. A. (Buddy) Sugg is executive vice president of WKY operations and handled negotiations.

## District 3 Considers Anti-Beer, Wine Threats

THREATS to beer-wine advertising and problems of carrying political campaign accounts dominated closed-door discussions of NARTB District 3 delegates at Pittsburgh meeting, concluded Friday afternoon (see page 40).

In closed-door business huddles Dist. 3 delegates were concerned, too, about attempts by record manufacturers and distributors to levy special charges on discs for broadcast use. At Friday business session, Dist. 3 adopted resolutions opposing censorship of radio and tv in covering public events and demanding equal rights with other media; urging broadcasters to use own facilities to acquaint public with industry's public service activities; stressing need for adherence to NARTB radio and tv codes; warning of need to resist legislation that would restrict radio-tv advertising; praising NARTB leadership in meeting attacks on industry; lauding stations that have resisted switch of record firms from 78 to 45 rpm discs; calling on record firms to reappraise role of broadcasters in aiding disc sales and opposing growing practice of levying service charges.

## RCA's Zworykin Retires; Is Honored for Inventions

DR. V. K. ZWORYKIN, RCA vice president and technical consultant and father of tv kinescope and iconoscope and host of other electronic inventions, named honorary vice president (first in RCA's history) and continued as technical consultant when his retirement as of Aug. 1 was announced Friday.

Saturday night, Dr. Zworykin was scheduled to be guest of honor at David Sarnoff Research Center, Princeton, N. J. Brig. Gen. David Sarnoff, RCA board chairman, was to be principal speaker.

## WTVH-TV Joins CBS-TV

WTVH-TV Peoria, Ill. (ch. 19), signed as primary interconnected affiliate of CBS-TV effective immediately, CBS-TV station relations vice president Herbert V. Akerberg announced Friday. Station is owned by Hilltop Broadcasting Co. Edward G. Smith is general manager.