UNIQUE 4-STATE CHECK RANKS WOR DOMINANT SATURDAY FIRST!

WOR unquestioned Saturday favorite in New York, Connecticut, Pennsylvania, New Jersey area of 13,400,000 people!

80% more listeners than highest ranking 50,000 watter
110% more listeners than next ranking 50,000 watter
150% more listeners than the lowest ranking 50,000 watter

Again—as in 1940—but this time more thoroughly, more completely, more convincingly, WOR has proved that it dominates the week-end audience. But WOR did not stop at this. Based on a carefully selected audience sample, WOR found that it is the station listened to MOST AMONG ALL INCOME GROUPS; and that its Saturday morning audience is a PROVEN ALL-FAMILY TYPICAL WEEKDAY EVENING AUDIENCE.*

*These facts are based on a new, advanced type of listening check just made for WOR by Crossley, Inc., and basic data previously published in the station's "Story of Saturday." Agencies and advertisers may obtain a detailed recap by writing—WOR at 1490 Broadway, in New York.
The high percentage of WLS renewals bears out this fact. Further proof of results—sales results—is that 35% of the 1,058,032 letters received at WLS in 1940 contained proof of purchase. So let's repeat: home folks in the Mid-West listen to WLS; they respond; and they BUY!
Meet
MRS. FULL-TIME HOMEMAKER....

through The YANKEE NETWORK

SHE represents *1,624,375 women in New England who
devote their entire time to the important job of managing
the home. Her purchases represent a large percentage
of the $3,312,798,000 spent annually in retail stores, including $917,770,000 for food alone.

In every key market the most potent sales influence is
provided by the 19 hometown stations of The Yankee
Network.

Because they have long established, loyal
listenership and proven acceptance, Yankee
Network stations offer the most effective
radio salesway to cap-
ture prosperous New
England.

*Printer's Ink, "Families and
How They Live".

MAINE DEVELOPMENT
COMMISSION
Our thanks for your participations in
our Yankee Network Weather Serv-
ice. And we're more than happy to
hear from your agency Brooke,
Smith, French & Dorrance, Inc. that
you are pleased with the Recipe Book
returns.

L. TRAVERS, V. P.
The Yankee Network

THE YANKEE NETWORK, INC.
21 BROOKLINE AVENUE, BOSTON, MASSACHUSETTS
Here's what a High Mogul in one of America's top Toiletries firms has to say about KOIL's Seven-Point Plus Merchandising:

"The intelligent merchandising and publicity cooperation you've extended our show makes KOIL, Omaha, one of the brightest stars in our galaxy!"

For Nebraska and her neighbors, be sure to use that 7-Point Plus Merchandising station in Lincoln, Nebraska...

KFAB
DON SEARLE. GENERAL MANAGER.
EDWARD PETRY & CO., NAT'L REP'R.
Radio Station WFBM was the only station to broadcast a description of the spectacular $150,000 fire at the Indianapolis Motor Speedway three hours before the scheduled start of the race. Throughout the 4½ hour grind of the 500-mile race, WFBM described the thrilling action to its loyal thousands of listeners—both at their homes and at the trackside. WFBM was first to broadcast the winner's comments as he drove into Victory Lane.

It was WFBM's special events truck which furnished the power to operate the Speedway's public address system after the power lines were destroyed by the costly fire.

Before and After — first, last and ALWAYS — it's WFBM for public service.
Once when we were a young agency fellow, we handed in some baby-milk copy — and the boss tore it all to pieces. "The trouble with this," said he, "is that you have never been a young mother."

No, we still haven't become a young mother! But the point is this: Free & Peters is made up of fifteen good men who have had a most unusual amount of experience in many kinds of work. One of the reasons F&P is often really valuable to a given advertiser is because one or more of our men have had actual experience in that advertiser's own type of merchandising work.

If you like representatives who understand the little ins and outs that differentiate every business — if you like to get outside viewpoints that are still informed viewpoints, please give us a ring. We believe we can help you in your work.

FREE & PETERS, INC.

Pioneer Radio Station Representatives
Since May, 1932

EXCLUSIVE REPRESENTATIVES:

<table>
<thead>
<tr>
<th>Station</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>WGR-WKSY</td>
<td>BUFFALO</td>
</tr>
<tr>
<td>WDAY</td>
<td>CINCINNATI</td>
</tr>
<tr>
<td>WISH</td>
<td>INDIANAPOLIS</td>
</tr>
<tr>
<td>KMRC</td>
<td>KANSAS CITY</td>
</tr>
<tr>
<td>WAYE</td>
<td>LOUISVILLE</td>
</tr>
<tr>
<td>WTNH</td>
<td>MINNEAPOLIS-ST. PAUL</td>
</tr>
<tr>
<td>WHER</td>
<td>PEDRO</td>
</tr>
<tr>
<td>KED</td>
<td>ST. LOUIS</td>
</tr>
<tr>
<td>WPFL</td>
<td>SYRACUSE</td>
</tr>
<tr>
<td>WHO</td>
<td>DES MOINES</td>
</tr>
<tr>
<td>WOC</td>
<td>DAVENPORT</td>
</tr>
<tr>
<td>KMA</td>
<td>SHENANDOAH</td>
</tr>
<tr>
<td>WPSI</td>
<td>COLUMBIA</td>
</tr>
<tr>
<td>WPTF</td>
<td>RALEIGH</td>
</tr>
<tr>
<td>WBOJ</td>
<td>ROANOKE</td>
</tr>
<tr>
<td>WCGO</td>
<td>CHARLESTON</td>
</tr>
<tr>
<td>WWSX</td>
<td>FT. WORTH-DALLAS</td>
</tr>
<tr>
<td>KOMA</td>
<td>OKLAHOMA CITY</td>
</tr>
<tr>
<td>KTUL</td>
<td>TULSA</td>
</tr>
<tr>
<td>KSCO</td>
<td>FT. WORTH-DALLAS</td>
</tr>
<tr>
<td>KCMA</td>
<td>LOS ANGELES</td>
</tr>
<tr>
<td>KROW</td>
<td>PORTLAND</td>
</tr>
<tr>
<td>KDMC</td>
<td>OAKLAND-SAN FRANCISCO</td>
</tr>
<tr>
<td>KIRO</td>
<td>SEATTLE</td>
</tr>
</tbody>
</table>

CHICAGO: 320 N. Michigan 
NEW YORK: 242 Park Ave. 
DETROIT: New Century Bldg. 
SAN FRANCISCO: 144 Sutter 
LOS ANGELES: 620 S. Grand 
ATLANTA: 322 Peachtree Bldg.
Demand for Delay in Net Rules Growing

Craven, Ethridge Criticize FCC Lust For Power; Hearings Continue

AFTER a two-week siege before the Senate Interstate Commerce Committee on the White Resolution to thwart the FCC's chain monopoly regulations, uncertainty still existed as to the outcome, but indications are that increasing sentiment is developing against those by the Commission.

Tending to balance the testimony of FCC Chairman Fly and of officials of MBS favoring enforcement of the rules as drafted, was the appearance of Commissioner T. A. M. Craven last Thursday and Friday, and Mark Ethridge, former NAB president and industry leader, Friday afternoon. They ascribed to the FCC majority a lust for power that eventually would seriously undermine the existing commercial broadcast structure.

May Call Other Members

The hearings are expected to run at least another two weeks and there is the possibility that all other members of the Commission will be called for individual expressions.

With the case of the "prosecution" largely presented through Chairman Fly and MBS, the committee has yet to hear representatives of NBC, CBS, IRNA, NAB and a half-dozen public service, religious and other groups which have requested time. Every effort will be made, it was indicated by Chairman Wheeler (D-Mont.), to speed up the proceedings.

It is still uncertain whether the committee will come to an actual vote on the White Resolution. Several committee members took kindly to the suggestion that, instead of acting on a resolution such as the White proposal to block enforcement of the FCC regulations, the committee request the FCC voluntarily to hold the rules in abeyance pending consideration of an entirely new statute. On the other hand, there was still talk of a "compromise" agreement, which might be worked out through Senator Wheeler, Senator White and other members of the committee, with the FCC and industry representatives sitting in.

Few observers were able to glean any sentiment on the committee in favor of continued operation of two networks by NBC. Even Commissioner Craven, who strongly opposed the majority regulations, felt there should be "stern competition" among four networks, though he questioned how NBC could dispose of the Blue under the regulations as now written.

Love and Thunder

There was still no clear-cut indication how the Administration stood on the White Resolution, though expressions of support were reported about the committee that word had seeped from the White House that it was disposed to favor Chairman Fly's position as expressed to the committee.

ASCAP Suit Seeks Damages From NAB, BMI, NBC, CBS

THE ASCAP board of directors has authorized Schwartz & Frohlich, general counsel for the Society, to prepare papers for a suit against the NAB, BMI, NBC and CBS "all others who appear to be engaged in the combination against ASCAP." Suit will be filed under the Sherman anti-trust law, it was stated, charging the broadcasters' association, the industry music publishing and licensing organization and the networks with entering a conspiracy to boycott ASCAP music from the air and to put the Society out of business.

Trebbe Damages

While no details of the action were immediately forthcoming, it is understood that treble damages will be asked for all losses sustained by ASCAP as a result of this alleged conspiracy. It is estimated that the absence of ASCAP music from the air since the first of the year has curtailed the Society's income by approximately $15,000 a day.

Action was taken at the board meeting last Thursday, when the board expressed the opinion that its negotiations with NBC and CBS "were getting nowhere" and that the Society's negotiations were being given an "attractive runaround." Therefore, it was stated, the board concluded that since the broadcasters were endeavoring to destroy ASCAP, the Society must fight with the only weapon it has, the courts.

The move came as a surprise, since negotiations between ASCAP and CBS and NBC had been reported as progressing amicably and while little progress had been made with CBS, the conversations with NBC had reached a point where a contract might be expected within a short time. No official notice of a break-down in negotiations was given NBC or CBS prior to the board's decision to take legal action. It had been rumored for some time, however, that a strong faction of ASCAP publishers had been urging that legal steps be taken to break up the alleged boycott of ASCAP music by NBC and CBS. This agitation is reported to have increased following the completion of the ASCAP-MBS contract.

That, in essence, was that the regulations were not nearly as drastic as the industry appeared to believe, and that the Commission was ready and willing to discuss with the industry a less restrictive method of eliminating purported monopoly and of removing other restraints upon the industry.

Chairman Fly also had stated that the Commission was prepared to postpone the Aug. 2 effective date upon proper petition from any industry quarter.

Many extraneous matters were pressed in this week's session of members of the committee, with much ado over equalization of time for pro and con speakers on the war situation, on allegedly biased commentators on the networks and on "blood and thunder" and love drama programs—the latter developing as the week's hearings wound up Friday afternoon.

Tobey 'Disappointed'

Mr. Ethridge, after tearing apart testimony of Chairman Fly on the White Resolution, was subjected to a lacing at the hands of Senator Tobey (R-N. H.) because of his reluctance to explain regulations he had made during the NAB convention in St. Louis regarding purported politics in FCC actions.

He described the cases, upon insistence of Senator Tobey, as involving the Jesse Jones grant in Houston, the granting of fulltime to WHDH in Boston, breaking down the KOA clear channel, and the "Winston-Salem case" wherein an FM station was granted Gordon Gray, wealthy tobacco heir, newspaper publisher and broadcaster, in the face of the newspaper-di vorcement inquiry.

In a loud voice, Senator Tobey said he was "disappointed" in Mr. Ethridge's refusal to back up his charges of politics, and declared he thought he "owed a duty" for failing to get down to brass tacks and to "come through clean."

Mr. Ethridge suggested that if the committee wanted to do something about extraneous matters, it should adopt the White Resolution and ferret out the facts as a part of the all-inclusive investigation.

Efforts to good the FCC into action against the AT&T on long-line rate charges were made by several members of the committee interested in having affiliates in remote or rural areas aligned with the networks. Feeling that their own interests had complained about exorbitant costs, they insisted the Commission should work with AT&T and the networks in bringing about a more equitable situation which would permit small stations generally to get network service.

Current Schedule

The schedule for this week tentatively provides for William S. Paley, CBS president, to testify as the first witness on Monday. Former Judge John J. Burns, CBS general counsel, will flank him, to answer questions on legal aspects and on jurisdiction. The next wit-
ness will be Niles Trammell, NBC president, and John T. Cahill, former district attorney of New York, head NBC counsel.

Others expected to appear, in order, are Samuel E. Rosenbaum, president of WFIL, Philadelphia, and Chairman of IRNA; Paul W. Morency, general manager of WTIC, Hartford, and vice-chairman of IRNA; John J. Gillin Jr., general manager of WOW, Omaha; NAB President Neville Miller, and representatives of a number of organizations who have asked for an opportunity to appear in opposition to the regulations. Fly has also asked for an opportunity to appear in rebuttal.

While no definite decision has been reached, committee members indicated they would like to hear other members of the Commission. Commissioner Craven had suggested views of these other members be procured, having testified he thought several of the majority members did not realize the impact of the restrictive regulations upon service rendered the public.

**Heading to Hearings**

Chairman Wheeler said he expected the hearings to continue during the entire week, though he probably would not be present after Wednesday. It is presumed the gavel will then be turned over to Senator White (R-Me.), author of the resolution.

**MBS**

MBS, through Alfred J. McCosker, chairman of the board, Fred Koplovitz, general manager, and Louis G. O'Dwyer, counsel, supported during last week's hearings all of the views expressed by Chairman Fly. They urged the committee to reject the White Resolution and to permit the regulations to become effective as scheduled. They disputed the predictions of chaos, confusion, anarchy and destruction advanced by the other networks, and charged them with misunderstanding of the intent of the rule.

**Craven Testifies**

Mr. McCosker vehemently refuted charges that MBS had inspired the FCC investigation and that it had "grabbed the rules out of the wreckage." He predicted the results of the regulations would prove a boon to the industry, and if something went wrong, he attacked Neville Miller, NAB president, declaring he was not in position to speak for "all elements" of the industry.

Commissioner Craven loosed a stinging attack upon the FCC majority in his five hours of testimony. He held it has "husbanded" power under the law, and that the regulations were "destructive" rather than "constructive" and would impair the public service of radio. Business will gravitate to the larger stations in the important markets, he testified, and the "rich will get richer and the poor poorer". He called upon Congress to define clearly to the Commission the limit of its powers.

The second week of the White Resolution hearings wound up Friday with the impromptu appearance of the executives of the three networks—CBS President William S. Paley; NBC President Niles Trammell, and MBS Board Chairman Alfred J. McCosker.

A series of bombastic questions from Senator Tobey on handling of newsmarkers, notably MBS-Fulton Lewis, resulted in brief statements by the three executives having to do with program and news balance.

Prior to adjournment over the weekend, the committee heard Commissioner T. A. M. Craven lambast the chain monopoly rules adopted by the FCC majority. Mark Ethridge, former NAB president, and vice-president and general manager of the Louisville Courier Journal and Times which operate WHAS, were the week's final witnesses.

In characteristic style, Mr. Ethridge sharply condemned the FCC's action and renewed the feud with FCC Chairman Fly which had erupted during the NAB convention in St. Louis last month.

Continuing his prepared testimony at the Friday afternoon session, Commissioner Craven stated his views on the eight rules and took a position strongly opposed to that of the majority. He branded the exclusivity rule as one that was not generally desirable though it might be advantageous in certain cases.

**Views on Time Options**

The territorial exclusivity rule providing that any station have access to any network program it branded as unfair and one that would tend to destroy public service of stations. The rule to limit contracts to one year would add to the confusion and unbalance an industry in dire need of stability, he said.

The time option ban, according to Mr. Craven, would hamper broadcasting development and seriously undermine network operation. He thought extensive time options were wrong but that unless there are certain time guarantees, successful chain broadcasting would be destroyed.

Networks must be able to deliver the goods," he said. He disputed the majority view that transcriptions would solve this situation.

**Before Commissioner Craven could continue his analysis, Senator Tobey sharply criticized network practices in connection with commentaries. He cited Fulton Lewis jr., who is not scheduled to appear on WOR, and said listeners were deprived of hearing him on a competitive New York station because of the exclusive contract situation.

Mr. McCosker said Mr. Lewis might return at any time to WOR. In its effort to maintain a news balance, he said the station was forced to drop the regular network broadcast temporarily. He called Mr. Lewis a "middle of the road" commentator, neither pro-isolationist nor pro-war.

"There ensued a general discussion of balance on war commentaries, with Senator Wheeler as well as Senator Tobey participating. Senator Tobey said Congress was "going to kill a damned rotten policy.""

**Denies Pressure**

Senator Wheeler asked Mr. McCosker if he knew of any complaints from the Administration because of Fulton Lewis. Mr. McCosker said he knew of none and had never received any pressure from any Administration in 16 years of WOR management.

When Senator Tobey asked for an expression from the other networks, Mr. Paley said the whole question of network regulations was one of serious concern. He said he had a story to present and that he proposed to cover the entire problem when he appears as a witness.

Responding to Senator Tobey he declared that CBS tries to balance its program service.

For NBC, President Trammell declared that he likewise had a comprehensive case and on the commentary feature, NBC seeks to maintain a neutral position.

Senator Tobey suggested that perhaps the FCC should have professional listeners to see that proper balance is maintained on controversial issues.

Chairman Wheeler said he understood the FCC now has a "psychological" view of the FCC's rules and believed they would not sustain the FCC majority findings. He cited the stay order quardany, however, and mentioned the action the FCC had taken denying a station a stay in the KOA-WHED case (see page 35).

**As a Witness**

As a witness, Senator Stewart (D-Tenn.) about the newspaper article. Senator Craven said he voted against the inquiry and believed the FCC had exceeded its power. He said that on the whole NAB's operation of its stations has been excellent. The policy, he felt, should be fixed by Congress.

Senator Tobey reopened the WMCA case. He got little solace from Mr. Craven, who pointed out he had voted for a hearing in the case and had not been approached about it until after the political party's action was anything but to keep the political party from selling. He said he knew of nothing "telephone calls from the White House" although he had heard many rumors. He also declared he was not familiar with published accounts by the Flamm family, who were attorneys for Edward J. Noble, purchaser of the station last December.

Senator Tobey gave negative replies to his inquiries whether Thomas G. Corcoran, former New Deal attorney, had received a "substantial fee" in the case and whether Corcoran maintained his legal offices in the Dempsey-Klopovits suite. Conver, said he did not know that Flamm paid a Federal tax of only $961 on a net income of $41,351 a year ago.

Conver, Craven agreed that "very quick" action was taken on the WMCA transfer but said he knew none of the facts. Senator Tobey commented on the "almost as quick as that Governor Cox deal!"

When Senator Tobey asked about the desirability of a franchise tax
on stations, Commissioner Craven said he did not approve such a levy but thought Congress should ascertain the rights and duties of the licensees if such a tax were invoked.

Commissioner Craven closed his two-day appearance with the statement that he had never attempted to change his views on policy matters or individual cases by any member of Congress. He said he thought members of Congress were entitled to any information they desired from the Commission.

Industry Ready

Mr. Ethridge, final witness of the week, said an anomalous situation is created when an industry comes to Congress and asks that it be investigated. Radio is perfectly willing to take its chances with Congress, he declared; and thinks it is entitled to a new law in the interest of itself as well as the public.

Continuing the dispute that erupted at the St. Louis NAB convention, when Chairman Fly called the broadcasting industry a "disgrace" and stormed out of the sessions in indignation, Mr. Ethridge said the chairman "already has undertaken to write the opinion of the Supreme Court" on two pending regulations. He referred to repeated statements by Mr. Fly to the committee that he was confident the regulations would be upheld in the courts.

As precedent for the White Resolution to ask the FCC to postpone the effective date of its regulations, pending an appeal to Congress, Mr. Ethridge recalled that Chairman Wheeler several years ago introduced and had obtained passage of a resolution expressing it as the sense of the Senate that no station should be given power of greater than 50,000 watts, as a means of dispersing so-called superpower. He said this, too, was a "major matter of public policy" and that Congress should step in.

Attacking Chairman Fly's testimony as in conflict with the views of the President, who in 1939 expressed dissatisfaction with the FCC and advocated a clear Congressional policy, Mr. Ethridge read into the record the text of that letter, sent to Chairman Wheeler.

"We are not improperly or whimsically before this committee," he declared, saying that many broadcasters feel that the FCC had reached its verdict before the injunction was drawn.

Mr. Ethridge advocated reorganization of the Commission as a three-man body, with "three Joe Eastmans on it." He referred to the FCC members.

After a debate with Senator Wheeler on the shortcomings of existing regulatory practices, Mr. Ethridge said he would like to see a judicial Commission beyond the reach of politics.

Among other things, he said the law should incorporate proper appellate provisions, SEC examination of financial responsibility, strengthening of the section on equal time for controversial issues, fairer allocation of time for public service programs, more self-regulation by the industry and a more enlightened approach to public discussion, with the World Series perhaps as a sustaining rather than a commercial venture (ob serving that the committee had been the victim of a "lot of ballyhoo" about World Series). He also urged an absolute right of appeal from FCC decisions, instead of the "sort of shell game" now being experienced, and Mr. Ethridge said he was convinced the present right of appeal is "fiction."

He told the committee that under rules as now written WHAS could put a corner on the best programs by virtue of being the only clear-channel 50,000-watt outlet in Louisville. He said every big station could "cut the little stations if we wanted to raid the best programs."

"Sharp Practices"

Mr. Ethridge charged the FCC with administrative "sharp practices". He said he felt Chairman Fly had an "unconcealed contempt" for the industry and had become its "self-appointed prosecuting attorney."

A wholly realistic view of the rules, based on the testimony offered, he said, is that the Commission proposes to shuffle the nation's broadcast facilities on an experimental basis and if they do not work, to shuffle them again. He said that Chairman Fly was a man trained in "restraint of trade law" by virtue of his background as a Department of Justice attorney and as general counsel of TVA. The same yardstick, he said, cannot be applied to broadcasting.

"If there is any undue power in radio," Mr. Ethridge said, "I want to see it distributed among 800 stations and not seven men."

Petrillo Hits Justice Dept., Calls Thornam Arnold Menace

Means of Increasing Employment of Musicians By Attacking Recording Problem Discussed

LEVELING his guns at Justice Department moves toward anti-trust regulations, its menacing chairman, James C. Petrillo, president of the American Federation of Musicians, opened the AFM convention in Seattle last Monday, trumpeted his defiance to Thurman Arnold, Assistant Attorney General in charge of the Anti-trust Division. He labeled Mr. Arnold a "menace" as proof that the union was "maliciously opposed" to AFM.

Among the controversial issues of the convention, which was tentatively adjourned last Saturday, was a proposal to forbid union members making phonograph records. No action had been taken by the membership on the proposal as BROADCASTING went to press.

Petrillo Blasts Arnold

Reelected last Friday for a second one-year term as AFM president, Mr. Petrillo hailed the victory as proof his association had supported his "aggressive policies".

Petrillo, also president of AFM's Chicago local, is claimed to be the highest paid labor leader in the world.

Mr. Petrillo stabbed viciously in his opening speech at Mr. Arnold's chief assistant, Al Lifson, as the result of his "maliciously opposed to our honorable organization". He also took verbal jabs at Lawrence Tibbett, president of the Metropolitan Opera, and at the "broadcaster who has got away with it for years".

"I'll tell every man in this room that if you sign an agreement with AFM, I'll indict every one of you and get you off the air. And I'll see the officers of AFM get five years in jail," Petrillo declared.

AGMA Problem

Continuing, he commented that the Justice Department was not heard from later during strikes at stations in Scranton and Akron, although the job was "big money, big strike." However, when Mr. Tibbett, as AGMA president, called on Mr. Arnold subsequently protesting Petrillo's efforts to cut concert attendance, Mr. Arnold threatened him, Petrillo said.

Discussing various suits brought in Federal court in the AGMA-AFM matter, he commented, "In 99% of the times, we slapped this fellow down. I hope when the day comes when I am what he called me—a dictator—you'll throw me out in the alley because that's what we've been made for."

The "canned music" situation drew special attention at the convention. Ben Selvin, former orchestra leader, was engaged by AFM to survey the effect of mechanized music on musicians' jobs, told the convention that recorded music has swerved from an original "good purpose to a bad end," from the viewpoint of the musician.

He reported the AFM survey showed that of the average of seven hours broadcast daily by American broadcast stations, only 58 minutes represented live music played in the studio. Records were played 40.04 percent of total transcriptions 3:45 hours and remote control programs 15 minutes, he stated.

"There are about 5,000 bands in the country today, and many of them haven't been 'made' by Juke boxes and records, so that these bands have risen to spectacular successes, and caused many young musicians to enter the industry, only to find that all their hopes have been dashed against the wall again," Mr. Selvin said. "But while they have helped some, they do no good for the unemployed musician who sits at home Saturday nights as a cardboard cutout dancing to recorded music."

Termed Unjust

The far-reaching rule to prohibit union musicians from making phonograph records was proposed last Tuesday, following Mr. Selvin's report. Advocates of the ban on record-making argued that it was unfair for musicians to try to get big money for making them and thereby deprive fellow union members of a means of livelihood when the record company is making that money on the radio in juke boxes.

Pointing out that foreign record origination are cut off by the war situation, they held that the time was ripe for the American-made "canned music". As an alternative to the ban, it also was proposed that America's 400,000 juke boxes pay into the AFM treasury for pennies per week to help support unemployed musicians.

BROADCASTING • Broadcast Advertising

June 16, 1941 • Page 9

Gillespie Heads KOMA

WILLIAM C. GILLESPIE, vice-president and general manager of KTUL, Tulsa, has taken on the additional duties of managing director of KOMA. On last homa City, succeeding Neal Barret, resigned. Both stations are controlled by the T. Griffith estates. Mr. Gillespie established KTUL in 1934 and KOMA was purchased from Mr. Gillespie Hearst Radio in 1936. Other changes have been made in the executive personnel of KTUL or KOMA, Jack Howell, KOMA commercial manager, of Musical capacity and will also act as Mr. Gillespie's assistant.
ASCAP and IRNA Consider General Terms of Contracts

Negotiating Groups Hold Preliminary Session; Feasible Basis for Net Renewal Discussed

WHAT HAD been heralded in ASCAP circles as an important meeting which might result in tacit agreement with a return to royalty payments to NBC and CBS affiliated stations, held in Washington last Wednesday, turned out to be only a preliminary huddle between committees representing ASCAP and IRNA.

Advance reports from ASCAP were that a preliminary agreement had been reached with NBC on return of the ASCAP repertoire, based on the blanket formula accepted by MBS.

It also had been reported that CBS was making real progress in its negotiations with ASCAP, but that neither network was disposed to make a conclusive deal until affiliated station charges were disposed of and then approval would be called upon to bear a portion of the sustaining fee costs, even though provision would be made for clearance at the source by the networks.

General Discussion

It developed at the meeting, held at NBC headquarters, that the IRNA committee, headed by Chairman Samuel R. Rosenbaum, was not a negotiating committee but a meeting for a general discussion upon affiliation of ASCAP. The ASCAP committee comprised E. Claude Mills, chairman of its administrative committee; John G. Paine, general manager, and John O'Connor, publisher member of the ASCAP board and manager of the Fred Waring organization.

The ASCAP members discussed the proposals made to the networks and explained fully the terms available for affiliated stations. The IRNA committee made it clear that the networks would have to be submitted to the IRNA board and the affiliate membership. Official copies of MBS contracts were to be made available to the IRNA membership, after which another meeting presumably would be held with the ASCAP committee.

While no formal statements were forthcoming either from NBC or CBS, executives of the networks, in Washington for the White Resolution hearings, disclaimed any conclusive arrangements with ASCAP. On behalf of NBC it was stated that a feasible basis, economically, had been arrived at in negotiations with ASCAP, but that at this stage no formal arrangements were likely in the light of the monopoly hearings and the undetermined state of NBC's future operation.

No statement was made on behalf of CBS, other than that conversations were going forward and that alternative propositions had been proffered. One of these is the MBS arrangement on a blanket basis, and the other, it is understood, a temporary deal, probably for one or two years, under which the "color and ceiling" guarantees on payments would be eliminated on a per-piece basis.

In New York, Mr. Paine told BROADCASTING that the meeting of IRNA members and ASCAP representatives had cleared up some of the complications in the contracts with NBC and CBS for the return of ASCAP music over their networks. "These networks have said," Mr. Paine stated, "that they would like to work out a better deal for their affiliates than that secured by the stations affiliated with Mutual. Our conversation with the IRNA committee gave us the chance to get at first hand the definite opinion of these affiliates that they are not interested in the network ASCAP licenses and that they don't expect the networks to be interested in the ASCAP licenses of the stations."

It was made clear to the IRNA committee, Mr. Paine said, that the only terms ASCAP will offer NBC and CBS affiliates are those already given to MBS stations [BROADCASTING, May 5]. Station contracts were almost ready and would probably be mailed out to all MBS affiliates by the weekend, he said, adding that ASCAP was also making copies available for distribution to other stations.

Reduction Discussed

Commenting on the report that ASCAP had made a reduction in the sustaining fees for stations with annual incomes between $50,000 and $150,000, Mr. Paine said that a reduction had been proposed but that it had not been accepted by ASCAP and that the station contracts would go out in their present form. If ASCAP should approve such reduction, he said, it would then be given to all stations in this class, regardless of whether they signed ASCAP contracts prior to the change.

In a formal announcement following the meeting, Mr. Rosenbaum said ASCAP explained fully the present status of its deal as consummated with Mutual and as modified in the offer to other networks and the present status of the ASCAP deal to be submitted to affiliates.

Those Present

Present at the meeting on behalf of IRNA were Chairman Rosenbaum; Paul W. Morency, WTC, Hartford, vice-chairman; Edwin W. Craig, WSM, Nashville; L. B. Wilson, WCKY, Cincinnati; John O'Connor, WITC, New York, vice-president; W. C. T. Moore, WJZ, Baltimore, president; C. W. Myers, KOIN-KALE, Portland, Ore.; James D. House, WLU - WSAI, Cincinnati; Gene O'Fallon, KFEL, Denver, and Art Mosby, Missouri, Mont.

N. J. Defers Bill

NEW JERSEY Anti-ASCAP measure, the Herbert Assembly Bill No. 54, was relegated to the Miscellaneous Business Committee for the session after the steering committee of the House ruled against the measure. Considered to have no chance of enactment, the measure seeks to impose a New Jersey gross receipts tax of $5% on licensing or selling performing rights of copyright, right compositions, particularly song words and music, and is aimed primarily at ASCAP. A similar measure was voted down last year.

More P & G Renewals

PROCTOR & GAMBLE Co., Cincinnati, which is renewing eight of its NBC-Red serials on July 1, has added three more Red programs to the list, all on a 52-week basis, Monday through Friday, and handled by Blackett-Sampie Hummert, Chicago. Programs are: Road of Life (Oxydol), 13 stations, 10:45-11 a.m.; Lone Journey (Drift), 31 stations, 11:30-11:45 a.m.; and Ma Perkins (Oxydol), 71 stations, 3:15-3:30 p.m.

Revised Contracts Of BMI Approved

New Forms Comply with Terms Of Decree; Rates Are Cut

FINAL approval of the new contract forms for catalogs of Broadcast Music Inc., was voted at a meeting of the BMI board of directors in Washington last Tuesday. The incorporation of the 5% reduction in rates to which BMI committed itself at the NAB convention in St. Louis May 12-15 (BROADCASTING, May 19).

The license forms which are designed to conform with the requirements of the Department of Justice consent decree entered into with BMI earlier this year, cover both a blanket contract and a per-program basis. With the one-third reduction in payments paid under the 1939 contract, effective for the current year, BMI estimates it will receive approximately $1,300,000 as against $1,800,000 for 1940. This will mean that the rates will start at 1% and will range up to 1%.

Disc Clearance

The BMI board also approved a contract providing for national clearance at the source for electrical transcriptions. BMI announced that holders of blanket contracts may ratify them and obtain the reduction in license charges which will bring the present scale of payment down from a maximum of 2% to a maximum of 1%, and from 3% to a maximum of 1%. Per-program rates run from 3% to approximately 5 1/4% for commercial programs using BMI music, and from 1% to 1% for sustaining programs, the latter charge being figured on card rates applicable at the time of broadcast.

Directors approved several plans for development and expansion of BMI and for the disposition of the management.

Following the meeting, it was stated that the form of contract would be drafted and submitted to BMI within a few days. Present were NAB-BMI president Neville Miller, John Shepard 3d, Yankee Network; Walter J. Damm, WFMJ, Milwaukee; Paul W. Morency, WITC, Hartford; Edward Klauber, executive vice-president, CBS; Niles Trammell, president, NBC, and John Elmer, WCBM, Baltimore, all BMI board members, and Sydney M. Kaye, BMI vice-president and general counsel; M. E. Tompkins, vice-president and general manager, and Carl Haverlin, station relations director.

The board accepted the resignation of T. C. Streibert, vice-president of WOR and MBS, because of the withdrawal of WOR from NAB membership. It was reported the resignation was premised on BMI's close association with the NAB. The board accepted the resignation of Mr. Streibert's President Miller praised Mr. Streibert's contribution to BMI's development.
Twenty times more powerful than any other full-time independent station in Philadelphia... Centrally located on the dial—950. We now bring added power to your sales in the country’s third largest market.
Employment and Payroll Data of U. S. Broadcast Industry

(FCC Analysis for Typical Week, Beginning October 13, 1940)

765 STATIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Fulltime Compensation</th>
<th>Fulltime Average</th>
<th>Part-time Compensation</th>
<th>Part-time Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
</tr>
<tr>
<td>Executive</td>
<td>905</td>
<td>$95.790</td>
<td>$118.99</td>
<td>41</td>
</tr>
<tr>
<td>General manager</td>
<td>121</td>
<td>$92.532</td>
<td>$78.78</td>
<td>35</td>
</tr>
<tr>
<td>Technical</td>
<td>15</td>
<td>$23.56</td>
<td>$14.01</td>
<td>20</td>
</tr>
<tr>
<td>Program</td>
<td>8</td>
<td>$188</td>
<td>24.75</td>
<td>7</td>
</tr>
<tr>
<td>Commercial</td>
<td>398</td>
<td>$3,670</td>
<td>$3,656</td>
<td>15</td>
</tr>
<tr>
<td>Publicity</td>
<td>10</td>
<td>$52</td>
<td>13.52</td>
<td>2</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>9</td>
<td>$6.75</td>
<td>6.54</td>
<td>3</td>
</tr>
<tr>
<td>Total, executives</td>
<td>2,197</td>
<td>$186.970</td>
<td>$65.49</td>
<td>49</td>
</tr>
</tbody>
</table>

| Item              | 159                   | $27.433          | 51.68                  | 1                |

| Employees (other than executive): |         |                  |                        |                  |
| Technical: Research and development | 120     | 6.222            | 51.85                  | 4                |
| Operating         | 3,469                 | 140.650          | 40.49                  | 1                |
| Miscellaneous     | 184                   | 4.675            | 31.66                  | 60               |
| Program: Production | 257     | 23.613           | 41.03                  | 3                |
| Writers           | 258                   | 18.383           | 32.43                  | 4                |
| Announcers        | 3,996                 | 893.940          | 34.83                  | 2                |
| Staff engineers   | 1,000                 | 254.650          | 34.83                  | 2                |
| Other staff       | 731                   | 32.720           | 44.76                  | 64               |
| Miscellaneous     | 458                   | 14.186           | 32.29                  | 146              |
| Commerce          | 565                   | 86.775           | 55.59                  | 49               |
| Operating         | 4,874                 | 10.677           | 54.95                  | 1                |
| Miscellaneous     | 466                   | 4.647            | 39.16                  | 6                |

| General administrative: Accounting | 342 | 16.171 | 29.84 | 3 |
| Clerical          | 729 | 14.327 | 20.49 | 1 |
| Broadcast         | 277 | 31.297 | 22.44 | 4 |
| Other             | 1,036 | 11.019 | 20.56 | 3 |
| Miscellaneous     | 222 | 7.779 | 24.16 | 1 |
| Total employees   | 15,688 | 592.647 | 37.97 | 71 |
| Total, executives | 17,905 | 778.717 | 43.74 | 119 |

3 MAJOR NETWORKS

<table>
<thead>
<tr>
<th>Item</th>
<th>Fulltime Compensation</th>
<th>Fulltime Average</th>
<th>Part-time Compensation</th>
<th>Part-time Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
</tr>
<tr>
<td>Executive</td>
<td>29</td>
<td>$11.624</td>
<td>$400.83</td>
<td>1</td>
</tr>
<tr>
<td>General manager</td>
<td>2</td>
<td>$3,544</td>
<td>169.69</td>
<td>1</td>
</tr>
<tr>
<td>Technical</td>
<td>21</td>
<td>$2,924</td>
<td>144.69</td>
<td>1</td>
</tr>
<tr>
<td>Program</td>
<td>28</td>
<td>$3,670</td>
<td>246.35</td>
<td>1</td>
</tr>
<tr>
<td>Commercial</td>
<td>9</td>
<td>$1,943</td>
<td>129.09</td>
<td>1</td>
</tr>
<tr>
<td>Publicity</td>
<td>11</td>
<td>$277</td>
<td>277.00</td>
<td>1</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>7</td>
<td>$1.256</td>
<td>179.43</td>
<td>1</td>
</tr>
<tr>
<td>Total, executives</td>
<td>109</td>
<td>$27.433</td>
<td>51.68</td>
<td>1</td>
</tr>
</tbody>
</table>

6 Regional networks:

<table>
<thead>
<tr>
<th>Item</th>
<th>Fulltime Compensation</th>
<th>Fulltime Average</th>
<th>Part-time Compensation</th>
<th>Part-time Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
</tr>
<tr>
<td>Executive</td>
<td>159</td>
<td>$27.433</td>
<td>51.68</td>
<td>1</td>
</tr>
</tbody>
</table>

1940 Noted in FCC

Broadcast Pay Again Leads Industries

Another Advance During Statistics

KEEPING its position as America's best-paying industry, from an employeeperspective, the broadcasting industry in 1940 paid its 2,164 employees and executives an average weekly wage of $47.13. The 10,290 fulltime wage-earners, eliminating those drawing executive salaries, drew an average weekly wage of $41.68—amounting to about 80% of the industry's entire payroll. The industry has an annual payroll approximating $66,000,000, with about 50 cents of every expense dollar going for wages and salaries.

These figures are revealed in a summary of functional broadcast employment and payroll data compiled by the FCC Accounting Department for the typical broadcasting week of Oct. 13, 1940. The FCC analysis was prepared under direction of William J. Norfleet, chief accountant, and Dequincy V. Sutton, head broadcast accountant. The figures were developed from data supplied by 765 stations, the three national networks and six regional networks.

Increase Noted

The $47.13 weekly average represents an increase of $1.17 over the $45.96 average for 1939 [BROADCASTING, Sept. 15, 1940]. The industry also employed more wage-earners during 1940—21,646 compared to 19,873 fulltime employees in 1939. In addition, some 4,000 part-time employees were employed, the FCC figures show.

According to available Government information, no other industry exceeds broadcasting's average pay. Figures of the Bureau of Labor Statistics deal largely with wage-earner groups and cover only employees. With broadcasting industry employers other than executives receiving an average weekly pay envelope of $41.08, Preliminary Labor Department figures indicate an average wage in March, 1941, of $41.75 for the machine tool industry, $40.84 for automotive manufacturing; $37.34 for insurance; $37.32 for brokerage; $35.02 for aircraft manufacturing; $32.71 for iron and steel manufacturing.

No figures were available for commercial aviation, as distinguished from aviation manufacturing, both of which fall in the higher wage brackets, but neither of which was estimated to exceed the broadcast wage.

Employees other than executives received approximately $500,000 of the $1,000,000 payroll of the industry for the typical Oct. 15 week. From the 765 reporting stations 15,608 received an average of $37.97; from the three national networks 3,650 received $57.55; from six regional networks 65 received $41.88 for the week.

Executive Earnings

During the week the stations' payroll amounted to $778,717, of which $592,647 went to fulltime employees other than executives; the national networks' payroll reached $297,647, with $210,214 going to these employees; the regional networks' payroll amounted to $3,984, with $2,703 going to employees other than executives.

In the executive class, 2,197 executive employees of the 765 stations received $186,070 during the typical week, or an average of $84.69; 109 executive networks drew $27,453, or an average of $251.68; 14 regional network employees received $1,281, or an average $91.50. All fulltime executive employees in the industry, totaling 2,220, received $214,784, or an average of $92.57 for the week.

The 17,805 executives and employees reported by the 765 stations drew wages and salaries aggregating $778,717 for the week, or an average wage of $43.74; 3,762 reported by the national networks received $297,647, or an average of $63.17; 79 reported by six regional networks received $3,984, or an average of $50.43.

The average station manager received $113.99 for the week, according to the FCC breakdown. Outside salesmen for the stations received $55.59; producers, $41.08; staff musicians, $48.01; research and development engineers, $51.85; operating engineers, $40.49; writers, $32.43; announcers, $34.63; promotion and merchandising directors, $38.97.

The 765 individual stations retained 3,511 parttime executives and employees, paying an average wage of $22.48. Nearly half of these were performing artists, it was estimated. The national networks had 492 parttime employees, receiving an average of $63.36 for the week.

The FCC figures also provided breakdowns showing comparative (Continued on page 16)
And Blue programs—like Blue coverage—reach more customers per dollar

We don't carry Jack Benny, Fibber McGee or Charlie McCarthy—but do you realize what a high average the Blue's programs have been hitting? And do you know that Blue programs cost much less per point of rating than the Red-CBS average? Here are three important facts we'd like you to know about.

First, the Blue's average evening CAB rating during the past few months has gone up to 10 points and over—a figure that speaks for itself.

Second, the Blue's continual development of new talent in new programs builds a special kind of audience loyalty. This was demonstrated recently when Blue shows took six first places in the recent Movie-Radio Guide poll of favorite programs.

Third, a comparison of talent expenditures shows that the Blue achieves its immensely successful record with programs that cost 44% less per quarter hour (sponsored) than its major network competition.

Together, these three factors of program strength—added to the Blue's lower time cost per thousand—prove why today, more than ever, the Blue produces sales thru the air with the greatest of ease, at the lowest cost of any medium entering the home.

NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

THE SHOW OF THE MONTH—Like mystery? Of course, everybody does! And here's a thriller so different we call each half-hour episode an "item" because it's a real collector's piece. Listen to the adventure of THE BISHOP AND THE GAR-GOYLE via the Blue on Saturday nights at 8:30 (N.Y. Time).
Rise in Sales
Of 8 to 10% Seen For Rest of Year

But 'Times' Survey Claims It Depends on FCC Action

A FORECAST that radio billings will increase 8 to 10% again "depending on whether the FCC anti-monopoly report is carried out," is made in the New York Times of June 8, which declares on the basis of expressions from advertisers and agency men that advertising volume generally for the balance of this year will register a steady improvement over the showing for the first five months. Best estimates, the Times states, are that newspaper lineage, currently running slightly over 3% ahead of 1940, will show a 5 to 7% rise while magazines will come out 6 to 8% ahead.

The increases are predicated on national income reaching a new high this year, with purchasing power of the lowest income classes boosted sharply and sales of many industries breaking previous records.

Material Shortages

"The increases," it is stated, "will not be spectacular. There has been a great deal of talk about the necessity of keeping the name of a product before the public, even when supplies have been reduced or cut off, but the volume of such advertising is bound to be smaller than in periods when competition is keen and sales are moderately hard to make.

"Shortages of materials will undoubtedly cut down output in some industries, but this will be a gradual process until the closing months of this year (unless there is commandeering of inventories), and should not have a serious effect on lineage. Here is an estimate of national expenditures in newspapers, network radio, magazines and farm journals by leading industries last year and it indicates that most of the big spenders will be relatively unaffected by shortages:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groceries</td>
<td>229,000,000</td>
<td>24.0</td>
</tr>
<tr>
<td>Automotive</td>
<td>65,000,000</td>
<td>7.0</td>
</tr>
<tr>
<td>Tobacco</td>
<td>45,000,000</td>
<td>11.3</td>
</tr>
<tr>
<td>Medical</td>
<td>26,500,000</td>
<td>2.9</td>
</tr>
<tr>
<td>Alcoholic beverages</td>
<td>58,000,000</td>
<td>6.5</td>
</tr>
<tr>
<td>Housing equipment</td>
<td>26,000,000</td>
<td>2.8</td>
</tr>
<tr>
<td>Transportation</td>
<td>14,000,000</td>
<td>3.9</td>
</tr>
<tr>
<td>Apparels</td>
<td>11,000,000</td>
<td>2.8</td>
</tr>
<tr>
<td>Industrial</td>
<td>11,000,000</td>
<td>2.8</td>
</tr>
</tbody>
</table>

"Of these industries, those that will be most severely affected by shortages are the automotive, housing equipment, and industrial classifications. Despite sensational sales gains, automotive product copy has already been curtailed and has been supplanted to a certain extent by institutional ads on defense work by the large companies. If production is cut 30 to 40% in 1942, as has already been predicted, ad expenditures will be geared to this reduction. During the depression, when automobile sales slumped, so did advertising.

"Grocery, toilet requisite, tobacco, medical and alcoholic beverage advertising should not be affected and as a matter of fact should be stepped up, because these industries will have a shot at consumer income formerly diverted to automobiles, refrigerators or radios, agency men pointed out.

"Some advertising men have been trying to build up case histories of companies which deliberately stopped advertising during the last war and eventually lost out. They have, however, unearthed very few examples in which other circumstances did not contribute to the failure of a company. One industrial advertiser announced a list of 30 such companies in the industrial field, without citing names. Efforts by advertising men to check up on this list revealed only about four or five companies in which failure could be attributed directly to an arbitrary curtailment of advertising.

Brand Loyalty

"But there are numerous reasons today, lacking in the last war, why advertisers feel compelled to continue promotion, even though goods may be scarce. First, brand loyalty today is very unimportant. A. C. Nielsen studies in the food and toilet goods field reveal month-to-month shifts in popularity of leading brands closely tied in to the effectiveness or size of advertising campaigns."

Arthur Feldman Named By NBC to Supervise Special Events Activity

ARTHUR FELDMAN, of NBC's special events staff in New York, has been named supervisor of special events, succeeding J. Harrison Hartley, called to active service in the Navy Department in Washington [BROADCASTING, June 9]. Appointment was announced June 10 by A. A. Schechter, NBC director of news and special events. Maynard Stitt, of NBC's press division, has been moved into Feldman's former position. Stitt was formerly with Associated Press and United Press and served in the publicity department of the New York World's Fair before joining NBC.

Feldman, who came to NBC in 1939 after three years with WBZ, Boston, has handled a wide variety of assignments, including the broadcasts of Army maneuvers, coverage of the Squall subnaise submarine disaster and interviews with survivors of the Cavalier plane accident. Recently he had charge of the British Evacuee Children's series, making all arrangements for the simultaneous broadcasts on NBC, CBC in Canada and BBC in England. He has also supervised the technical set-up for NBC's morning and evening newscasts.

KPO

Represented Nationally by NBC Spot Sales Offices:

Page 14 • June 16, 1941 • BROADCASTING • Broadcast Advertising
ENGINEERS: GET PROFESSIONAL SPEECH INPUT
EQUIPMENT ASSEMBLED TO YOUR NEEDS!

Now you can specify circuits and controls to best meet your exact operating needs for each Studio Control Desk. Western Electric's new desk equipment offers complete flexibility both of unit arrangement and circuit design with all the advantages of using standardized, tested parts and compact professional assembly.

Developed by Bell Telephone Laboratories to meet highest quality transmission requirements, this equipment gives fullest audio frequency facilities for either AM or FM. It's complete, compact, easy to install, easy to operate, easy to maintain.

Efficient yet beautiful in appearance, it can't help but invite favorable comment.

Get full details. Write today to Graybar Electric Co., Graybar Building, New York, N. Y.

Western Electric
Power to Regulate Advertising Upheld
Appellate Court Sustains the FTC in Its Ford Order

HOLDING that advertising and other factors stimulating or decreasing the flow of commerce are essential adjutants to interstate commerce, and that Congress has authority to confer on the Federal Trade Commission powers to regulate them, the U. S. Circuit Court of Appeals in Cincinnati has affirmed a cease and desist order of the FTC against Ford Motor Co., according to a FTC announcement last Monday. The appeal involved the legality of Ford advertising for its "66%" plan for financing automobile purchases.

Taking issue with Ford advertisements stating that under Universal Credit Co. financing, automobile purchasers may buy cars at an interest rate of 6%, the opinion, handed down by Judge Hamilton, brought out that comparative tables prepared by an expert accountant indicated the credit charge under this plan actually amounted to approximately 11% simple annual interest.

To the appellant's plea that the financing method does not affect competition in interstate commerce, the court held:

"All of those things which stimulate or decrease the flow of commerce, although not directly in its stream, are essential adjutants thereto and the Congress has power to confer on the FTC their regulation. The use of advertising as an aid to the production and distribution of goods has been recognized so long as to require only passing notice. The economy of marketing products has been well known, and the effects of advertising may be described as mass selling without which distribution would be lessened and production correspondingly increased."

"The sale on credit of petitioners' cars by its local dealers, when separately considered, may be intransistate in character, but when the activities of the retailers and the Congress has power to confer on the FTC their regulation. The use of advertising as an aid to the production and distribution of goods has been recognized so long as to require only passing notice. The economy of marketing products has been well known, and the effects of advertising may be described as mass selling without which distribution would be lessened and production correspondingly increased."

"The sale on credit of petitioners' cars by its local dealers, when separately considered, may be intransistate in character, but when the activities of the retailers and the Congress has power to confer on the FTC their regulation. The use of advertising as an aid to the production and distribution of goods has been recognized so long as to require only passing notice. The economy of marketing products has been well known, and the effects of advertising may be described as mass selling without which distribution would be lessened and production correspondingly increased."

A PETITION for postponement of the newspaper-divorcement inquiry ordered by the FCC from June 25 until fall will be sought by the Newspaper-Radio Committee, it was learned last Wednesday following a conference of attorneys for the group with FCC Chairman James Lawrence Fly.

While details of the conference were not revealed, it is understood there was an agreement on availability of postponing the sessions, though there is no assurance they will be deferred until fall. In the past, on matters of policy and of importance, the FCC has been disposed to grant continuances, though not all in one lump. Oral arguments on the controverted Network Monopoly Report, for example, were deferred three times on petition of interested parties.

Participating in the June 11 session were former Judge Thomas D. Thacher, chief counsel for the organized newspaper group; Sydney K. Kaye, New York attorney, associate counsel, and Abe Herman, associate counsel. Following the meeting, it was disclosed that a petition for postponement would be filed. The FCC previously had indicated that it would entertain such a proposal on proper petition.

Simultaneously, it was learned the Newspaper-Radio Committee had retained Dr. Paul Lazarsfeld, of Columbia U., as a consultant, working with the committee in New York. Dr. Lazarsfeld has handled a number of specialized studies in urban affairs.

Whether the FCC will release detailed issues to be covered at the hearings still is undecided. It is presumed there will be no move in that direction immediately. In the light of the impending postponement, if the FCC decides to release detailed issues, it is presumed there will be no move in that direction immediately. In the light of the impending postponement.

JOURNEY'S END for the KBF, Wichita, mobile loud speaker unit, after a four-day good will trip through many Kansas towns was a welcome by H. K. Lindsay, presiding judge of the general session of the circuit court. Each year the truck accompanies the Wichita Chamber of Commerce on an annual pilgrimage, serving as public address system, arriving in each place just before the train with C of C members.

Petrillo Reversed

In Ship Launching

Green Overrides AFM Ruler

As Complaints Multiply

QUICK back-tracking by the American Federation of Musicians, after transcontinental telephone calls and the intervention of some of the nation's largest labor leaders, won a last-minute permission for the high school band of Sioux Falls, S. D., to play during a broadcast June 7 in Camden, N. J., at the launching of the battleship South Dakota. James C. Petrillo, AFM president, reversed his decision of the day previous that the youngsters could not broadcast unless they somehow acquired union cards [BROADCASTING, June 9].

However, waiver of the union rule was not effected until William Green, AFL president, had telephoned Mr. Petrillo and persuaded him to permit the band to play.

Green Steps In

Mr. Green's order overrode Mr. Petrillo's after U. S. Senators J. C Bhutto and William J. Bulow, of South Dakota, had appealed in vain for the union chief to approve the non-professional broadcast.

In reversing its stand, the union averted a show-down with WCAU, Philadelphia. The WCAU special events mobile unit made an on-the-spot transcription of the ceremonies. It was learned the station intended to broadcast the recording, including the music of the school band, and fight it out later with the musician's union. Officials of WCAU said they had received no instructions about leaving the school band out of the program and had no intention of cutting it.

Mr. Petrillo expressed gratitude that Mr. Petrillo had granted permission for the band to broadcast, but declared, "It's what should have been done in the first place. He held us up too long."

A. W. PERRY'S SONS, Sedalia, Mo., and Frank Simon, Cincinnati, have signed as member publisher of SERSAC.

Newspaper-RadioGroup to Ask
Delay in Date of FCC Probe

The Tri-City Market . . . Farm Implement Capitol of the World! Here the Nation's Greatest Arsenal $20,745 people with $255,059,000 of retail sales in the Tri-City Market area during 1940. The largest market between Chicago, St. Louis, Kansas City, Omaha and St. Paul. Reach this buying center and the 28 rich, agricultural counties surrounding it through WHBF, the only full time, 5,000 watt station in the Tri-Cities.

The Tri-City Market . . . Farm Implement Capitol of the World! Here the Nation's Greatest Arsenal $20,745 people with $255,059,000 of retail sales in the Tri-City Market area during 1940. The largest market between Chicago, St. Louis, Kansas City, Omaha and St. Paul. Reach this buying center and the 28 rich, agricultural counties surrounding it through WHBF, the only full time, 5,000 watt station in the Tri-Cities.

STATION WHBF ROYAL ISLAND DAVENPORT and MOLINE

AFFILIATE OF THE ROCK ISLAND ARGUS

The Rock Island . . . home of the Rocky Mountain Flyer, the Rock Island Daily Register and the Davenport News. The Tri-City area where we've lived since 1846. Our home is a place where the people are friendly, the weather is mild and the cost of living is low. Come and see for yourself how pleasant life can be in the Tri-Cities.

BROADCASTING • Broadcast Advertising
Gene Autry and Champion, a great pair of performers, bring again the thrills of the Old West. And bringing record-breaking sales for advertisers today in the “new” Midwest...where stepped-up activity and defense production have created a super-prosperous market...are the pair of radio stations which blanket this, the heart of Industrial America.
Lloyd A. Free and Harold N. Graves Jr. Named to Head Foreign Monitoring Unit

APPOINTMENT of Lloyd A. Free, formerly editor of Public Opinion Quarterly, as director of its Foreign Broadcast Monitoring Service, was announced last Tuesday by the FCC. Harold N. Graves Jr. also was retained as administrative assistant, second in command of the new FCC project which will record and analyze foreign shortwave propaganda broadcasts.

Mr. Free's appointment, coming after several weeks of conversations between FCC Chairman James Lawrence Fly and various experts considered for the post, presages a speedy building up of personnel on the project to full operating strength.

The new service, instituted upon recommendation of the Defense Communications Board, has been operating with a skeleton staff since late March under direction of Mr. Graves. A full complement of specialized personnel, including chiefs of five operating sections being set up, is expected to be at work and the service operating full blast by Aug. 1. Meantime operations will continue on an expanding schedule.

Radio Background

In announcing his appointment as director, the FCC spoke of Mr. Free's unusual qualifications for the assignment. Receiving a fellowship from the Rockefeller Foundation in 1937, Mr. Free studied operations of the British Broadcasting Corp. at first hand and subsequently made a survey of American radio methods while with CBS.

In 1938 he was assistant director of the Princeton Radio Research Project, and since has edited the Public Opinion Quarterly. At the time was with the Princeton Project, Mr. Free also served as secretary of the Rockefeller Foundation's committee on mass communications and as adviser on broadcasting to the office of radio research of Columbia U.

Mr. Free, the son of former Rep. Arthur M. Free, of California, was born Sept. 1, 1908, at San Jose, Cal. Taking his preparatory Committee in District of Columbia schools, he received a B.S. degree from Princeton in 1930, finishing first in his class. After a year of study and teaching at Yenching U, China, he studied law at George Washington U and Stanford, receiving an L.L.B. degree from the latter in 1934, again leading his class.

Will Have Five Units

Mr. Graves, who for several months has served as administrative assistant of the new FCC unit, was born in Manila, P. I., where his father, now assistant to the Secretary of the Treasury, was stationed at the time. Upon graduating from Princeton U, Mr. Graves studied journalism at Columbia U and later served with the foreign affairs staff of two national news magazines. He returned to Princeton in 1939 to become director of the radio listening post. His report for the Princeton post, War on the Shortwave, recently was published by the Foreign Policy Assn.

According to present plans, the Foreign Broadcast Monitoring Service will have a complete staff of 314 persons. Organization is to be divided into five categories—analysis, reports, translation and transcription, research, and clerical—with a chief heading each section.

The analysis section is to deal with intercepted material on a subjective basis, i.e., the psychology behind certain broadcasts, while the reports section will look at the material from a news angle, developing the objective aspects. Already named to the staff of the reports section as assistant editor, is Thomas B. Grindin, formerly CBS correspondent in France.

Functioning as a corollary to the FCC's extensive national defense monitoring activity, supervised by G. E. Sterling, chief of the National Defense Operations Section, the Foreign Broadcast Monitoring Service will operate as a separate organization. Recordings of foreign shortwave broadcasts picked up and transcribed by a staff of 32 recording engineers in the field will be turned over to the Foreign Broadcast Monitoring Service for translation and analysis.

By June 30, the end of fiscal year 1941, the FCC's national defense operations field staff, functioning in 1111 locations, has picked up and in the United States and possessions, will number 438, the FCC estimated. In addition, a field staff of 95, handling routine FCC operations, is maintained. The 438 include 11 area supervisors, 8 assistant area supervisors, 240 radio operators, 91 monitoring officers, 102 assistant monitoring officers, 32 recording engineers (supervised by Mr. Sterling but paid out of PBMS funds), and a clerical staff of 22.

Funds Sought

Now pending in the House is a supplemental FCC appropriation of $674,414 for operation of the Foreign Broadcast Monitoring Service in fiscal year 1942. Chairman Fly appeared before the House Appropriations Committee June 7 to outline the function of the project. Because of the defense aspects of the service, little difficulty is anticipated in securing the funds [BROADCASTING, June 2].

Asked at his press conference last Monday whether any changes were contemplated in the present U.S. international shortwave operations, such as Government ownership or operation, Chairman Fly said no change was planned and observed that, if growing evidence of closer cooperation between Government and business in this field of broadcasting.

He commented that the whole international broadcast picture, from the point of view of U.S. shortwave station operators, seemed to be "creeping" in the direction of a unified policy which would both give evidence of this country's good neighborhood and aid the sale of sponsors' products in Latin America.

JACK WINSTON, manager of KFAR, Fairbanks, Alaska, is in Southern California on combined business and pleasure.
Here’s ONE of the reasons

WHY

IT’S WKY 3 TO 1
with Rural Oklahomans

WKY carries 15 out of a possible 16 top rural program favorites daytime; 13 out of 18 at night

- The recently issued study of rural and urban listening habits by the Co-operative Analysis of Broadcasting explains in part why WKY is the 3-to-1 favorite of farmers in Oklahoma... and of Oklahoma City listeners as well.

Of the 22 daytime programs topmost with rural listeners, 16 were carried by Oklahoma City outlets and WKY CARRIED 15 OUT OF THE 16! Of the 20 night time rural favorites, 18 had Oklahoma City outlets and WKY CARRIED 13 OUT OF THE 18!

Almost one in every five programs throughout WKY's entire schedule was one of these top national favorites. In addition, there was a like number of high-ranking network programs. Another two-fifths of WKY's programs were live-talent, local productions, many designed especially for rural listening; many, such as news, markets, and farm service programs, rating as high or higher with Oklahoma rural listeners than programs in the national spotlight.

The cumulative total of years of superior local and network programming, alert community service, and energetic show management has created for WKY by far the largest regular audience of Oklahoma farm and city folk of any station in the state day or night. And that is why WKY clicks so creditably as a sales stimulating medium.
KXOK FM Deferred
RELEGATED June 10 to the pending file under the FCC's Order No. 74 until determination of the radio-newspaper ownership issue scheduled for hearing next week was the application of the Star Times Publishing Co., publisher of the St. Louis Star-Times and operator of KXOK, for FM facilities.
44.7 mc. to cover 12,480 square miles in the St. Louis area had been requested.

FM NEWS NOTES

Weekly bulletin on the development of FM, designed for the broadcasting industry, and being issued by FM Broadcasters Inc., national trade organization representing FM stations. Interested parties may be added to the mailing list for these informational bulletins by addressing Dick Danger, director of promotions, at FM Broadcasters Inc., 52 Vanderbilt Ave., New York.

FM is to play an important part in national defense program. Participating in the forum were Dan Ryan, Robert E. Wood, Jr., chief of the Bureau of Public Relations of the War Department; Arthur Churchill, head of the Office of Public Relations of the War Department; Lt. Col. Norvell Sharp, head of the Navy Department radio section; and Edward Kirby, assistant to the War Department radio section.

Three Groups Applying For Baton Rouge Outlet

Three rival applications for a new 250-watt station on 1460 kc. in Baton Rouge, La., which now has one regional outlet, have been filed with the FCC. Capital Broadcasting Co., one of the applicants, is a partnership of William J. Bray, former secretary to ex-Postmaster General Farley; James Ewing, advertising manager of the Monroe (La.) World and News-Star, published by his brother John D. Ewing, also publisher of the Shreveport Times and operator of KWKH and KTBS; T. B. Lanford, part-owner of KRMD, Shreveport, KPLC, Lake Charles, La., and KMBU, Sherman, Tex.; John C. McCormick, manager of KWKH-KTBS.

The second application was filed by Henry Norman Saurage, owner of the Baton Rouge Outlet. The third applicant is Air-Waves Inc., in which the stock is equally owned by Harry B. Nelson, banker, contractor and oilman; A. M. Cadwell, Co-owner of Courthouse bakers; Woodrow W. Hattie, of the staff of WWL, New Orleans; Percy E. Roberts, banking and insurance; and a group of others.

STATE OF PENNSYLVANIA purchased $2,000,000 worth of radio equipment for the 150-mile main-highway across the State, providing for 24 radio-equipped vehicles, 20 two-way radio patrol cars, 25 receiving sets, and two-way sets installed in tunnel ventilation buildings, maintenance cars, fire trucks, and the cars of highway officials.

Transfer of KVIC Approved by FCC

Weyher Purchase of Interest

In WFNc Is Authorized

SALE of KVIC, Victoria, Texas, for a total consideration of $24,500 was approved in an action of the FCC June 10 granting Fred C. Bowen, individually and as trustee, Charles C. Shea and Walter T. Martin consent to sell their entire holdings in Radio Enterprises Inc. to Morris Roberts, Texas mercantile and oil man and for eight years a member of the Texas Senate and House. KVIC operates on 1340 kc. with 250 watts.

WFNC Sale Approved

The Commission the same day granted a petition of the Cumberland Broadcasting Co. to reconsider and grant consent to Harry Layman to sell his 50% interest in WFNC, Fayetteville, N. C., to T. K. Weyher, of Raleigh, N. C., for $24,500.

On the request of the applicant the Commission also dismissed without prejudice the application of Tri-State Broadcasting Corp. for a new local, 100 watts fulltime on 1460 kc., in Wheeling, W. Va., J. A. Bloch, tobacco and real estate man with stock holdings in WCHS, Charleston; WSAZ, Huntington, and WPAC, Parkersburg, W. Va., has a 47.7% interest in the application. John A. Kennedy and Bruce Lee Kennedy, both with interests in WBLK, Clarksburg, and WCHS, each hold 21.5%; W. J. Frankst, 4.7%; and T. M. Bloch, 2.3%.

WLBN, GREEN B. N. C.
CEP. HILLINGBERRY - CO. NAT. RES.

THE VOICE OF MISSISSIPPI
WJDX 5,500 WATT, 1,000 M.C.W.
N. B. C.

Introducing THOSE WE SERVE

Among numerous small but prosperous cities in WJDX primary area constituting an important adjunct to the Jackson market is Canton, Mississippi.

Pop.—6,511.
Total Sales—$4,523,000.
Distance from Jackson—25 miles.
Invest your advertising dollars with WJDX—Dominant Radio Station in Mississippi's growing market.

MEMBER OF SOUTH-CENTRAL QUALITY NETWORK.
WJDX — WBC — WSHM — KARK
KWKH — KTBS

Owned and Operated by LAMAR LIFE INSURANCE COMPANY.
JACKSON, MISSISSIPPI

WILLIAM STRANGE, Canadian Broadcasting Corp. author and script writer, has returned from a visit to Great Britain and has started a series of Sunday evening talks Back From Britain. On his way to Britain he helped man the ship's guns when the convoy was attacked by bombers.

PAUL H. RAYMER, Co. New York, has been appointed general representative for KUTA, Silt Lake City.

SIGNING the first contract as sponsor on the new WISH, Indianapolis, is Clayton Mogg, president of the Metropolitan Coal & Oil Co. Watching the simple ceremony is W. W. Behrmann (left), general manager of the station and Robert E. Bausman, commercial manager of the new WISH.
STATION MANAGERS AND ENGINEERS

ANNOUNCES A NEW LINE OF DELUXE FM TRANSMITTERS—FEATURING—A NEW VERSION OF THE ARMSTRONG PHASE SHIFT MODULATOR

We Urge Engineers To Examine the Important Performance Characteristics Given Below:

- **FREQUENCY STABILITY** — Better than ± 200 cycles of the mean carrier. Solely and directly dependent upon one quartz crystal.
- **SIGNAL TO NOISE** — At ± 75 KC deviation, the noise is down 70 db, and includes hum.
- **DISTORTION** — Less than 1% over the entire range of 50 to 15,000 cycles.
- **FREQUENCY RESPONSE** — Within ± 1 db, from 30 to 15,000 cycles.
- **ACCESSIBILITY** — All tubes and tuned circuits are readily accessible for replacement and adjustment purposes.

FCC CHAIRMAN James Lawrence Fly utilized his fourth and last day on the stand to supplement his testimony begun June 2 (Broadcasting, June 9). He renewed his proposal to the industry to “confer” on amelioration of the rules, and offered to set an end date from time to time insofar as they require networks to dispose of certain properties.

As during his past appearances, Chairman Fly frequently was interrupted by members of the committee, with the number present having dwindled to seven or eight of the 21-member committee.

**Fly Criticizes Self-Regulation Plan**

Chairman Fly placed in the record copies of NBC, CBS and MBS contracts, together with a memorandum setting out the typical network evening hour on the several basic networks.

Reading from a prepared statement, Chairman Fly said it had been charged that the network regulations would “strike at the foundation of the American system of broadcasting” and result in “chaos and destroy the major networks”. He said he was afraid that any regulations adopted to eliminate “restraints” in the broadcasting field would have the same reception from the major networks.

Alluding to suggestions that elimination of the abuses left to “self-regulation”, Chairman Fly said that in 1938 IRNA was formed and drew up a list of problems which the affiliates recognized as existing in their dealings with the networks. The chairman of IRNA, he cited, said there was no need for Commission action because IRNA proposed to correct the situation through industrial self-regulation. More than 2½ years now have elapsed since IRNA was formed and “nothing has come of it” the chairman said.

Another of the elements of those who “cry havoc” is that the network incentive for putting on sustaining programs will be eliminated and such features as Toscanini and the National Farm & Home Hour will be taken off the air, Chairman Fly declares. He reiterated his previous contentions that the networks do not “give” away sustaining programs, but are well paid for them in free time or in some other fashion. The accounting, he said, is “scarcely”.

**Calls Toscanini Pickups Selfish**

The broadcasts of Toscanini, he argued, are an “extremely effective advertisement for NBC” and serve a “substantial selfish purpose.” RCA can get as much advertising good out of such broadcasts as Ford gets out of the Sunday Evening Hour, he added.

Mr. Fly struck at RCA’s owner-

**INTENT OBSERVERS throughout the Senate hearings are these NBC executives and counsel (1 to r): John T. Cahill, former U. S. District Attorney in New York, of NBC counsel; Niles Trammell, president of the network; A. L. Ashby, vice-president and general counsel; William S. Hedges, vice-president in charge of station relations.**

ship of NBC, citing that RCA began as a communications company, but today “bestrides whole industries, dwarfing its competitors in many fields”. Whether the tendency of RCA to “grow and expand at the expense of smaller independent concerns” is desirable is primarily the business of Congress and not of the FCC, he said. He pointed out that the Commission’s monopoly report covers RCA’s development at some length, but that the Commission simply brings it to the attention of Congress.

**Problem of Switches Could Be Solved**

Before Chairman Fly was permitted to cover the jurisdictional aspects, Chairman Wheeler inquired about the workings of the new rules in respect to smaller stations. Much apprehension has been created in the minds of some broadcasters, he asserted, in situations where smaller stations might be frozen out by larger ones which would be demanded by advertisers as outlets in particular markets.

Chairman Fly, however, contended that the smaller stations would have first refusal on programs of a particular network, under the rules, and that the larger advertisers would prefer the commercials from them. Despite Mr. Fly’s contention that the advertiser will not be able to pick and choose stations in peculiar markets because of the first refusal provisions, Senator Wheeler held that if the commercial business gravitates to the big stations, it would provoke a situation where in the Government would tear down one monopoly only to build up another.

If such a situation “starts to happen, we’ll have to re-examine the whole subject,” Chairman Fly said, “We’ll protect the little station.”

Basing his questions on complaints from smaller stations, Chairman Wheeler asked about the telephone line situation and whether it was not a fact that the networks leased lines for their own services which would not be available for the type of “switchboard” operation outlined by Chairman Fly. The FCC head said he felt such switches could be made on comparatively short notice and that the FCC had jurisdiction to require proper service.

He pointed out that the Commission only last week effected a cut of $250,000 in the cost of calls limited to the FCC’s broadcast service [Broadcasting, June 9].

Resuming his prepared statement, Chairman Fly said that there were a number of highly important matters relating to broadcasting which the Commission is not empowered to deal with. He mentioned the non-common carrier aspect under which the FCC cannot concern itself with rates which broadcasters charge; invoke uniform accounting practices, or concern itself with depreciation charges.

But the act makes it clear, he contended, that the Commission is to concern itself with the public service aspects of broadcasting. He pointed out that Congress provided the Commission with no power of censorship and that the regulations do not prohibit the broadcasting of any particular programs, or penalize anyone from broadcasting programs, or require anyone to broadcast any particular programs.

**Criticizes Refusal Of Lindbergh Talk**

At this juncture Chairman Wheeler precipitated a discussion over the refusal of a station in Philadelphia to broadcast a recent address by Col. Charles A. Lindbergh. He said he thought it was a “reprehensible thing” for any station to take one side of the war situation. Such stations ought to be “struck off the map” by the FCC on renewal of their licenses, he said, asserting it was the duty of the Commission to take action.

Some of the “locals ought to be jacked up on this proposition”, he said. He understood that a number of stations refused to put on speakers opposed to the Administration viewpoint, on the ground that such stations might be taken and that the FCC or the Government would not be pleased. Branding it a serious situation he said the Government should not dominate stations to the point where they are “afraid” of what might happen.

Also among the fray were commentators on the networks who play one side or the other, “depending on which way the advertiser wants it.”

Chairman Fly nodded approval of practically everything Senator Wheeler said. He said he had given a lot of thought to this matter and that he believed it was essential for the future and integrity of the industry that both sides be adequately presented.

Calling for a “balance” on controversial programs, Chairman Fly said that adequate time should be given whether the programs are free or commercial. Only then will we have a “device for the effective mechanism of free speech”.

Chairman Fly had identified the station in Philadelphia that had refused the special interview W. P. Lambertson, who had criticized the refusal of Philadelphia stations to broadcast the Lindbergh address, was made public.

**Ley Explains Station’s Position**

Dr. Levy recited that WCAU was one of the stations mentioned in the press release as refusing time. He said the station had not received a request to broadcast this special interview and when a request is made, it would be given “proper consideration”. He pointed out that WCAU had broadcast Lindbergh interviews from Minneapolis May 10 and would broadcast Senator Wheeler’s speech May 23.

Rep. Lambertson acknowledged receipt of the wire, declaring he did not remember that the news item mentioned WCAU. He said that if WCAU had done what it claimed, it should be “exonerated”, and its action “is commendable”.

Senator Smith (D-S.C.), who enlivened the hearings at the start with his jibes at various aspects of radio, took Chairman Fly into an extended discussion on programming, emphasizing the desirability of having the Commission require all stations to carry all programs of transmitters, particularly the World Series baseball games. Senator Smith apparently intended to carry on in a jocular vein, but was taken seriously by Chairman Fly and the colloquy wound up nowhere.

Chairman Fly responded to Sen.
A LINGO RADIATOR IS Your Best Bet!

for Efficiency...
for Construction...
for Stability...

... for Maintenance
... for Economy
... for Performance

LINGO VERTICAL TUBULAR STEEL RADIATORS
Mean Increased Sales thru Extra, Economical Coverage

When you install a Lingo "Tube" Radiator you expect—and get—better coverage and plus performance. No wonder engineers prefer Lingo for top efficiency and managers are enthused by the increased sales made possible through improved signal strength. One station owner writes: "The signal locally with only 100 watts power compares favorably with a 5000 watts station in this same city." Let us show you even more enlightening facts as they apply in your own case.

Our engineering staff will be pleased to supply you with technical details—without obligation. In writing please give location, power and frequency of station.

NEW LINGO INSTALLATION—shown at left is one of four 230 foot Lingo Radiators recently installed for the directional antenna system of WIBC, Indianapolis.

JOHN E. LINGO & SON, Inc.

LINGO TURNSTILE FM RADIATORS
The Latest FM Antenna Development

Something new has happened to the Radio industry! It's the new, improved Lingo Turnstile Radiator the most advanced FM antenna design now available! The result of years of research and development this patented radiator is already proved for performance and efficiency.

Quotations will be gladly submitted for individual FM applications only, and will include the essential tubular steel mounting pole, turnstile elements, coupling equipment, transmission lines feeding the elements, etc. Climbing steps, lighting equipment, and steel melting units are also available as optional equipment. The erection of the turnstile antenna on your supporting tower or building roof can also be included.

Write today for complete facts and please indicate your proposed frequency, power and location.

JOHN E. LINGO & SON, Inc.

CAMDEN, N. J.

BROADCASTING • Broadcast Advertising

June 16, 1941 • Page 23
Fly Points to Debate
And Court Statements

Chairman Fly rejoined that if the Commission should recommend such a legislative step, unquestionably the networks would "demand a Congressional investigation". Senator White observed there was no objection to the Commission making recommendations to Congress.

Resuming his discussion of the jurisdictional phase, Chairman Fly reviewed provisions of the Act which, he contended, gave the FCC authority to maintain competition and which he regarded as a definite Congressional mandate that monopoly should be regulated. He again reviewed the Congressional debates on the 1927 and 1934 acts, quoting former Senator Dill in detail.

He also quoted from the Supreme Court decisions in both the Potterville and Sanders cases to buttress his arguments, claiming that the very language which gives the FCC this authority is "heavily relied upon by the networks to contest our jurisdiction".

Chairman Wheeler observed that in his view there could be no question that the Commission has the right to refuse a station a license if "it is going to create a monopoly". If both licenses in a community were in the hands of one company, Chairman Wheeler said, there could be no question about that constituting a monopoly and about the Commission having the right to go back and correct the situation.

Says FCC Tries to Carry Out Mandate

Returning to his prepared manuscript, Chairman Fly said he did not wish to imply that the Commission should step in the shoes of the Department of Justice or the Federal Trade Commission in pursuing its regulatory functions. Similarly, he said, the Commission does not have and has not sought to exercise the powers of the courts. But the Act, the Congressional debates and the decisions of the Supreme Court "make clear beyond any doubt that the Commission is bound to exercise its licensing powers so as to preserve competition and prevent the development of monopoly".

"The regulations adopted by the FCC," Chairman Fly insisted, "are designed to carry out the will of Congress with respect to competition and monopoly." He said he had not gone far into Section 303 (i), which specifically gives the Commission the power to make special regulations applicable to stations engaged in chain broadcasting. He contended the language used by Congress is broad and unqualified and leaves no doubt that Congress intended the Commission to give special attention to the problems created by chain broadcasting.

Responding to questions, Chairman Fly said there are strong arguments the networks should be "a fifth network". (Earlier, he had testified that he thought a half-dozen networks would suffice.) He said he thought the industry could support a fifth network, but emphasized that this was all purely conjecture.

White Recalls Net Control Plans

FM, Chairman Fly said, is "an improved form of broadcasting that is going to move out and give us a more diversified service". He said one FM network already is being formed on a cooperative basis (The American Network). Then, he declared, television will "sweep across a broadcast field in the course of a few years".

Senator White delved back into the legislative history of Section 303 (i), pointing out that it was the intent there should be special regulations to chain broadcasting. He said the Senator Dill had in mind, he said, the physical aspects so as to prevent interference between stations and the location of stations, to assure the "purity and sharpness of emissions", to govern areas to be served, and the like.

Originally, there was to have been a sub-paragraph (j), he said, which would have authorized the Commission to determine power and wavelength to be used and to effect an equitable distribution of broadcast service.

Senator Dill, Senator White recalled, had in mind that the power given the FCC might have authorized it to make special regulations as to the wattage to be used by stations on the networks. Senator Wheeler joined in that he could not see why 50,000-watt stations should be on the chains and the Maine legislator said the FCC, under the authorization, might order lesser power for stations on networks.

After Senator White's dissertation, Chairman Fly said he could not help but observe that the particular provision alluded to by Senator White was "scrapped" and therefore not in the law. He also disputed Senator White's interpretations of Senator Dill's views, declaring that he felt Senator Dill's "quotations on the floor" had to be viewed as decisive.

Again picking up his prepared statement, Chairman Fly said the Commission is following the basic philosophy of competition and prevention of monopoly in other related fields. In the FM regulations, he
said, it is provided that no person shall control more than one station in the same community and that no person shall control more than six FM stations in all. In television, the limit is three stations. He pointed out that no attack had been made on the FM and television regulations, although they "flow from the same policy and the same law which is the basis for the matters now being considered by this committee".

**Says Rules Will Promote Healthy Competition**

In a catch-all statement, Chairman Fly said that by outlawing five-year contracts, network control over the rates of affiliates, network contracts preventing the broadcasting of programs on other chains, "such as deprived thousands of listeners of the opportunities of hearing the World Series broadcasts", and of those other restrictions imposed by NBC and CBS, "our regulations will not only free the stations from restraints which are obviously inequitable, but will also open the broadcasting field to healthy competition."

Competition also will be strengthened by the number of stations licensed to a network and by requiring NBC to divest itself of one of its two nationwide networks. Thus, he said, competition shouldn't be hampered "as MBS has been hampered" and a new network would not be barred as was the ill-fated Transcontinental.

The FCC, Chairman Fly said, "stands ready at any time to consider with representatives of any network, or any station, or any group of stations on the subject of chain broadcasting regulations. I have made this offer repeatedly to the industry, and I make it again at this time."

If it can be shown that the regulations "unduly injure any interest or unduly distort any aspect of the network broadcasting structure," he said, "we shall be pleased now, as in the past, to reconsider." He added, however, that this did not mean that "we will abandon the main question of policy, whether such tremendous power should be lodged in two large New York corporations". However, he did not think the Commission should reconsider the question of whether the network broadcasting should be a competitive one.

**Says FCC Has An Open Mind**

"But we should be glad to discuss with representatives of the industry, or any branch of it, alternative means of achieving the two ends we have in mind—decentralization of power over what the public may hear, and removal of existing restraints upon competition."

While the Commission from the record already convincing, Chairman Fly reiterated that the Commission stands ready at any time hereafter "to consider with open mind any change in the regulations, if it can be shown that the regulations we have promulgated prevent practicable and profitable network operation."

But it goes without saying, Chairman Fly concluded, that the effective date of the regulations "requiring networks to dispose of certain of their stations will be postponed from time to time, as the regulations themselves state, in order to permit the orderly disposition of properties and to prevent any pressure for forced sales". He insisted this was contemplated at the time the regulations were drawn. He said that the same considerations "apply to the disposition by NBC of one of its networks."

The FCC knew at the outset that the "barage of criticism and even of misrepresentation would come with the adoption of the orders", he said. The Commission knew that the easy thing would have been to "do nothing", but it also knew that there were abuses "crying to be righted, abuses which, if permitted to flourish, might eventually choke off the channels of free broadcasting altogether."

He said the Commission "merely tried to do its duty under the law, and we stand by what we have done."

A final disclaimer from the Chairman was that the Commission was not opposed to the inquiry by the Senate Committee. The Commission's only aim, he said, was to forward it in every way possible and he said he stood ready to produce at any time such further facts as may be required. He said he regarded a study of this kind as "very helpful and constructive", but declared that all this was "quite apart from the question as to whether the rules against monopoly are to be set aside."

Present during the Monday sessions were Chairman Wheeler and Senators White (R-Me), Smith (D-S.C), Tunnell (D-Del), Johnson (D-Col), Hill (D-Ala), Brooks (R-Il), and Gurney (R-S.D.).

**Mutual Witnesses Take the Stand**

MBS began its presentation in support of the FCC regulations and in opposition to the White Resolution Tuesday morning with Louis G. Caldwell, former Radio Commission general counsel and now general counsel of MBS. Fred Weber, MBS general manager, sat at the counsel table and several times during the examination answered committee questions dealing primarily with business and competitive aspects of network broadcasting.

Chairman Wheeler opened the session by reading a telegram from Dr. Leon Levy in connection with the Lindbergh incident. The telegram recited that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the broadcast. The telegram read to the inquiry that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the broadcast. The telegram read to the inquiry that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the broadcast. The telegram read to the inquiry that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the broadcast. The telegram read to the inquiry that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the broadcast. The telegram read to the inquiry that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the broadcast. The telegram read to the inquiry that no request had been made of the station to broadcast the speech, but that a request was made to broadcast the broadcast.
as applying to such announcements and refused to sell them, but Dr. Levy later instructed the staff that announcements calling attention to a meeting did not come under the controversial subjects provision and therefore were acceptable. Dr. Levy said it was not the policy of WCAU to take sides in any controversial subject and that both sides of public questions are always given equal opportunity.

After reading the telegram, Chairman Wheeler said he was glad to have the clarification from Dr. Levy.

With a 105-page manuscript before him, Mr. Caldwell asked the committee not to act favorably on the White Resolution, particularly the proviso that the effective date of the FCC rules be postponed.

Says Women's Groups Issue Propaganda

Criticizing purported propaganda emanating from opponents of the regulations, Mr. Caldwell specifically mentioned a circular from the Women's National Radio Committee bearing a "to whom it may concern" salutation. It asked recipients to petition the committee to report the White Resolution favorably.

Senator Wheeler observed this was in line with "a great deal of propaganda we get." He said he had been informed that the committee had received about 1,500 such petitions from the women's group already. Mr. Caldwell explained the petition originally provided that the replies be sent to Senator Wheeler, but this had been stricken out and the address of the committee in New York substituted.

He added he wanted to assure the women's committee that if it feared cutstanding sustaining programs would be deleted from the other networks because of the regulations, that MBS would be glad to carry them.

Supporting the regulations despite the "violent attacks on the Commission and the report." Mr. Caldwell said there were only three salient points: (1) Whether the regulations are unfair or arbitrary; (2) whether there is any doubt about the power of the Commission to issue them; (3) whether they will have the disastrous effects upon broadcasting prophesied.

Recounting the early history of MBS, Mr. Caldwell said the important issue is not whether MBS will benefit from the rules because it is a newcomer organized in 1934. MBS, he added, could not break into the "club-house" when the entrance is "so strongly guarded by exclusivity clauses."

He said he couldn't get excited over the allegation that sustaining programs such as Toscanini would be lost. MBS, with one-tenth the revenue of NBC, provides many fine symphonies and musical programs, he recalled.

Calls Time Options 'Business Convenience'

Asserting that MBS has led the field in diversity of sustaining, by virtue of its cooperative pickup arrangement, Mr. Caldwell held this has contributed also to freedom of speech. Some 12 stations per week provide the MBS schedule, he said.

The MBS rate card is simply an addition of the rates of stations on the network. It does not fix affiliates' charges, Mr. Caldwell said. He declared that since January, 1940, for protective purposes, it had made limited time option agreements with its major stations. He did not think exclusive contracts were necessary, but that time options were a "business convenience."

Allegations that NBC has used its dual network structure as a means of penalizing stations were made by Mr. Caldwell. Without naming the station, he recited that one NBC-Red affiliate which shortly will join MBS had been punished and shunted to the Blue because it refused to clear time for a Red commercial at the expense of a public health program, and also had refused to take the Tums Pot O' Gold program.

Senator D. Worth Clark (D-Iowa) and Senator Chan Gurney (R-S.D.), in the absence of Senator White, led most of the questioning of Mr. Caldwell and Mr. Weber. Senator Clark inquired about the modus operandi if option time and exclusive contracts were done away with.

He pointed out that it would not only be difficult to get option rights under such a free competition setup, but that if there is no option time, there might be "a loss of chaos." Moreover, he said stations which have established prestige by virtue of long-time affiliation with NBC or CBS would help competitive networks.

Mr. Caldwell said that in cities having four stations, there would be no difficulty since networks would have regular affiliates' relationships and prior calls on programs. In cities having three stations or less, trouble would be experienced. What he described as a "28-day sword of Damocles" of the major networks on option time now comes into play and frustrates other network service.

RAZZBERRIES prevailed at the first Gridiron Dinner of the San Francisco Ad Club, held June 4, and radio provided its share. Vocalizers, in the manner of the tontorial emporium, are (1) Ed Ulrich, radio director of Fletcher Udal & Associates; Lindsey Spight, Pacific Coast manager, John Blair & Company; Bob Bence, chief announcer, KFRC; Fletcher Udal. Enjoying the proceedings were Dick Russell, account executive, Lord & Thomas, and Harold R. Deal, adv. mgr. of Tide water-Associated Oil Co.

ZZCLAM! ZZCLAM!

Properly used, these are the hammer of the law. Mr. Wickenden, however, was not animated to this end. He was heard to be saying, "The law is not an interrogating instrument."

Page 26 • June 16, 1941
ferent network programs, he pointed out, it would mean that each of the stations would have to pay the line charge from the Twin Cities, the terminal point. Whereas it is now possible for the stations to split the charge and therefore make it economically feasible, he said it was clear that the expense of separate rate hauls would be onerous.

Mr. Caldwell, however, held that an eventual solution might be to have the several networks share the line costs. But Senator Gurney said it was his judgment the upshot would be that Bismarck would not get the program service. Bismarck couldn't pay it and the network wouldn't pay for that long a haul, he said.

When Mr. Caldwell observed that he felt the rules would mean more commercial programs, Mr. Gurney said he thought the result would be that the "rights to the advertisers" would be raised.

Returning to his recital of the MBS history, Mr. Caldwell said the network went through a major crisis in 1938 with the organization of the ill-fated Transcontinental. Because this operation attempted to tie up stations on MBS under exclusive contract, he said MBS was forced into a similar move. Mr. Weber interposed that Transcontinental was organized largely at the instance of "the advertising agency" and that Elliott Roosevelt was its nominal head.

Prorating of Charges Suggested by Weber

When Senator Wheeler reopened the line charge situation, to inquire whether costs would not be prohibitive with various stations on a particular route taking different network offerings, Mr. Weber declared there were two possible solutions. He said in many cases MBS has used temporary lines to outlying points and that if the business warranted, regular commercial lines were leased. Secondly, he said that networks build up groups and offer discounts which make it attractive for advertisers to buy the groups. He thought that line charges readily could be prorated among the stations and the networks.

Senator Gurney, however, recited that advertisers now must buy particular station groups on given networks as a whole or not at all, particularly where long hauls are involved. Senator Clark observed that if all stations could share the line hauls and get additional network service, the prorated basis might work out acceptably. He said that several stations in Idaho are non-network because the line charges are prohibitive.

Resuming his testimony, Mr. Caldwell pointed out that because of the hold of NBC and CBS, many areas are blocked out and MBS is forced to operate on a "second mortgage basis" in a number of cities. Of the 170 stations of MBS, 104 are 250-watt locals, only one is a clear channel and one is a "semi-clear channel".

Total income of MBS, he said, amounts to less than the net profit of either NBC or CBS. Recent FCC figures [BROADCASTING, June 9], he said, show MBS operating at a loss, but he said this was simply a bookkeeping deduction, since the network operates on a cooperative basis and the stations themselves make the profit.

Buildup of Stations By Network Service

Denying that MBS in any way instigated the monopoly inquiry, he reviewed briefly the proceedings before the FCC. During oral arguments last December, he said, MBS suggested several proposed regulations, about half of which were reflected in the final result. But NBC and CBS, he contended, did not make the FCC's proposed regulations seriously and did not respond with alternative sets of proposals.

Both the exclusivity and time option provisions of the rules, Mr. Caldwell recited, will affect MBS operations. But the other rules do not materially affect its service, he said.

Reopening the exclusive affiliation provision, Senator Clark observed that if programs are placed on stations which have been regularly affiliated with the major networks over a period of years and which have been built up on sustaining programs, the new network would get the advantage of time made valuable by "your competitor".

Senator Wheeler disputed the contention that the networks build up stations. He said that a station's status depends largely upon management and upon local programs. Stations which use spots every three or four minutes tend to cheapen themselves, he contended.

Mr. Weber argued that stations actually "pay for that build-up". The other networks, he said, take a percentage of card rates for such promotional service. He argued that its network service does not create confusion. Some 30 stations on MBS also take NBC.

The World Series incident again was reopened when Senator McFarland (D-Ariz.) asked why stations in Phoenix did not carry the last World Series. Mr. Weber said he could produce a tremendous sheaf of requests from stations for the

(Continued on page 12)
He measures
his little fellow thinks of a LION'S SHARE in terms of meat. XOK advertisers visualize it in terms of a rich market... people reached... increased sales... greater profits!

Advertisers reach more than 3,500,000 people who spend over $826,000,000 annually in KXOK's primary area alone. Add to this, mail received from a total of 18 states and you have a LION'S SHARE of the rich Mid-Mississippi Valley Market.

It's satisfying to be a KXOK advertiser getting a LION'S SHARE of this prosperous market.

KXOK

NBC BASIC BLUE STATION • ST. LOUIS, MO.
630 kc. 5000 WATTS DAY AND NIGHT

Affiliated With KFRU, Columbia, Mo.
Represented by Weed and Co., New York, Chicago, Detroit, San Francisco

OWNED AND OPERATED BY THE ST. LOUIS STAR TIMES
Checking the Pace

WHEN HEARINGS began June 2 before the Senate Interstate Commerce Committee on the White Resolution to block the FCC from invoking its new chain-monopoly regulations, the understanding was that the committee would act swiftly on what amounted to a "preliminary injunction" to restrain the FCC until a full-scale legislative inquiry could be undertaken. Instead, it now appears that the investigation already is on, and that the committee may not even vote on the White proposal.

Two weeks have elapsed since the hearings began, and there's at least a week—possibly more—go. Talk of a "compromise" has become rather general. At this writing, such a conclusion would not be surprising, particularly since FCC Chairman Fly, in his powerful four-day presentation, has uncorked more surprise appraisements than Chamberlain at Munich.

To observers one thing seems evident. The committee itself is not disposed to go through protracted hearings looking to the writing of complete new legislation. But we think, as does Senator White, author of the resolution, that the ultimate solution can be found only in that way. The pressure of national defense legislation, however, is occupying practically all interest of Congress, which is not disposed to get into "secondary" legislative matters.

Revealing, too, was the acrimony with which Senators proceeded with matters altogether foreign to the issues involved in the White Resolution. News commentators, allotments of time to both sides of controversial issues, the MBS coup on the World's Series, were among the extraneous subjects that popped into the crossfire repeatedly. Problems peculiar to the constituencies of certain committee members likewise were injected.

All these matters, it may be assumed, are in the public interest and therefore fall within the purview of Congress, charged with writing or rewriting the statutes. But it seems to us that they should be covered, even more exhaustively, in a formal Congressional investigation looking to the writing of a new law to supplant the existing 14-year-old law, which has been subjected to every conceivable kind of interpretation.

Few members of Congress are scholars in radio jurisprudence. Radio is important to them as their No. 1 medium in reaching the body politic, so they want to preserve and protect radio. But they aren't particularly interested in such technical matters as kilowatts and exclusivity.

There has been flag-waving on both sides of the FCC's chain-monopoly regulations. But there are a few fundamental facts that cannot be ignored. The Administration, never particularly favorable to big business, regards broadcasting, and network broadcasting in particular, as having grown to a point of being unmanageable. That, perhaps, is the reason there has been no flat repudiation of the Fly-engineered assault.

NBC and CBS, of course, are interested in preserving the status quo. MBS is interested in growing, which it can accomplish with perhaps greater expedition if the new rules are invoked. Some in the industry may see some good in certain of the proposed rules, but most are fearful (we believe properly so) that the crackdown regulatory pace cannot be checked unless the new regulations are stopped dead.

Network broadcasting was born in 1926. The Radio Commission, predecessor to the FCC, came into being in 1927. Radio has been regulated—and with a vengeance—during recent years by a duly authorized licensing authority. All of the monopolistic practices about which the FCC so vociferously complains have been developing all these years. Yet there hasn't been even a whisper of complaint from the public, whose interest it is the duty of Congress and the FCC to serve.

So why not take a few months longer and have Congress re-examine the law, the industry and the FCC? Certainly the situation won't get any worse in the interim. And there's no question that there will be an upheaval in existing radio service, at the expense of the public as well as the industry, if the regulations as now written go into effect Aug. 2.

Music Master

THE MUSIC went round and round last week as the 35,000-ton battleship South Dakota was launched at Camden, N. J., and the only sour note came out of Mr. James Petrillo's blatant trumpet. For the little man from Chicago, who robbed the world of his musical accomplishments when he became a union executive, did a flip-flop worthy of an acrobat upon learning that he was stepping on Uncle Sam's toes.

Mr. Petrillo originally demanded that the Sioux Falls, S. D., high school band produce union cards before playing at the launching. Two U. S. Senators asked Mr. Petrillo to relax his decree, but he still said no. Perhaps, he thought, with the building of a two-ocean Navy, there would be a lot more of these launchings and a lot more high school bands playing.

Came the day of the launching and a new figure entered the picture. William Green, president of AFL, with which Mr. Petrillo and his union are affiliated, broke a long-standing precedent. Though Mr. Green heretofore had contended on many occasions that he could not interfere with the decisions of affiliated AFL unions, he got on the telephone, and soon all was cleared for the Sioux Falls band to play for the launching.

It's a good bet, knowing Mr. Petrillo, that he doesn't see any inconsistency in this latest flip-flop. In fact, he'll probably point to it as another indication of readiness to cooperate in the defense program—especially since Assistant Attorney General Thurman Arnold and his trustbusters have expressed such a deep interest in Mr. Petrillo's mandates.
SALESMANSHIP and fishing, curious combination, provide the key to the motive forces that actuate the wakening days of William Brega Dolph, general manager of WOL, Washington, and MBS representative in the capital city. Essentially, he's a salesman—and in becoming one, he fulfilled an ambition tracing back to his boyhood days on a farm near McLouth, Kansas, where he didn’t like bucolic chores and resolved some day to emulate the men who came to the farmhouse to peddle their wares.

As for fishing, you need only mention the subject and Bill Dolph will top your story. It’s more than a hobby and an avocation with him; it’s the breath of life itself, and he’s a recognized expert on all forms of the piscatorial pastime except the salt-water variety, which he doesn’t care much about.

Bill Dolph was born April 11, 1904, but it wasn’t until he was 14 that he came to the city—Lawrence, Kans., some 11 miles from McLouth, to attend school. Kansas U is there, and he continued at the State school after leaving Lawrence High. But always the urge to sell impelled him, and he quit college to travel the Midwest “selling practically everything under the sun”.

What he liked most about his chosen vocation was the opportunity to visit new lakes and new trout streams. He always carried the requisite tackle in his car, and it was a rare fair weather day that didn’t see him stop for an hour or two of fishing.

That love of fishing, besides being a grand mental tonic, also has had its profitable side for Bill. He was out fishing with the publisher of Broadcasting one summer day, and the latter suggested that he put a Washington newspaperman, who was writing a local column on fishing as a sideline, on the air and offer him to a sponsor, since the capital city was a great fishing center.

Bill liked the idea and put him on. This chap knew even more about politics, however, than he did fishing—and he was soon doing some political commentaries. MBS listened and liked him, and soon Fulton Lewis jr. was a full-fledged radio commentator, quitting his newspaper job and working for cooperative sponsors under Bill Dolph as his personal manager.

Bill’s sales proclivities led him in 1929 to join RCA Photophone as traveling representative handling motion picture equipment in Oklahoma, Kansas and Texas. He remained until 1933 when, at the behest of his brother-in-law, Herbert Petley, then newly named secretary of the FCC after having been radio director of the first Roosevelt campaign, he was invited to come to Washington as radio director of NBC.

He was at the right hand of General Hugh Johnson under the Blue Eagle for two years, traveling the country and making intimate contacts with radio people. When the Blue Eagle folded its wings, Bill’s job was done, but LeRoy Mark, owner of the 100-watt WOL, needed help and liked the aggressive young man from Kansas well enough to ask him to come over and manage his station.

WOL then had 15 employees; it occupied close quarters in a small hotel; LeRoy Mark, now dead, was ailing and leaned heavily on his new aide. Bill Dolph became manager, guided the station to regional statum, moved it to its present sumptuous quarters and was one of the founding fathers of Mutual, on whose operating board he now sits. Today WOL has 58 employees, and its forte is the introduction of new programs.

Bill Dolph initiated Double or Nothing, the MBS show with the record 119-station hookup. His station keys Theodore Granik of the highly popular American Forum of the Air. WOL is independently owned, being managed by Dolph for the Mark family, who are to MBS what the NBC and CBS-owned key stations in the capital city are to the networks.

While he believes that selling is the most important function of successful radio management, radio isn’t all business to Bill. He is keenly aware of radio’s cultural and educational missions. “When I was a kid on the farm,” he says, “we used to fill ourselves with all kinds of dime novel stuff. That’s the only kind of entertainment we got in the long winter and even summer nights. Today the farm children can sit back and enjoy the same cultural advantages as their city cousins.”

Bill isn’t much of a joiner. He belongs to very few clubs. His hobby is fishing, but he enjoys an occasional round of golf. His one idea now is to buy a farm—not to be a farmer, but for his child; he still has an aversion to the endless chores. He wants a little place outside Washington, necessarily with a well-stocked stream running across it, where he can spend his idle hours with Mrs. Dolph and where they can relax—and fish.

LOUIS K. MAHL, former news editor of WMKN, Marion, O., and now a private in the Army, has been transferred to the office of the Camp Public Relations Officer at Camp Lee, Va.

JOHN NORTON, former UCLA student, has joined KEJ, Los Angeles.

MARVIN MUELLER, announcer of NBC Chicago, has been awarded the De Moly Legati of Honor award given by the Shriners to those attaining leadership in their professions. He is the second in radio to receive this honor. The first was Olau Soule, NBC actor.

DICK WIDMARK of the NBC Chicago, talent staff has been inducted into the Army, Vincent Donohue, formerly of the New York stage, has replaced him.

KEN ELLINGTON, formerly chief announcer of WBEM-CBS, Chicago, has been named assistant to J. Oren Weaver, special events director. Staff increase, according to Stuart V. Dawsoo, assistant program director, is to meet larger schedules of national defense and public affairs broadcasts.

NORMAN MICKLEWRIGHT, formerly of CJJK, Kirkland Lake, Ont., has joined the announcing staff of CKX, Brandon, Man.

BOB PERRY, formerly of KDB, San Bernardino, Cal., has joined KVEC, Santa Ana, O., as announcer. He succeeds William Barton, who has entered the service.

MEREDITH WILLSON, Hollywood musical director of NBC Maxwell House Coffee Time, once a director of General Foods Corp., has donated his original composition, "Jervis Bay," to Bandstand, Chicago.

BOB ROGERS, formerly with eastern stations, has joined the announcing staff of KROW, Oakland, Cal.

JIM MEVREIG, commentator and m.c., formerly of KYA, San Francisco, and Ann Barton were married recently in Nev.

BOB BISHOFF, sound effect technician of KPO-KGO, San Francisco, has been drafted by the Navy. He has been succeeded by Don Monett.

BERT SYMMES recently resigned from the staff of KLS, cently at Virginia City, Nev.

CLAI RE YAFFEY, of the script department, KPO-KGO, San Francisco, has been appointed to another new submarine net-tender at the General M. T. Shipyards in Alameda, Cal. She received from Navy officers a platinum wrist watch, surrounded with a "merit" band.

TEAMPEPE SMITH, formerly of Washington, and editor/assistant for Time magazine, has joined the conditions on KPO-KGO, San Francisco, succeeding Ethel O'Kane, who resigned to be married.

ANDY POTTER, newscaster, formerly of KROW, Oakland, Cal., recently joined Photo & Sound, San Francisco transcription firm, as an executive capacity.

EDDIE HOUSE, organist of KROW, Oakland, Cal., recently completed a tour of "I Love With the Sound Effects Man!"

JIM MCCANN, formerly of WPEN, Philadelphia, and George Edwards, formerly of WHB, Binghamston, N.Y., are new additions to the KYW, Philadelphia, announcing staff.

CLARENCE FUHRMAN, musical director of KFY, Philadelphia, has again been selected musical director of Cape May, New Jersey resort.

ETHYL RATTAY, press agent of WPPT, Atlanta, will handle publicity during the summer for the Steel Pier, where the studios are located, Nev.

ADD PENFIELD, sports director of WPPT, Raleigh, was named permanent president of the Duke U. Class of 1940 at a recent alumni reunion.

RAY MAXIEL, NBC, Washington, special events and sports announcer has been appointed commercial announcer for the Local Peoples Drug Stores WMAL program, "Pin Money From Pepper"

CLIFF JOHNSON, formerly of KFAB, Lincoln, KOIL, Omaha, and K50O, Sioux Fall, S. D., has been appointed a producer in the WBMP-CBS, Chicago, farm service department.

EDDIE KANE, staff musician of WIRE, Indianapolis, has been granted a commercial radio broadcast license.

AL WYN BACH, announcer of WTNY, FM station owned by WOR, New York, on June 7 joined KLY, Philadelphia, Seymour Harrison, formerly an announcer of WNYC, New York's municipal station, succeeds Bach at WTNY.

MRS. ETHEL REID WINSNER, radio chairman of the Illinois Federation of Women's Clubs, has joined the WGN, Chicago, talent division as director of its lecture bureau.
Bill Wiseman Appointed WOW Promotion Head

BILL WISEMAN has been named promotion manager of WOW, Omaha, succeeding Howard O. Peterson, announce to John J. Gillin Jr., general manager of the station. Mr. Wiseman also will continue as publicity manager of the station and editor of the WOW Tower Magazine, which won the St. Louis U award as the outstanding radio station publication at the NAB Convention in St. Louis. Mr. Peterson will remain with WOW as local sales and research manager.

In his new post Mr. Wiseman will handle both consumer and advertising promotion, along with publicity, merchandising and other promotion activities. Before joining WOW four years ago, he was in newspaper work in Omaha, serving as promotion manager of the Omaha Bee-News for five years until that paper ceased publication. Mr. Peterson joined the station five years ago, after serving as advertising manager of the Omaha store of Sears, Roebuck & Co.

MAKING A KILLING IN SLAUGHTERS (Ky.)?

Many an advertiser is making a killing in Kentucky these days—but not in the Lilliput hamlets like Slaughters, Slickford, Slusher, et al! It takes the big, big Louisville Trading Area, which accounts for as much buying as the rest of Kentucky combined—and which now has an extra $5,000,000-a-month defense payroll to spend!...WAVE covers this area completely—and at a cost that makes it the bargain buy in this neck of the woods! Look us up in "Radio Rates", and see for yourself!

KHFH, Great Falls, Mont., has joined KTRI, Sioux City, to handle all home baseball broadcasts for the Sioux City team.

CARL RAYMOND, of the announcing staff of WGY, Schenectady, recently returned to Lockport, N.Y., to marry Dorothy West.

DOROTHY RICE, of the music rights department of WGY, Schenectady, is recently married to Frank Barnes, electrical engineer, graduate of Stanford U and native of Wrangell, Alaska.

EDITH NATAILE STARK, formerly of the Buffalo Evening News and WBEN, has succeeded her cousin, Fred C. Stark, as conductor of Musical Maitnece on WGY, Schenectady.

RALPH MADDOX, formerly of WJDX, Dayton, and WGY, Schenectady, has joined WFAA-KGKO, Dallas, as announcer and producer.

DAN HOSMER, former play actor with CBS, NBC and Mutual in Chicago, now has KSO-KRNT, Des Moines, as general manager.

WILL DOUGLAS, of WKBN, Youngstown, has been assigned to announce band broadcasts from the Million Dollar Mascot; Wayne Johnson is scheduled for the Yakkee Lake broadcasts and Dwight Merriam will announce at Idle Park.

HARRIS MORRISON, publicity coordinator, and Irma Loomis, merchandising staff, have joined WCAE, Pittsburgh.

MAURIE WEBSTER, CBS Hollywood announcer-producer, was to report for U.S. Navy duty June 16.

DOUGLAS WAY, former newscaster of WYRL, New York, and previously chief announcer of WJZ, Philadelphia, has been appointed dramatic director of WACM, Camden, N.J.

ARTHUR ZAPEL Jr., formerly of WCLS, Joliet, Ill., has joined WKZO, Kalamazoo, Mich., as announcer and continuity assistant.

BOB SPARKS, announcer of WOL, Washington, married Edna Antons, of Lanesdale, Pa., June 12.

NAIPH J. ARODAHER, continuity director of WKYO, Kalamazoo, Mich., is author of an article appearing in a national monthly on Charlie Gehring, Detroit baseball player.

JOHN HENRY, sports announcer of WKZO, Kalamazoo, Mich., is the father of twins, Sharon Lee and Karen Lee.

Bill Wiseman

KHJ Personnel Shifts

GENERAL promotional shifts took effect for KJL, Los Angeles, personnel on June 5. Harry Gerkenstork, merchandising director, has joined the general sales staff of the Don Lee network. Edward Kemble, former commercial traffic manager, has joined the general sales staff, while Emily Peters was named to the commercial post. Sally Austin, formerly secretary to James Burton, production manager, assumed Miss Peters' former duties as secretary to Van C. Newkirk, program director. Mary Ellen Ryan, of the script department, moved into the production department's secretarial vacancy.

TO ANNOUNCE to employers and inaugurate the employment Insurance Plan on July 1, the Canadian government used live spot announcements on 22 Canadian stations during the first half of June.
CREI Training Develops Your Technical Ability and Self-Confidence to Insure the Security of Your Future...

The policy of CREI has been directed toward helping men in the radio industry to be better engineers in better jobs. The fact that CREI graduates do get these better jobs is evidence of the respect of the industry for CREI and its graduates.

Your proof is a large file of letters from students and graduates reporting pay rises, promotions and more satisfactory positions.

Your proof is the unquestionable fact that the better positions in radio go to the men who are equipped with modern technical training.

If you are looking at your position in radio past the "immediate tomorrow"...you can insure your professional future by sufficiently increasing your technical ability now. More than 5,000 professional radio men are taking definite steps toward the insurance of their professional futures by regular study with CREI.

These facts are important to you...and to EVERY MAN who is seeking a way to improve his position in the radio field. Write us today for our booklet and pertinent facts as they apply in your own case. Please state briefly your education, radio experience and present position.

"Serving the Radio Industry since 1927"

CAPITOL RADIO Engineering Institute
E. H. RIETZKE, President
Dept. B-6
3224 SIXTEENTH STREET, N. W.
WASHINGTON, D. C.

FIELD TEST on one of the 12 directional antenna arrays, eight of which will be used for service to Latin-American countries by international broadcast stations WCBX-WCRC, now under construction and scheduled for completion in September was undertaken last month at Brentwood, L. I., by Frank J. Bleil of the CBS engineering staff. Using this small scale model which is one-seventh of the size of the regular antenna, CBS engineers determined in advance the performance of the antenna with its anticipated behaviour based on calculations.

HIGHEST BROADCAST ANTENNAS
WKY and WNAX to Have 900-Foot Towers to Accommodate Increases in Power—

ULTRA-HIGH radio towers, the tallest in the country, will reach skyward as construction of directional antennas to accommodate the recent increases in power of WNAX, Yankton, S. D. and WKY, Oklahoma City, begins soon under supervision of Glenn D. Gillett, Washington consulting engineer. WNAX currently holds a construction permit for 5,000 watts full-time operation on 570 kc. while WKY will increase to 5,000 watts fulltime on 930 kc.

Each 900 Feet High

Both towers, to be purchased from Truscon Steel Co., Youngstown, O., will have an overall height of 900 feet. Plans for the WKY radiator call for sufficient strength to support a six-bay turnstile antenna on top adaptable for FM transmission. Each of the new towers will be part of a multi-antenna array to be used with two shorter towers.

The WNAX radiator will be erected on its present tower site while WKY has purchased a 120-acre plot 8 miles north of Oklahoma City limits so as not to conflict with air traffic in the vicinity, a fact that has precluded other attempts of WKY to increase its tower height.

Mr. Gillett expects the new radiators will produce a field intensity signal of 500 millivolts for one mile for one kilowatt. The FCC minimum requirement is 176 mv. per mile for 1 kw. and Mr. Gillett believes that an increase of 20% in service area will result from the new antennas.

At present the highest self-supporting tower is at WSM, Nashville, which is 878 feet tall [BROADCASTING Yearbook, p. 366]. Highest in the world is reported to be the 1966-foot Blaw-Knox radiator in Budapest, Hungary.

RCA Engineer Granted MIT Sloan Fellowship
W. ENDRES BAHLS, in charge of development and design work in connection with special radio tubes at the RCA Mfg. Co.'s Harrison, N. J. plant, has been awarded an Alfred P. Sloan Foundation Fellowship for a year of advanced study of industrial problems at Massachusetts Institute of Technology.

One of 11 engineers chosen from all U. S. industry to receive the honor, Mr. Bahls will spend one year at the Institute attending the Business & Engineering Administration School. Purpose of the Fellowship is to permit men actively engaged in industry to study such subjects as finance, accounting, labor relations, economics, law and marketing, stressing the sociological aspects of modern industry.

Heads ABTU in Chicago
CHARLES WARRINKER, of the WBBM-CBS engineering staff, was elected to the presidency of the Associated Broadcast Technicians in the Chicago area at the organization's meeting June 5. He succeeded Franklin George of WPL, Chicago.

THERE'S MORE FOR YOUR MONEY AT CE & B
BOSTON
1000 WATTS—BASIC C.B.C. OUTLET
WEEDE AND CO.—U. S. Representatives

Page 34 • June 16, 1941
Clear Breakdown By FCC Opposed In Appeal by NBC

FCC Denies NBC Petition to Stay WHDH Order

LONG THREATENED litigation to forestall the new move of the FCC majority to break down clear channels developed June 7 with the filing of an appeal by NBC in the U. S. Court of Appeals for the District of Columbia against the FCC decision authorizing WHDH, Boston, to operate fulltime on 850 kc, a clear channel of KOA, Denver.

After repeated efforts to have the FCC reconsider and rehear the case, NBC counsel asked the court to reverse the Commission's decision. It claims the decision is in violation of FCC regulations, the North American Regional Broadcast Agreement (Havana Treaty), as well as the due process clause of the Fifth Amendment of the Constitution.

NBC did not petition the court for a stay order because at the time it had pending before the FCC a request that the WHDH fulltime grant be not made effective until the court has acted. On June 12, however, the FCC by a split 3 to 2 vote denied this stay, reaffirming the WHDH grant. NBC June 13 filed with the court a petition for a stay in the light of this action.

Because the court has before it the broad issue of whether it is authorized to grant stay orders, prompt action was in doubt.

The Commission vote, reaffirming the WHDH grant, was surprising as the previous rulings in the case. Chairman Fly and Commissioners Walker and Thompson voted for denial. Commissioners Case and Wakefield voted against, and Commissioners Craven and Payne were recorded absent. Comdr. Craven was appearing before the Senate Interstate Commerce Committee on the White Resolution at the time of the vote. He would have voted with the minority, as the leading proponent of clear channels. Chairman Fly, on the other hand, had not participated in the previous votes, and by so doing had permitted a 3 to 2 vote in favor of the WHDH grant.

Intervention Denied

The appeal recites that the FCC on April 7 granted WHDH 5,000 watts with a directional antenna during unlimited hours of operation on 850 kc, as against its former operation as a limited time station with 1,000 watts. It was contended that the application violated the FCC's own regulations and that KOA, as well as other interested parties, were denied the right to participate in the formal hearings.

NBC, however, along with the Clear Channel Group and certain other parties in interest, was permitted to file briefs amicus curiae and to make oral arguments.

NBC contended the Commission erred in failing to return without action the WHDH application as defective under its rules; it erred in denying the NBC petition to intervene; it erred in denying the motion to dismiss the WHDH application, and that it erred in denying other petitions to intervene and for rehearing.

The ruling was held to be "erroneous, arbitrary and capricious" in that it constituted an "attempt by the Commission, while acting in its quasi-judicial capacity, to ignore and retroactively to repeal its own pronouncements promulgated while acting in its legislative capacity."

It was contended further that the decision was arbitrary and capricious because it was predicated upon a proposal for a new method of using the KOA clear channel, about which KOA had not received due and timely notice nor was it heard prior to the issuance of the final decision. Beyond that, NBC charged the findings and conclusions were insufficient to support the decision and that it was illegal, void and in violation of the due process clause of the Fifth Amendment in that it was based "upon facts and issues concerning which appellant was denied a hearing at any stage of the proceedings."

The KOA-WHDH case is regarded as a test to determine future FCC policy on maintenance of clear channels, 25 of which were provided for in the March 29, 1941 allocations pursuant to the Havana Treaty. Another case now pending involving a similar issue is that of WNYC, New York, municipally-owned station, seeking fulltime on the 830 kc. clear channel occupied by WCCO, Minneapolis.

The FCC voted the WHDH application by a 3-2 margin, with Commissioners Craven and Case dissenting. Chairman Fly and Commissioner Wakefield did not participate.

Sentiment exists on the FCC for three-way duplication of clear channels, notably those on the coast. This is on the theory that stations can be located on opposite coasts, with one in the center of the country on the same frequency and, through use of directional antennas, can provide greater service than a single high-powered station on the frequency. This view has been repudiated on technical grounds by leading engineers.
ON-THE-SPOT answers to questions phoned in are found on *Hodge Podge Quiz*, on WCBS, Springfield, Ill. Lyle Munson, who has a telephone on his desk in the studio so that answers phoned in to questions asked may be heard by the listening audience at the time they are received. Callers thus know immediately if they are winners. Sponsors include A. & W. Root Beer, Sangamon Farmer's Oil Co., and Willis Myers, home decorator, all of Springfield.

* * *

Louisiana Tunes

OLD DELTA MUSIC and authenti
c New Orleans rhythm as inter-
preted by Lu Watters and his sen
ten band, is on KYA, San Francisco. The band tunes are picked up from the Down Club and released by the station every Friday night. A verbal set-
ting of each tune played, is given.

* * *

The Complete Angler

DIGEST OF FISHING possibilities is presented by WIP, Philadelphia, each Friday during the summer. The programs, called *The Fisherman's Guide*, are conducted by Capt. Edward Mulvihill, fishing authority.

* * *

**PURELY PROGRAMS**

### Merchandising & Promotion

**Superman Baboons—Plane Models**

Money Quiz—Robe and Mask—Chest Ornaments

**WCKY Bulletins**

A MINIATURE edition of the giant News-O-Graph sign of WCKY, Cin
cinnati, is featured as a display at the Miami Valley Industry and Defense Exposition at Music Hall, that city. UP bulletins travel across the sign, just as they do on the station's larger news sign on Fountain Square. WCKY broadcast the opening ceremony and defense show. The station's plane also is on exhibition and is used in a general official exhibition car to meet promi-

- New day and evening coverage maps, compiled after two years of experimentation with the various types of station audience measure-
ments, have been issued by KMOX, St. Louis as part of its "fifth series" on CBS listening areas. The maps graphically show the KMOX coverage area.

- **Balloons From Roofs**

SIMULATING the antics of "Su-
perman" K.TUL, Tulsa, promoted its new Superman series by tossing balloon blowups of the man of to-

- **Trade Swap**

TRADE deal has been consum-
mated whereby the Washington *Daily News* prints 150 agate lines daily about programs on WJSV, Washington, in return for spot an-

**Youth Problems**

DILEMMAS encountered by youth in the 20s are dramatized in the recently inaugurated NBC Pacific-

- Homes

AVAILABLE HOUSES for sale or rent are located during the week and their location announced on the Sunday program, *Home Plan-
ing Time*, on WGL, Fort Wayne, Ind. Information about building homes and decorating them is also given.

- **Talent Draft**

SUMMONED to report for a "tal-
ent examination" instead of a physical exam on Talent Draft, on WWDC, Washington, Government employees are drafted and inducted into prolific service if they pass the requirements.

**PROMOTION PIECES** from two rival dairies in Charleston, S. C., adorns the rear license plate on the car of Phil Sutterfield, publicity di-

- **Grocery Tieu**

SO SUCCESSFUL was a test sales campaign of the United Grocers, San Francisco, in connection with KSFQ's *Galen Drake program*, that the grocery tieup with the radio personality will be repeated in mid-

- **Models in Demand**

SINGH, recent announcement on NBC *Richfield* offered a series of 12 pictures of fighting plane models with building specifi-
cations obtained at Richfield gas stations, Richfield Oil Co., Los An-

---

**Page 36 • June 16, 1941**

**BROADCASTING • Broadcast Advertising**
You may have been tops in 1917, Grandpa, but you cost 5 times what I do, and I put out nearly 3 times your power.

Don't brag, GL--a few more years of G-E research and you won't know yourself either!

Both "50-watters"... But today's GL-203-A gives you 15 times as many watts per dollar.

Were you a tube buyer in 1917? Probably not—but those who were know that General Electric was a leader in the tube business then, as it is today. The progress that's been made in "50-watters" is typical of the results achieved through G-E research.

You can get G-E tubes promptly through any of our offices—located in 80 principal cities. Get in touch with your G-E representative today. General Electric, Schenectady, N. Y.

"How To Plan an FM STATION" by W. R. David... is a valuable aid to any FM-minded organization. Ask the G-E representative who serves you for a free copy, or write direct to General Electric, Radio and Television Department, Schenectady, N. Y.
Guestitorial (Continued from page 30)

6. During this period it is necessary to eliminate unemployment as far as possible, so that all those not engaged in national defense can earn salaries to help pay the costs of defense, rather than be an added burden upon government or public charity. Advertising contributes directly and indirectly to greater employment in private industry.

7. Civilian morale likewise depends greatly upon a firm belief in the democratic system, and in its features of free enterprise and competition. Advertising is of extreme importance in their maintenance.

8. In a democracy, to build civilian morale, it is important that we continue our media of entertainment and enlightenment: the press, that magazines, and the radio. Advertising supports all of these and makes them possible.

9. During times of national emergency it is important that consumers be given adequate market information: where to buy what they need, when to buy, and how to buy, in order that they may get the most out of the products and services they purchase. It is also important to regulate supply and demand, and to diversify as much as possible the spending of consumers, so that all business may prosper. Advertising is of the utmost importance in all these efforts.

10. An intangible value, and yet one of the most important possessed by any business man, is the "franchise value" of his product or business, established over a period of many years at great effort and expense. Advertising protects this priceless ingredient until it returns to normalcy.

11. Staggering national defense costs must be borne by taxes, which will only be paid by business and by wage earners in business. Therefore sales, wages, incomes and profits must not only be maintained but increased if possible.

Lewistown, Pa., Local, WMRF, Makes Debut; J. M. Nassau Manager

COMPLETE personnel of the new WMRF, Lewistown, Pa., which went on the air June 1, has been announced by James S. Woods, vice-president of the station. The local outlet operating on 1500 kc. with 250 watts was authorized last Feb. 25 to the Lewistown Broadcasting Co. [Broadcasting, March 3] which is 33 1/3% owned by the Sentinel Co., publisher of the Lewistown Sentinel. The remainder of the stock is held by William S. Matthews and James S. Woods, both connected with the Pennsylvania Sand Glass Co. W. S. Farnot, publisher of the Sentinel, heads the company as president.

Joseph M. Nassau, formerly manager of WIBG, Glenside, Pa., and prior to that manager of the old WLIT and WOO in Philadelphia, is general manager. Announcers are Bob McKenna, formerly of WWSW, Pittsburgh; Norman Sand, a graduate of Penn State; Joe Smiley, of Lewistown, and Tyler Port, of New York, both new to radio. Engineers are Bernard H. Bopp, chief engineer, from WLOG, Logan, W. Va.; Edward M. Nell, from WDEL, Wilmington, Del.; Francis Young, Philadelphia.

Modern studios have been constructed in the Hotel Coleman and Western Electric equipment has been installed throughout. Transmitter and a 188-foot Lingo tower are located in a newly-erected building one mile east of the studios. Contracts have been signed for UP news service and NBC Thesaurus.

Bond Staff Picked

HOWARD DIETZ, motion picture executive, will serve as coordinator and managing director of the Treasury Department in radio programs when the Government takes over the Fred Allen Texaco Star Theatre time which has been donated by Texaco to stimulate the sales of National Defense Savings Bonds. He will be assisted by Paul McKenna, producer of the Fred Allen show, as program manager; Douglas Greer, assistant director of broadcasting, as production supervisor; Earle McGill, program director; Al Goodman, the orchestra leader on the Allen program, musical director; Herman Woul, chief of writing staff and Connie Ernst, in charge of guest relations.

Illegal Outlet Caught

AN UNLICENSED station, operating with 15 watts 870 kc. and using the cell letters, KIDA, was uncovered at Sallida, Co., according to the FCC and the operator, who identified himself as O. W. Trueblood, is being held on $1,000 bail. The operation entertainment with the evident idea of soliciting commercial sponsors was being financed at the time of the arrest, it was stated by the FCC.

Kate Hopkins’ Registers Gain in CAB May Data

ALTHOUGH the CAB report shows that almost all daytime radio programs suffered a drop in listeners during May, the WWSW “Kate Hopkins” program, sponsored by General Foods Corp., New York, for Maxwell House Coffee, increased its audience by 55% in that period, the April rating being 2.8 and the May rating 4.3. According to the CAB, radio listening tended to decline with the advent of summer, the average audience on quarter-hourly daytime programs dropping 8.8%.

The rise in popularity of the Kate Hopkins program coincides with three major changes in the format: The signing of Gertrude Berg as author, the addition of constance Collier to the cast, and the scheduling of the broadcast at 4:45 p.m. instead of 2:45 p.m. Benton & Bowles, New York, is agency.

Sponsor Suit Shifted

P. B. WHITE Co., Philadelphia clothing concern, transferred to the jurisdiction of the Federal courts from the Philadelphia Court of Common Pleas its breach of contract claim against WIP, Philadelphia. In addition, the sponsor retained an additional counsel former U. S. Senator G. Wharton Pepper. A subpoena in sumptum was filed against the station in the lower courts several months ago on charges growing out of cancellation of the daily P. B. White period shortly after WIP joined MBS. Sponsor used radio exclusively for almost five years.

PRESENTED with a certificate for distinguished service by the American Legion was W. J. Huffman, owner of WFSR, Wisconsin Rapids, Wis. Flanked by Conrad James J. Plak of the local post, Mr. Huffman displays his award.

Advertising is of material aid along these lines.

12. Finally, advertising is a vital, insurmountable, vital part of our national economy. To stifle or curtail it would be to upset the economic balance; to foster and maintain it would be to preserve that balance, so essential to efficiency and national well-being.

‘Kate Hopkins’ Registers Gain in CAB May Data

Fastest Growing Market in Southeast

2 New Shipyards — 10,000 New Workers — 40,000 Officers and Men — A Sales Management High Spot!

Ask any Edw. Petty office for more information about KSL, one of the sixteen CBS 50,000 watt stations.
NEWTON for Midgley

CARROLL NEWTON, with BBDO for the last 11 years, has been named by the agency as head of its radio time-buying department.

Mr. Newton replaces Ned Midgley, who left to become Sales Service Manager of CBS. Mr. Newton, well known to network and station officials throughout the country, has principally associated with the Brown & Williamson Tobacco Co. account while with BBDO.

JOHNSON for Wheeler

GEORGE JOHNSON has been named by Wheeler Broadcasting Co., Los Angeles, to succeed RICHARD NICHOLLS, former director of operations.

JOHNSON was president of the Wheeling, W. Va., Broadcasting Co. when he joined the Oakland, Calif., station.

RICHARD NICHOLLS, former Wheeling manager, will now be associated with WFBM, Chicago.

JOHN for Magruder

Mr. Magruder, who joined Radio Advertising Bureau as director of the Chicago office, has been named as the new director of the National Advertising Bureau's Cleveland office.
MILES LABS. USING KEYSTONE NETWORK


The series comprises four quarter-hour shows weekly, Monday, Tuesday, Thursday and Friday. Recording 40 minutes each, Michael M. Sillerman, network president.

At the start of the series June 30 an "Alka-Seltzer Week" is to be observed, featuring comprehensive merchandising tie-ups, local dealer follow-up, and station announcements and special programs. Wade Adv. Agency, Chicago, handles the account. Stations scheduled for the new campaign, according to Mr. Sillerman, include:

WLAB WTHS KGLF KJHD KODX WARC WJFO WTCI WTVR WWRC WOBX XLEK XHLX XHST

Disc-Comedy for Fall
Is Offered by Brischer
BRISHER, DAVIS & STAFF, San Francisco, has produced a new program, "Comedy Room Only," for national sponsorship next fall.

Hugh Herbert, movie comedian, is starring in the twice-weekly quarter-hour series dealing with the trials of a traveling troupe playing small towns. The series includes Lucile Tuttle, Hanley Stafford, Bill Burns orchestra. Brischer, Davis & Staff is using the same technique as in the current Charlie Ruggles "Barrel of Fun" program, a sequel, which ran last year before a live studio audience.

Avocado Spots

CALAYO GROWERS OF CALIFORNIA, Los Angeles (avocados), regular "Holiday" network of national spot radio, on June 10 started a heavy participation schedule in a one-month western campaign. Contracted on a staggered schedule, quarter-hour programs include: "Norma Young's Happening Hour," Los Angeles; "Charmingly We Live," on KEX, Portland; "Your Food Is Your Fortune," San Francisco; "Homekeeper's Calendar" on KOMO, Seattle; "Linda Lee on KSL, Salt Lake City; "Housewives' Protective League," Los Angeles; and "Salute on KNX, Hollywood."

School's Spots

NATIONAL SCHOOLS of Los Angeles (radio, and diesel engineering mail courses), are sponsoring four quarter-hour newscasts, 21 times weekly on WINS, New York, and five-minute transcribed messages six times a week on WOR, New York.

WLAB WTHS KGLF KJHD KODX WARC WJFO WTCI WTVR WWRC WOBX XLEK XHLX XHST
UNACAL PRODUCTS Inc., Los Angeles, have started a three-week quarter-hour news broadcast, What's New in the News, featuring Norman Barry, on WNEF, Chicago. The last week in May the club started six-week quarter-hour news programs on WHIP, Hammond, Ind. Contracts run through the summer. Agency is Aubrey, Moore & Wallace, Chicago.

COAST ICE CREAM Co., Los Angeles (chain stores), seasonal radio user, through Abd. Arts Agency, that city, has started daily participation in Rise & Shine on KJL, that city. Contract is for 13 weeks, having started June 2. Other Southern Californa ice is contemplated.

GOV. LEE O’DANIEL of Texas, candidate now for the U. S. Senate, and his hillbilly band are being heard via transcriptions throughout the State in schedules placed on various stations until June 28, eve of the election.

BROADCASTING • Broadcast Advertising
June 16, 1941 • Page 41
Running Account of Hearings
(Continued from Page 27)

World Series, exclusively contracted to MBS, but that the restrictions of other networks prevented acceptance.

Senator Gurney, however, interposed that MBS had an exclusive contract with the baseball leagues and that therefore the service was not available to the other networks.

Boon to Affiliates
Is Seen by Caldwell

After considerable discussion, Senator Brooks (R-Ill.) said that as he understood MBS, along with the other networks, was offered the opportunity to bid on the World Series rights and that MBS got the exclusive. Mr. Weber confirmed this and explained that it has been common practice in radio for the networks to procure exclusive rights on particular outstanding sports broadcasts. He said that if the World Series had been given to all networks, it would have been on a sustaining basis.

Again returning to prepared script, Mr. Caldwell said MBS feels it can live under the regulations. He predicted this new order would prove a boon to affiliates and that most of the opposition was based on misunderstanding. Moreover, he pointed out, Chairman Fly had stated that the FCC was prepared to consider the rules further. He urged that the networks go back to the FCC and ascertain what provisions are unduly onerous and make suggestions accordingly.

Asserting the regulations are not unreasonable in his judgment, Mr. Caldwell said he was under no illusion that they are perfect and that they would be a panacea.

He also supported the FCC procedure. In this respect, he stated he had been a critic of the Commission in the past, but had no complaint on the manner in which the monopoly hearings were handled.

When Senator Clark asked whether he regarded the existing statute as sufficient and whether there should not be a general investigation to ascertain whether the law is adequate, Mr. Caldwell said he saw no necessity for revision of the statute, although it could be improved by amendment. He said he did not purport to talk for the industry in this regard.

Senator Clark said a number of his station constituents had expressed the impression that they regarded the law as too broad; that they were opposed to the FCC regulations, and favored steps which would provide a more stable basis for both present and future broadcast operations.

Stay Orders by Courts Favored by Witness

Pressed for specific criticisms of the existing law, Mr. Caldwell commented on certain jurisdictional aspects. For example, he recited that last year the courts held they have no power to issue stay orders and he felt that should be remedied.

Describing this as "important", Senator Clark observed that if the new regulations became effective, then stations would have no place to go to get injunctive relief. Mr. Caldwell, however, recalled that Chairman Fly had assured the committee that stations which litigate in good faith and with reasonable expedition will not be penalized.

Senator Clark said that since the present statute is nearly 15 years old, it is hardly possible that Congress contemplated the exact situation as it is today. He said his concern was whether Congress should not go a little slow and if there are substantial defects in the law, whether they should not be remedied by Congress another applicant, he commented, too, it was a serious thing when a Commission issues an order that a company give up half of its property. There should be very careful legal safeguards, he said.

Concurring, Mr. Caldwell said there were days when he did not agree with the FCC's moves and even questioned its integrity. But he said he felt in the last few years the FCC has improved and that it was, in his judgment, following generally orderly procedure.

Political Influence Charged by Wheeler

Senator Wheeler fired another dart into the Commission, however, with the observation that it does not follow uniform procedure. Asserting there is too much politics or other pressures, he said that an applicant who has influence may get his application granted without a hearing, while another applicant, with an identical case, will be forced to go to the expense of a hearing and subject it to delays.

He commented, too, that several years ago when a bill was proposed to rewrite the statute, CBS and NBC were opposed to it. He said it appeared to depend upon which group was happy with FCC activity.

Mr. Caldwell contended that it seemed to depend on whose ox is INTERVIEWING sisters of the skillet on her Home Forum, feature WRC Washington from the Washington Airport, is Mary Mason (right). Having an aversion for picnics, she gathered some 20 of her home economics friends, in the Capital for the National Conference of Defense, and entertained them at lunch aloft aboard two American Airlines flagships. Gathered around the milk just before the takeoff are (left to right) Clara Gebhart Schneider, national chairman of Home Economics Women in Business; Katherine Smith, head of the National Canners Home Economics Kitchen, and Marjorie Black, HEBW national secretary.
tive organization, makes no corporate profit but acts as a clearing house. The individual stations get their card rates minus commissions and earn the profits.

Denying a report that the Chicago Tribune, operating WGN, recently put $500,000 into MBS, Mr. Weber said that WOR, WGN and Don Lee each had contributed $100,000 toward MBS operation last year and the other stockholder stations $4,000 each. Those which paid the $100,000 figure had guarantees of $200,000 payments and the others of $50,000 payments.

Calwell Discusses Authority of FCC

Responding to Senator Clark, Mr. Weber said that MBS has been "profitable in varying degrees to the stations." He said there is no program or engineering expense and that sustaining service is provided by the affiliates. If MBS were operated like the other networks, Mr. Weber said, it would be difficult to ascertain whether it would make a profit because of the varying program and expense factors.

Returning to his analysis of the FCC's jurisdiction, Mr. Caldwell was interrupted by Chairman Wheeler, who asked whether the Commission has the power to regulate purported monopoly in broadcasting. Mr. Caldwell argued that the Commission has the power to grant and deny licenses and that the law specifically requires it to
ascertain the character, financial, technical and other qualifications of applicants. Consequently, he said, it was his judgment the Commission can take into account all relevant matters.

Mr. Caldwell declared the FCC had three specific regulatory fields — physical or technical aspects, concerning which there could be no question of jurisdiction; the economic field, now under debate, and the quality of program control. In the latter instance, he said, the law specifically forbids the Commission to exercise censorship powers and that he felt the Commission had gone too far into this phase.

Senator Clark interposed that the "monopoly thing doesn't bother me" and that it was important only when it affects the public interest. He pointed out that Pan-American has had a monopoly in aviation and that monopolies exist in many other fields because no other enterprises would risk the investment or had the inventive genius to pioneer.

**Free Competition Defined by White**

On the economic phase, Mr. Caldwell said the Supreme Court in deciding the so-called Sanders case had upheld the FCC's free competition theory. Explaining that he had lost this case, he said nevertheless it was his notion that the Supreme Court had decided the case properly.

Senator White, however, refused to accept this theory. He declared that all of the FCC rules, establishing clear channels, regional, locals, limited power, time and other allocations, negativized the idea that "we have adopted the theory of free competition in radio".

Before the breakdown of the old law in 1926, when stations were permitted to operate on any wavelength and with any power they desired, "free competition existed," he said. But Congress turned away from that when it enacted the Radio Act of 1927, on the theory that there could not be free competition because of the technical and physical limitations.

While Mr. Caldwell agreed in principle with Senator White's philosophy, he said that even with the limitations, the Commission may take competition into account.

When Senator White commented that he couldn't find a "consistent course" from the start of radio regulation to this hour, even in the briefs and writings of attorneys, Mr. Caldwell said he was concerned about "briefs" and other documents stacked before Senator White. He said he had argued other theories in the Sanders case and in representing the Clear Channel Group. Totally aside from Section 303 (i), giving the FCC jurisdiction to regulate chain broadcasting, Mr. Caldwell said that under Section 310 (b), involving transfers, he felt the Commission had the authority to ascertain "the degree of control" passed along to networks by stations under exclusive contracts and time options.

**Recall Origin of Radio Act of 1927**

What amounted to a memory contest on the origin of the original Radio Act of 1927 developed during examination of Mr. Caldwell by Chairman Wheeler and Senator White. Senator White said it should not be overlooked that the monopoly provision of the Act had to do with a finding of guilt by the courts, as the basis for automatic denial of a license.

Senator Wheeler recalled that the reason for the provision grew out of RCA having been found guilty of violation of the anti-trust laws and in this connection he mentioned that "one particular individual", now employed by RCA, had led this anti-RCA fight. He referred, presumably, to Oswald F. Schuette, RCA public relations advisor, who formerly headed the Radio Protective Assn., which fostered dissolution of what was characterized as the "radio trust".

Senator White insisted the inspiration for the provision was a study made by the Federal Trade Commission of the so-called radio monopoly, preceding the dissolution of the original ownership of RCA. Mr. Caldwell, however, said that the monopoly complained of initially had to do with patent apparatus and RCA exclusive traffic arrangements for its communications service.

The so-called Davis Equalization Amendment of the original act, concentration of power in the hands of individuals or closely held companies, and clear channels all were thrown into the discussion during the "memory contest".

Mr. Caldwell criticized sharply the "propaganda" of opponents to the rules, which predicted chaos, confusion, anarchy and destruction. Actually, he said, only two of the new rules pose serious questions. One is on exclusive contracts and the other time options.

**Urges Net Programs For Remote Areas**

He said that NBC had operated without exclusive contracts or time options for many years and that it has succeeded in selling time outside the option period so that the "difficulty can't be too great". CBS, he held, had one-year contracts up until 1936.

On the network competition phase, Mr. Caldwell predicted that the networks will be fixed by economic considerations and the law of supply and demand. He chided Senator White for his suggestion that the FCC equalize the network affiliate situation through use of its power to allocate frequencies and facilities. He cited the situation in Louisville as an example of difficulty in enforcing such a reallocation.

The examination drifted to the
CONGRATULATING singers Dinah Shore and Lanny Ross on their duet rendition of his ballad, “Dixie Girl”, is balladeer Kent Cooper (center), better known as general manager of AP, now serving radio through its subsidiary, PA. The song was heard June 3 on Lanny Ross’ program sponsored by Campbell Soup Co. for Franco-American spaghetti on CBS.

The desirability of clear channels, when Senator Wheeler insisted it was the duty of the networks to put programs on small stations in remote areas. The networks are making “big money”, he said, and it is their responsibility to see that the smaller stations get good programs, even though they make “a little less money”. He said he hoped the Commission would do something about it. Maybe “a few of the clear channels are justified”, he said.

Mr. Caldwell, a staunch advocate of clear channels as a means of providing rural service and counsel for the Clear Channel Group, said there might be some justification for the “rural free delivery” theory, by making the more profitable areas pay for the non-profitable ones.

Alluding to the position taken by Mr. Ethridge, the MBS attorney predicted that the Louisville executive would rather accept the FCC regulations than have the Commission force WHAS, Louisville Courier-Journal station to “swap its assignment” with some other station in Louisville, as had been suggested by Senator White. The Maine Senator, however, observed that by the same token the FCC might find it expedient to reduce the wattage of WGN and WOR.

Praises Radio for Impartial Attitude

Again criticizing politics in radio regulation, Chairman Wheeler said he wanted stations to be “free from domination of both Government and private concerns”. He said he did not like the idea of the Commission saying to stations “you shouldn’t put on particular programs” or to “hold a club over the station” because the owner might be in disfavor with the Administration. He charged that the FCC has been dominated politically during the Republican Administration and that “it has been true to some extent during the Democratic Administration.”

Taking a somewhat different stance, Senator Wheeler said it was his view that radio has very materially assisted in bringing about “freedom of discussion”. Many newspapers were partisan and gave less prominence to news they did not agree with until radio came into the field and both sides were heard on the air, he added. The radio industry on the whole has done a good job but many newspapers still color news and do so to a greater extent than has radio, he said.

Another tirade against commentators on the air was opened up with this line of discussion. Senator Clark asked whether the FCC has the power to compel networks and stations to list “news” as such and not “editorial opinion”. He said that 75% of the “news reporters” so listed, are actually “nothing more than editorial commentators.”

Mr. Caldwell said he did not think the Commission had the power to handle such a matter. Mr. Weber interposed that the newspapers themselves made the listings and that networks and stations have no control whatever over them. Insofar as MBS is concerned, he said, commentators are called “news analysts” and regular news periods of press association bulletins are labeled otherwise.

Caldwell Opposes Network Licensing

Insisting that something should be done, Senator Clark said that the “wildly biased editorial tirades” under the heading of news, constitutes misrepresentation to the public and that unless something is done about it, there will be “some sort of legislation”.

Mr. Caldwell said he was opposed to the licensing of networks as such, since such power might eventually mean licensing of program production and result in censorship.

When Senator Wheeler observed that the Commission might take care of the commentator-news situation by citing stations on renewal of license if they did not present both sides, Mr. Caldwell reiterated

WANTED

EXPERIENCED PROGRAM MANAGER

NETWORK STATION IN MIDWEST TOWN OF 125,000

Station wants to produce more local programs both sustaining and commercial. Man must have ingenuity for building human interest programs, showmanship and a real desire to serve the community. Must be able to handle and develop program staff and to have and carry out program ideas to fit the community. Real opportunity for right man. Send application with full details to Box 577, Broadcasting.
Net Rules May Curtail Church Programs, Pastors Predict in Letter to President

MAINTAINING that enforcement of the FCC monopoly regulations would curtail and jeopardize the increasingly important program of religious broadcasting, a group of 62 Christian ministers, headed by Dr. Harry Emerson Fosdick, of New York’s Riverside Church, sent a May 28 letter to President Roosevelt urging that enforcement of the regulations await “a full and searching investigation.”

In the letter, introduced last Wednesday by Louis G. Caldwell, MBS counsel, into the record of the Senate Interstate Commerce Committee, the clerics held that the action proposed by the FCC is “hasty, drastic, and ill-considered.”

“Propaganda”—Caldwell

During his testimony before the Committee last Wednesday, Mr. Caldwell called attention to the letter, citing it as another example of the “propaganda” instigated by opponents of the FCC monopoly regulations. Mr. Caldwell also mentioned a previously offered petition of similar character circulated by the Women’s National Radio Committee of the General Federation of Women’s Clubs.

He commented that apparently there would be no programs for the lack of agriculture or religion if the monopoly regulations were put to effect. He added that MBS proposed to continue providing such sustaining programs, nonetheless.

Mr. Caldwell’s comments on the ministers’ letter also drew the observation from Chairman Wheeler (D-Mont.) that it was “typical of the misinformation that gets out with every piece of legislation.”

The large majority of the 62 signers of the letter were from the New York area.

The letter to President Roosevelt stated:

“We, the undersigned Christian ministers, of many different denominational backgrounds, who have had the privilege of using the radio networks of NBC, appeal to you in this letter because we are convinced that all programs of religious broadcasting stand today in serious peril.

“The recently issued report of the FCC, if put into effect, would, in our judgment, greatly curtail the opportunity for such nationwide service, and would jeopardize cultural, educational, musical, and religious broadcasting in general.

“During recent years while the national network system has enabled us to build up a continental audience for a non-sectarian, inclusive, religious message, we have received some five million letters.

“This response from the American people has convinced us that religious broadcasting is rendering a real service to the nation. Since none of us has any personal gain whatever at stake in the matter, we feel free to plead for careful consideration of this important subject before action is taken.

Hasty and Drastic

“The action proposed by the FCC seems to us hasty, drastic, and ill-considered. Before so radical and precipitate an action is taken, we appeal to you for a full and searching investigation into the facts, in the endeavor to determine whether the present organization of the radio industry or the proposed alternative will better serve the interests of all the people.

“In a time of crisis, when morale is vitally important, and when a spiritual ministry of non-sectarian character is more needed than ever before, it seems to us deplorable thus to throw religious broadcasting into confusion. Certainly we feel sure that no such action should be taken except after thorough investigation and upon convincing evidence of need.”

Senator Wheeler observed that he (Lewis) “has been cussed out by the New Deal”.

Getting back to the hearing topic, Mr. Weber disputed contentions that “fly-by-night” networks and brokerage concerns would enter radio if the rules were invoked. He said that network service involves something more than mere provision of commercial airtime, and that there must be technical, production, announcing and engineering staffs as well as the provision of sustaining program.

Sustaining service, he pointed out, has been “a source of income” to NBC and CBS. Moreover, he described it as the best way of building up sustenents for future sponsorship. He held that networks do not make the stations but that the development is reciprocal.

Fairness of Line Charges Is Discussed

Answering Senator Wheeler, he said that if NBC and CBS. Moreover, he described it as the best way of building up sustenents for future sponsorship. He held that networks do not make the stations but that the development is reciprocal.

Business is good in British Columbia. CJOR stands ready to relay your message to this prosperous Canadian market.

CJOR

Vancouver, Canada

1000 watts 600 K.C.

National Representatives

J. H. McGilvra (U. S.)
H. N. Stovin (Canada)

that such power should not be given that it inevitably would lead to program control, censorship, or worse.

Mr. Weber argued that MBS does its utmost to label news "news" and commentary as such. Senator Wheeler, however, said that he thought that perhaps MBS might be "worse than other networks in this respect." Senator Tobey also barged in, criticizing the preponderance of "interventionist" participation displayed not only on the air but in the newspapers, newspapers and elsewhere.

Mr. Weber said that Fulton Lewis Jr., Washington commentator for MBS, was regarded as a "pro-isolationist"—an observation that later came into the discussion when Senator Clark said it was his view that Mr. Lewis does not take sides either way but gives "at least a fair break" to the isolationist. He said he thought that Mr. Lewis is an excellent commentator", and Senator Wheeler observed that he (Lewis) "has been cussed out by the New Deal".

Getting back to the hearing topic, Mr. Weber disputed contentions that "fly-by-night" networks and brokerage concerns would enter radio if the rules were invoked. He said that network service involves something more than mere provision of commercial airtime, and that there must be technical, production, announcing and engineering staffs as well as the provision of sustaining program.

Sustaining service, he pointed out, has been "a source of income" to NBC and CBS. Moreover, he described it as the best way of building up sustenents for future sponsorship. He held that networks do not make the stations but that the development is reciprocal.

Fairness of Line Charges Is Discussed

Answering Senator Wheeler, he said that if NBC and CBS. Moreover, he described it as the best way of building up sustenents for future sponsorship. He held that networks do not make the stations but that the development is reciprocal.

CJOR

Vancouver, Canada

1000 watts 600 K.C.

National Representatives

J. H. McGilvra (U. S.)
H. N. Stovin (Canada)

that such power should not be given that it inevitably would lead to program control, censorship, or worse.

Mr. Weber argued that MBS does its utmost to label news "news" and commentary as such. Senator Wheeler, however, said that he thought that perhaps MBS might be "worse than other networks in this respect." Senator Tobey also barged in, criticizing the preponderance of "interventionist" participation displayed not only on the air but in the newspapers, newspapers and elsewhere.

Mr. Weber said that Fulton Lewis Jr., Washington commentator for MBS, was regarded as a "pro-isolationist"—an observation that later came into the discussion when Senator Clark said it was his view that Mr. Lewis does not take sides either way but gives "at least a fair break" to the isolationist. He said he thought that Mr. Lewis is an excellent commentator", and Senator Wheeler observed that he (Lewis) "has been cussed out by the New Deal".

Getting back to the hearing topic, Mr. Weber disputed contentions that "fly-by-night" networks and brokerage concerns would enter radio if the rules were invoked. He said that network service involves something more than mere provision of commercial airtime, and that there must be technical, production, announcing and engineering staffs as well as the provision of sustaining program.

Sustaining service, he pointed out, has been "a source of income" to NBC and CBS. Moreover, he described it as the best way of building up sustenents for future sponsorship. He held that networks do not make the stations but that the development is reciprocal.

Fairness of Line Charges Is Discussed

Answering Senator Wheeler, he said that if NBC and CBS. Moreover, he described it as the best way of building up sustenents for future sponsorship. He held that networks do not make the stations but that the development is reciprocal.

CJOR

Vancouver, Canada

1000 watts 600 K.C.

National Representatives

J. H. McGilvra (U. S.)
H. N. Stovin (Canada)
MBS wound up its presentation at the Thursday, June 12, session during which Alfred J. McCosker, chairman of the board of the network and president of WOR, summed up that network’s position in support of the FCC regulations and in opposition to a favorable legislative action on the White Resolution.

The committee, with only a half-dozen members sitting, also heard the opening portion of the testimony of FCC Commissioner T. A. ‘M’ Craven, first witness in opposition to the FCC rules and one of the two FCC members to vote against them.

Messrs. Caldwell and Weber resumed the stand at the outset of the session. Mr. Weber recapitulated his testimony of the preceding two days and also placed in the record exhibits showing that there are 43 cities of 50,000 population or greater in which MBS has no outlet. He pinned responsibility on the present NBC and CBS exclusive contracts.

Seeking rejection of the White Resolution, Mr. Weber said that the proposed regulations will have an effect internationally. Canada, he said, is awaiting the change in the existing rules so it can alter its network requirements. As an example, he cited the position in Toronto, where he said three stations are on NBC and one on CBS, with the result that Mutual does not have an outlet.

When Mr. Weber testified he felt the new rules would encourage competition in network broadcasting, Chairman Wheeler agreed it would be beneficial to “put them on their toes”. Mr. Weber declared that under the regulations, stations can continue to do business with a single network if they choose, but it gives them the opportunity to use other networks.

Refuting contentions that chaos would be caused among advertisers and that listeners would be confused, Mr. Weber said these claims had been disproved in actual practice. Opposition of some stations to the regulations, Mr. Weber asserted in response to Senator Wheeler, can be attributed largely to a “misunderstanding” of the rules, and he said that most of it came from the “so-called well-fed affiliates”.

Senator White asked Mr. Weber if he would agree, whether justified or not and without regard to how they made up their minds, “that a great majority of the stations and those opposed to them as they stand”. Mr. Weber declined to give a yes or no answer during a rather heated colloquy. He said he did not believe the majority of stations had expressed themselves.

Mr. Weber said he believed the regulations would result in a continuance of operation largely on the same basis as today. Most stations, he predicted, will continue to affiliate with one network in cities where there are an adequate number of outlets. He maintained that the regulations, which add another network outlet, will give the networks an opportunity to take advantage of the situation without regard to whether the regulations will have any effect.

In concluding his presentation, Mr. Caldwell said the record at the FCC on the monopoly hearing is clear on the point that many network affiliated stations are not satisfied with their major network contracts. He quoted testimony of Samuel R. Rosenbaum, WPTI, Philadelphia, chairman of IRNA, professing dissatisfaction with network requirements. The position taken by IRNA was that the industry should be free to decide these issues, rather than have the Government undertake it.

Mr. Caldwell contended that IRNA not only had accomplished nothing, but apparently had attempted nothing during the two or three years since its formation. Returning to the network competitive situation, Mr. Caldwell said MBS constitutes only one of several attempts during recent years to set up a new national network but it alone has survived. We are, he said, “only a well-fed affiliate”.

Senator White asked Mr. Weber if he would agree, whether justified or not and without regard to how they made up their minds, “that a great majority of the stations and those opposed to them as they stand”. Mr. Weber declined to give a yes or no answer during a rather heated colloquy. He said he did not believe the majority of stations had expressed themselves.

Mr. Weber said he believed the regulations would result in a continuance of operation largely on the same basis as today. Most stations, he predicted, will continue to affiliate with one network in cities where there are an adequate number of outlets. He maintained that the regulations, which add another network outlet, will give the networks an opportunity to take advantage of the situation without regard to whether the regulations will have any effect.

In concluding his presentation, Mr. Caldwell said the record at the FCC on the monopoly hearing is clear on the point that many network affiliated stations are not satisfied with their major network contracts. He quoted testimony of Samuel R. Rosenbaum, WPTI, Philadelphia, chairman of IRNA, professing dissatisfaction with network requirements. The position taken by IRNA was that the industry should be free to decide these issues, rather than have the Government undertake it.

Mr. Caldwell contended that IRNA not only had accomplished nothing, but apparently had attempted nothing during the two or three years since its formation. Returning to the network competitive situation, Mr. Caldwell said MBS constitutes only one of several attempts during recent years to set up a new national network but it alone has survived. We are, he said, “only a well-fed affiliate”.

Senator White asked Mr. Weber if he would agree, whether justified or not and without regard to how they made up their minds, “that a great majority of the stations and those opposed to them as they stand”. Mr. Weber declined to give a yes or no answer during a rather heated colloquy. He said he did not believe the majority of stations had expressed themselves.

Mr. Weber said he believed the regulations would result in a continuance of operation largely on the same basis as today. Most stations, he predicted, will continue to affiliate with one network in cities where there are an adequate number of outlets. He maintained that the regulations, which add another network outlet, will give the networks an opportunity to take advantage of the situation without regard to whether the regulations will have any effect.

In concluding his presentation, Mr. Caldwell said the record at the FCC on the monopoly hearing is clear on the point that many network affiliated stations are not satisfied with their major network contracts. He quoted testimony of Samuel R. Rosenbaum, WPTI, Philadelphia, chairman of IRNA, professing dissatisfaction with network requirements. The position taken by IRNA was that the industry should be free to decide these issues, rather than have the Government undertake it.

Mr. Caldwell contended that IRNA not only had accomplished nothing, but apparently had attempted nothing during the two or three years since its formation. Returning to the network competitive situation, Mr. Caldwell said MBS constitutes only one of several attempts during recent years to set up a new national network but it alone has survived. We are, he said, “only a well-fed affiliate”.

Senator White asked Mr. Weber if he would agree, whether justified or not and without regard to how they made up their minds, “that a great majority of the stations and those opposed to them as they stand”. Mr. Weber declined to give a yes or no answer during a rather heated colloquy. He said he did not believe the majority of stations had expressed themselves.

Mr. Weber said he believed the regulations would result in a continuance of operation largely on the same basis as today. Most stations, he predicted, will continue to affiliate with one network in cities where there are an adequate number of outlets. He maintained that the regulations, which add another network outlet, will give the networks an opportunity to take advantage of the situation without regard to whether the regulations will have any effect.

In concluding his presentation, Mr. Caldwell said the record at the FCC on the monopoly hearing is clear on the point that many network affiliated stations are not satisfied with their major network contracts. He quoted testimony of Samuel R. Rosenbaum, WPTI, Philadelphia, chairman of IRNA, professing dissatisfaction with network requirements. The position taken by IRNA was that the industry should be free to decide these issues, rather than have the Government undertake it.

Mr. Caldwell contended that IRNA not only had accomplished nothing, but apparently had attempted nothing during the two or three years since its formation. Returning to the network competitive situation, Mr. Caldwell said MBS constitutes only one of several attempts during recent years to set up a new national network but it alone has survived. We are, he said, “only a well-fed affiliate”.

Senator White asked Mr. Weber if he would agree, whether justified or not and without regard to how they made up their minds, “that a great majority of the stations and those opposed to them as they stand”. Mr. Weber declined to give a yes or no answer during a rather heated colloquy. He said he did not believe the majority of stations had expressed themselves.

Mr. Weber said he believed the regulations would result in a continuance of operation largely on the same basis as today. Most stations, he predicted, will continue to affiliate with one network in cities where there are an adequate number of outlets. He maintained that the regulations, which add another network outlet, will give the networks an opportunity to take advantage of the situation without regard to whether the regulations will have any effect.
Free for Soldiers

WOR, New York, joins CBS in establishing a policy of free admission to all broadcasters for men in the service. Reducing the tickets represented to its simplest denomination, Harry Miller, supervisor of the WOR-Mutual Playhouse on Times Square, has announced, "A man's uniform will serve as his ticket".

Wheeler Reminds FCC Is Arm of Congress

Contending that full opportunity was given all parties during the hearings to present their cases and that ample warning had been given of the issues, Mr. McCosker said that if, after having been so thorough and fair on an important subject and after having "courageously" and "constructively" evasively decided, "the Commission is to be subjected to a barrage of personal charges, misleading generalities and unfounded criticisms, how is it to be expected that this Commission or any other commission will again have the courage to deal constructively with such a subject?"

Describing the Commission as an "expert body", Mr. McCosker said he felt sure the committee did not want the Commission, in deciding that "to pursue continuously wondering how the members of this committee individually feel about the issue".

Chairman Wheeler interrupted that he did not like to have the Committee press the question of how the executive branch will feel about it either. He said that independent agencies are an arm of Congress, but that after they are created they are soon prone to forget it because members owe their appointments to the Chief Executive. They become "subservient either to the industry or to the administrative branch", he said. "We want them to do a good job and do it impartially. If they do a good job they should not bring them up here."

McCosker Attacks NAB and Miller

Senator White, however, said this was the first time in five years that Congress had gone into the radio law. In spite of that, he had proposed several times, and Chairman Wheeler had joined him, in urging a Congressional investigation. Chairman Wheeler said he thought it was the duty of Congress to inquire into the activities of administrative agencies when "there are flagrant abuses".

A sharp attack upon the NAB and its president, Neville Miller, was issued by Mr. McCosker. He told the Committee that when Mr. Miller appears as a witness, he may be in a position to speak for "some elements" of the industry, but not all. He pointed out that three principal backers of MBS and some others connected with MBS have resigned from the NAB because, among other things, its president, "pursuing an industry encompassing the industry inclusively, engaged in public denunciation of the Commission and its report".

After reading into the record an exchange of letters with Mr. Mil-

Craven Says Main Issue Is Jurisdiction

Just 15 minutes before the committee adjourned Thursday, Commissioner Craven took the stand. To clear the record, Senator White had said he had requested that the committee call Commissioner Craven because he thought it should have the benefit of the minority Commission views.

Commissioner Craven said he did not know the situation of Mutual Playhouse as it appeared there were no personal differences with the majority involved in the monopoly proceedings. He said he and his colleague, Governor Case, felt the majority was "honest and sincere" but that their conclusions were wrong.

Reading a prepared statement, Commissioner Craven said the minority is not crusading on behalf of its views and that the matter of the White Resolution was one solely for the Senate to determine. The FCC, he said, is but an agency of Congress and should not attempt to tell Congress what it should do. He said that personally he would welcome an investigation.

The real issues between the majority and the minority on the FCC, Commissioner Craven said, surrounded the question of jurisdiction. He said the minority felt that the majority had "usurped power" in adopting the regulations. Agreeing there are abuses in radio which need correction, Commissioner Craven declared he felt there should be at least four independent networks, each operating in "stern competition", inferring that he thought NBC should divest itself of one of its networks. But he added he did not believe that monopoly exists in broadcasting and his conclusions as "destructive, rather than constructive", Comdr. Craven said he believed the majority had overemphasized one phase of the problem—relating to purported monopoly—and that in so doing it had usurped power belonging elsewhere. The majority had "failed to state the facts" in adopting the regulations, which he said meant that within 90 days stations must conform or face the penalty of losing their licenses.

"The majority believes that the majority has usurped power not delegated to it by the Congress", Comdr. Craven said. "The minority believes, on the other hand, that the FCC's powers and as precluding any authorization over business aspects of broadcasting save those specifically mentioned in the Act, such as lotteries."

Wheeler and White Join Colloquy

Senator Wheeler interrupted the former Naval officer to ask him about his views on exclusive contracts and whether the FCC had jurisdiction to deal with them. Comdr. Craven said that such matters should be treated in specific instances under the Commission's function, on renewals of licenses, to review past performance. He said, however, he said, the Commission is "finding them guilty of violation of the anti-trust statutes".

Senator White, however, agreed with Comdr. Craven's view, asserting that the Commission, in its rules, "put the cart before the horse" by going into things not specified in the Act. The Act gives the Commission the authority to suspend or revoke licenses only after a final adjudication of guilt on monopoly grounds, he said.

White Says Power Not Given by Congress

The trouble with the Commission, Senator White asserted, is that it is undertaking to usurp that which it regards as monopoly in broadcasting, and then has proceeded to determine whether the principal are guilty of monopoly. The Commission has "reversed this thing", he charged, without any safeguards, by using the broad public interest clause.

Senator Brooks, held there was a danger of getting up regulations declaring that all stations shall not do certain things, particularly since the regulations would apply with equal force to all concerned.

Senator White said Congress did not presume to give the Commission such rights. It was never in

Page '48 • June 16, 1941
Kaltenborn for Albers
ALBERS BROS. MILLING Co.,
Seattle (four), on July 1 starts
and North Mountain-Red
network stations (KFI KPO KGW
KMJ KDFY KSL) Tuesday,
around 3:45-4 p.m. (PST).
The committee listened to a
sent on the floor by the
but it was evident he made a
and succeeded in exploring
of the notions advanced by
committee in favor of the
and a seven
on the floor by the
on the floor by the
and the substitution of a new kind

He pointed out that the original
draft of what is now the major
of this statement that
with the elimination of option time
provisions, outlays would be free
to accept or reject each program as it
network and outlet would
be made for "each
program series". The
statement in this original report that
it could not determine the competitive
effect of such provisions or how
they would work out in actual
practice, and that they would have to be
examined under the light of

developments.

This statement, Commissioner
Kaltenborn, was eliminated in the
final draft. He said there had never
been a satisfactory explanation by
to any of the majority as to how the
proposals would work out in prac
tice. Regulation in disregard of
economic laws, Commissioner
Kaltenborn declared, "may foster a situation
in which competition among competently
managed networks will be
replaced by an unwelcome
conglomeration of local monopolies in
the various towns and cities of the
nation". He said the incentive
would be removed for origination of
sustaining programs and that
American broadcasting would be
plunged from the "known
good of service to the unknown in
which all the consequences cannot
be foreseen".

Points to 'Violent'
Differences of Opinion

It is no exaggeration, he de
clared, to predict that the rules, in
stead of resulting in free competi
tion, would most likely create "an
archy or a kind of business chaos
in which the service to the public
would suffer". Asserting the
minority recognized that abuses exist
which should be corrected, he said
that he and Governor Case could
not accept the philosophy which ad
vocates a slogan of competition
merely for the sake of competition.

"Inasmuch as there are such vi
lent differences of opinion and since
there is real doubt of the Commis
sion's power in the premises, we
see no harm in asking Congress, the
only final authority to initiate basic
policies in matters of this kind, to
settle the issue. The time has come
for constructive and dispassionate
examination of principles as well as
authoritative expressions of public
policy in order to stabilize broad
casting."

"Congress has the confidence of
the people and has not only the
power, but likewise the necessary
wisdom to set a realistic course for
the future of broadcasting. For my
part, a clarification of the Com
munications Act of 1934 would be
tremendously helpful to me in
carrying out my duties as a mem
ber of the Communications Com
mission, which, after all, is merely an
agency of the Congress."

Answering Supreme Court, Com
missioner Craven said he saw
nothing wrong with a seven-man
Commission if it "follows the law".
Senator White, who has new legis
lation in draft forms calling for a
three-man Commission, observed he
had no objection to a seven-man
agency if he could "pick the men".

Equal Time Issue
Aroused Concern

Senator Clark reopened the ques
tion of equality of time on public
issues, aside from the political sec
tion of the Act requiring that equal
time be given political candidates
for public offices. Commissioner
Craven said he knew of the com
plaints and would advance a recom
mendation that Congress extend the
principle of Section 315, on politi
cal broadcasts, to other controver
sial issues.

He pointed out that this subject
has arisen in Commission meetings,
with strong sentiment for certain
kinds of censorship.

There appeared to be unanimity
among committee members that
Section 315 should be extended.
of the highlights of the hearings developed when Senator Clark asked Commissioner Craven whether he thought the existing law should be revised. He pointed out that the White Resolution called only for a review.

He asked whether Commissioner Craven thought it desirable to hold the White Resolution in abeyance while Congress immediately considers a bill looking toward hearings and writing of a new law, with "reasonable studies" granted by the FCC. Commissioner Craven said he thought such a move would be helpful but that it was within the province of Congress and not of the FCC to determine its legislative course.

Senator Clark said he thought the whole matter should be approached from a broader aspect than contemplated under the resolution and that if the law should be revised, the matter of controversial broadcasts should be taken up, with the suggestion that since there appeared to be a "dull summer ahead" a Senate subcommittee could go to work on a bill looking toward revision of the law and not unduly hold up the regulations.

"Blitzkrieg" Tactics

In Adoption of Rules

Senator White said he had a draft bill prepared but introduced the resolution because he saw no immediate prospect of legislation. He said that if the retention of power advocated by the FCC's rules was one that made it highly desirable that Congress hold up the regulations to write a new law.

He declared the chairman should suggest to the FCC that it hold up the regulations until Congress has a reasonable chance to consider legislation. "I think the whole problem would be cleared up," he said in urging Senator Clark to "work on the chairman".

Commissioner Cott said the committee which had its new rules were "blitzkrieg tactics" and the FCC. He said the rules were received about 18 hours before the meeting at which the final vote was taken and that he was sick at the time.

Declaring the rules went beyond the ideas contained in the report, he said there had been "no real discussion of the rules", whereas he felt on a matter of such importance the Commission should have gone over every word and all of the punctuation.

Commissioner Craven expressed surprise that the FCC would have gone to press with the interim regulations given the rules by Chairman Fly during his four days of testimony. He said he believed most members of the majority "did not know what the meaning of the majority" was when at least one member (Thompson) felt the time-option ban would create an impossible situation. He said he was worried about the situation when a group of men without industry experience tell broadcasters how to run their business.

Commissioner Craven referred to the super-power situation of several years ago as analogous to the position now taken by the FCC majority.

He said he favored super-power as an engineer because he felt it would provide new services to des- tered rural areas, but that when balanced against social and economic factors, he voted against superpower, feeling that the coverage advantages were offset by these other considerations.

**Asserts Rules Would Foster Monopoly**

The same concept holds under the monopoly regulations, he declared, because rather than make for free competition, the rules would "foster monopoly in the words of the hearings". He said the rules were prepared but introduced to Congress to work on the measure.

The witness said he voted for the resolution on the theory that the FCC has the power to "study and investigate" but not the power to "enforce regulations when they are travesties of the law. Recommendations should have been made to Congress or the monopoly matter turned over to the Department of Justice, he said. He added that the regulations were beyond the scope of the order.

Senator Wheeler agreed the Commission should not usurp power, but in his view the question was whether it actually exceeded its authority in adopting the rules. He agreed the law is not entirely clear and that the Commission has the right to do under the statute.

He said he thought there was a question as to the Commission's authority about the committee was confronted with the question of determining whether Congress should go ahead with new legislation and hold up the regulations until a new law is passed. It may be "that the Commission has the right to do under the statute."

He added that he had thought a question as to the Commission's authority about the committee was confronted with the question of determining whether Congress should go ahead with new legislation and hold up the regulations until a new law is passed. It may be "that the Commission has the right to do under the statute."

Best Stations Would Get Advertising

Commissioner Craven said he thought Congress should "think twice before it gives the FCC the power to control a medium of pub- lic expression such as radio. The question of censorship repeatedly has been discussed, he said, and he felt Congress should specify the boards within which the FCC should operate.

Elaborating on previous views on business aspects of broadcasting under the rules, Commissioner Craven said he predicted that advertising inevitably would gravitate to the best stations in each market. He agreed with Senator Wheeler that the networks should be encouraged to give better deals to smaller stations, since local self-expression must be preserved.

Senator Wheeler felt this service should not be forced but cooperatively, taking into account the question of reduction of telephone line charges.

Commissioner Craven said the FCC had not made an adequate canvass of the long-line rate structure, though it has the power to regulate the AT&T. He agreed the Commission should give "immediate consideration" to remedying this situation and concurred in the view that the best result might be procured if the networks, AT&T and the FCC sat down together to the task. Commissioner Wheeler would advocate "a little pressure on this".

Recalls MBS Fear Of Transcontinental

Revision of present regulations barring point-to-point shortwave facilities for network relays was advocated by Commissioner Craven as one possible solution to the long-line rate problem.

Sharply disagreeing with MBS, he recalled that several years ago a high official of that network came to him to protest the threat of the Roosevelt-Head Trans- continental Broadcasting System, which allegedly was "raiding MBS affiliates". He said he took the position at that time that MBS was being raided because the "raidier" did not have broadcast experience and that stations which defected would return to MBS. MBS then went on expiring contracts, he said.

Even the majority, Commissioner Craven declared, held in its report that the MBS operation could not completely solve the problem, and he recognized that what he advocated MBS is the same as the other networks. He described MBS as being "just a little hungrier because of its smaller size." He added that he always felt that the powerful owners of the MBS key stations were capable of taking care of themselves.

Commissioner Craven did not think MBS would be a problem on MBS in the long run; that it would mean something to the owners but not the smaller stations. He again alerted the superpower principle and brought out that Colgate and MBS had advocated superpower on the one hand as not constituting a monopoly, but took a diametrically op-
URGES 5-Year Census

MOVING to expedite the supplementary survey activities of the Census Bureau, at the same time clearing the decks for a comprehensive census study of the census industry, Senator Bailey (D.N.C.), chairman of the Senate Commerce Committee, last Wednesday introduced a bill (S-1827) providing for a quinquennial census of industry and business, starting in 1943. The five-year census studies in the manufacturing and business fields would be conducted at the same time rather than at two and five-year periods, respectively, as provided under present law. The Bailey measure is strongly backed by the Census Bureau, and speedy action is expected in view of the proposal's indirect defense aspects.

Plan Grove Shows

FREEMAN KEYES, president of the Russell M. Seeds Co., Chicago, and his assistant, H. J. Richardson Jr., are currently on the Pacific Coast completing arrangements for the Sherlock Holmes series, sponsored by Grove Labs, St. Louis (Bromo Quinine), which will begin the air Sept. 28 over NBC Red. While there they will negotiate with talent for a new set-to-coast show that will emanate from Hollywood this fall. The sponsor or network has not as yet been released.

Jergens Drama

ANDREW JERGENS Co., Cincinnati (Woodbury's face cream and powder), on July 2 replaces the two quarter-hour programs, Tony Martin's From Hollywood and How Did You Meet? in the Thursday 8:30-9:00 p.m. period on NBC-Red stations with a half-hour dramatic show, The Adventures of the Thin Man. Agency is Lennen & Mitchell, New York.

Ten-B-Low Spots

Ten-B-Low Co., Columbus, O. (ice cream mix), recently started a series of 231-weekly one-minute transcribed announcements for 241 stations. Stations being used are WBNS WBZ - WBUA WCAU WCN WHIO WOKO WOR WSAI WSPD WTAJ. Agency is Ralph H. Jones, Co., Cincinnati.

DAVE ROSE, musical director of the Don Lee Network, and conductor of two MBS programs, Adventures in Rhyming and California Melodies, and Judy Garland, movie star, were married June 15.

Classified Advertisements

Help wanted and Situations Wanted, 7c per word. All other classifications, 12c per word. Bold face listings, double. BOLD FACE CAPS, triple. Minimum charge $1.00. Payable in advance. Count three words for box address. Forms close one week preceding issue.

Help Wanted

Transmitter Operator—Experience not necessary. Detail and qualifications, references, photo and expected starting salary in first letter. WSAV, Savannah, Georgia.

WANTED—Combination Announcer-Engineer. Give details in first letter. WAKY, Waycross, Georgia.

Licensed Operator—For transmitter and studio. Eastern New York. Salary, references. Box 578, BROADCASTING.

Experienced Announcer—Specialized in play by play sports, by five-kilowatt network station in South. Box 584, BROADCASTING.

Two Announcers—For station in principal market. Must have network station experience. Good speaking and recording experience. Box 586, BROADCASTING.

Announcer—With ticket wanted in modern new local. No technical knowledge or experience necessary. Box 586, BROADCASTING.

Wanted—Announcer for vacation relief. Possible permanent connection. Preferably with some experience in one-day and general studio routine. Write WTHI, Bloomington, Indiana.

Wanted—Good announcer with first class license. Southern voice. Handle news, general announcer, and complete bulletins. Good salary, Mutual Affiliate, KOTN, Pine Bluff, Arkansas.

Two Salesmen—To step into a big south central radio market. Must be business-minded with business. Unlimited opportunity for good reliable man who will roll up their sleeves and go to work. Give complete background. Box 857, BROADCASTING.

Situations Wanted

First Class Operator—Desires change. State salary offered. Box 581, BROADCASTING.

Girl, Singer, 26; Experienced—Programming, continuity writer, mike. Excellent reference. Box 580, BROADCASTING.

Announcer—Excellent voice, year's experience, college education, ad-lib ability, congenial and sober. 24 years old, now employed. Box 588, BROADCASTING.

Control Operator—Pref South or West Coast. Now employed in northern region. 2½ years in broadcasting. Excellent production live or transmitted programs. Licensed. Box 578, BROADCASTING.

Progressive, Alert Announcer-Producer—With creative ideas and proven ability, now with network affiliate, desires association with progressive California station. Has done equally well on smaller and large stations. Desires acting, writing. Box 576, BROADCASTING.


If You Want a Real Salesman—Who specializes in going after, and getting, his orders . . . who has an outstand- ing sales record in the national advertising field with fine contacts in leading eastern agencies . . . who's not shy, but neither is his sales volume . . . please write Box 688, BROADCASTING.

BROADCASTING • Broadcast Advertising

June 16, 1941 • Page 51
ACTIONS OF THE
FEDERAL COMMUNICATIONS COMMISSION

JUNE 7 TO JUNE 13 INCLUSIVE

Decisions...

JUNE 10

NEW, Capital Broadcasting Co., Inc., Schenectady—Granted CP new STL (studioducer-transmitter link) station 331,000 kc not in excess of 500 watts FM emission with maximum swing of 200 kc.

KVIC, Victoria, Tex.—Granted consent to transfer 1695 kc, control from Fred W. Brown, Charles C. Shea and Walter T. Martin to Morris Roberts for consideration of $42,500.

NEW, Star-Times Publishing Co., St. Louis—Application new FM station placed in pending file under Order No. 79.

KVEB, Seattle—Granted petition for reconsideration and grant CP for change to 1590 kc to 1600 w un., new equipment.

NEW, Tri-State Broadcasting Co., Wheeling, W. Va.—Granted motion to reconsider and grant consent to assign license from W. W. Ewing and Harry Layman to W. E. Ewing and T. K. Weyher.

KGU, Honolulu, T. H.—Granted petition to intervene in July 28 hearing on application of Hawaiian Broadcasting System Ltd. for CP new station.

JUNE 13

MISCELLANEOUS—WIRE, Lawrence, Kan., granted motion amend application to 1600 kc and remove from hearing dockets KDKA, Saugus, Mass., granted motion continue hearing 9:12-14 for CP 500 kc 1 kw D; NEW: The Evening News Press Inc., Fort Angeles, Wash., granted petition amend application to 1500 kc 300 w. N 250 w D; KORN, Fremont, Neb., granted motion withdraw without prejudice application change to 1500 kc 300 w D; KXOR, Omaha, Neb., application transferred to KOC, W. and Blaine Glaser denied, request withdrawal without prejudice denied.

Applications...

JUNE 10

WMYA, Macon, Ga.—Voluntary assignment license to Martinsville Broadcasting Co. (incorrectly listed in the June 2 issue).

WBNL, Richmond, Va.—CP new station fractional for night and use increase power 5 kw, amended to 310 kc.

KMAC, Fairfield, Iowa—Grant license.

NEC, Fairchild Broadcasting Corp., Lancaster, Pa.—CP new station amended to 930 kc 1 kw D and change financial setup.

Tentative Calendar...

JUNE 18

WIBH, Kansas City—CP change to 710 kc 9 kw unid. directional.

WTCN, Minneapolis—CP change to 710 kc 10 kw unid. directional.

JUNE 26

WOOD, Grand Rapids, Mich.—Voluntary assignment of license from King-Trendle Broadcasting Corp. to WOOD Broadcasting Corp.

JUNE 28

Investigation in connection with newspaper ownership in radio under Order No. 79.

JULY 7

KWDO, Springfield, Mo.—CP 500 kc 1 kw N 3 kw D directional.

WPW, High Point Broadcasting Co., High Point, N. C.—Consolidated hearing on CP new station.

JULY 16

(consolidated hearing)

NEW, Mid-American Broadcasting Corp., Louisville—CP new station 1009 kc 5 kw.

JULY 24

WEBG, Glenside, Pa.—License renewal.

JULY 28

KNA, Shenandoah, Ia.—License renewal.

NEW, Hawaiian Broadcasting System, Honolulu—CP new station 1340 kc 250 w unid.

TRANSMITTER STAFF of WOR, New York, demonstrated its abilities as chefs, teachers and ball players June 7 when they were honored by nearly 50 members of the WOR staff at the station's 50,000-watt transmitter in Carteret, N. J. J. R. Poppele, WOR chief engineer (extreme left), conducted the guests on a tour of the transmitter, after which the visitors trounced their engineering hosts at soft ball.

WOR All-Night Plans

WOR, New York, will start its Tuesday through Saturday allnight operation on June 17, the new period from 2-3:30 a.m. to be called “Moonlight Saving Time” [Broadcasting, June 9]. With news as the base, there will be 5-minute AP or UP news every hour on the hour, with bulletins on the half-hour; a five-minute “sports extra” and ten minutes of BBC news. Program features include a rebroadcast of the Here’s Morgan program recorded from his sustaining show fed to MBS, and requests for records as sent in on both Postal and Western Union tickers.

Join Blue Network

WHMA, Anniston, Ala., has joined NBC-Blue Southern Group, as a bonus outlet and on June 21 WINC, Winchester, Va., will become a bonus station to the Basic Blue Group. Both stations operate full time with 250 watts, WHMA on 1450 kc and WINC on 1400 kc. Cut-in announcement rates for each station are $5 per evening program and $2 per daytime program. WISH, Indianapolis, will not join the Basic Blue Group until July 1, because of delays in the installation of its equipment.

Pillsbury Returns

PILLSBURY FLOUR CO., Minneapolis, out of network radio for several years, early in September will start a 10-15:18 a.m. program, to be heard Thursday through Sundays on NBC-Blue. No further details have been released. McCann-Erickson, Minneapolis, handles the account.

August 25

(KFJIM, Grand Forks, N. D.—Renewal and modification of license to operate specialized studio and broadcast equipment.

NEW: Dalan LeMaisturier, Grand Forks, N. D.—CP 1400 kc 500 w D 1 kw D specified hours.

Network Accounts

All Time EDM unless otherwise indicated.

NEW Business

ALBERS BROS. MILLING Co., Seattle (floor), on July 1 starts for 15 weeks California Edits the News on 11 NBC Pacific and North Mountain-New stations, Tues., Wed., Thurs., Fri., 3:45-4:55 p.m.

GILLETTE SAFETY RAZOR Co. of Canada Ltd., Montreal, on June 16 starts 59th Century Boxing Events on 26 Canadian Broadcasting Corp. stations, Wed. 6 p.m. Agency: Mosan Inc., New York.

Renewal Accounts

W. WHIGLEE JR. Co., Chicago (chevy gum), on July 1 renews for 15 weeks Middle Radio on 69 CBS stations, Sun., 6:30-7:30 p.m. (EDST), Agency: J. Walter Thompson Co., Chicago.

LEVER BROS. Co., Cambridge (Lifebuoy soap), on June 27 renews Hollywood Premiere on 71 CBS stations, Fri., 10-10:30 p.m. Agency: William Esty & Co., N. Y.


P. LORILLARD Co., New York (Beech Nut Cigarettes), on July 6 renews Don’t Be Personal on 6 CBS Pacific Coast stations, Sun., 8:30-9 p.m. Agency: Lennen & Mitchell, N. Y.

NEW Turner Mike

TURNER Co., Cedar Rapids, Ia., has announced the addition of a new carload to its line of microphones. The Turner cardiod is a two-element generator to obtain cardiod characteristics; it consists of a ribbon velocity element and a dynamic pressure element, combined through a specially designed transformer network that properly mixes the two elements to obtain high sensitivity to sounds originating in front of the microphone, and extremely low sensitivity to sounds originating to the rear of the mike.
Philo Spot Drive Hits 400 Stations

Jingle Discs Are Placed on a Cooperative Schedule

TO INTRODUCE the new 1942 line of Philco radios and radio-phonographs, Mr. M. Ramsdell, Philco vice-president in charge of public relations, has announced that the company is launching the largest advertising and merchandising campaign in its history, with special emphasis on a transcription series of 400 stations throughout the country.

Mr. Ramsdell outlined the intensive program of spot announcements at Philco dealer meetings held recently in Atlantic City and Del Monte, Cal.

The radio campaign, to run on a cooperative basis with dealers and distributors sharing in the cost, will consist of musical jingles ranging from one to two minutes each broadcast by Broadcast Advertising & Television Corp., under the direction of Murray Grabhorn. Already in progress for the past two months, the series will eventually run on 400 stations in 17 different jingles weekly on each station.

Talent includes Erskine Butterfield, the Ray Thompson Singers, the Johnsons, the Mitchell Cowboy Group, Hugh Martin Group and Frank Gallup. Combinations of these groups and the Philco line of radios will be interspersed in the middle of the jingles, and local announcers may fill in the last few seconds of the transcriptions with local or dealer pickup or distribution of that local.

Figure in the new Philco line is a series of FM receivers "embodifying a new FM system based on an entirely new circuit arrangement developed by Philco engineers." Heart of the system, which makes possible the reception of standard broadcasts, shortwave and AM all from a single dial and a single set of controls, is the XFXM balanced detector tube, developed in the Philco Laboratories. Another exclusive feature is the built-in FM aerial arrangement which operates automatically, "first time in FM history" such an antenna system has been available. Philco states, Philco is said to be the first major receiver manufacturer to bring out an FM line without an Armstrong license, most FM receivers being built under the Armstrong patents.

Burk, Ill., Quits Radio

FATHER W. A. BURK, S. J., director of WEW, St. Louis, who has been ordered by his doctors to take a prolonged rest in bed due to heart trouble, has severed his connection with the station and will shortly leave St. Louis. He has advised Broadcasting that his duties at WEW have been taken over by Nicholas Pagliara, station manager, and Mr. Burk expresses that he will return to radio either at WEW or WWJ, New Orleans. Both stations are commercially operated by DeWitt institutions. WEW by St. Louis U and WWJ by Loyola U.

Court Dismisses Action of NBC Against MBS

ACTION brought by NBC against 20th Century Sporting Club, Gillette Safety Razor Co., Boston, and MBS was dismissed June 12 in New York Supreme Court by Judge Lloyd Church, thereby ending the litigation over the broadcast rights to boxing bouts held in Madison Square Garden during the 1941-42 season.

Gillette and MBS signed with 20th Century and Mike Jacobs for the bouts March 18, after which NBC claimed it had made a prior oral contract for the fights. This claim was denied by Mike Jacobs in his answer to NBC's complaint and in testimony given before the trial. A motion was made by the defendants to dismiss the complaint on the grounds that the contract sued upon by NBC violated the statute of frauds as it was not in writing. The motion was granted by Judge Church, who stated that such a contract had to be in writing.

Stafford to WBZ-WBZA

E. F. STAFFORD, former New York newspaperman and radio script writer, has been appointed publicity manager of Westinghouse Short Wave Station WBZ-A, Boston. Springfield, Stafford will also head the publicity department of international shortwave station WBOB, Boston.

Grove Spot Plans

GROVE LABS., St. Louis (Bromo-Quinine) is completing, through J. Walter Thompson Co., New York, a schedule of spot announcements on an undisclosed number of stations.

AN INTENSIVE nationwide program of spot announcements is scheduled to introduce the new Philco line. Sayre M. Ramsdell, vice-president in charge of public relations, discussed the annual convention at Atlantic City, addressing 1,000 Philco distributors and dealers assembly there.

Network Program Setup

Is Realigned by Colgate

COLGATE-PALMOLIVE-PEET Co., Jersey City, N. J., which on July 5 shifts from Thursday to Saturday evening the 8-8:35 period on CBS occupied by Spotlight (Colgate dental cream), and City Desk (Palmolive shave cream), will replace the former program with Guy Lombardo's orchestra according to present plans on Aug. 2 instead of July 5, as originally scheduled [Broadcasting, June 9]. Spotlight has been extended for four weeks and will leave the air July 26.

Guy Lombardo, currently sponsored by Lady Esther, Chicago, on CBS, Mondays, 10-10:30 p.m., will be discontinued by that sponsor on July 26. Lady Esther is presenting a musical show as a summer replacement, according to Pellar & Ryan, New York. The C-P-P accounts are directed by Ted Bates Inc., New York.

Callahan Gets Post

VINCENT F. CALLAHAN, former manager of WBZ-WBZA, Boston-Springfield, has been named chief of the press section for the Treasury's Defense Savings Staff.

Mr. Callahan, who already heads the radio section of the bond drive, will have charge of all newspaper and magazine publicity for the bond and stamp drive.
RMA Will Ask Better Rating
To Solve Production Problems
Motorola Executive Praises FCC Chairman Fly;
Signal Corps Official Calls for Speed
DEEPLY INCENSED at the priority rating given the radio industry (now B-7, or 29th in the list of 30 available ratings), the Radio Manufacturers Assn. at its 17th annual convention held June 12-13 in Chicago, unanimously prepared to do everything in its power to work toward not only a better rating but special priority consideration for manufacturers of replacement transmitting and receiving components.

For some time an RMA Priorities Committee, headed by Paul V. Galvin, president of the Galvin Mfg. Corp., Chicago (Motorola), has been functioning. This committee's scope, already wide, will be extended with full cooperation of the industry.

James S. Knowlson, chairman of the board and president of Stewart-Warner Corp., Chicago, was re-elected president of RMA for 1941-42. All other officers were also re-elected with the exception of one vice-president. They include-Bond Geddes, Washington, executive vice-president and general manager; two vice-presidents, Paul V. Galvin; Roy Burlew, Ken-Rad Tube & Lamp Corp., Owensboro, Ky; H. E. Osmun, Centralab, Milwaukee; James P. Quam, Quam-Nichols Co., Chicago. The last-named replaced Donald MagGregor of the Webster-Chicago Corp.

Only two changes were made in the board of directors, which numbers 24. Ray Congrove, of The Crosley Corp., Cincinnati, replaced Pecwell Crosley Jr., and E. F. McDonald Jr., president of the Zenith Radio Corp., was re-elected following his reinstallation as a member of the RMA. Last year Mr. McDonald withdrew from this organization, only recently rejoining.

Mr. Knowlson warned manufacturers they are under a cloud of Government disfavor. Radio, he said, has been classified as a "non-essential" industry and "ranked midway between toothpaste and hair tonic."

Mr. Galvin urged that the association try to get radio out of its B-7 luxury classification. Both speakers indicated that radio is a potent weapon of national defense and deserves recognition by the Government as an essential industry.

While Mr. Galvin lashed out at bureaucrats in Washington, Mr. Knowlson paid tribute to the FCC for its cooperation and understandings. He accused James Lawrence Fly, chairman of the FCC, as an "extremely simple-mannered and cultured gentleman" and "a person of acute perception and marked ability," Mr. Knowlson said he expected, but did not find, Mr. Fly to be "a muckraking, flag-waving politician type, who would overwhelm me with cheap pater."

The friendly attitude of the Chairman was reflected, he said, in the program to the RMA expressing regret at being unable to be present because of the Senate committee hearings on the monopoly report. He spoke of the high hopes he held for television "not in the distant future, but immediately"; he added that he hoped radio would not have to make new sacrifices for defense but that the industry must be prepared to make them.

Mr. Knowlson congratulated the FCC for giving television the green light, approving the National Televising Standards committee recommendations, and added that he expected "television is going to be a service that outwits radio!"

Use of Substitutes
Government priorities, Mr. Galvin told the RMA, will be the No. 1 problem not only for radio, but for all civilian industries until the present emergency is over. He warned against unneeded inventories and urged a more serious consideration to substitutes. He demanded that further explorations be made as to the possibility of using steel in condensers and at other points where aluminum is deemed vital.

Mr. Galvin urged appointment of a joint engineering committee in the radio industry to explore substitute materials. The industry, he stated, is in contact with Federal authorities on nickel, zinc, copper, and, very particularly, aluminum. As a result of these contacts, he said, a plan has been worked out to allocate aluminum supplies to various manufacturers, in which regulation would be conducted by the aluminum administrator's office. This plan is now awaiting the legal approval of the OPM and the Dept. of Justice—a necessary preliminary, he said, "because it calls for very definite inter-industry regulation."

John W. Van Allen, general counsel of RMA, discussing "Legal Problems of National Defense," said many suggestions that had been made to speed national defense orders could not be used because of laws still on the statute books.

Cooperation Urged
Col. Thomas L. Clark, chief procurement officer of the Signal Corps, in charge of the Chicago office, prophesied that in a year, or thereabouts, the radio industry would be over the peak in its defense deliveries. He suggested that in bidding on defense orders one manufacturer become the prime contractor, allocating to others in company. Further, he urged pooling of engineering resources and warned manufacturers that all but one were behind in deliveries. One company had 2,000 sets ready to go but its components were not available, he said, insisting that bottleneck could be cleared if a greater unity of purpose were manifested.

Capt. E. D. C. Herne
CAPT. E. D. C. HERNE, 51, news commentator of WGN and MBS as well as NBC, died June 8 in St. Luke's Hospital, Chicago. Born in London, England, and educated at Cambridge, Capt. Herne served as a British flying squadron commander in World War I and later in the war due to severe leg injuries sustained in combat was sent to America as flying instructor. He had become an American citizen and in 1938 joined WGN as commentator. He is survived by a widow, Mrs. Gladys Herne.

Johnson's Sub
S. C. JOHNSON & Sons, Racine, Wis. (Carnu), has selected the title, Hap Hazard, for the new show replacing Fibber McGee & Molly on 99 NBC-Red stations effective July 1 [BROADCASTING, June 9].

Ransom Sherman, as the managerial genius of Crestfanner Man, will be known as Hap Hazard. Billy Mills' orchestra and Edna Odell will supply the musical portion of the program.

BROADCASTING • Broadcast Advertising

Independent MBS Body Is Dissolved
Cisler Says Clarification of Issues Reached With Weber
DISSOLUTION of Independent Mutual affiliates, formed in mid-May at the St. Louis NAB Convention, was announced by MBS last Thursday in Washington. The move was revealed in a memorandum sent the preceding day to all MBS affiliates by Steve Cisler, general manager of WGRC, Louisville, and IMA chairman.

The action in disbanning the group, which grew out of dissatisfaction with the MBS operating board, followed complaints over the network's negotiations with ASCAP, resulted because of insufficient membership and a clarification of affiliation representation on the MBS operating board, according to Mr. Cisler. The clarification was developed in conversations with Fred Weber, MBS general manager, was unveiled.

Little Fault Found
"We also believe that Mutual stockholders were justified in closing a deal with ASCAP for network programs," Mr. Cisler declared in a letter. "Observing that with exception of the music situation, few affiliates had found fault with the MBS method of operation. He pointed out also that many affiliates believed thatascap and MBS should have been able to transmit to the board any requests or recommendations that should come before the stockholders.

"Of course, Fred Weber has always been readily accessible to every Mutual affiliate for discussion of personal affiliation problems that he can help settle," Mr. Cisler continued. "I see no reason why producing MBS could not be taken up through their respective offices, provided Mr. Weber is unable to handle them first."

In expressing confidence in Mr. Weber that Mutual will continue to operate along progressive lines," he concluded.

Brewery on 16
GENERAL BREWING Co., San Francisco, on June 9 started a spot announcement campaign for the summer months on 16 California stations. Thirty-five and 50-word time signals are being used, both day and night, six times weekly. Agency is McCann-Erickson, San Francisco. The station list: KTRC, San Francisco; KVME, KPHO, KZIA, KSFO, KRON, KRON-2, KPIX, KQED, KTIJ, KTVU, KQED-2. KRON-2, KQED, KQED-2, KQED-3, KQED-4, KQED-5.

Junket Spots
CHR. HANSEN Labs., Little Falls, N. Y., is currently running a series of spot announcements on a large junket to promote the "Speed Rx Smile" of the junket mixing. Agency is Mitchell-Faust Adv. Agency, Chicago.

Page 54 • June 16, 1941
RADIO CITY MUSIC HALL, world's greatest theatre, calls on virtually every modern acoustic development to distribute high-fidelity sound to audiences of 6,500. A few years ago, such theatres were acoustically impossible. Modern microphones, amplifiers, loudspeakers provided the answer.

CLEAR Voices—through Radio Research!

RCA Laboratories have contributed much to the modern science of Acoustics

BACK IN 1924, when a thin, tinny squawk from a gooseneck loudspeaker was radio's highest reward to the patient broadcast listener, RCA saw the need for perfecting quality sound reproduction. Leading acoustic engineers were put to work in RCA Laboratories, to improve loudspeakers, microphones and broadcasting and recording techniques.

From their research emerged, in 1926, the first cone loudspeaker — and in 1928, the first dynamic speaker. Two years later, with the development of the RCA Velocity Microphone, radio programs attained a quality capable of pleasing even the most musically-critical audiences...

By-Products of Radio Research

But out of the RCA research that made possible a higher standard of broadcasting and greater realism in reception, came also many other achievements in the field of acoustics... RCA Laboratories produced the electric phonograph pick-up, that made possible today's higher-fidelity record reproduction; they created the special microphones, amplifiers and reproducers for Public Address Systems, used in auditoriums and super-theatres such as the Radio City Music Hall; they gave the movies a "voice," Photophone; and, just recently, developed RCA "Fantasound," the new recording technique that gives the amazing three-dimensional stereophonic effect to the music and voices of motion pictures...

Today, thanks to RCA research, the science of acoustics has come of age! Human voices and the great music of the world now vault the barriers of time and space... and lose virtually nothing in the process.

RCA LABORATORIES

A Service of the Radio Corporation of America

Other RCA Services: RCA Manufacturing Company, Inc. • Radiomarine Corporation of America • National Broadcasting Company, Inc. • RCA Communications, Inc. • RCA Institutes

Hundreds of families today enjoy—even on receivers costing as little as $9.95—life-like tonal reproduction that a few years ago was unattainable at any price.
"THANK YOU, RADIO"

A tribute delivered to radio on the Westinghouse "Salute to WBAL" program, a pre-opening feature of the New WBAL.

When the wars and wicked days of this epoch are noted down for the unbelieving eyes of those who will follow—pray that the recorder will temper the dark pages with some mention of that which shines bright and clear.

Let him say a word concerning radio.

Let him tell of the genius of a generation which brought forth a miracle of goodness.

Let him not pass by the names of Conrad, Marconi, de Forest, Armstrong. And let him remember the later men, who—thinking always of the people—took the infant miracle and gave its benefits to the million-masses who inhabit the far-flung reaches of the earth—the people in every class—the populations in all climates.

Thank you, Radio . . . Thank you for the change, the challenge, the cherished freedom which you help us to preserve.

Thank you for your voices of inspiration . . . invoking invocations, benedictions . . . and hallowed miracles . . . Revealing God's own World in Man's own words.

Thank you for your voices of Democracy . . . Pegging History to its milestones . . . Ripping passages from their contexts . . . Sounding off with foolishness or fury . . . Or Sagacity or Sayings.

Thank you for the voices of your actors . . . Breaking sentences in half . . . Stabbing hearts with jagged dagger-words . . . Telling tales of triumph . . . Weaving tragic Tapestries of Drama.

Thank you for your voices of Enlightenment . . . Smashing walls of steeped up ignorance . . . Documenting eager minds with symbols of the truth . . . Concocting progress with Ideas.

Thank you for your voices of Merriment . . . In gladsome gales of laughter . . . To lighten up a darkened world . . . With jokes and jollity . . . And what they call frivolity.

Yes, thank you for your voices . . . and your Music . . . and your sweet-mingled sounds of life as we love it . . . and believe in it . . . and want it for ourselves and for our kin and kind. Thank you, Radio . . . Thank you!