ONE ANNOUNCEMENT

MADE OVER WOR ON APRIL 25th

PULLED 66,172 REQUESTS

FROM WOR LISTENERS!

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

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

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

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

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

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

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

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

Yankee Network Smashes Box Office Records Throughout New England
The MOST ECONOMICAL BUY in OMAHA

KOIL

is a MUST For Outstate Nebraska

PLAYING TO A PACKED HOUSE

ADVERTISERS using "spots" on WFLA are playing to a packed house... the biggest audience that Tampa and WFLA have ever offered. A receptive audience, too, because it's made up of well-paid shipyard and other war workers; plus the military; plus the regular home folks. All with money to spend. The stage is set in Tampa for your product or service. You can ring up the curtain on increased sales with "spots" on WFLA... the most-listened-to-station in the Tampa trade area.
SOME LOAD!

- It takes a BIG medium to cover the big area of East Texas-North Louisiana-South Arkansas. That's why scores of alert advertisers choose KWKH to sell now and to build sales for the future. Include KWKH on your schedule to reach this important market—a region teeming with war activity. It’s classified by the assistant director, Bureau of Census, as “having excellent prospects of retaining wartime growth.”

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

cover it with

CBS 50,000 WATTS

KWKH

A SHREVEPORT TIMES STATION

SHREVEPORT, LOUISIANA

BROADCASTING • Broadcast Advertising

May 17, 1943 • Page 5
THE only difference between Harry Buckendahl and the typical Horatio Alger hero is that Harry has really been a hard worker! He was hard at work before he left High School. Immediately after that, he got into media sales (via stenography) and after a story-book succession of advances, is now the very successful National Sales Manager of two very successful radio stations.

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

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

United Front Presented on Appeal to Congress for New Legislation

STUNNED by severity of the Supreme Court opinion upholding the right of the FCC to regulate practically everything that is radio, all networks are in the throes of contract renegotiations with their affiliates, in conformity with the chain-monopoly regulations, to meet the June 14 effective date.

At the same time, however, the industry girded for a last-ditch effort for prompt enactment of legislation along the lines of the White-Wheeler bill (S-814) to limit and clearly define the FCC's jurisdiction.

Chances of Delay

The 5-2 ruling of the Supreme Court May 10 was not expected to wreak havoc overnight in the industry.

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

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

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

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

Sponsorship of 'Uncle Sam' Is Ordered Stopped July 31

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

Wanted Name Stars

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

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

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

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

OWL's action in abandoning Uncle Sam is expected to begin at 6 p.m. on July 31. Station managers were notified by telegram and scheduled to meet the local sponsors, who, it is expected, will be heard to protest the decision.

The majority opinion, handed down by Justice Frankfurter, was the most devastating blow yet struck upon radio's freedom of action. Aside from the effect it will have upon the dominant position of networks and their relations with stations, the opinion is of such magnitude and breadth as to cover several controverted issues affecting the FCC's regulatory powers. In the majority opinion there is inferred judgment against multiple ownership of stations in the same locality. There is also implied control in the FCC over program content. Broad discretion is conferred on ownership aspects, which may have a bearing on the explosive issue of newspaper ownership of stations.

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

Conferences Awaited

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

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

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

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

Despite the Fy statement, it was expected network heads shortly would be prepared to consider regulations, regarding enforcement of the rules, possible extension of time, and probable revision of the option provided for the wars duration, lest there be an adverse effect on time clearance for sustaining programs, which these days almost without exception are tied into the war effort.

Presidents Niles Trammell, of NBC, and William S. Paley, of CBS, have repeatedly contended that application of the regulations would spell ill intentions towards the matter of sustaining programs and result in destructive competition which could mean only deterioration of overall service. It is thought the FCC will be able to see the light of wartime conditions.

Legislative Plans

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

Promptly after the decision was handed down, the T-B network, along with the FCC emerged victorious in the Supreme Court fight, will foster new legislation was not indicated, but the conciliatory statement of Miller-McClintock, recently named president of that network, was favorably received. While Mr. McClintock welcomed application of the rules “without apprehension” and expressed the hope that the ruling of the other networks, he recognized that if the rules fail to accomplish the desired results his network will be among the first to seek a more equitable solution.

**FCC Network Regulations As Finally Promulgated**

THE FCC's network regulations, affirmed and validated by the decision of the Supreme Court May 10 as finally revised, were promulgated in Docket No. 5000 and are effective November 15, 1941. The subsequent appeals on October 30, 1941, by NBC and CBS resulted in immediate recall of the regulations pending their adjudication.

As things stand now the regulations as finally modified, would be an outgrowth of the CBS appeal in re-hearing by the Supreme Court or Congressional intervention.

The last official release of the FCC, on Oct. 11, 1941, outlining the final form of regulations follow in full text. Instead of becoming effective Nov. 15, 1941, as stated, however, under present authority they are scheduled to become effective June 15.

**Text of Order**

AT A MEETING of the FCC held at its offices at 629 E. B. D. C., on the 11th day of October, 1941.

The Commission having under consideration the petition 14, by Mutual Broadcasting System, filed August 14, 1941, requesting that the Commission amend its order entered in Docket No. 5000 promulgating regulations applying to the network organization, by modifying the regulations dealing with option time or the exhibition of affiliation contracts, has heard oral argument on said petition and having considered its report and official docket in Docket No. 5000.

IT IS ORDERED that the Commission's order of May 2, 1941, en-
terred in Docket No. 5000, BE, AND THE SAME IS HEREBY, AMEND-
ED in the following particular:

Sections 3.102, 3.103, and 3.104 of the Regulations set forth in said Docket are hereby amended to read as follows:

Section 3.102. No license shall be granted to a standards broadcasting station having any contract, arrangement, or understanding with a network organization which provides, by original term, program, or program release, for the affiliation of the station with the network organization for a period of more than one year; or for the payment of any fee or consideration for the exhibition of any program of the network organization. This regulation shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its primary market area upon the programs of the network organization.

Section 3.103. No license shall be granted to a standards broadcasting station having any contract, arrangement, or understanding with a network organization which provides, by original term, program, or program release, for the affiliation of the station with the network organization for a period of more than one year; or for the payment of any fee or consideration for the exhibition of any program of the network organization. This regulation shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its primary market area upon the programs of the network organization.

Section 3.104. No license shall be granted to a standards broadcasting station having any contract, arrangement, or understanding with a network organization which provides, by original term, program, or program release, for the exhibition of any program of the network organization. This regulation shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its primary market area upon the programs of the network organization.

In addition to the impending Senate hearings, attention also was focused upon the House Select Committee investigation of the FCC, particularly since there have been indications that for its investigation this five-man group proposes to make legislative recommendations to the House. Renewed signs of interest in the House Interstate & Foreign Commerce Committee, with Chairman Bulwinkle (D. N. C.), of its communications subcommittee, predicated consideration of new legislation within a few weeks.

**Two Divisions**

The White-Wheeler bill, upon which greatest reliance is now placed, would reorganize the FCC into two autonomous divisions of three members each—one to handle radio and the other television and related matters, the other common carrier activities. The functions of the Commission would be clearly delineated, eliminating all doubt as to the Congressional intent. Senator White, who drafted the measure, is understood to be considering further changes dealing directly with the network issues and eliminating any semblance of FCC control over contractual relations between networks and affiliations.

While the only fundamental questions involved in the network appeals were those of jurisdiction of the Supreme Court, the basic deals of the networks with affiliates, Justice Frankfurter went far afield in reviewing the scope of FCC jurisdiction and the Congressional intent. Although such observations have been regarded as dicta, not having a direct bearing on the issue before the tribunal, they nevertheless are being given, by the administering body, the judicial trend conferring more and more authority on administrative agencies.

**Broad in Scope**

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

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

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

**Capital Meeting**

At a meeting in Washington last Tuesday, called by President Miller, the legislative picture was canvassed, and it was subsequently determined that the Supreme Court's ruling. Present, in addition to Mr. Miller, were F. M. Russell, NBC Washington vice-president; William H. Gammons, CBS Washington; Earl C. Gammons, CBS Washington director; Joseph H. Ream, CBS vice-president and (Continued on page 54)
Nets Receive Decision Blow Calmly

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

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

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

Practical Effect

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

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

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

The BLUE Network alone issued no public statement on the decision, but in the weekly closed channel talk with its stations BLUE executives pointed out that “the BLUE” had been organized as a separate network company after the FCC had announced the new rules. “We have operated with the knowledge that these rules might some day be put into effect. The stations were reminded that their former president, Mr. Hines, had pointed out that the future can be best assured by affiliation with a strong network and that the cooperation between the network and its stations is absolutely necessary if profitability in the past should continue to exist in the future.

This danger of special network losses was noted by the American Assn. of Advertiser Agencies and the Assn. of National Advertisers in their briefs submitted to the Supreme Court in support of the opposition of NBC and CBS to the FCC rulings [BROADCASTING, Jan. 25, Feb. 8]. Neither of these organizations would comment on the decision last week by the three-judge board.

Highly placed and influential vice-president and director of the AAAA, Mr. Sidman noted: “The brief is our statement. I don’t think we feel any differently now than we did then.”

Private Net Problems

Nor was any comment forthcoming from any national advertiser or agency. It is common knowledge that the possibility under the new regulations for the formation of such private networks has been discussed in the past but a number of leading agencies contacted by BROADCASTING last week unanimously denied any present plans for setting up such networks. The present network system has worked out profitably for themselves, and their clients, they said, and there would be a big risk in taking a chance on a hypothetical ‘second’ network.

The new regulations would require building up new departments to handle its operations, an almost impossible task in view of many outstanding contracts with personnel. The consensus seemed to be that unless application of FCC regulations of itself, or upsets normal network operations as to necessitate such a move, it was unlikely any advertiser or agency would initiate it, in the near future, at least.

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

Effect of Rules

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

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

Chief difficulties in operation under the new rules, however, would result from the one limiting network option of station time to restricted hours and making those limited options non-exclusive against other networks, as well as lengthening the recall time from 206 days. It is this rule that might conceivably lead to the breakdown of consistent network affiliations and to the establishment of special private super-networks.

Industry opinion in New York is generally that the status quo will be continued for some time. In view of the changed conditions since the rules were first laid down two years ago, it is believed by the Commission will not put the regulations into effect without conforming with network executives. Station relations executives generally agreed that the effect of the new regulations will depend largely on the attitude of the stations. Pointing out that the rules do not require stations to take programs from other networks, although enabling them to do so, they expressed the belief that most of their affiliates would pass up such offers, realizing that the ultimate effect of accepting them would be to weaken or possibly destroy the present network formula which has proved so profitable for networks, stations and advertisers alike.

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

These network executives also agreed that by and large their affiliates would be less susceptible to the offerings of other networks than they would be to proposals from national advertisers or advertising agencies who might attempt to set up their own networks of major market stations by contracting with the board, contracts which would assure these stations a series of top-ranking programs which are now divided among the affiliates of the various networks.


BROADCASTING • Broadcast Advertising
May 17, 1943 • Page 9
**Summer Show Lineup Resembles 1942**

**War Affecting Decisions Of Some Sponsors This Year**

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

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

**NBC Most Definite**

NBC seemed most definite on its summer schedule with the following sponsors pretty well assured last week of continuing their programs without a summer break: American Tobacco Co., Kay Wynne, Your All Time Hit Parade; Bell Telephone System, Telephone Hour; Cities Service Concert; E. J. Du Pont de Nemours Co., Casablanca; Emerson Radio & Phonograph Corp., Eldery Queen; Firestone Tire & Rubber Co., Voice of Firestone; General Electric Co., Hour of Charm; Kraft Cheese Co., Music Match; Molle Co., Battle of the Stove; Philip Morris & Co. & Co., Ginny Simms; R. J. Reynolds Tobacco Co., Garry Moore Show, with Jimmy Durante expected to drop out of the program.

**Standard Brands**

Standard Brands will take the Chase & Sanborn Hour off NBC May 30 to give Edgar Bergen an opportunity to tour army camps. A musical program, rumored to feature Paul Whiteman's orchestra, is slated to take its place.

Ruthrauff & Ryan has purchased a package program entitled That's Life with Fred Brady to replace Bob Burns for Lever Bros. Co., effective July 8. The 13-week series will feature Brady, M-G-M comic, with other comics doing guest stints each week. The show on NBC, Tommy Riggs & Betty Lou, may go off, as Riggs expects to go in the army. This is not definite.

Eddie Cantor leaves the network June 30 until fall. Bristol-Myers Co. will replace him with A Date With Judy. Procter & Gamble Co. will give Ralph Edwards and Truth or Consequences a two-month respite starting June 26, and plans no replacement.

**Information Please**

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

**Other Programs**

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

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

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

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

CBS shows due to continue are American Tobacco Co., The Blue Parade; Armstrong Cork Co., Theatre of Today; P. Ballantine & Sons, Three Ring Time; Campbell Soup Co., Radio Readers Digest; Celanese Corp. of America, Great Moments in Music; Chrysler Corp., Major Bowes; Coca Cola Co., Pause That Refreshes on the Air; Emerson Drug Co., Voz Pop; Eversharp Pen Co., Pens in Good Foods, Adventures of Thin Man; Gulf Oil Corp., We, The People; Lady Esther, Screen Guild Players; Prudential Insurance Co. of America, Family Hour with a possible shift in talent; R. J. Reynolds Tobacco Co., Blondie, Thanks To The Yanks; Schenley Import Corp., Hearst's thrice weekly news on Pabst Sales Co., Blue Ribbon Town.

Fred Allen Goes Off

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

No plans have been announced for Colgate-Palmboro-Feet Co.'s A Johnnie & Al Jolson, Jack Armstrong, Caravan; Corn Products' Stage Door Canteen; General Food's Kate Smith; Ironized Yeast's Lights Out, or Lever Bros. May of Our Summer Schedule Of General Mills

**Lines Up News Broadcasts and Continues Child Programs**

ALTHOUGH General Mills, Minneapolis, is not sponsoring broadcasts of ball games this year, the company has been lining up new programs in both network and spot basis for Wheaties through Knox Reeves Adv., Minneapolis. On May 7, G-M started sponsorship of John Gunther's hour commentary program for Saturday and Sunday evenings at 10-10:15 on 59 BLUE stations, while an unrevealed number of stations are carrying local news casts in time slots for Wheaties. Contract for the John Gunther series is for 26 weeks.

**Jugleve Series**

For the first time, General Mills is continuing through the summer, although on a partial basis, with its two children's programs on the BLUE. Jack Armstrong returns a 15-2-25 program for Wheaties Monday through Friday at 5:30 (three repeats at 6:30, 7:30, and 8:30); and the Lone Ranger, now heard on 41 stations, will go off for six weeks June 23-29. While Raymond Fink remains as the voice, the program will be carried sustaining on Mondays, Wednesdays, and Fridays. The Lone Ranger, effective June 2 will continue on Saturday by way of CBS, Wednesdays and Fridays and broadcast sustaining on Mondays. Under terms of a 52-week renewal contract effective May 31 full sponsorship of both shows will be resumed in the fall. Blacktett-Sample-Hummert, Chicago, is agency for Kix, while Knox Reeves handles Wheaties.

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

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

CBS-Nielsen Contract

CBS has contracted with A.C. Nielsen Co. to continue its continuous measurement of listening habits, for which the research firm utilizes the Nielsen Portable. On June 6, CBS was reported to be in preliminary negotiating with NBC, and the BLUE also has the service under consideration.
You Must Have Audience to Get Results . . . And “The Voice of Toledo” Has That Audience.

**COVERAGE MAPS PROVE IT**
**SURVEYS PROVE IT**
**ADVERTISERS PROVE IT**

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

ANOTHER episode in the controversy provoked by Commissioner Clifford J. Durr, of the FCC, with the House Select Committee to investigate the organization, personnel and actions of the Commission, erupted last Thursday with the demand by Commissioner Durr that Chairman E. E. Cox (D-Ga.) and two other commissioners be disqualified because of "bias" and "prejudice" as well as "personal interest" in the proceedings.

Releasing to the press for Friday morning papers a petition, filed with Speaker Rayburn and a letter to the five members of the Select Committee, along with a memorandum in support of the petition, Commissioner Durr in dramatic fashion included in his "handout" facsimiles of a $2,500 check issued to Rep. Cox by WALB, Albany, Ga., on the occasion of showing it as in payment for "legal expense". He claimed that Judge Cox, by virtue of his personal interest in WALB, could not properly discharge his duties.

Refused to Answer

The formal petition demanding Judge Cox's disqualification followed the refusal last month of Mr. Durr to answer questions of the questionnaires inquiring into his personal financial affairs, copies of which also had been sent other members of the FCC, and it is understood, have been answered in almost every instance.

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

President Roosevelt, asked at his press conference last Friday about the Cox incident and the failure of the Dept. of Justice to act, said he had no comment. He only commented he had heard something about the case in the past but had no new information.

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

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

The question is whether Congress will." 

Garey Silent

Mr. Garey maintained his policy of no public discussion of the inquiry until public hearings are held. It was generally presumed, however, that Mr. Durr, as the Commission's newest member, was carrying the burden of the controversy for the Committee majority. There was some thought that the majority was endeavoring to bait Judge Cox into open controversy on the proceedings and to force public hearings.

Commissioner Durr tossed the gauntlet not only to the House but to the Dept. of Justice, observing that his commission has made against the Cox alleged representation of WALB, in view of criminal code provisions. He warned, however, that any such petition is advised, such matter is still under consideration by the Attorney General."

The FCC is in bad odor in the House also because of its failure to discharge two employes of the Foreign Broadcast Intelligence Service, created by Chairman Fly, on grounds of purported affiliations with Communist front organizations. House action is expected demanding their severance from the FCC payroll. 193

In addition to the petition (full text herewith), Mr. Durr addressed an identical letter to the five members of the Committee (Newspapers, May 10). He pointed out in the letter on several occasions objected to the procedure followed by the Committee staff in obtaining information, asserting they were unnecessary and against the rules of the performance in the performance of its duties and did not afford assurance that the members of the Committee or of Congress would receive all the information they should have.

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

Removal of Files

"In addition to these objections to inquiries addressed to me individually, I have also opposed the actions of the Committee in permitting the carting away by truck of Commission files when time was not allowed even to list them, to see if they contain irreplaceable Government records were properly received," Mr. Durr said. (Presumably he refers to the confidential minutes of Committee meetings taken over by the Cox committee, along with other official files [BROADCASTING, May 10]).

Mr. Durr indicated that a further incident had arisen. He said Dr. Robert D. Leigh, director of the FCC's Foreign Broadcast Intelligence Service, refused to testify before the Select Committee last Monday (May 10) and asked to testify with no member of the Committee present. Dr. Leigh was denied his request that a transcript be made available to him and after his unwillingness to testify under oath in closed session, was promptly served with a subpoena to testify in closed hearing with only one member of the Committee present—Judge Cox. While Mr. Durr's letter did not say so, it was learned that Judge Cox refused only his personal testimony and that Dr. Leigh was questioned at length regarding activities of his bureau, and the failure of the FCC to follow the Congressional instruction that Dr. Goodwin Watson and William E. Dodd Jr., FBIS employees, be discharged for alleged Communist front sympathies. Such a transcript was made by the House Appropriations Subcommittee last month, but the FCC, by a 4-3 vote, refused to discharge the man. This was being considered in the House, with renewed demand expected for the discharge.

Contempt Considered

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

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

(Continued on page 58)
Across the seas, over the desert, through battle itself, short-wave radio brings the truth to untold millions. The hunted people in occupied Europe listen for its words of hope and promise. Neighbor nations renew their confidence in our friendship. The whole world is drawn towards a free, tolerant, united world-to-come. Short-wave Station WBOS, Boston, Westinghouse owned and operated, and dedicated to the Four Freedoms, represents 22 years of Westinghouse development in international short-wave broadcast. Here in America, the same crystal-clear transmission of trustworthy programs makes Westinghouse standard broadcast stations popular with audiences and sponsors alike.
Battery Production
Better, Says WPB

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

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

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

Sets Out of Operation

Stepped up production was arranged, the division said, when it was found that sets were going out of operation at a rate of 500,000 a month. In February, WPB had admitted, only 200,000 batteries were made. [BROADCASTING, March 29].

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

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

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

Loan Firms Use 27

SEABOARD FINANCE CO., Los Angeles (loans, investments), in a 27-city campaign which began May 15, is sponsoring live and transcribed announcements on 27 stations, to stress prompt payment of taxes, installment on 1941 income tax. Pattern follows March campaign. Schedule is one to two minutes, every half-hour, 6-9 a.m., 11 a.m.-2 p.m., 5-9 p.m.

List includes KFOX, KGAC, KMTR, KFVD, KMPC, KFPH, KKFI, KCTB, KBBC, KJBS, KFRC, KFRA, WLVA, WSLW, WTHM, WCMB, KZAM, KOAL, KLID, KFIR, WROI, WBAQ, WREL, WJRC, KRON, WAGA. Finance company, in addition, will handle same announcements on WKJG and KFSP, Smith & Bell Adv, Los Angeles, has the account.

JANUARY

A DEPARTMENT STORE'S RECORD
Daily Quarter-Hour on KMBC, Kansas City, Boosts
John Taylor Dry Goods Sales

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

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

The 15-minute programs have an institutional flavor and practical results. Ostensibly presented as a service to Kansas City women who have known John Taylor's as a shopping center for 62 years, the feature promotes the sale of specific radio and home appliance. Seen directly at the shopping office of "Joanne Taylor" where the store's "shopper" and others of the personnel carry on gossip, informal conversation. During the course of the broadcast, merchandise is described in detail and prices given as it is shown to friends and customers who shop in.

According to the store's executives, the program has not only...
FROM CEDAR RAPIDS to Wrigley Field on an “A” card is a tough haul. The train from Wisconsin Rapids to Comiskey Park is crowded with people traveling on necessary war business. So . . .

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

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

- 50,000 WATTS
A CLEAR CHANNEL
STATION

WGN
A Clear Channel Station
50,000 Watts
720 Kilocycles

EASTERN SALES OFFICE: 220 E. 42nd Street, New York, N. Y.
PAUL H. RAYMER CO., Los Angeles, Cal.; San Francisco, Cal.

BROADCASTING • Broadcast Advertising
May 17, 1943 • Page 15
Negotiations Failure as Union Demands Boycott

NEGOTIATIONS between the American Federation of Musicians and the transcription companies were again at a standstill Thursday evening, after extended discussion failed to resolve the impasse created by the union's demand that the proposal approved last Friday, May 10, be put to the Recording Industry for final decision in accordance with the AFM's demand relief. In effect, the union attempted to force the companies to submit a definite proposal to the recording industry. Following the final meeting of the representatives of the transcription companies with Mr. Pettullo and the AFM executive board last Thursday, Mr. Pettullo could not be reached for comment. A union spokesman said negotiations had been temporarily discontinued while each side considered the proposals of the other, but that the meetings might be resumed in three or four weeks. The transcription group issued the following statement:

"Transcribers' Statement

"Representatives of a number of electrical transcription companies have been meeting with the executive board of the AFM since Feb. 11 in an effort to effect a solution of the problems concerned in the strike of musicians against the electrical transcription industry which has been continued since Aug. 1 of last year, a period of more than 10 months. These meetings which started some weeks ago were concluded tonight (May 13) with both sides agreeing that an impasse had been reached.

"In a meeting last month a proposal was made to the union by the electrical transcription manufacturers that musicians be permitted to resume work on commercial advertising transcriptions with no further restrictions except that they be limited to one use or for a single broadcast on a station. "For libraries it was proposed that they resume work on the basis of an increase in the pay of the musician or a reduction in the price with a favorable response from the Federation but they subsequently decided that the possible additional costs of transcription and recording would be a sufficient inducement for them to return to work. "It appears that there is no dispute between the union and the employers on the general subject of wages, hours and working conditions but the only basis on which the Federation is presently prepared to return to work is with the limitation that the recordings made be withheld from broadcast by stations deemed at any time unfair by the AFM. This boycott demand was rejected by the transcription companies because of their station and customer relations and its doubtful legality. "The meeting was concluded with the understanding that the electrical transcription companies would be available to meet at any time in the future to discuss new proposals to make which did not involve the boycott principle. "The above statement was made by the following companies: Associated Music Publishers Inc., Em- pire Broadcasting Corp., Lang-Worth Features Programs Inc., Muzak Transcriptions Inc., Radio Recording of New York, WOR Recording Studios and World Broadcasting System."

Club Over Local Station

Effect of compliance with the AFM proposed condition for permitting the reemployment of union members in making music recordings would be to give the AFM practically complete control over any station's supply of transcriptions. This lever could be used to force a station to employ whatever number of staff musicians the local AFM union in the station's community wanted to demand, under the name of the station's transcription service. Industry attorneys have consistently held that a company which does not have a client contract with a union would be guilty of a boycott. When the AFM has asked the networks to refuse to allow these stations to use their facilities when they were not licensed by the union, the networks have declined to cut off service to any station on legal grounds, and have justified that action even when the AFM has removed remote music pickups from the complete network in order to prevent them reaching a single unfair station. In only one instance, when the AFM had ordered its members to stop work on all programs of MBS, studio as well as remote and commercial as well as sustaining, did the union succeed in forcing a network to halt service to an affiliate station. This situation is legally incontestable. But even if the transcription companies were willing to accept the legal risk, it would be practically impossible for them to sort out their transcription library services if the conditions of the sale included the provision that continuation of service to any station would depend on that station's remaining on the AFM fair list.

PALMER CONDUCTS CLINICS ON SALES

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

Dates are New York, May 14; Hollywood, May 16 and June 7. Hollywood meeting will be in the Terrace room, Roosevelt Hotel, 1942. Chicago meeting at the Roosevelt Hall of the Morrison Hotel. The "school" is in three sessions in each city, at 9 a.m., 2 and 4 p.m.

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

S. D. Gregory Resigning

As Manager of WEAF

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

In 1938 Mr. Gregory joined KDIA, Pittsburgh, at that time an NBC-sponsored station. He was transferred to WEAF, New York, Chicago, and Minneapolis. He joined the AFM as its second assistant manager in 1940, and in April, 1942, was appointed manager of WEAF.

Palmer Hoyt succeeds Cowles As OWI Assistant Director

APPOINTMENT of Palmer Hoyt, editor and publisher of the Portland Oregonian (KGW-KEX) as assistant director of the OWI in charge of the Domestic Branch succeeding Gardner Cowles Jr., president of the Iowa Broadcasting Co. and of the Des Moines Register & Tribune organization, was announced last Friday by OWI Director Elmer Davis.

Returns to Business

Mr. Cowles, who accepted the key OWI post last July for a temporary tenure, leaves June 20 to return to his private business interests. In addition to the IBC stations and the Register-Tribune, they include the Minneapolis Star-Journal and Look. The stations are KSO-KRT, Des Moines; WMT, Cedar Rapids, and WNAX, Yankton.

Mr. Hoyt, one of the best-known figures in the newspaper field, is a former president of the American Society of Newspaper Editors and of Sigma Delta Chi. He has been granted a six-months leave from the Oregonian to accept the Washington post.

"We are sorry to lose Mr. Cowles," OWI Chief Davis said. "He has already given a year of his time to OWI in handling publications and other interests. We are fortunate that as his successor we are getting Palmer Hoyt, who has had so much experience and personal knowledge of the newspapers of the people of the far West."

The Domestic Branch encompasses all radio activities of OWI in this country. The Cowles resignation was accepted by the OWI's top officials of the agency. Milton Eisenhower, deputy director, has resigned effective Sept. 1, to become president of Kansas State College, his alma mater (see story on page 41).
WE APOLOGIZE

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

We’d like to make this one point clear.

We are *not yet* operating in Cleveland.

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

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

WJW
BILL O'NEIL, PRESIDENT

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

Comment Attacks It as Promoting Law-Making By Courts and Regulatory Commissions

TORRENTS of editorial criticism were loosed upon the majority of the Supreme Court for its decision last Monday, upholding the right of the FCC to regulate business aspects of broadcasting in the network monopoly cases. Newspaper columnists and major newspapers lost no time in interpreting the ruling as a blow at freedom of speech and as giving administrative agencies far more power than Congress intended.

Aside from the editorial criticism, a number of figures important in public life expressed their views, mainly off-the-record. In one quarter the opinion was described as "judicial legislation." An influential member of the Senate said he regarded it as a "political declaration," rather than a judicial opinion, designed toconfirm the political philosophy of some aspects of the New Deal. Everywhere the plea was made for legislation.

Touchstone Phrase

The Wall Street Journal blamed the majority opinion, alluding to its use of the phrase "public interest, convenience or necessity" as "the touchstone provided by Congress." It pointed out editorially that from time immemorial has been the rock upon which every proposer of reform has taken his stand.

The inevitable conclusion, it said, is that when Congress creates a regulatory commission and empowers it to act "in the public interest," that commission may make virtually any regulation in the field of its jurisdiction which the social, economic, and political opinions of a majority of the commissioners may regard as "in the public interest."

David Lawrence, eminent columnist, saw in the Supreme Court decision the first step toward abridgment of the freedom of the press. He said it puts broadcasting "into a Government straitjacket" and "opens the way for strangulation of the newspapers of America."

If the principle applied to the FCC is correct, he continued, it means that it should be applied to newspapers which also must depend on licenses from the Government, such as the second-class mailing privilege.

The Washington Star last Tuesday cited the drastic changes which the court's decision will force and observed the FCC "should, and no doubt will, move to lay down explicit and concrete rules for the direction of the broadcasting industry, so the regulations may become effective with the least possible discretion."

Frank C. Waldrop, columnist in the Chicago Sun, said that the real issue is much broader than that formally decided. He described the issue as "whether the Government should have its fingers tight around radio's throat every hour of the night and day."

Alluding to radio as "the most powerful political instrument ever made," Mr. Waldrop said that in every major country except one, government domination of the radio became absolute early in this century, and in such countries one-party government, "sometimes known by the short title of dictatorship" has followed. The sole exception, he said, was the United States and it was not until 1934 that the Government began to tighten its fingers around "the most powerful throat in the land."

Because of the FCC's rigid control, Mr. Waldrop observed that radio operators are "scared to death of Government agents." He added it has been "well said that radio has a loud voice but a weak heart."

He urged that the Communications Act be rewritten in the interest of free speech and that Congress should "speak up fast.

Widen Cox Probe

In a second column May 12, Mr. Lawrence predicted one immediate effect of the "reactionary decision," which he said gave the Government "the power of censorship even in peacetime over all radio programs," would be to widen the special investigation by the Cox Committee. He held that the public will be interested in the "arbitrary method by which the FCC has drawn up regulations exercising a power of coercion, amounting to intimidation, over the radio stations and networks."

All radio stations and networks now become the football of politics—they must stand in with the administration in power—they must give time on the air to political propaganda and generally do those things which in Europe have made radio the subversive tool of dictatorships.

Justice Frankfurter seems to think that the owner of a station isn't capable of thinking for himself and that if he wants to make a contract with one network for five years because he likes their programs, the manager of the station in question must be prevented from doing so because during those five years presumably there may be changes in the 'economic, political and social life of the nation or of the community.'

Mr. Lawrence said apparently Justice Frankfurter wants to tell stations what they can or cannot do "by means of a Federal agency composed of bureaucrats who will do whatever the administration in power wants them to do." He held that the court's refusal to consider the freedom of speech element and the applicability of the first amendment in the network cases could be used to justify regulation of the press and other communications.

NEW BABBITT SERIAL IS 'LORA LAWTON'

NEW DAYTIME serial to be started on NBC May 31 by B. T. Babbit, Inc., New York, in the morning slot from 10:15 to 11:00 a.m. period [BROADCASTING, May 10, will be Lora Lawton, author Alexander Lawyers, executive vice-president of Blackett-Sample-Hummert, New York. Agency for the serial, is Duane Jones Co., which handles both BBO, cleansing agent, and Aunt Polly's Soup Mix product. Both products will be advertised in alternating basis on the new serial, and on NBC's David Harum, which will be used to promote the new soup for the past month.

Lora Lawton, featuring Joan Toland and Peter Meighan as "Peter Carver," will be heard on 37 NBC stations. David Harum, which started out on Mutual, is now heard on 25.

Aunt Polly's Soup Mix is also being promoted through a five-week-quarter-hour serial on WVEF, New York, titled My Mother and I. Series started March 29.

John W. LaRue to WLW

MANAGING editor of the Cincinnati Outlets, Inc., John W. LaRue, has been appointed to the network writing staff of WLW, according to announcement of James D. Shuehner, vice-president in charge of broadcast.

Mr. LaRue was the Enquirer's chief editorial writer for several years. Mr. Shuehner said the news room was fortunate in acquiring man of LaRue's notoriety, experience and background. It is essential we have trained men for the presentation of the news."

Nesbitt Breaks

NESBITT FRUIT PRODUCTS, Los Angeles (citrus fruit products), in its first use of radio outside West coast, June 1 started a 13-week campaign utilizing thrice-weekly transcribed night stations for the presentation of "Nesbitt's"的形象. Transcriptions feature Mills Brothers quartet. Brochure outlining campaign is being distributed to both stations. In addition, a special program, ministered by Fulton Lewis jr., twice-weekly on 15 Don Lee Western stations. M. H. Kelso & Co., Los Angeles, has the account.
IN ROUND FIGURES, how much would you guess the telephone business—in this country—has spent for additions to its physical equipment—materials, buildings, lines, switchboards, things like that—since the last war?

A hundred million dollars? A billion?

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

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

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

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

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

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

Mr. Justice Frankfurter delivered the opinion of the Court. The Commission had determined that the networks were operating in violation of the Fairness Doctrine, and that they were guilty of failing to maintain an appropriate balance in their programs in favor of public issues. The Court upheld the Commission but ordered that the networks be given a reasonable opportunity to correct their deficiencies and to make adequate public service and programming, and to pay a penalty of $500,000.

The decision of the Court was based on the following principles:

1. The public interest, convenience, and necessity require that the networks be required to maintain a balance in their programs in favor of public issues.

2. The Commission is authorized to issue orders to the networks to take such steps as are necessary to ensure that they maintain such balance.

3. The networks are enjoined from continuing to violate the Fairness Doctrine and are required to maintain such balance in their programs.

4. The networks are required to pay a penalty of $500,000.

The decision made it clear that the public interest, convenience, and necessity required that the networks maintain a balance in their programs in favor of public issues, and that the Commission had the authority to issue orders to the networks to take such steps as were necessary to ensure that they maintained such balance.

Niles Trammell, President, NBC

"The majority decision of the United States Supreme Court holding that the FCC was within its jurisdiction in the promulgation and enforcement of the much-disputed rules and regulations of the Commission is of grave concern to American broadcasters. We have had an era in which the Commission has worked, through collaboration, have been able to build the best broadcasting service the world has ever known. We are concerned that the parties, through private enterprise, with no interference on the part of the FCC, may engage in a competitive endeavor involving the greatest possible wisdom in the issuance of regulations which will enable the broadcasters to continue to render a satisfactory service to the public. I am convinced that unless that wisdom prevails within the Commission, that the people of the United States will be deprived of the benefits that flow from the fundamental laws governing broadcasting so that the American system of broadcasting as we have known it for the past hundred years, may be endangered."

"I have every confidence that despite the present limitations which are imposed on the use of chain broadcasting, there is a strong incentive to advertisers to finance the production of expensive radio programs. However, the chain broadcasting method brings benefits and advantages to both the listener and the advertiser. The broadcasting networks and their outlets are sound in all respects, or that they should not have been found guilty of violations of the law. Under the Communications Act of 1934 is not only to see that the public interest, convenience, and necessity are served by the operation of chain broadcasting, but also, so far as its powers enable it, to see that the public is protected from the prevalence of unfair and harmful competitive conditions under which some stations are operating and from the ability of licensees to operate in the public interest."
TO DAY, in the exciting time of war, Canadians enjoy through the CBC News Service bulletins that are dependable, authentic and presented in a clear and unambiguous style.

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

The Commission found that eight network abuses were amenable to correction within the powers granted it by the Radio Act. Regulation 3.101—Exclusive affiliation—prohibited the underwriting of network programs by the station broadcasting the program, and the affiliation of that station with the network. The effect of this prohibition was to hinder the growth of new networks, to deprive the public of the services of other networks, and to deprive station licensees of the right to broadcast the programs of other networks. The Commission observed that in areas where the stations were under exclusive contract to either NBC or CBS, the public was deprived of the opportunity to hear programs presented by Mutual. The case cited in the Report: In the fall of 1939 Mutual obtained the right to broadcast the World Series baseball games. It offered this program of extraordinary value to all networks. Public interest was keen throughout the country, including CBS and NBC, and stations having no other stations. CBS and NBC immediately invoked the "exclusive" agreements to prevent the affiliation of these stations, and as a result thousands of persons in metropolitan areas were not able to hear the broadcasts of the games. "Restrictions having this effect", the Commission observed, "are to be condemned irrespective of whether it be assumed that the networks are of equal, superior, or inferior quality. The important consideration is that station licensees are precluded from using the programs which they believe best suit their areas. In this manner the duty of a station licensee to operate in the public interest is defeated. We hold that such disadvantages resulting from these exclusive arrangements forestall the public's right to choose the programs which they believe best suit their areas."

(2) Territorial Exclusivity

Not in the Public Interest

Regulation 3.102—Territorial exclusivity. The Commission found another type of "exclusivity" provision to be unreasonable. To the extent that it deprived the public of the benefit of its choosing the programs which it believed best suited its requirements, the "exclusive" arrangements were in direct conflict with the public interest. For example, Mutual rejected an application by the station in the Buffalo area to carry the program, and a Buffalo station affiliate to attempt to obtain the program for its listeners. These efforts failed, however, upon an "exclusive" or "territorial exclusivity" provision in Mutual's agreement. The effect of this provision was to hinder the growth of new networks, to deprive the public of the services of other networks, and to deprive station licensees of the right to broadcast the programs of other networks. The Commission observed that in areas where the stations were under exclusive contract to either NBC or CBS, the public was deprived of the opportunity to hear programs presented by Mutual. The case cited in the Report: In the fall of 1939 Mutual obtained the right to broadcast the World Series baseball games. It offered this program of extraordinary value to all networks. Public interest was keen throughout the country, including CBS and NBC, and stations having no other stations. CBS and NBC immediately invoked the "exclusive" agreements to prevent the affiliation of these stations, and as a result thousands of persons in metropolitan areas were not able to hear the broadcasts of the games. "Restrictions having this effect", the Commission observed, "are to be condemned irrespective of whether it be assumed that the networks are of equal, superior, or inferior quality. The important consideration is that station licensees are precluded from using the programs which they believe best suit their areas. In this manner the duty of a station licensee to operate in the public interest is defeated. We hold that such disadvantages resulting from these exclusive arrangements forestall the public's right to choose the programs which they believe best suit their areas."

(3) Term of Affiliation

FCC Said Two Years Long Enough

Regulation 3.105—Term of affiliation. In determining the terms of the affiliation arrangements, the Commission found that contracts for network programming must not be longer than five years. The "exclusive" arrangements with the networks deprived the public of the right to choose the programs it believed best suited its requirements. The Commission cited the case of Mutual, which had been granted the right to broadcast the World Series baseball games. Public interest was keen throughout the country, including CBS and NBC, and stations having no other stations. CBS and NBC immediately invoked the "exclusive" agreements to prevent the affiliation of these stations, and as a result thousands of persons in metropolitan areas were not able to hear the broadcasts of the games. "Restrictions having this effect", the Commission observed, "are to be condemned irrespective of whether it be assumed that the networks are of equal, superior, or inferior quality. The important consideration is that station licensees are precluded from using the programs which they believe best suit their areas. In this manner the duty of a station licensee to operate in the public interest is defeated. We hold that such disadvantages resulting from these exclusive arrangements forestall the public's right to choose the programs which they believe best suit their areas."

(4) Option Time Clauses

Hindered Local Service

Regulation 3.106—Option time. The Commission found that the "option time" provision in network contracts, which allowed the networks to contract for only a portion of the hours of the broadcast day, effectively prevented the public from hearing programs that might otherwise be heard. The Commission cited the case of Mutual, which had been granted the right to broadcast the World Series baseball games. Public interest was keen throughout the country, including CBS and NBC, and stations having no other stations. CBS and NBC immediately invoked the "exclusive" agreements to prevent the affiliation of these stations, and as a result thousands of persons in metropolitan areas were not able to hear the broadcasts of the games. "Restrictions having this effect", the Commission observed, "are to be condemned irrespective of whether it be assumed that the networks are of equal, superior, or inferior quality. The important consideration is that station licensees are precluded from using the programs which they believe best suit their areas. In this manner the duty of a station licensee to operate in the public interest is defeated. We hold that such disadvantages resulting from these exclusive arrangements forestall the public's right to choose the programs which they believe best suit their areas."

(5) Right to Reject

An Obligation of Licensee

Regulation 3.107—Right to reject programs. The Commission found that most network affiliation contracts contained an "exclusive" arrangement that precluded the station from rejecting any program that the network elected to present. The Commission cited the case of Mutual, which had been granted the right to broadcast the World Series baseball games. Public interest was keen throughout the country, including CBS and NBC, and stations having no other stations. CBS and NBC immediately invoked the "exclusive" agreements to prevent the affiliation of these stations, and as a result thousands of persons in metropolitan areas were not able to hear the broadcasts of the games. "Restrictions having this effect", the Commission observed, "are to be condemned irrespective of whether it be assumed that the networks are of equal, superior, or inferior quality. The important consideration is that station licensees are precluded from using the programs which they believe best suit their areas. In this manner the duty of a station licensee to operate in the public interest is defeated. We hold that such disadvantages resulting from these exclusive arrangements forestall the public's right to choose the programs which they believe best suit their areas."

"Because the practical effect of the Commission's new rules will depend almost wholly on the way in which the licensees interpret and con- ferd with the Commission and determine, if possible, the explicit interpretation which will be given to the clauses governing the present and future relationship of the Federal Communications Commission and the public's interest and the public's interest, the station may, on 3 weeks' notice, request the Commission to refuse to allow the broadcast of any program, and no such program may be allowed, except upon the authority of the Commission."
IT'S THE WORLD'S WACKIEST PROGRAM

(but how it puts over those spots!)

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

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

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

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

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

BASIC STATION...COLUMBIA BROADCASTING SYSTEM
G. A. Richards, President...John F. Patt, Vice President and General Manager
Edward Petry & Company, Inc.
National Representative

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

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

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

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

Service Facilities

"2. We believe that any private operation is to be perpetuated as an integral part of our business structure and is as essential a part of our democratic system of free speech, it must be free from governmental controls which go beyond the requirements of orderly and equitable operation and free from economic controls which impair competitive enterprise."
Federal regulation of radio begins with the Wireless Ship Act of June 24, 1910, 36 Stat. 623, which forbade any steamers carrying or licensed to carry 50 or more persons to leave any American port unless equipped with efficient apparatus for radio communication, in charge of a skilled operator. The enforcement of this legislation was entrusted to the Secretary of Commerce and Labor, who was in charge of the administration of the marine navigation laws. But it was not until 1912, when the United States ratified the first international radio treaty, 37 Stat. 1065, that the need for general regulation of radio communication became urgent. In order to fulfill our obligations under the treaty, Congress enacted the Radio Act of Aug. 13, 1912, 37 Stat. 302. This statute forbade the operation of radio apparatus without a license from

The history of federal regulation of radio communication is summarized in Hertling and Gross, Telecommunications (1926) 229-86; Administrative Procedure in Government Agencies, Monograph of the Attorney General's Committee on Administrative Procedure, 186, 188, 236, 7th Cong., 3d Sess., Part 3; dealing with the Federal Communications Commission, pp. 82-84; 1 Soocrow, Law of Radio Broadcasting (1929) 38-41; Donovan, Origin and Development of Radio Law (1929).

(7) Dual Network Operation

Regulation 3.107—Dual network operation. This regulation provides that: "No license shall be issued to a standard broadcast station affiliated with a network organization which maintains more than one network: Provided, That this regulation shall not be applicable if such networks are not operationally separate in fact and in law. If such is the case there is no substantial overlap in the territory served by the group of stations comprising the network and in its Supplemental Report of Oct. 11, 1911, the Commission announced the indefeasible suspensions of such affiliations. There is no occasion here to consider the case of a single network, which since there is no immediate threat of its enforcement by the Commission.

(8) Control of Station Rates

Regulation 3.108—Control by networks of station rates. The Commission found that NBC's affiliation contracts contained a provision empowering the network to reduce the station's network rate, and thereby to reduce the compensation received by the station, if the station set a lower rate for non-network national advertising than the rate established by the contract for the network programs. Under this provision the station could not sell time to a national advertiser for less than it would cost the advertiser if he bought the time from NBC. In the words of NBC's vice-president, "This means simply that a national advertiser should pay the same price for the station whether he buys it through one source or another source. It means that we do not believe that our stations should go into competition with ourselves." (Report, p. 73.)

The Commission concluded that "it is against the public interest for a station licensee to enter into a contract with a network which has the effect of decreasing its ability to compete for national business. We believe that the public interest will be best served and listeners supplied with the best programs if stations bargain freely with national advertisers." (Report, p. 73.) Accordingly, the Commission adopted Regulation 3.108, which provides in its 2d section that the rates shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization under which the station is prevented or limited from, or penalized for, fixing or altering its rates for the sale of broadcast time for other than the network's programs.

Did Congress Authorize FCC Power in Regulations?

'The appellants attack the validity of these provisions on many fronts. They contend that the Commission went beyond the regulatory powers conferred upon it by the Communications Act of 1934; that even if the Commission were authorized by the Act to do what it did, it was not authorized to do it by the Communications Act of 1934; that even if the Commission were authorized by the Act to do what it did, it was not authorized to do it by the Communications Act of 1934; and that, in any event, the Regulations abridge the appellants' right of free speech in violation of the First Amendment.'

The Federal Communications Commission is thereby enjoined from enforcing Regulation 3.107, as well as Regulation 3.108. Intensive Coverage of a Prime Market

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

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

Spot Sales, Inc., National Representatives

Member Station, the Blue Network and Mutual Broadcasting System

BROADCASTING • Broadcast Advertising

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WSIX

HOME TOWN STATION NO. 1

5000 WATTS

980 KILOCYCLES

5000 WATTS

"The Voice of Nashville"

NASHVILLE, TENN.
BEATING AROUND THE BUSH (Ky.) LEAGUES?

Come out of the shurbbery, gentlemen — there's dath little business in Bush (Ky.), or in any of the other little towns in this State. For big business, beat around the Louisville Trading Area — a vast forest of building power, with 85.5% more than the United States combined! . . . To reach all 242,000 homes in this area, you need only one radio — the lowest-cost complete-service station in this neck of the woods! Write for availability now!
to the technical and engineering aspects of chain broadcasting. This provision comes from § 4 (l) of the Radio Act of 1927. It was introduced into the legislation as a Senate committee amendment to the House bill (H. R. 5091, 69th Cong., 1st Sess.) This amendment originally read as follows: (C) The commission, from time to time, as public convenience, interest, or necessity requires, shall—

- When stations are connected by wire for chain broadcasting, determine the power each shall use and the balance of power so determined shall be used.

The Communications Act of 1934 was brought into being by attempting an itemized catalogue of the specific manifestations of the general problems for the solution of which it was establishing a regulatory agency. That

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

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

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

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

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

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

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

WIBW
"The Voice of Kansas"
COLUMBIA OUTLET FOR KANSAS

NEW YORK DETROIT CHICAGO KANSAS CITY SAN FRANCISCO

BROADCASTING • Broadcast Advertising
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A totally different source of attack upon the Regulations is found in § 313 of the Act. This section authorizes the Commission to withhold licenses from persons who engage in specified acts against the public interest. Two contentions are made—first, that this provision puts the Commission in competition with the broadcasting networks; and, second, that in any event, the Commission is without the power to issue licenses under § 313 in the issuing of the Regulations.

These objections are unfounded. Section 313 derives from § 13 of the Radio Act of 1927, which expresses thesense with which the Act was authorized to withhold licenses from persons who engage in specified acts against the public interest. The change in the 1934 Act was made by the present and former Commissioners, and not by the Congress. The change is necessary to put the Commission in competition with the broadcasting networks; and, in any event, the Commission is without the power to issue licenses under § 313 in the issuing of the Regulations.

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One big happy family—by courtesy of NBC. This trio of friends from the NBC New York office went visiting and stopped to chat with two officials of the West Coast office. They are (1 to r) Alex Robb, western division manager of package sales; Helen Shervey, business manager; and Evelyn Hale, director of the New York office program department; to Frank Mullen, vice-president and general manager; Helen Keelle, secretary to Niles Trammell, president; and Sidney N. Stroz, western division vice-president. Yes, the ladies saw Hollywood.

The Commission may refuse to grant a license to persons adjudged guilty of unfair methods of competition in violation of the anti-trust laws certainly does not render irrelevant consideration of the significance of the power under the general terms of the bill. The Commission may refuse a license to anyone it judges will be engaged in competition with the broadcasting networks.

The Commission's Report indicates plainly enough that the Commission was not at all well advised in administering the anti-trust laws:

"The prohibitions of the Sherman Act apply to broadcasting. This Commission, after being charged with the duty of enforcing those provisions of the Act, has proceeded to determine whether the action of Mr. Dill, the manager of the broadcasting in the public interest. We agree with the District Court that the "necessary impairment of competition" provision of the Sherman Act [1934] was such that the Commission might be gravely considered the fact that the applicant had engaged in interstate radio, and had engaged in unfair methods of competition, that the disposition of both of those factors was that it did if it would make him an unlicensed broadcaster.

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Dissenting Opinion

Following is the dissenting opinion rendered in the cases:

Mr. Justice Murphy, dissenting.

I do not question the objectives of the proposed regulations, and it is not my desire to invalidate any statutory interpretation that would weaken the authority of government agencies to deal efficiently with matters referred to them by the Congress. My doubt is whether the specified kind would be effectuated so that the agency concerned may be able to cope effectively with problems which the Congress intended to correct, or may otherwise perform the functions given to it. But we exceed our competence when we gratuitously beset upon an agency power which the Congress has not granted. Since that is what the Court in substance does today, I dissent.

In the present case we are dealing with a subject of great interest and importance in the life of the nation. Although radio broadcasting, like the press, is generally regarded as a commercial enterprise, it is not an ordinary business activity, like the selling of securities or the marketing of electrical power.

In the dissemination of information and opinion radio has assumed a position of commanding importance, rivalling the press and the pulpits. Owing to its physical characteristics, radio, unlike the other methods of conveying information, must be regulated and rationed by the government. Otherwise there would be chaos, and radio's usefulness might be largely destroyed.

But because of its vast potentialities as a medium of communication, discussion and propaganda, the character and extent of control that should be exercised over the affairs of this government is a matter of deep and vital concern.

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

Finds No Authority In Contract Relations

The Communications Act of 1934 does not in terms give the Commission power to regulate the contractual relations between the stations and the networks. Colossus of Broad. v. United States, 316 U. S. 407, 416. It is only an incident of the power to grant or withhold licenses to individual stations under §§ 307, 308, 309 and 310 that this authority is created, at least as it may be derived from §§ 307(a) and (b) of § 308, and §§ 311 and 315. But nowhere in these sections, whether singly or collectively, is there to be found a reasonable construction of necessary inference, authority to regulate the broadcasting industry as such, or to control those operations of the national networks.

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

Thus an applicant is required by § 308(b) to submit information bearing upon his citizenship, character, and technical, financial and other qualifications to operate the proposed station, as well as data relating to the ownership and location of the proposed station, the power and frequencies desired, operating periods, intended use, and such other information as the Commission may require. Licenses, frequencies, hours of operation and power are to be fairly distributed among the several States and communities to provide service to each. § 307(b).

Explicit provision is made for dealing with applicants and licenses to those who are found guilty, or who are under the control of persons found guilty of violating the federal anti-trust laws. §§ 311 and 315. Subject to the limitations defined in the Act, the Commission is required to grant a station license to any applicant "if public convenience, interest or necessity will be served thereby." § 307(a). Nothing is said, in any of these sections, about network contracts, affiliations, or business arrangements.

Powers Cannot Be "Derived by Implication"

The power to control network contracts and affiliations by means of the Commission's licensing powers cannot be derived from implication out of the standard of "public convenience, interest or necessity." We have held that "The Act does not easy to regulate the business of the licensees. The Commission is given no supervisory control of the programs, of business management or of policy. In short, the broadcasting field is an open one. The Commission, endowed therein, there be an available frequency over which it can broadcast without interference to others, it allows its competency, the adequacy of its equipment and the financial ability to make good use of the assigned channel," Radio Comm'n v. Sanders Radio Station, 300 U. S. 470, 475.

The criterion of "public convenience, interest or necessity" is not an indefinite standard, but one that is interpreted by its own nature, in the light of all the circumstances attending the application. Without a written application evidence of interest, and satisfaction of the Commission, no license has been granted. In the present case, however, the regulations were cast in such form, making station licensing depend upon conformity with the regulations.

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

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

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

Where there's smoke there's sales—and 13 tobacco brands make a lot of smoke over WSYR!
not conducive to a freer use of radio facilities, however essential they may be. The idea of licensing programs and the operation of the chain broadcasting as it is being conducted, makes it absolutely necessary to agree that it is within the present authority of the Commission to prescribe regulations. It is evident that a correction of these conditions is necessary. The regulations will involve drastic changes in the business of radio broadcasting, which the Congress has not clearly and definitely empowered the Commission to undertake.

**Commission Not Authorized To Make 'Drastic Changes'**

It is quite possible, of course, that maximum utilization of the radio as an instrument of culture, entertainment, and the diffusion of ideas is inhibited by existing network arrangements. However, the scope of the conditions imposed by the broadcasting chains are possibly

**WOMAN PUBLISHER DROPS LIBEL CASE**

WITHDRAWAL of a $200,000 libel suit against Walter W. Glenn, columnist for the Detroit Times, by Mrs. Eleanor M. Patterson, publisher of the Washington Times-Herald, was announced in Detroit. When the same program was simultaneously broadcast by chain stations, the weaker independent stations were able to cover the program because of the high power of the chain stations. With the receiving sets then commonly in use, stations were able to receive and broadcast any program except the chain program. It was essentially an interference problem and the action was brought to determine the power and wave length for chain stations. Congress had given the chain stations the powers under the amendment, the power to make other regulations necessary for the public convenience, interest, and safety as a whole.

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

The last clause should not be interpreted out of context and without reference to the amendment as it was in fact the purpose of this amendment to authorize the Commission "to make special regulations applicable to radio stations engaged in chain broadcasting" to invest the Commission with the authority to create a complete authority to control chain broadcasting. (S. Rep. No. 772, 69th Cong., 2nd Sess., p. 17.) This further borne out by a statement in the same report discussing the conference report on the Senate floor:

"What is happening today is that the National Broadcasting Co., which is a part of the great Radio Trust, is able to control all stations in the country. There is only one question, is the power today in the hands of the Department of Commerce to stop the present. The commission will have the power to regulate and prevent it if it is at all necessary to get a chance." (S. Rep. 3031.)

Section 303(c) is certainly no basis for interpretation that the Commission is empowered to issue the challenged regulations. This subdivision is not in accordance with law, and only an authorization to: "Make such rules and regulations as may be necessary to carry out the provisions of this Act." There is no provision in the Act for the control of network contractual arrangements, the Commission has no such power. Consequently § 303(c) is of no consequence here.

**To the extent that existing network practices may have run counter to the anti-trust laws, the Congress has ex-
The enforcement of these laws has been committed to the courts and other law enforcement agencies. The unlawful penalties prescribed by statute for their violation, however, the Commission has authorized, pursuant to §311 to refuse a station license to any person "finally adjudged guilty by any court of a Federal or State court of attempting unlawfully to monopolize radio communication. Anyone under the control of such a person may also be refused a license. And whenever a court has ordered the revocation of an existing license, as expressly provided in §313, a new license may not be granted by the Commission to the guilty party or to any person under his control.

In my opinion these provisions (§311 and 313) clearly do not and were not intended to confer independent authority on the Commission to supervise network contracts or to enforce competition between radio networks by withholding licenses from stations, and do not justify the Commission in refusing a license to an applicant otherwise qualified, because of business arrangements that may constitute an unlawful restraint of trade, when the applicant has not been finally adjudged guilty of violating the anti-trust laws, and is not controlled by such a defendant.

Congress' Intentions Made Clear Elsewhere

The conditions disclosed by the Commission's investigation, if they require correction, are not by the invention of authority where none is available or by diverting existing power out of its present use, using them for purposes to which they were not addressed, but by invoking the aid of the Congress or the executive agencies of the government that have been entrusted with the enforcement of the anti-trust laws. In other fields of regulation the Congress has made clear its intentions. It has not only more often and more frequently, and more successfully, the existence of authority to order broad changes and reforms in the organization, economy of the structure of business arrangements in the Public Utility Holding Company Act, 40 Stat. 902, the Securities Act of 1933, 48 Stat. 74, the Federal Power Act, 49 Stat. 838, and other measures of similar character. Indeed the Communications Act itself contains cognate internal evidence that Congress did not intend to grant power over network contractual arrangements to the Commission. In §215 (c) of Title II, dealing with common carriers by wire and radio, Congress provided:

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

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

Mr. Justice Roberts agrees with these views.

NEW IDEAS FOR CAMPAIGN THEMES

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

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

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

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

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

Edwin Hughes Honored

EDWIN HUGHES, president of National Music Council, has been awarded a citation of merit by Na-

tional Assn. for American Com-

posers and Conductors, for out-

standing services to American mu-

sishing during the 1942-43 season.

Award, which will be presented at

the Waldorf-Astoria Hotel, New

York, May 14, calls special atten-

tion to the Music Council's sur-

veys on orchestral programs in re-

lation to native compositions.

Printers' Ink

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

BROADCASTING • Broadcast Advertising

May 17, 1943 • Page 31
BIGGEST LISTENING IN AMERICA'S 4TH

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

SMART BUYERS USE WAAT
SURVEY EVER MADE
ARGEST MARKET!*

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

As a smart time buyer you owe it to yourself
to send for a detailed report (by ½ hour pe-
riods) of the latest Continuous Listener Survey
in America's 4th largest market—conducted by
the Pulse of New York... whose monthly sur-
veys are paid for cooperatively by all major sta-
tions in this area.

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

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

"DOLLAR FOR DOLLAR
NORTH JERSEY'S BEST RADIO BUY"

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

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

It is a neat victory—its greatest—for the FCC majority. We think it constitutes the most dangerous blow yet struck to the freedom of American broadcasting. Worse than that, it sanctions a most hazardous experiment in the nation's hour of greatest trial. The FCC, as far as broadcasting goes, is now omnipotent. The Sanders opinion, excluding the FCC from regulating business aspects of broadcasting, is out the window—reversed and stripped of all its power by the same court that decreed it a couple of years ago.

‘In the Public Interest’

The decision transcends any mere question of network contracts. It invests the Commission with plenary powers over all station activities. The FCC appears to have a one-way street on almost every conceivable phase of station operation, save possibly direct censorship. Newspaper ownership, multiple ownership, rates, rebates and discounts, program policies—all conceivably fall within its regulatory pale. After the war, there will be other radio media—television, FM, facsimile—all subject to what the FCC may construe to be “in the public interest, convenience or necessity.”

Right or wrong, the nation’s court of last resort has ruled, by a 5-2 vote, in favor of the FCC. There can be no more exclusive network contracts; option-time becomes a relic of the past. A station may have “first call” on the programs of a particular network for particular segments of the broadcast day. How sustaining programs will be cleared, however, is a mystery. And how the Government will be able to get, through the networks, guaranteed clearance for its war effort programming also is a problem.

As things stand now, networks and stations must reweave the whole fabric of their business operation to meet whatever deadline the FCC may establish. Taking cognizance of the times, and of a watchful Congressional eye, we naturally assume the FCC will allow time for re-adjustment—certainly a reasonable time. But the FCC can move in almost any direction at will under the broad authority vested in it by the Supreme Court majority. Nothing can happen until June 14—the date the court’s mandate becomes effective.

The reasoning of the court majority is difficult to fathom, though it sounds plausible enough, if read without knowledge of the facts. On the other hand, the minority—Justices Murphy and Roberts—read out of the Congressional debates and the background the clear-cut Congressional intent that the FCC should have no control over the contractual relations of stations and networks.

More striking is the fact that both majority and minority commended the industry to Congress. Justice Frankfurter, speaking for the majority said the networks selected “the wrong forum”. The minority said flatteringly that the Commission had no authority to invoke the rules “without a clear mandate from Congress”.

Only Avenue of Redress

Thus the Supreme Court, both majority and minority, points to Congress as the only avenue of redress. That has been obvious from the start of the FCC's record. Now, a hundred years ago of powers not contemplated in the law. The industry hasn't been united. The FCC majority has resisted overtures for new legislation, which would clearly define the wishes of the people as expressed through Congress. In these columns over the years there has been an unbroken, unremittent plea that Congress be petitioned for new legislation to fit the changed conditions surrounding so active and dynamic an art and industry as radio.

The majority of the court swings the balance in favor of the FCC's majority by an ingeniously defined phrase, "public interest, convenience or necessity", a yardstick incapable of precise definition. Yet by deploying it to reach a desired result, the broadcasting industry is thrown virtually into the class of common carrier operation.

There was never more compelling argument for clear cut expression from Congress. Radio has gone a long way since the existing provisions of law were written 16 years ago. So has radio regulation.

The White-Wheeler Bill is pending before a Senate subcommittee, with hearings scheduled this month. It’s co-author, Senator White (R-Me.), as a member of the House, was co-author of the original Radio Act of 1927, which the Supreme Court majority now has interpreted. He knew the Congressional intent. He was there. He wrote most of it. He knew the Radio Commission, predecessor of the FCC, was never endowed with the broad powers the FCC majority invented.

The Cox Select Committee of the House is investigating the FCC. Contrary to some rumor, it appears to be doing an objective job. It is making the most exhaustive investigation of the FCC yet undertaken. It will be in a position to make legislative recommendations. It has not indulged in muck-raking or headline hunting, and evidently doesn’t propose to. A capable attorney heads its legal staff. It is the duty of the industry for its salvation and self-preservation (and by invitation of the Court) to go to Congress for a new mandate.

United Front Needed

The industry must present a united front in the legislative approach. Networks and stations are not working at cross-purposes. The networks must have facilities to sell and programs to build, commercial as well as sustaining. The stations have thrived by virtue of network affiliation, with caveats that admittedly have existed.

President Miller McLintock of Mutual has taken a fine, conciliatory attitude. He views the rules without apprehension. He pledges a fair and businesslike operation. That’s a distinct departure from the position of that network before the FCC. However it holds.

Preparatory to full-scale revision of the law, one other avenue is open. On June 13, 1938, Senator Wheeler, chairman of the Senate Committee handling radio legislation, introduced a resolution expressing it as the sense of the Senate that power above 50,000 watts should not be granted by the FCC. That resolution was adopted by the Senate and forcibly eliminated the superpower issue.

Senator Wheeler is the co-author of the pending bill to amend the Communications Act on which hearings begin May 25. In the light of the Supreme Court opinions, majority and minority alike, of the doubt as to Congressional intent to change legislation, and of the House investigation, why shouldn’t a resolution of the same pattern issue from Congress—a simple mandate that the FCC should not invoke any of its network rules until Congress disposes of the pending legislation?

The broadcasting industry has never faced a problem that awaiting introduction of the FCC's rules under the plenary powers it now wields. The industry must act without rancor or malice and above all without fear. The ability of the industry to serve the public as a free, unfettered, virile, aggressive instrumentality is at stake. If the law remains as interpreted, radio must become a serfdom, shorn of all of the many little protections of a portmanteau Government agency.

An industry can live with a bad law under good administration, or perhaps with a good law under hit-and-miss administration. But no industry can live long with a bad law under bad administration. The spearhead of the drive for industry salvation can go but one way—unalloyed and absolute support of the White-Wheeler Bill and the House Committee inquiry.
VICK KNIGHT

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

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

Vick did the same for Ever-sharp on the CBS Take It or Leave It and handled spots for Froster & Gambie’s Lava soap, Texel dentifrice and Bulova watches. In addition, he set up new programs for Biow clients.

In his spare time he turns out dramatic and musical works. His play, Cartwheel, was selected by the Oxford U-Press as one of the “ten best in radio history”, while a recent song of his, “We’ve Got a Job to Do”, heard on a Fred Allen program, was purchased by Universal Films as a patriotic finale for the picture “Private Buckaroo”. He is also author-composer of the two current hit tunes, “Savin’ Myself for Bill” and “Clancy”.

Vick’s (that’s his real name) has crowded a lot into one life. Born Aug. 8, 1906, in Mountville, W. Va., he had a taste of showboat life in his early years, his parents having been performers on the Ohio river between Pittsburgh and Cincinnati. The family finally settled down in Cleveland where Vick got his formal education at Cleveland Preparatory College.

Vick got his first taste of radio in Cleveland as a singer on WGA.

At the time he was office boy for the Cleveland Press, having been hired for that menial job by Fred Ripley, who later also forsook newspaper work for radio and now is manager of WSYR, Syracuse.

For a while Vick was a combination singer-announcer-director on the old WJAY, now WCLE, Cleveland, where he acquired one of his most valued radio skills, “stop watch” experience. During his summer vacations Vick tried to “crash” big-time radio in New York. He met John Carille, CBS production manager, who gave him his first job. Later he became one of three members of the program board which selected shows for Columbia network.

He tried his hand at writing plays for the Columbia Workshop, magazine articles, comedy scripts and music. They were good and Vick was in demand. Stoopnagle and Budd kept him busy working on all their scripts when they were on top of the radio comedy ladder.

In 1935 he produced the Chrysler Airshow on CBS, Kate Smith’s Bandwagon; in 1936, We, the People; in 1937-38-39 he handled all of Eddie Cantor’s air shows, was loaned to Rudy Vallee in 1940 for a timing and reconstruction job on Sealtest program and in 1941 became producer-director of the Fred Allen show, where he achieved the miraculous feat of getting Allen off the air on time.

Early in 1942 Vick left to become unsalaried producer-director of Command Performance, the official War Dept. shortwave program for service men. After the program was running smoothly, he entered his recent position with Biow agency. For four years he was producer-director of The March of Dimes program for President Roosevelt’s National Foundation for Infantile Paralysis.

Vick is married, has two children, Vick Jr., 14, and Virginia, 10, and lives in Hollywood. He is a member of the Radio Writers’ Guild, AFRA and ASCAP. He says his hobby is gardening.

FIVE WOR SALESMAEN GET SALES PRIZES
FIVE WOR salesmen received cash and War Bond prizes in April as they hit the sales path for a 29% increase over the same month last year. Bob Wood received first prize of $100 for the largest single new business sale, Plough Inc., for sponsorship of Fulton Lewis Film Club.

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

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

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

Southard CRC V-P

PAUL E. SOUTHARD, sales manager of Columbia Recording Corp., New York, has been elected vice-president in charge of sales, effective May 1, starting in 1916 with the Aeolian Piano Co., Mr. Southard spent six years with the Brunswick-Balke Col- lender Co. His new position is in charge of the company’s record operations and supervisor of Vic- tor’s Camden station for school district salesmen. He joined CRC in 1939, where he organized the record sales department.

Mrs. Edwin M. Spence

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

GEORGE DEPUY JR., for the last three years national sales manager of SBM, Allentown, Pa., on May 5 is joining Hendley-Reed Co., New York station representative, as a solicitor. Concurrent transfer represents an expansion of the sales force.

JACK SPRINGER, in sales and advertising at Portland and San Fran- cisco, has been assigned the sales staff of KIRO, Seattle.

TOM WHITE, former commercial manager of WZLO, Clarksville, Tenn., is now civilian assistant of 2 stations in the Quaker-Muster Corps at Camp Campbell, Tenn.

MAURICE McMURRAY, on the sales staff of WHO, Des Moines, before he entered the Army, is now liaison officer for Des Moines’ Bureau of Public Relations, and has been promoted to first lieutenant.
Ann Ginn Named

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

Miss Ginn

MARGARET WHITMORE, former assistant manager of the CBS studio building, has been made program assistant to William Rohnos, CBS producer-director. Miss Whitmore joined CBS in 1940 as secretary to John R. Gore.

HIGHTON BLOOD, who has been in charge of publicity for WEAF, New York, and was formerly in the NBC press department, has resigned.

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

BYRUM SAAM, veteran football and baseball broadcaster, is starting his own show The Sport Page, Byrum Saam, Editor on WIBG, Philadelphia, this week. Six nights weekly, 7:30-7:45 p.m.

Super-Boner

EX-PRIZE FIGHTER Wilkie Meehan, who keeps his muscles flexed these days as guard at RDF, San Francisco, committed the unpardonable. He bounced a sponsor. Frank Bull, of Smith & Bull, also signed a contract for client Seaboard Finance for two newcasts daily, dropping in on the station’s commercial manager, Mort Sidley, to hear the broadcast. Properly indignant with these two who had not only arrived late but had failed to register, Meehan asserted his authority, “Nobody gets past Meehan without a pass,” he said. But the name Wilkie Meehan rang clear for Frank Bull, and 15 minutes later, the boys had relived (conversationally) many a Dempsey-Meehan battle. Happy though bounced, Mr. Bull returned another night to hear the show.

GEORGE SKINNER from WWV, Wheeling, W. Va., has been made special events director, and Austin Williams, former program manager of KLZ, Denver, has joined the OWI. Lucy Kent, until recently announcer of WOR, replaces Floyd Mack, who resigned to join the OWI.

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Dwight Hauser, writer of Raffles, five-week quarter-hour sustainer on CBS Pacific stations, has joined the staff.

Maj. Dick Diespecker, Canadian Army radio liaison officer, and formerly with CJOR, Vancouver, will have his half-hour dramatic play Maple Street produced on the Canadian Broadcasting Corp. national network on May 17. The play is placed in a desert foxhole in Tunisia, recalls home town to two soldiers in the foxhole. Diespecker has written other Canadian radio plays, including the 1942 series "Men of War." Major Raymond Massey, famous Canadian stage star, is slated to play the supporting role in Maple Street.

Elizabeth Long, in charge of Women's Interests at the Canadian Broadcasting Corp., national program office, Toronto, is making a two-week tour of Canada in the interests of women's programs. She arrived in Vancouver early in May.

Billie Brown, now heard on CJOR, Vancouver, recently celebrated 10 years of Canadian broadcasting, centered mainly about Vancouver.

Jack Banner, publicity director of WNET, New York, writing on May 13 rejoined the Maritime Service as a lieutenant.

Cpl. William Hippee, on leave from the newsroom of KRO-KRTN, Des Moines, returned recently from Camp Claiborne, La., to marry Margaret Costello, Des Moines.

Stewart Dean will resume duties as announcer of WFAA-WHAP, Dallas and Fort Worth, until assignment to the second phase of flight training, having just completed the first part of the CAA course.

Gretl Urban, daughter of Joseph Urban, composer and conductor, has been named manager of the music department of Associated Music Publishers, Inc.

Ted Lenz, newscaster, has returned to KQAM, San Francisco, following honorable discharge from the U.S. Maritime Service. Announcer Harry Boyle has rejoined the staff.

Chuck Kane, announcer, has returned to KYA, San Francisco.

Mrs. Ina Shippee, formerly of the Visalia Times Delta, Visalia, Cal., and Robert Fasson, news commentator, have joined the news staff of KPO, San Francisco.

Yvonnie Rivet has been appointed assistant to Leopold Houle, press and information chief for Quebec province for the Canadian Broadcasting Corp., Montreal.

Norvell Slater, announcer of the early news WFAA-Whap, Dallas and Fort Worth, is the father of a baby girl.

Several Changes in Farm Staff Announced By CBC

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

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

NYU Workshop Faculty

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

Dorothy Hastings, secretary to Thomas Velotta of the Blue's news and special features broadcast in Toronto, has been made head of the program division of the network's research department. Ippolita Lombard leaves the staff of the program business office to take over Mrs. Hastings' former duties.

Robert L. McKee has left the announcing staff of WBBM, Chicago, to join NBC Chicago, succeeding Fort Pournon, who has joined the Navy.

Myron Golden, continuity writer of NBC, Chicago, has been appointed assistant continuity editor.

You helped build this city of Washington, Alexander Hamilton. But compared to your town our city is behemoth! Why Alex, when you put your administration's budget for operations up against our TWO BILLION A WEEK... there's no comparison! And these 1,250,000 people of ours Alex: they have an average family income of $5,136! Highest in the nation!

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

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

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

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

Last year Quality distributed announcements for use in a campaign for Flavo-Range on approximately 36 stations [Broadcasting, June 8, 1942].

Store displays, truck posters, full-page ads in papers and other media are being used as well as radio.

Blayne R. Butcher Goes To Ward Wheelock Co.

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

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

Serials Archived

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

Swing Repeats Broadcast

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

AN EDUCATIONAL program which has won instantaneous popularity among old and young alike is the 15-minute Adventures in Research, which originates at KDKA, Pittsburgh. Started on Jan. 7, 1942, as a local feature, the “KDKA pet” is now carried by 96 stations in 43 states and Alaska. KVCV, Redding, Calif., is the latest to adopt the show.

Adventures in Research has become a “national institution of learning,” through the answers to countless commonplace and intricate questions submitted by the radio audience to Dr. Phillips Thomas, veteran engineer of Westinghouse Research Laboratories.

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

KDKA’s popular 5:45 p.m. Saturday program was adopted by the other stations in the Westinghouse group, KYW, Philadelphia; WDBZ and W-87-B, Boston; WBZA, Springfield, Mass.; WWO, Fort Wayne, and W-75-P in Pittsburgh. Thereafter its adoption in all sections of the United States was rapid.

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

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

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

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

'EDUCATION' MADE POPULAR

KDKA Pet, 'Adventures in Research', Wins

Adult Interest For School Feature

WALTER GUILD IS NAMED AS PARTNER IN AGENCY

WALTER GUILD, vice-president and radio director of Sidney Garfinkel Advertising Agency, San Francis-

cisco, is now a full partner in the firm. Coincident with his new partnership the head of the agency has changed his name to Sydney Garfield. Name of the agency is now Garfield & Guild, Advertising, and Mr. Guild now headquarters to provide office space for increased personnel are at 660 Market St. Agency now occupies the penthouse floor of the Pacific Mutual Life Insurance Building.

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

CBS foreign correspondent Larry Lesueur’s forthcoming book on Russia will be titled 12 Months That Changed the World and will be published by Alfred A. Knopf, July 12.

Stars in Films

NEGOTIATIONS for a Columbia feature film based on the life of Al Jolson, were completed by the star of the Colgate-Palmolive-Peet show, during early May. Withdrawing from his major role in the KKO film, “Around the World,” Edgar Bergen will devote full time to his radio commitments and Army camp show appearances, it was said. Kay Kyser will be featured.

50,000 WATTS

NEW ORLEANS

The Greatest Selling POWER in the South’s Greatest City
CBS Affiliate

Nat’l Rep. - The Katz Agency Inc.
HORNER GRIFFITH Co., Hollywood, has been appointed western representative of KTTC, Visalia, Calif.

Honor Guest Emerson Foote, president of Foote, Cone & Belding, chatted with network and agency executives at an informal Hollywood reception tendered him during a West Coast trip. Among those present were Donald W. Thornburgh, Pacific Coast vice-president of CBS; Mr. Foote; Lewis Allen Weiss, vice-president and general manager of Don Lee Broadcasting System; Don E. Gilman, western division vice-president of Blue, and Lewis S. Frost, assistant to Sidney N. Stro, western division vice-president of NBC.

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

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


A. W. Neally, former vice-president of Gardner Adv., St. Louis, has joined Blackett-Bumpee-Hannert, Chicago, as account executive.

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

Knight Made V-P of F-C-B Agency

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

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

Mathes Vice-Presidents

Dr. O. L. Tinklepaugh, director of research and merchandising, of J. M. Mathis Inc., New York, and Howard W. Newton, copy director of the agency, have been elected vice-presidents. Dr. Tinklepaugh was associated with Lennen & Mitchell, New York, in research work, prior to joining present agency five years ago. Before joining L & M, he served as personnel director of Vick Chemical Co. Mr. Newton, who has served as copywriter for several agencies, once headed an agency in California.
B R I T I S H counterpart of the HOME SERVICE. The Daily Mail of Lower Basin Street is in full swing with the oversize edition under the direction of James Wyndorf, an American serving on the BBC production staff. Titled Music Society of Lower Basin Street. — The BRITISH BRANCH, the series is short- waved to fighting forces in Europe Tuesday, 9:35 p.m., London time, and is also heard on the BBC's Home Service broadcasts. The English version uses Paul Lavalle's musical arrangements, which are shipped abroad in microfilm form. American program is sponsored on the BLUE by Jergens Co., Atlanta, in behalf of Woodbury Soap. Agency is Lenn & Mitchell Inc., N. Y.

DIRECTIONAL OVER METROPOLITAN NEW YORK

NATIONAL ADVERTISERS and New York's numerous nationalities have one thing in common. They both agree that WBNX is the FOREIGN LANGUAGE STATION of GREATER NEW YORK.

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

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

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

Your Best National Spot Buy . . .

New Exchange Service

BY LISTENING to the Let's Go Home Service program on WTOC, Savannah, Monday through Friday, 12:00-12:30 p.m., or in other fields related to the war effort are saluted on Mutual's Double or Nothing in a new cycle of morale-building features. Program has honored United Nations countries, the armed services, and war effort organizations. Chief pilot of American Airlines was singled out for recognition on a recent broadcast. Plannaco Inc. sponsors the program.

New Foot Forward

DANCE exercises have been added to What's New, Nancy Grey's women's program at WTMJ, Milwaukee, each week end, 8:30 to 9 a.m. Nancy McKnight, modern dance exponent, will have charge of "Your Best Foot Forward", as the new feature is known. Six women will be invited to the studio each morning to participate in the dance lessons, which promote physical fitness in wartime. Miss McKnight will also do a newspaper series to tie in with the broadcasts.

KNX Open House

CALLING ATTENTION to its outstanding programs for each ensuing weekend, KNX, Hollywood, on April 26 inaugurated a 25-minute series, KNX Open House, Saturday, 5:30-5:30 a.m. (PWT). Program includes interviews with talent as well as produce staff members on current news, with a live station exploitation director, is mistress of ceremonies, and Lulu Gates musical director.

Yankee Doodle Quiz

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

Note Quotes

TO ENCOURAGE listeners to write more letters to servicemen, and to use space-saving V-Mail, a new feature, "Singing Sam" on music, directed to listeners from servicemen, and for each one used, the broadcast, "Singing Sam" will send a $10 money order made out in the name of the uniformed man. Agency is Erwin, Wasey & Co., New York.

Rumors Stopper

TAKING OWI's advice about "stopping that rumor" WFIL, Philadelphia, has started a special Rumor Department which functions as a regular feature of the weekly program, "Sweet Land of Liberty," sponsored by the Land Title Bank & Trust Co. and Filling the Phases, this section of the program presents a dramatization of some rumor currently going the rounds and proves it to be groundless. Background material is obtained from the GSW and the stories are being made available by WFIL to interested stations.

Prophylactic

INFORMATION for fruit-growers of Southern New Jersey and Eastern Pennsylvania is being given week-to-week by KXW, Philadelphia. Spotted each Saturday morning at 8:30 a.m. on the regular F.R.D. 1060 broadcasts, the feature deals largely with the incidence of common diseases and insects in specific fruit-growing areas and what growers can do to prevent damage to their fruit crop.

Bonus

BONUS prize of $10 for every tenth question missed by the Play "Em or Pay "Em musicians tie in with the tenth anniversary of the Fave Oil Co. sponsor of the show on WTNF, Minneapolis, 8:30 to 9 on Sunday afternoons. Listeners and audience try to stump the music makers with old and new song titles, with cash prizes for every one missed.

Quartermaster Hour

DEDICATED to the Quartermaster Corps, WFIL, Philadelphia, has started a new weekly program called The Quartermaster Quarter Hour, dramatizing the needs of our soldiers fighting on foreign fronts. It is under the direction of Capt. Thomas D. Richardson, the Quartermaster Depot in Philadelphia.

Rationing Help

WITH Great triumph in demonstrating the "Dos and Don'ts" of food planning, and a Question Box based on queries from listeners, "What's Cooking" on KXW, Seattle, gives housewives advice in meeting rationing problems on four quarters weekly at 9 p.m.
OWN'S EISENHOWER TAKES COLLEGE JOB

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

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

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

APRIL RATINGS UP IN HOOPER REPORT

APRIL 30 Hooper "National" Program Ratings Report indicates that 10.8% of the 123 network sponsored programs show significant gains in their ratings over the previous report, a gain not shown by a single program in April, 1942. Only 18.7% of the programs showed significant losses this year. The Evening Average Audience Index, which currently stands at 10.5, also shows an increase of more than 10% over last year in the audience to sponsored evening network programs.

Heading the list of "First 16" programs in the April 30 report is Bobe Hoop, followed by Fibber McGee and Molly, Charlie McCarthy, The Aldrich Family, Jack Benny, Radio Theatre, Mr. District Attorney, Walter Winchell, Frank Morgan-Fannie Brice, Rudy Vallee, Bing Crosby, Screen Guild Players, Take It Or Leave It, Kay Kyser and Fred Allen. Red Skelton continues to lead after 10:30 p.m. (EWT).

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

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

**KCKN**

Ellis Atteberry, General Manager

Capper Publications, Inc.

In N. Y. C. — 420 Lexington — Mohawk 4-3280
In Chicago — 180 North Michigan — Central 5977
WHO, Des Moines
DeKalb Agricultural Assn., DeKalb, Ill. (DeKalb corn), 156 sq., thru Western Ad. Agency, Chicago.


Perry Salt., 2, Chicago, 40 sq., thru J. Walter Thompson Co., Chicago.


Lever Bros., Cambridge (Oxydol, Lipton Tea), 160 sq., thru Ruffin & Bran. N.Y.

Pierce's Proprietaries, Buffalo (Gold Medal Discovery), 50 sq., thru Duane Jones Co., New York.


KQW, San Francisco
Richmond Shipyars, Richmond, Cal. (employment), weekly, sq. dir.

Procter & Gamble Co., Cincinnati (Ivory Soap), 2 sq. weekly, thru Compton Adv., N.Y.

Larus Bros. & Co., Richmond (Domino Tijeras), 1 sq. weekly, thru Warwick & Legler, N.Y.

Norwich Pharmacal Co., Norwich, N.Y. (Pepto-Bismol), 2 sq. weekly, thru Lawrence Guenther, N.Y.

Langendorf United Bakers, San Francisco (Hillside, Oakeen), 3 sq. weekly, thru Ruffin & Bran. San Francisco.

Langendorf United Bakers, San Francisco (Hokum & Americo Muen), 4 sq. weekly, thru Erwin, Wasey & Co., San Francisco.

Procter & Gamble Co., Cincinnati (Dish), 1 sq. weekly, thru Compton Adv. Agency, N.Y.

WEAF, New York
S. & W. Fine Foods, San Francisco (orange marmalade, apple juice, etc.), 5 sq. weekly, thru S. C. Groof Inc., N.Y.


New York Telephone Co., New York (institutional), 65 sq., thru BBDO, N.Y.

Machleder Publications, New York (True Story Magazine), 6 sq. weekly, thru Raymond & Specter Co., N.Y.

Horn & Hardart Baking Co., Philadelphia (automat), weekly, sq., thru Ruffin & Bran. N.Y.

KPS, Pasadena, Cal.
Inter-Ocean Insurance Co., Los Angeles, 6 sq. weekly, thru Earl R. Culp Agency, Los Angeles.


William H. Wise & Co., Inc., New York (Modern Home Physicists), 3 sq. weekly, thru Hubert W. George, N.Y.

WABC, New York
Savings Banks of New York State, New York (bank services), 6 sq. weekly, thru Ruffin & Bran. N.Y.

Gordon Baking Co., Detroit (Silver Cap bread), 6 sq. weekly, thru C. L. Miller Co., N.Y.

WOW, New York
Barney's Clothes, New York (men's clothing), 8 sq., thru Emil Mogul Co., N.Y.


Brian Publishing Co. Philadelphia (Saturday Evening Post), 40 sq. thru Macfarland, Avery Co., N.Y.

Machleder Publications, New York (True Story Magazine), 6 sq. thru Raymond & Specter Co., N.Y.

Charl Kurl, St. Paul (permanent wave KI), 3 sq. thru Gurney-Bradford Co., Chicago.


General Baking Co., New York (Bread Roll), 126 sq., thru BBDO, N.Y.


WJZ, New York
Mennen Co., Newark, N.J. (talcum, shave products), 5 sq. weekly, thru Russell M. Spuds Co., Chicago.

United Drug Co., Boston (Rexall rental sale), 14 sq., thru, street & Film. N.Y.

Beech-Nut Packing Co., Canajoharie, N.Y. (gum), 2 sq. weekly, thru Red & Bran. N.Y.

Lee Bros., Cambridge (Lifebuoy soap), 5 sq. weekly, thru Ruffin & Bran., N.Y.

WLIR, Brooklyn
Lame Bryant, New York (women's apparel), 7 sq. weekly, thru Kramer-Tobias, Meyer, N.Y.

Henry George School of Social Science, New York (free courses), 7 sq. weekly, thru direct.

Twentieth Century Fox Film Corp., New York (Toy Tiger), as sq., thru Kayton-Spiro, N.Y.

WQXR, New York
General Foods Corp., New York (Maxwell House coffee), 6 sq. weekly, thru Benton & Bowles, N.Y.

Crowe Studios, New York, N.J. (Tastey Visit), 20 sq. weekly, thru C.L. Miller Co., N.Y.

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

CFCH, North Bay, Ont.
Household Finance Corp., Toronto (small loans), 20 sq., thru BBDO, Chicago.

KHH, Hollywood
Interstate Bakeries Corp., Los Angeles, 2 sq. weekly, thru Dan B. Miner, Los Angeles.


Sparklets Drinking Water Co., Los Angeles, 3 sq. weekly, thru Raymond M. Rogen Co., Hollywood.

Douglas Aircraft Corp., Santa Monica, Calif. (employment), 3 sq. weekly, thru Esbit Co., Los Angeles.


KDB, Santa Barbara
Rainier Brewing Co., San Francisco, as sq., thru Buchanan & Co., Los Angeles.

Lockheed & Vega Aircraft Corp., Burbank, Cal. (Vega Aircraft), 30 sq. daily, thru United Drug Co., New York (Rexall sale), as sq. thru Spot Broadcasting, N.Y.

Pacific Aeronautics Co., Santa Barbara, three sq. daily, 1 sq. weekly, thru Neli Beverages Corp., Columbus, Ga., as sq. 26 weeks (Par-T-Fak), thru BBDO, Los Angeles.

WHN, New York
Penn Fifth Ave., New York (furs), 12 sq. weekly, thru Lester Harrison Assoc., N.Y.

Lutheran Larmen's League, St. Louis, weekly, thru, thru Gilmad Adv., N.Y.

J. R. Ramp Brewery, Brooklyn, 2 sq. weekly, thru Ruffin & Bran., N.Y.

Essure Inc., Chicago: Chicago (Consumer), 1 sq. weekly, thru Schwimmer & Scott, Chicago.

Riddle-Press, Emmanuel Pa. (Organic Gardening Book), 1 sq. weekly, thru Huber Hoge & Sons, N.Y.

WWVA, Wheeling, W. Va.

CHEX, Peterborough, Ont.

THREE DRUG ITEMS AMONG FTC ORDERS
CEASE AND DESIST orders were issued last week by the Federal Trade Commission barring alleged misrepresentations in advertising over the radio and in other media by three firms manufacturing medicinal products.

Bristol-Myers Co., Hillsdale, N.J., is ordered to cease false advertising concerning its laxative Sal Hepatica, which claims therapeutic and curative properties as a treatment for certain ailments such as rheumatism, indigestion, etc.

For the preparation Nash's C & L Malaria Chill Tonic and Laxative, formerly known as Nash's C & L Tonic, made and distributed by William G. Nash Sr., William G. Nash Jr., and Florence Nash Cox, trading as Nash Bros. Drug Co., Jonesboro, Ark., the Commission ordered cessation of advertising that the preparation is an effective treatment for malaria, liver trouble and other ills and that it is not habit forming and is endorsed by physicians and nurses.

McNeill Drug Co. and Associated Adv. Agency, both of Jackson, Miss., Fla., have been ordered to cease representing that the medicinal preparation is commonly known as Magic Remedy, McNeill's Magic Remedy and McNeill's Magic Remedy Brand, has any therapeutic or curative properties associated with rheumatism, glandular swellings or similar conditions, in excess of that afforded by a mild astringent.

Ad Club Reelects ALL OFFICERS and directors of the Advertising Club of New York were reelected to office for the coming year at the annual meeting of the Club in New York May 11. Among the group of 11 directors continuing in office are Daniel S. Tuthill, vice-president of National Concerts & Artists Corp.; Frederick F. Elger, managing director of the 4 A's; Charles C. Green, managing director of the Advertising Club; and Eugene F. Thomas, sales manager of WOR, New York.
N. Y. Bell Spots

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

NRC's Radio-Recording Division has produced a master recording containing 10 35-word announcements, for George H. Newsiedt Co., Cincinnati jewelers.

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

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

KELLE PRODUCTS Inc., Los Angeles (Kleenex paper towel), on May 7 started live origination of its three weekly five-minute program, Name in the News, on the Arizona network (KOR KTUC KSUN). Featured is Birstie Miller with local talent. Transcribed version has been used on KXO. Agency is Little & Co., Los Angeles.

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

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

SUNNYVALE PACKING Co., San Francisco (Ranchero soups), has started participation on KGW, San Francisco. Agency is Fouts, Cone & Heeding, San Francisco.

NORTH CAROLINA IS THE SOUTH'S NO. 1 AGRICULTURAL STATE

CASH INCOME AND GOV'T PAYMENTS (IN MILLIONS)

NORTH CAROLINA

$221.8

AVERAGE OF NINE OTHER SOUTHERN STATES

$133.3

Source: Department of Agriculture, 1940

WPTE with 50,000 Watts in RALEIGH is NORTH CAROLINA'S No. 1 SALESMAN

THE McCLATCHY GROUP

BROADCASTING • Broadcast Advertising

May 17, 1943 • Page 43
Kansans at Home, Listen More, With Rationing of Gasoline

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

EFFECT of gasoline rationing on Kansas rural buying habits and radio listening has been studied by Dr. F. L. Whan, U. of Wichita, Wichita, Kan., as a supplemental study to the 1943 Kansas Radio Audience Survey. Copies of the 35-page report have been released by WIBW, Topeka, and Ben Ludy, manager.

Gas rationing in itself made the usual Whan personal interview method, used in earlier studies of the series, impossible. Instead, school children carried questionnaires home, parents filled them in, and the children returned them to school heads. One of every 109 farm families in the state was covered; one of every 102 “village” families, or community of 2,500 persons or less.

More or Less Time at Home

Of particular interest to the radio industry was Question 8 of the study. As compared with last year, do you and your family spend less or more time or time more (since gasoline rationing) in your home? Slightly more than 86% of the farm families reported spending more time at home; 54% of the village families. Only 4.6% and 4.1% of the farm and village families respectively reported less time. Reminder said “same time as before.”

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

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

Of the 1,029 set-owning farmers reporting, 891 said sets were battery-powered. Of these, 154 were served by family-owned generators. Of the 1,086 set-owning village families, 42 reported battery sets, 5 having generators. Of the 993 battery set families, 15 or 1.6% wrote in the margin of the questionnaire that they were having trouble getting batteries. (Three said they would listen more if they could get the batteries.)

By types of power for sets, 47.4% of the high-line families said they listen more than a year ago; 49% less, and 46.2% the same. Battery powered set owners increased: 44.3% more listening, 14.1% less, and 40.4% the same.

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

More Money to Spend

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

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

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

Answers indicate that 20.7% of the farm families will buy receiving sets; 25.3% of the village families. Higher percentages of families will buy, according to the answers, autos, farm equipment, such as trucks, tractors, etc.; furniture, refrigerators, watches or clocks. More than 21% will buy washing machines; 10% guns, and 8% furnaces.

Standards of living do not affect the decision to buy receiving sets when available again. But those in a high standard of living will buy more than twice as many sets as those in lower groups.

On the other hand the answers

Hare Collingwood

IF THE ARABS have newspapers they probably are flagging first pages with “Collingwood Out-races Rommel!!” CBS’s corner, entered Tunis with the first American troops, saw the melees, raced back to Algiers by truck and plane without sleep through the day and told his story to American listeners at the regular morning broadcast. Collingwood told the boys on the cue line that his and one other were the only soft-skinned vehicles entering Tunis—with the conquering tanks! It may be Herring Rommel, but it’s Hare Collingwood.

Fred Allen Shortwave

IN COOPERATION with the Special Service Division of the War Dept., BBC on May 16 started rebroadcasting from London to U. S. servicemen in England and North Africa a series of six transcriptions, in the manner of the Fred Allen programs on CBS. Commercials for Texas Co., sponsor, are deleted. BBC has transmitted similar repeats of Bob Hope and Jack Benny shows, as well as of Command Performance, since last fall.

proved that the low standard families will buy many more washing machines, furniture and refrigerators than in the high standard bracket.

The report shows that the Kansans are still active despite gasrationing. Question 11: Before gasoline rationing did you or your family do a part of your family buying in any large town (larger than one given as your post office). Answer: 82.4% farm families, 71.4% village families, said yes. Same question, covering gas rationing period: 68.8% farm families said yes, 57.3% village families.
Watch Fishing Bulletins for Violation Of Weather Code, Censorship Warns

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

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

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

Driscoll to Go Overseas

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

Our Error

EDITOR, BROADCASTING:

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

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

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

Celanese Rulings

RULING them "legally insufficient," New York Supreme Court Justice Kenneth O'Brien on May 10 dismissed two of the three cases of action in a minority stockholders' suit against the directors of Celanese Corp. of America. The dismissed cases deal with royalty payments made by the company to its vice-president, Henri Dreyfus, a resident of London. Ruling did not affect the third case of action, asking recovery of $1,000,000 which the suit alleges was improperly expended for a radio program starring Jean Tennyson, a singer and wife of Camille Dreyfus, president of the corporation [BROADCASTING, March 15, May 5].

WOODSIDE PARK, Philadelphia, is the first amusement park in the city to use radio this season. A varied schedule of spot announcements has been placed on WFIL, Philadelphia, for the summer months, representing a large increase over the schedule last year. Business was placed direct.

When he started advertising on WFDF Flint Michigan, all his salesmen were fired with enthusiasm.
AMERICAS NETWORK OBSERVES BIRTHDAY

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

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

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

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

THIRD YEAR of affiliation with MBS was marked by North Central Broadcasting System and its members, as stated at a dinner on May 7 in Havana.

Boler, NCBS president at the Hotel Nicoliét, in Minneapolis recently, NCBS, which has opened offices in New York and Chicago, has renewed the Mutual affiliation contract for another two years. Seated clockwise around the table are: L. J. McConnel, KWNO, Winona; A. F. F. Hanke, WABR, Aberdeen; Leonard J. McNeil, KSBJ, Jamestown; Bert Wick, KDYL, Devil's Lake, N. D.; W. Westmoreland, WEAU, Eau Claire, Wis.; E. M. Marget, KVOX, Moorhead, Minn.; J. W. Huns, WAW, Ashtabula, Wis., and WJMS, Ironwood, Mich.; James Conroy, Robert A. Kennedy, WDSM, Superior, Wis.; D. A. Clayton, NCBS vice president; Howard S. Johnson, NCBS director; Charles Winton, E. S. Mittenburg, WJOL, Minneapolis; Fred Weber, MBS general manager; Mr. Boler; Edward L. Hayek, KATE, Albert Lea; Harry Linder, KWLX, Willmar.

U. S. SHOW'S WIN, SAYS FRANCISCO

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

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

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

Programs are designed to hold regular audiences through use of feature series. Among the many series that have been featured are: The Lone Ranger and Hop Harrigan, which have been produced by John Gunther's twice-weekly news broadcasts. Other programs for Cherriots are the Lon Ranger and Hop Harrigan, while General Mills also presents Jack Armstrong on the BLUE for Wheaties. Gunther's news is heard Friday and Saturday, 10-10:15 a.m. A network of 100 stations, covering Atlanta, covers a cost of $100,000.

Another For Goo Tee

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

50,000 WATTS

NIGHT AND DAY

50,000 WATTS

COVERS NORFOLK AND RICHMOND

IN VIRGINIA

PAUL H. RAYMER CO., National Sales Representative

Page 46 • May 17, 1943

BROADCASTING • Broadcast Advertising

Symphony Saved By Radio Is Hinted

U. S. Rubber Contract Given Board Report Prominence

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

Mr. Field included this statement in his report of the 101st Philharmonic season at the Society's annual meeting in Steinway Hall, New York, last Monday. He reported the Society had an operating deficit of $130,504 last season "net from sources other than the sale of tickets, fee from broadcasting and royalties from records."

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

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

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

'Another For Goo Tee'

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

Paul H. Raymer Co., National Sales Representative

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BROADCASTING • Broadcast Advertising
Mysteries of Radar Partially Disclosed

WPB Releases Two Articles On Building War Machine

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

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

Since Pearl Harbor

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

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

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

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

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

Sprague ‘E’ Award

ARMY-NAVY E awards have been presented to Sprague Specialties Co., North Adams, Mass., owners of two plants manufacturing condensers, resistors, and other electronic equipment.
WOR’s DOCUMENTARY REPORTING

SoundScriber Overcomes Censor’s Restrictions
And Yet Provides On-Scene Stories

By DAVE DRISCOLL
and
JOHN WHITMORE
War Services & News Division, WOR, New York.

THE NEWSPAPER REPORTER attends the scene of a news event with his paper and pencil, makes his notes and then returns to the office to write the story or telephone it to the rewrite man. We have become identified with a device that really puts the story "on record" as it takes place. Many a glance of surprise has been directed toward WOR’s reporters arriving at the scene of an important news event with a SoundScriber, one of the most compact recording machines ever used by a radio broadcasting station.

Several complications confronting radio because of war restrictions are responsible for the adaptation of what formerly was a high class office dictating machine into an instrument which provides the radio audience with a factual report of the action as it is taking place. First was the restriction on last minute orders for lines due to congestion of telephone facilities as phone companies met the demands of the Armed Forces and war industries. Second the necessity of reviewing all material before it is broadcast to prevent our supplying the enemy with information that might aid him.

Provides Spot Reviewing

Because the SoundScriber is equipped to reproduce instantly the recording it has made all interviews and description of action involving government or military activities can be reviewed by appropriate authorities on the spot. If it is found that the recording contains a part that is not clear for broadcast, this is edited out when the final dubbing is made.

Many important news conferences have been reported by the SoundScriber, providing top notch broadcasts. When Admiral Frederick C. Sherman gave an account of the sinking of the aircraft carrier Lexington for reporters his description of this historic event was recorded and brought to the listener in his own words. Many a ship returning from combat zones has arrived in port to find us waiting with the microphones ready to bring the listener first hand knowledge of events in other parts of the world. Some of these were the U. S. S. Marblehead, the exchange ship Drottningholm and the recent arrival of the French cruiser Richelieu. WOR and Mutual Network listeners have heard the description of these historic events from the people who participated in making them.

Obviously standard recording equipment is too cumbersome for one man to carry as he covers news events under such a variety of conditions. We needed a recorder that was light, small and compact. These features first attracted us to the SoundScriber. It records at 33 1/3 revolutions per minute; the records are of a non-breakable plastic material and, while the disks are not pregrooved, the groove that results from the lateral action of the stylus is embossed into the surface of the plastic, eliminating the thread which might foul the recording head.

Made Portable Pack

We added two standard mike cable connectors, a gain control for each of the microphone inputs. The original volume control now serves as a master gain control.

To give us control of the sound level we changed the rectifier tube which made possible the addition of an illuminated VI meter.

To facilitate operation in localities not equipped with power we constructed a portable power pack utilizing two six-volt motorcycle batteries and a six-volt converter.

With these adaptations we can operate under almost any conditions. The recorder now weighs approximately 45 pounds and the power supply 70 pounds.

As an outstanding example of how the SoundScriber has made a large contribution to the field of documentary reporting we offer the stories of how we use "Death On Wheels", an editorial broadcast on WOR, January 17, and recognized as the first program of its kind to be presented by a major radio station.

With the power pack perched on the back seat and the recorder between us in the front we drove the dimly lighted streets of New York City for five nights describing actual movements of pedestrians as they dashed out of the path of some speeding automobile or the operator drove his truck through a red light. We followed taxis, private cars, trucks and buses, some of them traveling at speeds of 50 or 60 miles per hour.

Accident Marathon

Each time we encountered a violator the action along with the "on the spot" description went on the network. No recording was made. We had everything but a fitting climax. Dozens of people were being killed due to lack of enforcement of the laws and observance of sensible driving. To make our program smack home to the listener, we needed an accident. What’s more we needed the right kind of an accident.

One entire night we sat at one of the metropolitan hospitals. Every once in a while an emergency call would come through. We would dash to the car, turn on the SoundScriber and follow the ambulance. Those who heard the broadcast will testify that the accident we got was a fitting climax.

We arrived at the same time with the ambulance and recorded the account of witnesses selected from the crowd at the curb, of how a hit and run driver struck a child whose legs were broken.

Response from the public has convinced us that the SoundScriber has established itself in the field of documentary broadcasting and widened the latitude for documentary reporting.

J & L on Mutual

JONES & LAUGHLIN STEEL Corp., Pittsburgh, has purchased a half-hour on Mutual, Saturday, May 22 to show the public what the steel industry is accomplishing in wartime. The program, which appears to be a test, will offer "fact-ograms" on the industry’s achievements, and music by the Jones & Laughlin Steel Corp. Little Symphony Orchestra. Broadcast will be sponsored on 12 Mutual stations in the East and Midwest, 7:7:30 p.m. with a recorded repeat on two of those outlets. Agency is Calkins & Holden, New York.

PAUL SCHUBERT’S Mutual commentaries are now being shortwave’d in part to the British Isles and to Allied troops overseas by the Office of War Information.

and now it’s 64

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

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

<table>
<thead>
<tr>
<th>Station</th>
<th>Total Spot Quarter-Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>WAPI</td>
<td>58.3%</td>
</tr>
<tr>
<td>Station B</td>
<td>19.2%</td>
</tr>
<tr>
<td>Station C</td>
<td>12.5%</td>
</tr>
</tbody>
</table>

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

WAPI * BIRMINGHAM

Represented by Radio Sales, the SPOT Broadcasting Division of CBS

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BROADCASTING  Broadcast Advertising
Dentifrices Production Threatened; Oral Hygiene Study Proves Big Usage

WARTIME problems of container and material supplies are believed by drug manufacturers to constitute a serious threat to continued production of prepared dentifrices, an important group of radio-advertising products.

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

Almost seven packages of prepared dentifrices are consumed per year by an average family of four in the United States. Consumption has been growing, with an increase from 208 million packages in 1936 to 233 million packages in 1942.

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

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

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

The American public uses mainly paste dentifrices (50.5%), powders (35%), and liquids, 5 per cent. Two per cent use "others"—mainly salt and soda.

"With an overall consumer demand of 233 million packages," the report says, "it is obvious that no one type can possibly meet consumer's dentifrice requirements, either because of ingredient shortages or lack of packaging facilities."

The report concludes with three observations:

1. The availability of dentifrices in forms the American people have accepted, and which have become traditional, has created a demand for these products which have contributed to public health.

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

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

Schenley Sponsors Shows In Latin American Field

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

Initial schedule, which got under way in Brazil, May 4, and in Argentina, May 7, utilizes a half-hour weekly program of drama and music (Promotional News, June 2) described on four stations in Brazil and on Argentina's Radio Spineld network, comprising some eight stations. Remaining part of the schedule is expected to begin sometime in August, with transmissions in some countries and live programs in others where recordings are not available. Business is placed by McCann-Erickson, N. Y. Institute handles domestic advertising for Roma Wine Co., Schenley subsidiary, and for Old Charter whiskey.

Knornark Sports


Arrid Complaint

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

WPTL, Ft. Lauderdale-Miami, has appointed Headley-Redd Co. as national sales representative.

Boycott Threat!

PROTESTING absence of Joel Kupperman, six-year-old brain whiz, who dropped out of school two years ago before the grade, program several weeks ago because of a low score, listeners are threatening to picket BLUE's Chicago studios, and boycott sponsor's products.

Included in thousands of letters which demand reinstatement of the little boy was one which read: "We will throw their [sic] drop of Alka-Seltzer nor take a One-A-Day tablet until you bring that little boy back on your program. I do fun [sic] on the program and so did we." Other "Quiz Kids" have been in a similar predicament and fought their way back to the Kupperman show so it is possible for Kupperman to stage a come-back.

WJWC Is Not Station Mayor would Buy

ALTHOUGH Mayor Edward J. Kelly of Chicago says that the city is not going to buy commercial radio stations, it does not seem likely that the defunct WJWC, Hammond-Chicago, will be acquired. WJWC went off the air last February. Receiver of the property, Timothy F. Galvin, of New York, has not received a bid from the city of Chicago.

WJWC studio equipment and three towers have been sold. Remaining are the 5,000-watt W-F transmitter, two towers and supplementary equipment. Receiver- ship was requested by Marshall Field, minority stockholder, who filed judgment to recover $200,000 loaned to the corporation.

Physical properties remaining were valued at $70,000 four months ago and are expected to go on sale in two weeks.

FM License for WHEC

WHEC, Rochester, N. Y., has been granted a commercial license by the FCC to operate on FM, the grant carrying a change from the old W8XAD on 42.6 mc, to the newer W47R on 44.7 mc., with transmitter and tower located at the site of the parent WHEC station. W47R is now operating 18 hours a day, with five hours given to a separate program devoted to music for war workers. WHEC was one of the first ten stations to play an FM experiment with FM broadcasting.

Henderson on BLUE

O'SULLIVAN RUBBER Co., Wincheste, will start a 12-week advertising campaign on WINH, which markets Henderson deodorant. Continued use, the complaint alleges, will irritate the skin of some individuals.

WPFT, Ft. Lauderdale-Miami, has appointed Headley-Redd Co. as national sales representative.

100 STATIONS GET WORLD WIDE SERIES

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

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

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

First of the post-war broadcast news and feature programs scheduled and ready for distribution, Mr. Lemmon said. A preview recording, introducing and explaining the series, will be sent to all stations containing excerpts from some of the talks, has been sent out.

‘Inequity’ Raises Legal Under New WLB Ruling

POWER for the War Labor Board to grant wage increases in cases involving gross inequities was re-asserted by a Stabile Board DECISION last week, following a statement by the Board that the policy and practice of the government in applying provisions of the President's "hold-the-line" order which permitted raises only to correct substantial deficiencies had been inconsistent of living.

The Byrnes order will open the way for settlement of some of the 35 or so radio cases now in the hands of the Board, it is believed. Extent of the relief is still in doubt, however. Mr. Stabile will next week make grant raises in cases of inequities. Further definition of the terms is expected.

Fitch Adds Dreier

F. W. FITCH CO., Des Moines (Iowa), has announced that May 16 will incorporate a five-minute newscast featuring Alex Dreier into the Fitch Bandwagon, heard Sundays at 7:30-8 on the full twelve stations.

Mr. Dreier's commentary will be broadcast at 7:55-8, with special commercials for the Fitch shaving products, and will be available on exchange at no charge. The Chicago office of the Agency is L. W. Ramsay Co., Dav- enport, 1a.
Sponsored Army Show on CBS Canceled by AFRA Decision

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

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

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

Tibbet to Washington

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

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

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

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

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

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

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

Decision Surprises to CBS

"A wholly unexpected development has blocked the broadcasting of This Is the Army which we asked you to clear beginning May 25 for four weeks. Confidentially, after following closed door, exhaustive, and laborious negotiations of high officials of the United States Army and Irving Berlin and after order was signed by Liggett & Myers, AFRA raised objections to allowing Army soldier cast to perform. We have negotiated unsuccessfully with AFRA management who met for final decision last night and refused permission for broadcast. We must regretfully therefore cancel earlier reservation."

AFRA’s action raises the whole question of the propriety of radio appearances of members of the country’s armed forces, which is alleged in some quarters heretofore has been decided on an apparent hit or miss basis, without consistent policy. Sgt. Gene Astry broadcasts each Sunday for Wrigley’s Spearmint Gum, but Sgt. Ernst Stone was denied permission to broadcast Thursdays for General Foods, to cite but a single example. Outside of radio, the Army cancelled the Joe Louis-Bill Conn fight which had been scheduled for the benefit of Army Emergency Relief because the fighters and the promoters would also profit, yet they would have permitted the This Is the Army broadcasts if AFRA had not intervened.

Henry Isolated

STUDIO AUDIENCE for The Aldrich Family on NBC has been eliminated indefinitely pending the decision as to whether the show improves for listeners without benefit of studio laughs. Executive producer, April 15, General Foods Corp., New York, sponsors the program for Post. Agency is Young & Rubicam, New York.

Persons Over 45 to Get WSJS Technical Courses

MEN and women over 45 will be trained as radio technicians by WSJS under direction of Phil Hendricks, station technical supervisor, will teach the courses tuition-free. Object is to get transmitter and control operators.

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

"The school is planned to be of benefit to all stations in our area," says Harold Essex, station director. "Each student is accepted under the understanding he or she is under no obligations to accept employment at WSJS nor is the student under obligation to provide or obtain employment for any student. "Naturally we expect to pick a couple good ones for TV."

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

FCC Orders Link Rates Equalized After June 30

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

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

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

Red Cross Citites WHAM

CITATION from the American Red Cross for “appreciation of service” has been awarded to Little Show, weekly program heard on the past 26 weeks on WHAM, Rochester. Presentation took place April 15. Program aims to recruit blood donors, and features Berle and other celebrities who have received blood plasma while as talk as talks by prominent citizens, and music.
Employment Helps At USES Offices McNutt Points Out Varying Regional Provisions

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

Completion of the network of regional stabilization agreements makes it possible for workers in essential industries to move to new jobs provided it is in the interest of the war effort. Under the usual stabilization agreement, WMC officials explain, the list of “essential” list never guaranteed deferment, and that with the manpower pinch becoming more acute it has become far too all-inclusive to be of service to draft boards. It is, however, they say, a practical instrument for other manpower regulations.

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

Games to Soldiers PERMISSION has been granted the Western Union Telegraph Co. by the FCC to furnish play-by-play descriptions of baseball games to the Armed Forces in the South Pacific war zone. Broadcasts are to be transmitted through KWID, San Francisco.

WLB OK's CBS Contract APPROVAL of the entire new contract between the International Brotherhood of Electrical Workers (AFL) and CBS covering technicians and supervisory personnel was announced by the War Labor Board last week following reconsideration of an earlier decision which had ruled out provisions for a shorter wage progression and shorter maximum work day, although approving a 7-cent-an-hour wage increase. WLB notified Law- son Wincherly, international representative of the union, that it had reconsidered in the light of IBEW's appeal [BROADCASTING, April 5, 12].
intensifies a concern which I have felt for some time." Mr. Durr said these facts raise serious question as to whether or not Congressman Cox has the disinterest and objectivity requisite for the chairman or member of a committee charged with a duty to investigate and to report upon its investigation to the House.

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

Exhibits Included

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

Along with the petition, Mr. Durr filed a nine-page memorandum, dated May 13, reciting the history of the WALB case and quoting copiously from testimony during the proceedings, which began on March 6. He pointed out that the $2,500 check matter had been referred by unanimous vote of the Commission in March, 1943, to the District Judge for such action as the Department might deem appropriate. He alluded to Section 113 of the U. S. Criminal Code, making acceptance of payment for personal services rendered by members of Congress and certain others in public life in any proceeding before a Government agency a criminal offense punishable by imprisonment and fine.

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

The exhibits attached to the Durr newspaper release included a photostat of a purported WALB check dated Aug. 18, 1941, made out to Mr. Durr for $250 and endorsed by Judge Cox, and having cleared through the City National Bank of Albany on Aug. 30, 1941, and the voucher purportedly showing payment for "legal expense."

No Replies To FTC

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

War Food Guide

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

UP'S STYLE BOOK

Phil Newsom, Radio Manager, Advises on Writing

STYLE BOOK for radio news has been written by Phil Newsom, radio news manager for United Press, and is available to UP radio clients, the UP radio staff, journalism schools and others interested. It is a 32-page book which advises on writing radio news. The book also contains a pocket size, cloth bound, illustrated with cartoons which emphasize the chief idea of each chapter, the book assumes the reader is already experienced in news writing, and tells him how to alter his style, make it more clear and effective when heard as they have been printed page by page.

Mr. Newsom stresses use of "war" language, in an informal style, frequent re-writes, and care in picking stories since there is no going indiscrimitately to the whole family. The book is illustrated throughout with news stories involving the principles set forth.

'This Is Official' Set By Blue as War Series

SECOND network program to be announced following the statement made at the NAB Convention that the four networks were being asked to bring more Government messages [BROADCASTING, May 3], is the Blue's "Washington presentation to the air," which starts May 23. Titled This Is Official and heard Sunday 1:15-3:15 p.m., the program is to be presented from Washington in cooperation with the OWI and is designed to provide answers to questions on the war, as submitted by the people.

Each broadcast features a "answer panel," made up of Government officials starting with Premias Brown, head of the OPA; Chester Davis, Federal food administrator; Paul V. McNutt, chief of the War Manpower Commission, and representatives of WPB and the War Dept. An interlocutor, who will select the questions each week and present them to Government heads, will be named shortly. NBC's Radio War, The White Fighting, gets under way June 5.

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

Strong Jap Signal

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

BROADCASTING - Broadcast Advertising

JOHN MULLEN GETS NEW OWI COPY JOB

JOHN A. MULLEN, vice president of Benton & Bowles, has been appointed Copy Chief of the OWI Radio Bureau. David Stauffer chief of the Bureau an- nounced last night that Mullen's new post is a new one. Mr. Stauffer said, in- volving coordination of all OWI Radio Bureau communications, and other duties not yet as- signed.

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

At Benton & Bowles, Mr. Mullen was director of commercials. Date of his joining the agency has not been set. The agency for more than a year, has been on the Radio Advisory Committee of the Advertising Council.

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

WESTON HILL, widely known to the radio industry as a copywriter and creative executive for various agencies, has announced the opening of his own agency, Hill Adv. Inc., 1316 Park Ave., New York. Telephone is PL 2-7800. Mr. Hill also announced that a branch office will be opened soon in Chicago. He did not reveal details of personnel or accounts.

More recent agency affiliation for Mr. Hill has been with Sherman & Marquette, Chicago, where he served as a copywriter and contact man on Colgate-Palmolive Co.'s Cashmere Bouquet and soap, and on the Country Distil- lers' "Tommy " Especially." Prior to that, he was vice-president and copy chief of H. W. Kastor & Sons, Chicago, where he served in executive capacity with Rathrauf & Ryan and Blackett-Sumner-Hum- mert.

ASCAP in North Dakota

ASCAP is again doing business in North Dakota, the Society reports, following notification by State officials that the North Dakota chapter of the ASCAP has been accepted and that the articles of incorporation submitted by ASCAP have been accepted and filed as provided for by the statutes. Licenses in North Dakota are handled through the Minnesota office, under the direction of E. W. Peterson.

Made Director

HILDEBRAND SANDERS (Mrs. Fred Levingis), Jr. copywriter for the past three years of Mitchell-Faust Adv. Co., Chicago, has been ap- pointed to the staff of the new L. Paul Holman Faust, vice- president and radio director, is on leave, serving with Naval Public Relations in Chicago.
NEHNI Corp., Columbus, Ga., to promote its Par-T-Pak beverages and sparkling water, has started a varied schedule of transmitted spot announcements on 22 western stations. Contracts are for 28 weeks. The program and five announcements weekly, station list includes KFRE, KVKE, KSRO, KVRO, KLEK, KOL, KGW, KWJ, KJTM, KGB, KRTU, KPMC, KVDE, KXXO, KIT, KID, KIEM. Agency is BBDO, Los Angeles.

THUT-AM radio station in Kansas City, Mo., is featuring ads on its program to persuade listeners to vote for President Truman in November.

TUBE Meeting Called

MEETING of the Tube Industry Advisory Committee to plan production of replacement tubes for home radios has been called for May 28 by Frank H. McIntosh, chief of the Radio & Radar Division's foreign and domestic broadcasting branch. Production of tubes for the third and fourth quarters of 1943 will be determined, and a program of parts for maintenance and repair will be discussed.

MclClintock Recovers

MILLER McCLINTOCK, Mutual president, who has recovered from his recent attack of bronchial pneumonia, will speak on the network May 19 during the Navy School of Music program, when he receives a "For Victory" salute for MBS participation in Navy effort shows.

Compton Substitutes

MILITARY officers of high rank are substituting for Mutual's Washington newscaster, Walter Compton, while he makes a 10-day tour of Army camps. Compton's trip as official Mutual representative is part of a Government project to give commentaries a picture of Army operations.

DREW PEARSON TIP

TERMED A 'SMEAR'

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

Chairman May of the committee said witnesses should be brought in from the Army and Navy." Army and Navy members were absent in the investigation, according to Pearson, who said he was trying to get an Army official on the committee. May said he was looking for "the best news service available anywhere at any price.

James M. Brown, Commercial Manager.
Nets Prepare for New Rules

(Continued from page 8)

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

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

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

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

Extemporaneously, he commented that Congress intended that the FCC should regulate the "spiritual and intellectual" phases of broadcasting, as well as the technical.

Jurisdictionally, he pointed out that Congress did not appear in the written opinion. It was regarded as of highest significance, however, for if that judgment holds, there is nothing spoken or written that can be regulated by the FCC. The comment was made in the face of the precisely-worded "no censorship" provision of the law.

Powerful Dissent

Justice Frankfurter was joined in the majority opinion by Chief Justice Stone and Associate Justices Murphy, Byrnes, and Jackson.

Justice Black disqualified himself, presumably both because his brother-in-law, C. J. Durr, is a member of the FCC and because he was a member of the Senate when the Communications Act of 1934 was passed. Justice Rutledge, newest member of the Court, took no part because he did not hear the arguments.

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

While the Supreme Court ruling, however, does not terminate pending litigation against the networks on the question of purported monopoly, aimed at exclusive contracts, time options and the related issues, the Dept. of Justice still has pending before the Federal District Court in Chicago its anti-trust suit against RCA-NBC and CBS, alleging violation of the Sherman Act on these counts and others, including dual ownership and operation of two networks by RCA, station ownership and related interests by the same company and artists bureau affiliations and in fact all the original counts cited in the FCC's first report of May 3, 1941.

September Trial Set

These proceedings are set for trial on Sept. 13 before Federal District Judge Barnes. There is also pending the triple-damage suit of Mutual against RCA-Blue, seeking redress of some $10,000,000 which would be pressed if that company is found guilty of infraction of the anti-trust statutes. It is expected, in the light of the Supreme Court ruling, that CBS and Mutual will seek dismissal of the Government suits on the ground that the whole issue now is moot. Presumably the Mutual litigation will then be dropped.

Justice Frankfurter's opinion of 27 pages is the most exhaustive handed down in a radio case to date. In it he reviewed at length the history of the network controversy, from inception in March, 1938, when the Commission undertook its original investigation. He pointed out that since Oct. 30, 1941, the FCC had been subjected to the pressures of the Defense, and that enforcement of the regulations has been stayed either voluntarily by the Commission or by order of court.

Emphasized in the opinion were the eight regulations, the reasons cited by the FCC for their adoption, and the reasons the Court majority sustained the Commission. He termed regulation of radio, viz. to its development as traffic control was to the development of the automobile, because of the "fixed natural limitation" upon the number of stations that can operate without interference.

Traffic Officer

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

It was this dictum that appeared to convey to the FCC implied control over the "all embracing, all-comprising" mission placed by the majority on the import of the phrase "public, interest, convenience or necessity" as all-embracing, likewise connoted broad new powers which the FCC has attempted to invoke, but which till now had not been sanctioned by the courts. The "public interest" the court held further, is also the interest of the public even when Congress itself could not do this, it committed the task to the Commission."

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Broad Powers

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

After concluding that the act authorized the Commission to "pro-mulgate regulations designed to correct the abuses disclosed by its investigation, the court said, "the majority stated there remained for consideration the claim that the Commission's exercise of such authority was unlawful. Pointing out that the regulations were assailed as arbitrary and capricious, Justice Frankfurter said that if this contention means nothing more than that they are not likely to succeed in accomplishing what the Commission intended, "we can only say that the

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appellants have selected the wrong forum for such a plea."

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

Congress' Responsibility

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

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

Answering the networks' contention that the first amendment to the Constitution is infringed because the regulations abridge the right of free speech, the majority said that it would follow that every person whose application for a license to operate a station is denied by the Commission "is to be denied his Constitutional right of free speech." Unlike other modes of expression, the court said, radio inherently is not available to all.

"That is its unique character-istic and that is why, unlike other modes of expression, is subject to governmental regulation. Because it cannot be used by all, some who wish to use it must be denied." The question is simply whether the Commission's holding that it will refuse licenses to persons who engage in specified network practices, is thereby denying them the Constitutional right of free speech. Justice Murphy said, "The right of free speech does not include, the court held, "the right to use the facilities of radio without a license. The licensing system established by Congress... was a proper exercise of its power over commerce... Denial of a station license on that ground, if valid under the act, is not a denial of free speech."" Vast Potentials

The Murphy dissent, concurred in by Justice Roberts, which obviously will be strongly relied upon in the effort to get a new legislative expression from Congress, stated that the very outset that the court's minority did not question the objectives of the network regulations. Justice Murphy held that the court exceeded its competence when it "prejudged its action upon an agency power which the Congress has not granted."

The minority emphasized the extreme importance of radio in the life of the nation, pointing out that it has assumed a position of "commanding importance, rivaling the press and the pulpit. Because of its vast potentialities as a medium of communication, discussion and propaganda, Justice Murphy held, the character and extent of control that should be exercised over it by the Government "is a matter of deep and vital concern."

Citing events in Europe which show that radio may readily be a weapon of authority and misrepre-sentation, propaganda, Justice Murphy held, that the regulations instead of means of entertainment and enlightenment, the minority said it may even be used as "an instrument of oppression. Disclaiming any thought that such developments are imminent or probable in this country, Justice Murphy suggested, however, that the construction of the statute should be approached with more than ordinary restraint and caution, to avoid an interpretation that is not clearly justified by the conditions that brought about its enactment, or that would give the Commission greater powers than the Congress intended to confer."

Holding unequivocally that the Communications Act does not in and of itself undertake to regulate the contractual relations between stations and networks, Justice Murphy said nowhere in the act is there to be found any reasonable construction or necessary inference authority to regulate the broadcasting industry as such, or to control the complex operations of the national networks.

Differing sharply with the majority, he contended the power to control contracts and affiliations by means of the Commission's licensing powers cannot be derived from implication out of the use of the public interest standard. He cited the Sanders case wherein the court held the Commission is given supervisory control of the "programs, of business management, or of policy" of licensees.

"Not Judged Unlawful"

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

Pointing out it is quite possible that maximum utilization of radio is inhibited by existing network arrangements and that some of the conditions imposed are not conducive to a freer use of radio facilities, the minority nevertheless said it was unable to agree that it is within the present authority of the Commission to prescribe the remedy for such conditions. "It is evident that a correction of these conditions in the manner proposed by the regulations would involve drastic changes in the business of radio broadcasting which the Congress has not clearly and definitely empowered the Commission to undertake."

The Commission had reversed the order of things, Justice Murphy said, asserting its real objective is to regulate the business practices of the major networks "thus bringing within the range of its regulatory power the chain broadcast-ing industry as a whole. By means of these regulations and their enforcement, the Commission would not only extend its authority over business practices but would "greatly enlarge its control over an institution that has now become a rival of the press and as a purveyor of news and entertainment and a medium of public discussion.""

'Mere Incident'

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

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

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

He concluded that, "either new or existing network contracts are deemed objectionable, because of monopolistic or other features, and no remedy is presently available under these provisions, the proper course is to seek amendatory legislation from the Congress, not to fabricate authority by ingenious reasoning based upon provisions that have no true relation to the specific problem."
Grade Labeling Is Abandoned By OPA for This Year's Pack

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

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

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

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

Grading to Remain

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

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

Other Objects-priced

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

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

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

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

RCA Planners To Study Social, Economic Trends

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

This study will make possible the development of proper solutions, according to B. D. Deskins, executive assistant on commercial matters to the general manager of the RCA Victor Division, and chairman of the planning committee. Other committee members are: Dr. C. B. Jolliffe, chief engineer; J. M. Golenpaul, Misses First Show FOR THE FIRST TIME since Information Please has been on NBC, Dan Golenpaul, owner and producer of the show, sponsored by H. J. Heinz Co., will not be sitting at m. c. Clifton Fadiman's side, but will be hooking up with NBC Hollywood studios where Jon Struther and Boris Karloff will be guest contestants. Golenpaul will be there helping them. Franklin P. Adams and John Kieran will cover the situation as "The Expanding Mind," a series sponsored by New York. Agency is Maxon Inc., New York.

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Vacation Policy Continued

WHIO, Dayton, believes that in spite of war manpower shortages all employees should get away from wartime radio for a short time. All personnel with pay for a year will get two weeks with pay; those serving six months or more, one week. Even those who have worked less than six months will have a few extra days off in addition to regular holidays. Each new employee of Al-

nouncer Harry Butler, has already re-
turned to work.

In a move to help alleviate current war manpower shortages among broadcast engineers and technicians, a week-long "in-house" week was started on May 1 for technical staffs of KHJ KFRC KGB DB and FM station KAGLA, Cali-
fornia outlets owned and operated by Don Lee, Hollywood.

Free Calls

AT REQUEST of the Pacific Coast Maritime Industry Board, the FCC has granted KVA, San Francisco, permission to broadcast without charge calls to longshore-
men. Need for the announcements, which will be of five minutes each, one hour after midnight and before 8 a.m., arose from inability of the hiring hall to handle a flood of calls from longshoremen incident to the loading of ships under wartime emergency condi-
tions. The plan, which will be handled in such a way as not to reveal information of mili-
tary importance, has the ap-
nal of the Maritime Army and Navy authorities, accord-
ing to the FCC.

Station Breaks Slated On OWI Air Schedule

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

Attendance at the meeting were rep-
resentatives of 45 stations in Ohio, Michigan, West Virginia, and Ken-
tucky, William M. Spire, chief of the Allocation Division, Richard F. Connor, retiring station relations chief, and Mrs. Elaine Ewing, as-
sistant station relations chief, repre-
sented OWI. Mr. Spire also said the station breaks would be used by region offic-$es wherever ma-
terial permitted.

Scholarships Changed

War manpower conditions have led the Detroit Board of Education to change the terms of the radio education scholarship offered by G. A. Richards, president, and Lee Fitz-
patrick, vice-president and general manager of WJR, Detroit. The $50,000 U. S. war scholarship, offered Detroit high school seniors to stimulate them to make radio show business, has been replaced with an outright grant of $1,000 plus $4,000 to be held in escrow for the student upon returns from military service. The sum will then be available for the education or rehabilitation of the win-
ning contestants.

New Campbell Series

CAMPBELL Soup Co., Camden, through Brown & Belding, on June 2 starts sponsoring for 13 weeks a half-hour comedyvariety program on 119 CBS sta-
tions. Wednesday 8:30-9 p.m. (EWT). Packaged by Music Corp. of America, national talent service, series is produced by Vick Knight, the Hollywood orig-
imating variety show will utilize weekly guest stars. Bud Gluskin is the business director. Carlton Kadell announces.

FM fundamentals and practices are treated in newly-published Frequency Modulation, by August Hund, consult-

WCHS
CHARLESTON, W.Va.

Home of the world's largest synthetic rubber plant.

9,218 FAMILIES TELL ALL ABOUT LISTENING HABITS
Get latest survey — no cost!
Here's how to get next to the billion-
dollar radio market! New, impartial, all-
inclusive "Consumer-Time" Time Radio Survey covers all 99 counties, discloses 8-year trends in listening habits and preference as to station and programs. Maps and facts on Iowa listeners in various age groups and educational levels — city, small-town and farm. You need it to do a good job in Iowa. Get it today! No cost, no obligation.

Central Broadcasting Co., 913 Walnut St., Des Moines, Iowa

The TIME-BUYERS STATION
WDOJ
Chattanooga, Tenn.
5,000 WATTS
CBS

PAUL H. RAYMER CO.
NATIONAL REPRESENTATIVES

WHOK
ST. LOUIS, MISSOURI
630 Kilkearys
6000 Watts Full Time
BLUE NETWORK
Represented Nationally by WEECO & CO.

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BROADCASTING • Broadcast Advertising
NBC, UNION PACT BEING NEGOTIATED

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

Major changes asked by the union are a 10 per cent increase in compensation, in accordance with the cost-of-living differential; an eight-hour minimum work day, and extra compensation for men working the 1 a.m. to 6 p.m. shift. Both sides reported "satisfactory progress" last Friday after three days of negotiations, which will continue this week.

NABE's negotiating committee comprises J. H. Brown, Havewood, president of the union; F. C. Schnepper, NABET vice-president and chairman of the Chicago chapter, and Harry Hiller, chairman of the New York chapter. O. B. Hansen, vice-president and chief engineer of NBC, and John H. MacDonald, vice-president and assistant secretary, represent the network.

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

STARRING military personnel, the Port Benning Theatre of the Air, a new program from Fort Benning, Ga., is being aired on WRRB, Columbus, Ga. Originated especially by Pvt. Harry Stumer, Special Services Office, show is heard weekly on Thursday at 9:30 over WRRB. Following with John A. Brown, with the American Red Cross. Sections of the Army Community Services Plan, a weekly series of programs, will be sponsored by the armed services.岗位

isolated and the same time the network.

100% Girls WITH the arrival of June Remaly, first female stock holder, K49Kt, FM station in Kansas City, has a 100% girl staff in both technical and programming. Orren Nigh, who Miss Remaly replaced, remains as supervising technical chief. June was at Fort of his time in the War Production activities of Commercial Engineering Co., licensee of the station.

'SOUND SISTER' Jane Gray Chose Her Job WITH Deliberation

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

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

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

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

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

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

AMP Licensees KGA, Spokane, has a new licensing agreement with Associated Music Publications, and the following stations have extended their licenses with AMP for additional periods: KKN, Mone- tary; KHSL, Chico, Cal.; KIT, Yakima, Wash.; KORE, Eugene, Ore.; KZNN, Roseburg, Ore.; WJLC, Harrisburg, Md.; WLOL, Minneapolis; KMO, Tacoma, and KICA, Clovis, N. M.

UNCLE Sam Discs (Continued from page 7)

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

The Uncle Sam programs started about three months ago. Officials said reaction has been mixed with favorable reports from many large cities and sharp criticism from small stations, many of whom expressed disappointment over the lack of big name talent, and the failure to use audience appeal.

Although no definite plans for the new series were available last weekend, discussions are underway with the Advertising Council. Officials said the new programs will be around the particular talents of the stars, and will utilize showmanship to provide the widest possible cir- culation for the war messages. Mr. Staffer's letter urged stations to give the best time they had open.

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

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

SECOND 'FREEDOMS' PROGRAM TO BLUE BLUE will again be used by the Saturday Evening Post as an exhibit of "Freedoms of Painting," on June 3 goes on public dis- play at Rockefeller Center, New York, Washington preview of an exhibit, which features the original paintings of the "Freedoms" by Norman Rockwell. For the Post, was broadcast on the BLUE April 26 (BROADCASTING, April 26). War Bonds are sold in connection with the display which is now touring the country.

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

Cincinnati Man Retires After 30 Years; Will Vacation

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

Announcement also was made that A. E. Johnston, director of advertising and display of Kroger Grocery & Baking Co., has resigned to become vice-president in charge of creative production of the agency.

Mr. Johnston, an authority on the mass market, had been with Kroger for 12 years, coming from Sears, Roebuck & Co., Chicago. Before that he was a sales executive of Phelan & Morris Co. For the past year he has served as a member of the Advisory Council of the Treasury in war bond sales.

To Take Rest

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

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

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

"We will continue to build upon the solid foundation Mr. Jones has formed over a period of three decades," Mr. Robertson said.

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

Among accounts served at the Ralph H. Jones Co. are Carter Coal Co.; P. F. Collier & Son Corp. (Dr. H. H. C. Robertson Jr., 1937)

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

ADVERTISING AS SOCIAL PANACEA

Bert Johnston in New Book Proposes Broad Application of Selling Techniques

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

Johnston calls this broad application of market analysis, and selling technique "Humanics," and the "combination marketer-advertiser-psychologist-sociologist," who applies its principles, a "Humanicist."

He sets forth two basic laws of selling—Displacement and Point of Superiority. Ideal merchandize are not introduced and put over in a vacuum; they must displace the old idea, preconception, inferior or familiar article, he claims. And they accomplish this through their Point of Superiority, that quality which makes them more desirable than their predecessors. In our dynamic capitalistic economy, we don't simply sell; we "out-sell, out-advertise, out-campaign, out-influence the competition." First of all, The American Way must be sold to the American public, characterized by the author as Joe America. This means solving the knotty problem of capital vs. labor which, says Mr. Johnston, is primarily a public relations job.

It requires a new branch of the advertising profession "to point out to Labor [in the common language of Joe America] the value of capital and the need for labor to be responsible to capital, and then to point out to capital its need for and dependence upon labor and the responsibilities it must assume toward labor.

Radio plays a leading role among the promotional media the Humanicist must use, the author believes, for it is "the No. 1 factor of entertainment and communication in the round of Joe America's activities."

Anyone who wants to influence people must study radio listening habits. Research proves that "people spend more time listening to radio than doing any other one thing except working and sleeping."

Now Lt. Koplovitz

WILLIAM C. KOPLOVITZ, member of the radio law firm of Dempsey & Koplovitz, last Monday reported for duty as a lieutenant (s. g.) in the Coast Guard, Headquarters for the present in Washington. He is on leave from his law firm for the duration. Lt. Koplovitz, former assistant general counsel of the FCC, established law offices with William J. Dempsey, former FCC general counsel, three years ago, upon their retirement from the Commission. He is now attached to the legal section at Coast Guard headquarters.

Taylor For BLUE

HENRY J. TAYLOR, correspondent for the North American Newspaper Alliance, has joined BLUE'S staff of commentators, and is now heard Monday through Friday, at 6:05 p.m. except on WJZ, New York. Mr. Taylor started a series of commentaries on WJZ, April 19, and will continue on that station in the 11:05-11:15 p.m. period.

Kaltenborn on Coast

MACMILLAN PETROLEUM Corp., Los Angeles, starting shifting date of its Pacific Coast radio campaign to promote MacMillan Ring-Free motor oil, begins three-weekly sponsorship of H. V. Kaltenborn on six NBC Pacific stations, May 15, Monday to Wednesday, Friday, 4:45-5 p.m. (PWT). Transcribed rebroadcasts are also scheduled three times per week on KFO, KHQ, KFI, and KEL (PWT) with similar releases on KFI and KGW, 10:30-10:45 p.m. (PDT). On KEL only, product promoted will be MacMillan Ethyl gas. Contract is for 62 weeks.

Bank's New Series

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

Peterson in Sweden

ELMER PETERSON, correspondent of the NBC London staff, arrived in Sweden as a guest of the Swedish Press Club—the only staff radio commentator in a group of Americans invited to make a tour of the country in reciprocation for a U. S. tour arranged for five Swedish journalists last summer. Mr. Peterson will remain in Sweden over May Day. During his stay, he will broadcast to NBC listeners from Stockholm. Mr. Peterson visited Sweden in 1933 and 1934 as a reporter.

Union Sponsorship

TELLING the public about their contributions to the welfare of the country Shipbuilders' Union, Local 802, CIO, is sponsoring 10 fifteen-minute programs beginning May 11th, from WIBG, Philadelphia. The programs, at 8 p.m. Mondays, are directed by T. E. Lawson, former radio writer for Public Ledger Syndicate and conductor of women's programs for NBC. Guest speakers will be interviewed.

New Record Drive

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

JACK BENNY, star of the weekly NBC show bearing his name and sponsored by General Foods Corp. (Gefoods FM Corp.), also has been a key figure for leading role in the Warner Bros. film, "The Horn Blows at Midnight."
Radio Urged to Continue Bond Selling, Second Loan Final Count Is 18½ Billion

WITH SECOND War Loan subscribed, CBS and WOR, $13,943,000,000 in the final count, high praise has been soundcd for radio’s overwhelming bond promotion. At the same time, the industry is being urged to continue unabated campaigning.

In a recent radio address, Secretary Morgenthau thanked stations throughout the country, pointing out that “the real battle is still ahead of us” for “our war expenditures during this year will be more than the last year.” In Washington, the War Savings Staff reports that people will be asked now to invest every dollar above basic essentials in bonds, and payroll savings will be used to apply to individuals but to families as well. The 10% plan will become past history as families are asked to plan to buy a $100 bond, will permit higher and higher wage deductions for bonds. It is felt that as the drive drills beyond the painless area and reaches the one nerve, sustained and intensified appeals will be needed.

Campaign Suggestions

Latest edition of “Radio News”, a Treasury bulletin, presents some of the best ideas evolved during the Second War Loan so that stations may borrow features from each other for future promotions. The May-June edition of “Big Guns”, a Treasury bulletin for retail stores, asks that the sale of “extra bonds”, over and above the amount required by law, be pushed, and suggests that radio advertising use the “Four Freedoms” theme and tie in with National Flag Week (June 7-14) and Father’s Day (June 18).

According to recent OWI figures, the greatest portion of radio time given to Government announcements went to bonds during the Second War Loan, with listener impressions reaching 80% on Radio Day. War Bond listener impressions average roughly 25%. Members of the Radio Section of the War Savings Staff have been in the field state that station managers and staftcs continue to do an amazing good job of using every possible event and local angle to put War Bonds over, often giving more time to promoting U. S. securities than to promoting their own stations.

Auctions Sell Bonds

At KWW, St. Louis, Rush Hughes has received his third Treasury citation for “magnificent” bond selling which has resulted in the purchase of $1,102,275 worth of securities since last August 19. Bond auction at KVOO, Colorado Springs, evoked laughs as well as sales. Article, which netted $101,000 in bonds, were a pig, billy goat, calf, donkey and silver fox. A bit of silk from parachutes of a flyer who jumped to safety after the Tokyo raid bought $30,000. So excited was the bond chairman that he offered the shirt off his back—which turned out to be only $50,000 in bonds. At WSAZ, Huntington, W. Va., Manager Flen J. Evans’ brother, pilot of a B-17, offered bullets fired from the guns of his ship in an auction, which raised about $6,000 in two hours.

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

Whaling on Main Street

Patriot’s Day in Massachusetts was celebrated by WNBH, New Bedford, in a whaleboat which sailed down a main street harpoon- ing bonds. This novel stunt raised $47,715. Hitler birthday announcement by “Grouchy Gus” at WTH, both in the East and West, pledged totaling $38,675. Evening of dining and entertainment staged at a New York night club by WBYN, with admission by purchase of a $100 bond, a gate of $100,000 and an equal sum for the sale of dances at $10,000 a dance.

A Mayday show at the “Rumpus Room” broadcast the final for the Second War Loan at WMTJ, Milwaukee. Admission was by bond purchase, adding $115,000 M. C. Johnnie Olson’s total bond sale of nearly million dollars. In Dan- ton and Montgomery Counties, where thirty million dollars was raised for the Second War Loan, WHO programs and rallies were credited with much of the drive’s success. On WAAAF, Newark, the home town of Norman Tokar, the “Henry” of NBC’s Aldrich Family, Norman and Jack Kelk (“Home Brown”) broadcast every ten minutes on May 15, and took telephone bond pledges in person to listners.

Buyers Get Free Records

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

Sales accomplished by the bond board of Truth or Consequences, sponsored on NBC by Procter & Gamble, have rocketed to $69,616-95 after the May 8 broadcast in Seattle. Another amazing sale prop was a work of art by the disposal of Jacy Benny’s violin for a million dollars in bonds. Benny has now volunteered his services as virtuoso to the Treasury and plans are being laid for the comedian to appear with a symphony orchestra, with admission by War Bonds only.

WAR BONDS

BMI Station Program Managers Meet in N. Y.

SIXTH conference of program managers of BMI affiliated stations was held in New York last week, May 10-11, for a discussion of program structure. M. E. Tompkins, vice-president and general manager of BMI, introduced the speakers, featuring Sydney Kaye, BMI executive vice-president and station relations director; Roy L. Harlow, program director; and Robert Burton, staff counsel. Clar- ence Meinert, NBC vice-president in charge of programming, also spoke. Seventh in the series of program conferences (BROADCASTING, April 5, 26) will be held May 24-25.

Present at last week’s meeting were: Gene Winkley, WDOO, Chattanooga; Wal- lace Braseal, KFPP, Spokane; David Bar- nes, WGAN, Cin.; M. C. Johnnie Olson, WNEW, Long Island; Ralph Novak, WNBC, Hartford; Paul Ginah, KIBM Boulder; Ben Park Pendergast, WNBH, New Bedford; George Crall, WZCK, Paducah; Lanny Ross; WAKR, Chicago; Lanny Ross, NBC, Jacksonvill, III.; Jimmie Wilson, Bir- mingham, and Roy Rogers, WOPR, Bristol, Tenn.

POLOLAND, ORGE

“KEY TO THE GREAT W. 5,000 Watts—620 Kilocyles NBC RED NETWORK

Reproduced Nationally by EDWARD PETRY & CO., Inc.

24 Hours a Day!

WASHINGTON

Washington’s Only 24 Hour Station
1000 WATTS 1260 KC

AGITED WITH MUTUAL BROADCASTING SYSTEM

The Northwest’s Best

WTCN

BLUE NETWORK

MINNEAPOLIS ST. PAUL

Owned and Operated by ST. PAUL DISPATCH PIONEER PRESS, MINNEAPOLIS DAILY TIMES.


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BROADCASTING • Broadcast Advertising
Actions of the
FEDERAL COMMUNICATIONS COMMISSION

MAY 8 TO MAY 14 INCLUSIVE

Decisions...

MAY 8

License renewals for regular period:
KALB KDLE KFTH KYC KFPA KYRO KM VU WEMP WERJ WERJ KTVT WFTC KBND KYC KXK

KXRA WKIR WBBK WBCN WCBS WCOX WQNN WRE KTVT.

WPTZ. Wyndmoor, Pa.—Granted permis-
sion to Pipe Line Broadcasting, inc, for program correlation, with conditions.

WJYR. Westfield, Mass.—Granted license re-
newal to June 1, 1944.

KALW, San Francisco.—Granted license re-
newal to May 1, 1944.

WBTY. Beattyville, Ky.—Same.

WXER, Kansas City, Mo.—Same.

KYA. San Francisco.—Granted special ser-
service authorization to broadcast calls to Longshoremen, service to be rendered with-
out charge, announcements to be of 5 min.
a.m. and p.m.

MAY 12

WOCF, Boston.—Passed over to June 16 after public hearing.

WLAN. Endicott, N. Y.—Granted permis-
sion to discontinue without prejudice appli-
cation for mod. of CP for 1460 kc, 250 w.

WJMR, Elkins, W. Va.—Granted con-
tinuation of application for mod. of CP to
June 7, 1945.

Trans World Press Service.—Granted ex-
tension to August 2, 1945, to file proposed
findings of facts. In case of Transradio vs. AT&T et al, and in investigation of rates etc. of AT&T in rendering certain press service.

MAY 13

WKBZ, Meckesgen, Mich.—Granted leave
dismissal without prejudice application for mod. of CP to 1490 kc.

WXKX, Cincinnati.—Granted mod. CP as mod. authorizing new experimental tele-
vision station extend completion date to Oct. 28, 1943.

Ham Shortwave Permits

OPERATING permits for several shortwave amateur stations within the WBS, WBS, and Special Commercial di-
visions, were recently issued by the FCC to Los Angeles County De-
Fense Council. Covering the San Diego and Temple City, Calif., districts, the permits, according to H. G. Martin, CDC radio aide, raise the total number of these stations to 12. Part of a county-wide network, the system operates on two and one-
half meters.

Capt. William Sparks

CAPT. William Sparks, president of Sparcs-Wrightington Co., manu-
facturers of the Sparcers, receiver, died May 13, after several years' ill-
ness. Services were held May 15 in his home city of Jackson, Mich.,
where he was a leader in civic af-
fairs. Capt. Sparks was a pioneer in development of automotive ra-
io, and was a leading member of the group of industry leaders in which he was active in important capacities.

Video Session

WILL BALTIN, program director of W2WV, N.Y., is preparing a television station in New York, and Sam Cuff, in charge of the station's experi-
ments during commercial dial days, were featured speakers at the spring meeting of American Tele-
vision Society, held last Thursday at the Hotel Capitol, New York.

Applications...

MAY 10

WMMN, Fairmount, W. Va.—License cover CP as mod., change DA for N. use.

KLRA, Little Rock.—License cover CP as mod, change frequency, change transmitter, change frequency, increase power changes in DA for N. use, etc.

WJKK, Bolivar, Tenn. — License cover CP for new commercial television station, in part.

WFTL, Ft. Lauderdale, Fla.—Vol. As-
signment license and CP to Fort Industry Co.; mod. license move main studio to answer asserts, contingent on granting license as-
signment.

Tentative Calendar...

WJRM, Elkins, W. Va.—Mod. CP for
1240 kc, 250 w. unlimited. (May 17).

WINTERINE Mfg. Co., Denver, (Arctician antifreeze) has denied Federal Trade Commission alleg-
ations that the product causes corrosion, rusting, etc. in auto cooling systems. OPA ceiling prices were later set at a price below cost of making the product. This, the answer asserts, was followed by WPB order prohibiting manufac-
ture of the product, and by reason of these orders the company has suffered great financial loss and is unable to employ attorneys to rep-
resent it. Hearings will be held.

Short Time Meter

TIMER for extremely short inter-
vals, as low as 100 microseconds, has been announced by the Special Products section of General Elec-
tric. The new electronic meter is designed to measure the interval between two events which can be converted into electrical impulses, such as the elapsed time between the closing of two controls, be-
tween an electrical impulse and a light impulse, or between two im-
pulses to a phototube.

Swing Paid $73.050

RAYMOND GRAM SWING, com-
mentator for the General Cigar Co., New York, on Mutual, was paid $73,050 by the company in 1942, General Cigar's annual re-
port showed. Operations of the Securities and Ex-
change Commission showed last week.

Subscribe to Library

STANDARD RADIO announces the following new and renewal subscribers for Second and Third Libraries:

KXYZ, Houston; KRIS, Corpus Christi;
WBZ—WBZA, Boston; WTVX, New York;
WGY, Utica; WJAI, Canton, Ohio; WCHD;
WJJH, Johnson City, Tenn.; WKKR, Wheeling; WPCI, Provi-
dence; KTVT, Philadelphia; WRAC, Re-
steuvel, O.; WJFP, Herrin, Ill.; WMPF, Patto-
sboro; WSNR, Kansas City; WRC, Wash-
gton, D.C.; WLBJ, Bowling Green, Ky.; WBZ, New York; WFMF, Wis-
consin Rapids; WFPN, Findlay, O.; WHEF, Calumet, Mich.; WADC, West-
field, N. Y.; WLBV, Westfield, Mass.; WLLY, Sheffield, Ala.; KXL, Portland, Ore.; KTBC, Austin; WHLD, NA Falls.

Merger of Postal, W. U.

Covered in Agreement

AGREEMENT to merger was signed last week by the Postal Tele-
graph and Western Union Tele-
graph Co.s. The action was taken under authority of an Act of Con-
gress approved March 6, 1943, and in cooperation with the postal, tele-
graph committee of Commissioners Payne, chairman; Clifford J. Durr and Ray C. Wakefield, named by the FCC to deal generally with problems arising in connection with any proposed merger of domestic telegraph companies.

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

The carriers must now submit an application to the Commission before a merger can be effected and thereafter the Commission will or-
der a public hearing on the appli-
cation, according to the FCC. While plans for distribution of interna-
tional telegraph traffic among the carriers concerned has not been
solved, the subject is still under consideration by the FCC Commit-
tee and the companies affected.

Leading up to the signing of the merger agreement, a number of conferences was held by the Com-
mittee and representatives of Post-
al, Western Union, American Com-
munications (CIO) the Commercial Telegraph Company, and others whose interest the merger might affect.

NEW FM ANTENNA

DESIGNED TO RELAY FM pro-
grams from studio to main trans-
mitter via any of the 25 assigned channels centering on 337 megacycles, a new radio relay antenna has been developed by engineers of the General Electric Company depart-
ment at Schenectady. One of the new antennas is in operation telegraphing from University of YALE, Schen-
ectady, to the main transmitter 12 miles away in the Helderberg moun-
tains.

Says M. W. Schedelberg, G-E engi-
neer, "The antenna concentrates its radiation in a narrow beam in the direction of the transmission, only, in accord-
ance with well defined and narrow limitations of the Federal Com-
mission regulations, within a nonmetallic housing which protects the entire electrical sys-
tem from the weather, it mounts easily on a single metal pole.
Help Wanted

An Experienced Announcer—Wanted at once for regular assignment. Permanent position on NBC network in Great Lakes District. Please write full details on NBC-Blue Broadcasting. All replies treated confidentially. Box 633, BROADCASTING.

WANTED IMMEDIATELY—Aggressive Announcer—Assistant Engineer for NBC-Blue Broadcasting. Send complete details on NBC-Blue Broadcasting, 500 East 58th Street, New York.5,000 plus guaranteed and paid weekly. Send resume to Box 633, BROADCASTING.

EXPERIENCED SALESMAN—A 5,000 watt CBS station in New York City desires an experienced salesman with ability to stimulate interest in his present future in national advertising. If you are a man who wants to invest in the future we have an excellent opportunity for you. Write WIZZ Inc., Kalamazoo, Michigan, giving full details about yourself, age, draft status, etc.

Combination Operator—Announcer—Desirable, 3-d. Excellent opportunity for experienced operator—announcer to handle NBC-Blue Broadcasting. All replies treated confidentially. Box 629, BROADCASTING.

ANNOUNCER-PRODUCER—At liberty June 1st. No drafts. Good station at agency proposition. In or near New York City. Please write first letter. Box 634, BROADCASTING.

Situations Wanted

ANNOUNCER-PRODUCER—At liberty June 1st. No drafts. Good station at agency proposition. In or near New York City. Please write first letter. Box 634, BROADCASTING.

Situations Wanted (Cont'd)

ANNOUNCER-PRODUCER—At liberty June 1st. No drafts. Good station at agency proposition. In or near New York City. Please write first letter. Box 634, BROADCASTING.

Situations Wanted

ANNOUNCER-PRODUCER—At liberty June 1st. No drafts. Good station at agency proposition. In or near New York City. Please write first letter. Box 634, BROADCASTING.

Solid Background—For news presentation, programming, and commercial and/or personality announcing. Midwest family man. Let's exchange references. Box 633, BROADCASTING.

Wanted Young Woman—Experienced Programming, Production, Writing, Announcing. Ideas plus experience a must. Now writing and producing weekly show over 5000-watt NBC-WBLUE station. Will leave June 30. Box 683, BROADCASTING.

WANTED TO BUY

Field Intensity Measuring Equipment—Prefer RF meter, but will consider other equipment. Send full details. Box 693, BROADCASTING.

Woods Enters Winchell Censorship Controversy

CONTINUED objections by Walter Winchell of "censorship" of his Sunday night broadcasts on the BLUE last week brought Mark Woods, president of the BLUE, into the picture. Disputes heretofore have been mainly between Winchell and the Andrews Jergens agency. Lennen & Mitchell, New York [BROADCASTING, April 19].

Two items of Winchell's script for May 9 were reportedly blue-penciled by Mr. Woods, one referring to the poem of the quest of the son of a Kansas Representative, the other a reference to "grudge fights" between prominent political figures.

The BLUE had no comment to make on Winchell's criticism of script supervision, and Lennen & Mitchell, queried as to whether Winchell's option for 1944 due May 31 has been rescinded said no decision had been reached.

FTE Cites Willys

THE IDEA of creating a "Jeep" was originated by the American Bantam Car Co., of Butler, Pa., in collaboration with certain officers of the Army, and not by Willys-Overland Makers, of Toledo, Ohio, the Federal Trade Commission says in a complaint against Willys-Overland for purported misrepresentation in its radio and other advertising as to the creation and perfection of the Army Jeep. Named with Willys-Overland as respondents are United States Adv. Corp., Toledo; and executives of the manufacturer and the advertising agency.

Kennedy Lauds, Raps Recording Engineering

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

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

An enthusiastic FM fan, Mr. Kennedy said that "FM broadcasting is doing something for the listener beyond the immediate possibilities of AM broadcasting. The only objection is that FM and television sound channels reveal too many defects from our studios. FM actually is too good for the studios and the concert artists, in a sense. The sound of the symphony orchestra will be played as FM develops, handily and eagerly when FM carries the program."

BILL MORROW and Ed Beloin, for more than three years writers on the weekly NBC Jack Benny Show, sponsored by General Foods Corp. (Grape-nuts Flakes), report to Fort MacArthur, Cal., for Army induction in late May.

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BROADCASTING • Broadcast Advertising

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PROFESSIONAL DIRECTORY

JANSKY & BAILEY

An Organization of Qualified Radio Engineers Dedicated to the SERVICE OF BROADCASTING

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

McNARY & WRATHALL

CONSULTING RADIO ENGINEERS

National Press Bldg., D. I., 1205

Washington, D. C.

HECTOR R. SKIFTER

Consulting Radio Engineer

FIELD INTENSITY SURVEYS

STATION LOCATION SURVEYS

CUSTOM BUILT EQUIPMENT

SAINT PAUL, MINNESOTA

GEORGE C. DAVIS

Consulting Radio Engineer

Munsey Bldg., District 846

Washington, D. C.

R. F. G. GODLEY

CONSULTING RADIO ENGINEERS

MONTCLAIR, N. J.

MO 2-7859

PAUL F. GODLEY

CONSULTING RADIO ENGINEERS

MONTCLAIR, N. J.

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Fort Industry Co. Acquires WFTL, Ft. Lauderdale, Fla., at $275,000 Cost

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

The station recently began operating on 710 kc. with 10,000 watts full-time and a 5,000-watt assignment. There have been reports of its impending sale for some time, due to the ill health of Mr. Horton. It is a Mutual outlet.

Fort Industry Co. owns and operates WWVA, Wheeling; WSPD, Toledo; WMMN, Fairmont, W. Va.; WAGA, Atlanta; WJMJ, Miami; WBC, Los Angeles; and WQXR, New York. O. J. Harold Ryon, assistant director of censorship, is vice-president and treasurer of the Fort Industry radio operations, but is on leave while on Washington. Lt. Com. Storer likewise is on leave, serving as material procurement officer in the 9th Naval District in Chicago. Active direction of the company is in the hands of George W. Smith, executive vice-president, and management head of WWVA, and L. A. Puxley, general manager in Detroit.

The agreement covering the transaction, filed with the FCC, sets out that several mortgages are outstanding on WFTL, which are satisfied as part of the $275,000 transaction. The grand total of all the equipment and property in WFTL was given as approximately $180,000. A certified report by an accountant set the total cost to Mr. Horton of WFTL and its operations, to March 31, at $222,500, including original cost, depreciation, cost of financing and interest and services.

Included in the purchase price of $275,000 were mortgages aggregating $36,000 held by Florida banks. The contract may be cancelled at the end of six months, the FCC has not approved the application for transfer.

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

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

Nelson, Grabhorn Slated
For New York Club Post

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

Candidates for next year’s presidency are Linnea Nelson, timebuyer; M. J. Elliott, treasurer; and Murray Grabhorn of the Blue Spot Sales Department. Vice-president nominee is Both Black, timebuyer of Joseph Katz Co.; for secretary, Warren Jennings, New York representative of W.L.W., Cincinnati, and Lou Moore, Radio Advertising Corp., and for treasurer, Nettie Jones, Timebuyer’s B.D.D.O., and Maxwell Davis, WMCA, were named.

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

Also featured at last week’s meeting was the award of a plaque from the Manufacturers’ Council of New York, business manager of Radio Daily. Out-of-town guests included Lew Levy, Ed Whittington, Merwin Dobyns, KGER, Long Beach.

ALL BLUE OFFICERS ARE AGAIN ELECTED

MARK WOODS, BLUE president, and other officers of the network were re-elected to their respective positions May 7 by the board of directors. Officers include Niles Trammell, chairman of the executive committee; Edgar Kokeb, executive vice-president; Phillips Carlin, vice-president in charge of programs; John Gilgins, vice-president in charge of stations; Fred M. Thrower, Jr., vice-president in charge of sales; E. B. Garner, vice-president, charge of the central division; Don E. Gilman, vice-president-in-charge of the western division; Lunsford F. Yandell, vice-president; Charles E. Rynd, treasurer; Leonard Nelson, secretary; Thomas R. Nelson, assistant secretary; and Christian Frank verified the account.

Sumner Plans
WESTINGHOUSE ELECTRIC & MFG. Co., East Pittsburgh, Pa., foregoing a summer hiatus, will continue its Westinghouse Program on 169 NBC stations, July 2-26, 3 p.m. (EWT). John Charles Thomas is m.c.-vocalist, with John Nesbitt, narrator. Victor Young is musical director, with Ken Darby’s vocal chorus being featured. Clare Olmstead is producer for the show & Rubicon Inc., agency servicing the account.

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

Air Wick on WOR

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

Nelson Promises Paper
Status Quo Until Oct. 1

PRESENT shortage of paper for newspapers and magazines is the result of the emergency and is alarming. WPB Chairman Donald Nelson told a House Interstate subcommittee last week, assuring that sufficient paper will be available. The situation is unlikely, at least until Oct. 1. Mr. Nelson’s statement was read from a “contract investigating the newsprint situation, in accordance with a resolution offered by Rep. Harold E. Silber.”

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

Lt. Com. Guider Promoted
Heads Radio Procurement

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

A pioneer in the practice of radio law, Com. Guider left the law firm of Hartson, Guider, of which he had been a partner for 10 years, when he was called to active duty last summer by the War Department to service his partner, Lt. Com. Duke M. Patrick. Com. Guider was graduated from the Naval Academy in 1922.
WHO'S UP AT 6 IN THE MORNING?

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

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

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

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

* Map offer at 6 A.M. brought replies from 90 Missouri and Kansas counties—from 14 outside states and Canada. This offer was made six mornings only—at 6 A.M.—no other teasers or plugging.
"Coverage" is a loosely used term often employed in radio to cover up embarrassing features such as, for instance, a lack of listeners. Less and less do time buyers jump at the conclusion that "coverage" is synonymous with "listeners", or "circulation."

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

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

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

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

WKY
OKLAHOMA CITY

OWNED AND Operated BY THE OKLAHOMA PUBLISHING CO.
The Daily Oklahoman and Times - The Farmer-Stockman
KVOR, Colorado Springs - KLZ, Denver (Affiliated Mgmt.)
Represented Nationally By The Katz Agency, Inc.